

Background

- 1.1 The background to the current intervention by the United Nations in East Timor can be traced back to the Portuguese efforts, in 1974, to establish a provisional government and a popular assembly to determine the way ahead for the territory. Intense rivalry between those who favoured independence and those who advocated integration with Indonesia led to civil war and the subsequent withdrawal of Portugal.
- 1.2 The civil war was ended by Indonesian military intervention and the integration of East Timor as the 27th Indonesian province soon followed: an integration that was never recognised by the United Nations. Indeed, resolutions of both the Security Council and the General Assembly called for Indonesia's withdrawal. Moreover, integration was far from universally accepted by the East Timorese people and resulted in armed rebellion by some elements of the pro-independence population against the Indonesian authorities.
- 1.3 From 1982, successive Secretaries-General, at the request of the General Assembly, held regular talks with Indonesia and Portugal aimed at resolving the status of the territory. In June 1988, Indonesia proposed a limited autonomy for East Timor within the Indonesian nation. The culmination of this proposal was agreement, on 5 May 1999, between Indonesia and Portugal, entrusting the 'Secretary-General with organizing and conducting a "popular consultation" in order to ascertain whether the East Timorese people accepted or rejected a special autonomy for East Timor within the unitary Republic of Indonesia'.¹
- 1.4 To effect the 'popular consultation' the Security Council established the United Nations Mission in East Timor (UNAMET) on 11 June 1999. Under

1 <http://www.un.org/peace/etimor/etimor.htm>

the unanimous Security Council Resolution of that day, the the United Nations established, until 31 August 1999, UNAMET ‘to organize and conduct a popular consultation, scheduled for 8 August 1999, on the basis of a direct, secret and universal ballot’.² The purpose of the ballot was ‘to ascertain whether the East Timorese people accept the proposed constitutional framework providing for a special autonomy for East Timor within the unitary Republic of Indonesia or reject the proposed special autonomy for East Timor, leading to East Timor’s separation from Indonesia’.³ ‘The 5 May agreements stipulated that, after the vote, UNAMET would oversee a transition period pending implementation of the decision of the East Timorese people’.⁴

- 1.5 The Security Council Resolution of 11 June 1999 authorised ‘the deployment within UNAMET of up to 280 civilian police officers to act as advisers to the Indonesian Police in the discharge of their duties and, at the time of the consultation, to supervise the escort of ballot papers and boxes to and from the polling sites’.⁵ The resolution also authorised ‘the deployment within UNAMET of 50 military liaison officers to maintain contact with the Indonesian Armed Forces in order to allow the Secretary-General to discharge his responsibilities under the General Agreement and the Security Agreement’.⁶
- 1.6 Given East Timor’s limited roads, mountainous terrain, poor communications and the tight timetable, the UNAMET task was always expected to be difficult. However, it was made more difficult by the high level of tension that existed throughout the voter registration phase of the ‘popular consultation’. On 23 June 1999, the Secretary-General of the United Nations decided to delay the date of the ‘popular consultation’ by two weeks citing unabated violence and logistical problems. Reporting to the Security Council, the Secretary-General said that security conditions and the lack of a level playing field did not allow for the consultation process to go forward.⁷ Despite twice delaying the start of voter registration due to security concerns, by the close of registration on 5 August 1999, UNAMET had been able to facilitate the registration of

2 UN Security Council Resolution 1246 (4013th meeting on 11 June 1999)

3 *ibid*

4 <http://www.un.org/peace/etimor/etimor.htm>

5 UN Security Council Resolution 1246 (4013th meeting on 11 June 1999)

6 *ibid*

7 UNAMET Website at <http://www.un.org/peace/etimor/etimor.htm>

451,792⁸ potential voters from a population estimated at 'over 800,000 in East Timor and abroad'.⁹

- 1.7 Campaigning for the popular consultation began on 14 August 1999 but was quickly marred by violence as pro-integration militia harassed people suspected of being pro-independence. Despite the violence the United Nations decided to proceed with the vote and on 26 August 1999, the 'Secretary-General and members of the Security Council called for Indonesian authorities to assert control over the security situation in East Timor'.¹⁰ On 30 August 1999, some 98 per cent of registered voters went to the polls deciding by a margin of 94,388 (21.5 per cent) to 344,580 (78.5 per cent) to reject the proposed autonomy and begin a process of transition towards independence.¹¹
- 1.8 The announcement of the result of the 'popular consultation' was followed by a campaign of violence, looting and arson by pro-integration militias. Despite commitments made under the 5 May 1999 agreements, Indonesian authorities did not curb the violence. 'Many East Timorese were killed and as many as 500,000 were displaced from their homes, about half leaving the territory, in some cases by force'.¹² Despite significant diplomatic effort from the United Nations, Indonesia appeared unable to reimpose order in the territory and, on 12 September 1999, President Habibie announced that Indonesia would accept international assistance.
- 1.9 As the post-ballot violence began to spread following the 'popular consultation' UNAMET continued to operate and two local UNAMET staff were killed on 2 September 1999. Despite continual pressure on Indonesia to curb the violence and to protect UNAMET staff, the situation continued to worsen and by 8 September 1999 the United Nations was considering options to withdraw the majority of UNAMET staff from East Timor. Two days later, with militia threatening to invade the United Nations compound, the Secretary-General authorised the withdrawal of the majority of UNAMET staff (including 350 local staff members) to Darwin. The 100 strong contingent that were left in Dili remained confined to the United Nations compound until 14 September when they (along with more than 1400 locals who had sought refuge in the compound) were relocated to Darwin. A very small contingent of United

8 <http://www.un.org/peace/etimor/etimor.htm>

9 *ibid*

10 UNAMET Website at <http://www.un.org/peace/etimor/etimor.htm>

11 <http://www.un.org/peace/etimor/etimor.htm>

12 *ibid*

Nations staff (including some UNAMET personnel) remained in Dili at the Australian consulate.

1.10 On 15 September 1999, the Security Council voted unanimously to authorise the establishment of a multinational force under Chapter VII of the Charter of the United Nations to be lead by Australia and authorized 'the States participating in the multinational force to take all necessary measures to fulfil this mandate'.¹³ The force to be known as INTERFET (International Force East Timor) was tasked to:

- a) restore peace and security in East Timor;
- b) protect and support UNAMET in carrying out its tasks; and,
- c) within force capabilities, to facilitate humanitarian assistance operations.¹⁴

1.11 The first elements of INTERFET arrived in East Timor on 20 September and at the time of the visit by the Joint Standing Committee on Foreign Affairs, Defence and Trade in December 1999 the force comprised some 9000 personnel from 20 nations.

1.12 UNAMET re-established its headquarters in Dili on 28 September and concurrent with the buildup of INTERFET the United Nations initiated a large-scale emergency humanitarian relief effort. This effort has included 'airstrops of food, aid convoys and the provision of shelter and basic services'.¹⁵ As the security situation improved increasing numbers of relief workers and supplies have been deployed to East Timor. More recently attention has been given to the voluntary repatriation of East Timorese displaced during the violence.

1.13 The result of the 'popular consultation' was formally recognised by the Indonesian People's Consultative Assembly on 19 October 1999. Prior to this, on 28 September 1999, Indonesia and Portugal, 'reiterated their agreement for the transfer of authority in East Timor to the United Nations, in accordance with article 6 of the 5 May Agreement'.¹⁶ In addition, and as a result of the withdrawal of Indonesian Armed forces, police and administrative officials during the 'popular consultation'

13 UN Security Council Resolution 1264 (4045th meeting on 11 September 1999)

14 UN Security Council Resolution 1264 (4045th meeting on 11 September 1999)

15 <http://www.un.org/peace/etimor/etimor.htm>

16 Report Of The Secretary-General On In East Timor (S/1999/1024; 4 October 1999)

process, it was also agreed ‘that ad hoc measures were required to fill the gap created by the early departure of the Indonesian civil authorities’.¹⁷

- 1.14 Accordingly, on the recommendation of the Secretary-General, the United Nations Security Council resolved, on 25 October 1999, to establish a United Nations Transitional Administration in East Timor (UNTAET) ‘endowed with the overall responsibility for the administration of East Timor, [and] empowered to exercise all legislative and executive authority, including the administration of justice’.¹⁸ The resolution of the 25 October 1999 also called for the ‘replacement as soon as possible of the multinational force by the military component of UNTAET’.¹⁹ The establishment of UNTAET ended the UNAMET mandate on 24 October 1999.

17 *ibid*

18 *ibid*

19 UN Security Council Resolution 1272 (4057th meeting on 25 October 1999)

