

## CHAPTER 3

### HUMANITARIAN ASSISTANCE AND SECURITY MATTERS

#### Humanitarian and development assistance

##### *Initial aid activities*

3.1 Mr Dawson, AusAID, told the Committee on 6 December 1999 that the violence associated with the ballot had necessitated the withdrawal of all project staff from East Timor and the suspension of all humanitarian development assistance activities.

3.2 In the aftermath of the post-ballot violence and before a presence could be re-established on the ground in East Timor, AusAID had worked closely with the World Food Program to deliver over 180,000 daily rations to isolated areas within East Timor using Australian Defence Force aircraft. In addition, warehouses were set up in Darwin to receive relief goods from international agencies and Australian NGOs; commercial air and sea transport were secured to move supplies quickly from Darwin to East Timor; and trucks and other vehicles were obtained for transporting supplies within East Timor. Mr Dawson said that ‘these contributions of transport and logistical support had been widely acknowledged by international relief agencies as having greatly enhanced the effectiveness and the responsiveness of the international relief effort’.<sup>1</sup>

3.3 Once Interfet arrived in East Timor, aid agencies initially focussed on providing critical humanitarian needs for food, water, shelter and medical assistance.<sup>2</sup> As the major supply routes were secured and displaced East Timorese began to return from West Timor, international agencies and Australian NGOs began providing assistance to family groups to re-establish themselves in East Timor and ensure adequate shelter and care for people during the 1999-2000 wet season.<sup>3</sup> After an intense period of immediate humanitarian assistance, the focus shifted to planning for longer-term reconstruction and recovery.

##### *Australian financial aid*

3.4 In September and October 1999, the Australian Government announced \$14 million in emergency and humanitarian assistance for East Timor through international relief agencies, especially the World Food Program, the United Nations High Commissioner for Refugees, the International Committee of the Red Cross and Australian NGOs. On 22 November 1999, Foreign Minister Downer announced that

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1 Mr Dawson, *Committee Hansard*, 6 December 1999, p. 993.

2 Mr Dawson, *Committee Hansard*, 6 December 1999, p. 993.

3 Mr Dawson, *Committee Hansard*, 6 December 1999, pp. 993-4.

aid program funding for East Timor in 1999-2000 would be increased by a further \$60 million, of which \$23 million would be given to the consolidated international humanitarian appeal for East and West Timor.<sup>4</sup>

3.5 This appeal, which then totalled over \$300 million, was used to meet identified urgent humanitarian needs over the following nine months and it provided a framework for donors to co-ordinate their assistance. Australia's contributions to the appeal focussed strongly on 'assisting return and resettlement of displaced East Timorese from West Timor, the restoration of basic health and education services, urgent work on water supply and sanitation, and support for peace-building and initiatives involving local East Timorese groups'.<sup>5</sup>

3.6 Australia's humanitarian assistance to the East Timor crisis for 1999-2000 totalled approximately \$37 million, which was the largest Australian contribution ever made to an international humanitarian relief effort. AusAID also provided assistance with reconstruction for longer-term development needs.<sup>6</sup>

3.7 Foreign Minister Downer said on 18 December 1999 that Australia would contribute \$A25 million to the Reconstruction and Development Trust Fund and the United Nations Trust Fund for East Timor during 1999-2000. He said Australia's total program of assistance to East Timor for 1999-2000 would be at least \$A75 million.<sup>7</sup> As it turned out, Australian Government assistance for East Timor in 1999-2000 totalled \$81 million.<sup>8</sup>

3.8 In the 2000-01 budget, the Government committed \$150 million over the following four years towards the reconstruction of East Timor, with \$40 million allocated for the current year.<sup>9</sup>

3.9 All aid provided by Australia was under the humanitarian program in close consultation with the United Nations co-ordinating authorities, which identified priorities and tried to match donor resources against those priorities. Anything done by Australia for longer-term development was done in accordance with the priorities that UNTAET set down through its consultative mechanisms with the East Timorese representatives.<sup>10</sup> Australia agreed to participate in World Bank Multilateral Trust Fund programming by providing community development, agriculture, infrastructure and social sector experts.<sup>11</sup>

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4 Mr Dawson, *Committee Hansard*, 6 December 1999, p. 994.

5 Mr Dawson, *Committee Hansard*, 6 December 1999, p. 994.

6 Mr Dawson, *Committee Hansard*, 6 December 1999, p. 994.

7 'Australia pledges \$25m to huge reconstruction fund for East Timor', *AAP*, 8 December 1999.

8 AusAID, *East Timor Update*, 11 September 2000.

9 Minister for Foreign Affairs, Alexander Downer and Minister for Trade, Mark Vaile, media release, 9 May 2000.

10 Mr Dawson, *Committee Hansard*, 6 December 1999, p. 997.

11 World Bank Multilateral Trust Fund for East Timor, fact sheet, 23 February 2000.

3.10 Australia provided advice to UNTAET on a number of recovery and reconstruction matters, including assessment of immediate needs in water supply and sanitation, the provision of an expert adviser in that sector, and advice on telecommunications needs and other areas. Australia also assisted with building the capacity of local NGOs, redeploying some longer-term project staff and picking up work which was commenced before the ballot.<sup>12</sup>

3.11 Bishop Manning said that the Australian Catholic Church was giving support through Caritas Australia. The Church would help the East Timorese in the area of human rights if there were human rights abuses, and by helping them on a humanitarian basis to help themselves by, for example, helping them to grow their crops or develop water supplies.<sup>13</sup>

#### *International aid*

3.12 Mr Dawson told the Committee that:

the World Bank took the lead in organising a joint assessment mission comprising representatives of bilateral donors, UN organisations, the Asian Development Bank and East Timorese technical experts. The IMF also conducted a parallel assessment mission. This mission was a very important exercise in longer term planning.

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The mission identified immediate economic priorities, including restarting the flow of goods and services, establishing payments and banking systems and organising a budget. The mission also identified a range of key development challenges, including restoring agriculture, re-establishing basic health and education services, rebuilding essential infrastructure, creating a new civil service and judicial system and training East Timorese in rebuilding communities.

The total cost of these activities over three years is estimated to be in the range of \$US260 million to \$US300 million.<sup>14</sup>

3.13 The results of the mission were discussed at a meeting of international donors from over 50 countries and international agencies, jointly chaired by the United Nations and the World Bank and hosted by the Government of Japan, in Tokyo on 17 December 1999. The Tokyo meeting exceeded expectations and gathered over \$US522 million in pledges of grant funds for the following three years, of which \$US373 million was allocated for the reconstruction, development and civil administration of East Timor, including \$US31.5 million for UNTAET expenses. An amount of \$US215 million was allocated to two trust funds, one of \$US140 million to

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12 Mr Dawson, *Committee Hansard*, 6 December 1999, p. 995.

13 Bishop Manning, *Committee Hansard*, 3 November 1999, pp. 699-700.

14 Mr Dawson, *Committee Hansard*, 6 December 1999, p. 994.

be administered by the World Bank and the Asian Development Bank (ADB), the other to be administered by UNTAET in consultation with East Timorese representatives. Another \$US149 million was for humanitarian assistance. The \$US158 million remaining from the fund for development and reconstruction was pledged for other bilateral and multilateral reconstruction assistance.<sup>15</sup>

3.14 The ADB drew upon the \$US140 million trust fund, which it jointly administered with the World Bank for meeting infrastructure needs in East Timor, while the World Bank drew upon the fund for agriculture, health and educational development.<sup>16</sup> During a visit to Dili on 21 February 2000, Mr James Wolfensohn, President of the World Bank, signed the Bank's first project commitment for East Timor, \$US21.5 million over two and a half years for a Community Empowerment and Local Governance Project (CEP).<sup>17</sup>

3.15 Japan pledged \$US100 million over the following three years, of which \$US28 million was for humanitarian assistance. Japan also promised to provide financial support to East Timorese students studying at Indonesian universities.<sup>18</sup> The Japan International Cooperation Agency (JICA) was expected to spend \$US30 million by September 2000 on infrastructure repair and development, agriculture, health and community assistance. JICA-funded projects began in February 2000 with rehabilitation of the road network, water supply improvement in fifteen towns, assistance to rice producers in Lautem and Manatuto, and fishery training and development.<sup>19</sup>

3.16 The European Commission pledged 'at least' 60 million euros.<sup>20</sup> The United States Congress had voted \$US25 million for aid for East Timor in the 1999 budget.<sup>21</sup> At the United Nations and the World Bank meeting on aid to East Timor in Tokyo on 17 December 1999, the United States pledged \$US72 million for humanitarian and development aid.<sup>22</sup> The United States Congress approved a further \$25 million aid for the fiscal year beginning 1 October 2000.<sup>23</sup>

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15 Shingo Ito, 'Donors pledge \$A800 million for East Timor', *Agence France-Presse*, 17 December 1999; Suvendrini Kakuchi, 'East Timor gets 522 million dollars in aid pledges', *IPS*, 20 December 1999.

16 'ADB to start releasing funds for E. Timor', *Reuters*, 6 February 2000.

17 'World Bank President arrives in East Timor', *Agence France-Presse*, 21 February 2000; 'World Bank inks development grants for East Timor'; *Deutsche Presse-Agentur*, 21 February 2000; Mark Dodd, 'UN and World Bank row over aid deal', 'UN staff battle over independence policy'; *The Sydney Morning Herald*, 22 February, 13 March 2000.

18 *Asia Pulse*, 20 December 1999.

19 *UNTAET Daily Briefing*, 29 March 2000.

20 Shingo Ito, 'Donors pledge \$A800 million for East Timor', *Agence France-Presse*, 17 December 1999.

21 Jim Abrams, 'Nation-building to be formidable task, State Department says', *AP*, 11 February 2000.

22 'Clinton advisor praises Australian leadership on East Timor', *7.30 Report*, 13 January 2000; 'US to keep observers in Timor, spend \$US 70 million', *Reuters*, 11 February 2000.

23 USIS, *Washington File*, EPF302, 25 October 2000.

3.17 On 1 March 2000, the World Bank country director for East Timor, Mr Klaus Rohland, said that, since September 1999, per capita income in the territory had fallen from \$US380 to around \$US190 a year. Although crops, such as wheat, rice and coffee, had been little affected by the September violence, many animals had been killed, including cattle and most chickens, the mainstay of the local subsistence economy. Therefore, a plan to increase the number of cattle and chickens was a priority project for rebuilding East Timor. Mr Rohland said that the most important task was to replace international aid with productive economic activities.<sup>24</sup>

3.18 In response to a plea from CNRT President, Mr Xanana Gusmão and Vice-President, Dr José Ramos-Horta, which was made on 5 February 2000, the Asian Development Bank (ADB), on 23 March, approved a \$US1 million grant over two years to develop a capacity building plan for parliamentary business, justice administration and public sector management.<sup>25</sup> On 29 March, the ADB and UNTAET signed a \$US 29.7 million grant agreement for roads, ports and electricity repair and maintenance.<sup>26</sup>

3.19 On 26 May 2000, Hedi Annabi, United Nations Assistant Secretary-General for Peacekeeping, said \$US14.1 million in a United Nations trust fund of \$US28.6 million had been disbursed but the World Bank, which had collected \$US38.4 million of \$US147 million pledged by donors in Tokyo in December 1999, had only spent \$US2 million to date. However, he said the bank had now finished planning the health, education and agricultural projects it would fund and was expected to spend up to \$US40 million in coming months.<sup>27</sup>

### *Co-ordination*

3.20 One of the key functions of UNTAET was to establish mechanisms for setting aid priorities. The Office of the Secretary-General's Special Representative had a position dedicated to perform that function, in close consultation with East Timorese representatives through the established consultative processes.<sup>28</sup> Prioritisation of programs financed by the World Bank Multilateral Trust Fund of \$US147 million is performed every six months by an East Timorese group in close consultation with UNTAET and the World Bank. Trust Fund work plans are discussed with donors to the Fund to avoid overlap with bilateral projects.<sup>29</sup>

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24 Robert Garran, 'World Bank rounds up cash cows', *The Australian*, 2 March 2000.

25 'ADB extends US\$1 million grant to East Timor', *Asia Pulse*, 24 March 2000; 'ADB approves one million dollar assistance to East Timor', *Agence France-Presse*, 23 March 2000.

26 *UNTAET Daily Briefing*, 29 March 2000.

27 'Security Council worries about West Timor refugees', *Reuters*, 26 May 2000.

28 Mr Dawson, *Committee Hansard*, 6 December 1999, p. 997.

29 World Bank Multilateral Trust Fund for East Timor, fact sheet, 23 February 2000.

3.21 Under the Office for the Co-ordination of Humanitarian Affairs (OCHA) working groups were set up for particular sectors. A representative of AusAID regularly attended the daily OCHA co-ordination meetings.<sup>30</sup>

### **The Oecusse enclave**

3.22 The district of Oecusse, also known as Ambeno, forms an enclave on the north-west coast separated by some 80 kilometres of Indonesian territory from the rest of East Timor.<sup>31</sup> It is where the Portuguese first established themselves on Timor.<sup>32</sup> The present border was the product of the centuries of struggle between the Dutch and Portuguese. Mr Michael Grant explained:

To put the border in a brief historical context, the borders of East and West Timor reflect centuries of political compromise between Holland and Portugal, the two ex-colonial powers. The borders do not reflect distinct cultural or linguistic boundaries. Perhaps these days they reflect a psychological boundary, nor, apart from the enclave of Oekussi, do they reflect indigenous Timorese ethnic boundaries. The boundary of the enclave Oekussi was a natural indigenous, autonomous boundary of a kingdom that traditionally has not wanted to be dominated by either Dili or Kupang in West Timor.<sup>33</sup>

3.23 Mr Grant referred to the land swaps that had taken place during the period of colonial rule. Maucatar on the southern salient of the East/West border was part of Dutch West Timor up until 1916 when it was swapped for other parts of Timor, and there was an earlier land swap in 1859. Maubara, where much of the political violence has occurred, was once a Dutch enclave.<sup>34</sup> At one stage during the border negotiations from 1859 to 1916 between the Dutch and Portuguese, the Portuguese had wanted to exchange Oecusse for territory contiguous to the rest of their Timorese territory. The local ruler had refused to agree.<sup>35</sup> Professor James Fox referred to the historical importance of the kingdom of Ambeno which, as a nominal vassal of Portugal, had

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30 Mr Dawson, *Committee Hansard*, 6 December 1999, p. 998.

31 Oecusse is also spelt Oecussi, Oe Cusse, Oekusi and Wekusi. 'Perhaps a third of all settlement names on Timor include the word for water—Oe, Wai, We or Be—indicating a source of fresh water' (attachment to submission no. 37, James J. Fox, 'The Paradox of Powerlessness: Timor in Historical Perspective', p. 7). Mr P.G. Spillett recorded the following explanation from the Raja of Ambenu, Nune Benu, whom he interviewed on 24 March 1997: 'The name Oekusi appeared from the name Kusi (husband of Sila Benu). They lived near a spring of water (Oe), so that the place where they lived was called Oe Kusi. Sila Benu and Kusi had a son who was... afterwards given the name of Am Benu. The region is now called Ambenu Oekusi' (attachment to submission no. 17, P.G. Spillett, *The Pre-Colonial History of the Island of Timor*, Darwin, Museum and Art Gallery of the Northern Territory, 1999, p. 52).

32 Mr Aitken, *Committee Hansard*, 20 July 1999, p. 129. Prime Minister António Guterres included Oe Cusse in his visit to East Timor during 22-26 April 2000 ('Guterres pledges aid to guerillas', *The News Weekly*, Lisbon, 29 April 2000).

33 Mr Grant, *Committee Hansard*, 20 July 1999, p. 205.

34 Mr Grant, *Committee Hansard*, 20 July 1999, p. 210.

35 Attachment to submission no. 17, P.G. Spillett, *The Pre-Colonial History of the Island of Timor*, Darwin, Museum and Art Gallery of the Northern Territory, 1999, p. 138.

been able to preserve a large measure of Timorese independence from both the Dutch and Portuguese until the early part of the twentieth century.<sup>36</sup>

3.24 The predominant language in Oecusse is Dawan rather than Tetum, the official local language of East Timor.<sup>37</sup> Dawan is also the predominant language in the central part of West Timor.

3.25 During the post-referendum violence, some 50,000 of its 58,400 inhabitants were forced to flee or were driven away from their homes. The local TNI-sponsored Saukunar militia, led by Laurentinho 'Moko' Soares, was accused of conducting a rampage of arson, kidnapping and murder.<sup>38</sup> Interfet entered Ambeno on 22 October 1999 and, by 25 January 2000, more than 230 bodies had been found across the district by United Nations authorities, including the site at Passabe of possibly the largest single massacre in all of East Timor following the referendum.<sup>39</sup>

3.26 The district's isolated location invited the question of its continued viability as part of an independent East Timor.

3.27 Dr Peter Bartu saw long-term difficulties in defending the enclave: 'It was such a historical and geographic anomaly that it would be a challenge for any Dili based government to bring the enclave fully into East Timor.'<sup>40</sup> Mr Hamish McDonald said:

In terms of its viability, I think that would largely depend on the nature of the border that comes into being between East Timor and Indonesia. If it was what you might call a hard border, patrolled and with restricted crossing, then I think it would be very difficult for Oecussi to be supported from East Timor ... If it returns to the porous border that it was in Portuguese times, I think it could quite easily exist as an enclave.<sup>41</sup>

3.28 Mr McDonald explained that viability would rest on the assumption that there was fairly free movement of citizens on a local level across the border and free movement along the roads across West Timor territory back into East Timor. He

36 James J. Fox, attachments to submission no. 37, 'The Paradox of Powerlessness: Timor in Historical Perspective' and 'The Great Lord rests at the centre'; see also his 'Forgotten, neglected but not peaceful: a history of Timor', *The Canberra Times*, 27 November 1975, and 'Tracing the path, recounting the past: historical perspectives on Timor', in James J. Fox and Dionisio Babo Soares (eds.), *Out of Ashes: deconstruction and reconstruction of East Timor*, Adelaide, Crawford House, 2000, pp. 1-29.

37 The similarity of this language to the dialects spoken in Solor and eastern Flores was a significant factor in the establishment of the Portuguese in this part of Timor in the 17th century (Professor James J. Fox, attachment to submission no. 37, 'The Historical Position of Tetun among the languages of the Timor area', p. 8).

38 Michael Ware, 'Militia terror file handed over', *The Australian*, 1 February 2000; Richard Lloyd Parry, 'Militia leader's ingeniously cruel forms of murder', *The Independent*, 2 February 2000.

39 Mark Dodd, 'Passabe massacre: Marked for killing frenzy', *Sydney Morning Herald*, 8 February 2000; 'Militia leader arrested for East Timor murders', *ABC News Online*, 10 February 2000.

40 Dr Bartu, *Committee Hansard*, 3 November 1999, p. 654.

41 Mr McDonald, *Committee Hansard*, 4 November 1999, p. 813.

referred to the two land routes: a central route, going south out of Oecusse to Kefamananu and then joining the central highway in West Timor, and a more recently constructed coast road, linking Oecusse with the East Timor border near Atapupu, and said, if those roads were open and there was a co-operative spirit on both sides of the border, there was no reason why Oecusse should not continue to be an East Timorese territory. He concluded:

Politically, I think it would be foolish for the East Timorese leadership to even talk about offering up Oecussi as a territorial concession at this stage, given that there are voices on the Indonesian side and on the pro-Indonesian side in East Timor still talking about a partition of the main part of East Timor and keeping the western districts as some kind of Indonesian buffer zone or even a separate territory.<sup>42</sup>

3.29 Dr Gerry van Klinken was of the view that, if relations remained hostile, it would be difficult for the enclave to remain part of an independent East Timor. He went on to point out that treatment of the enclave's population by the militia was identical to, if not worse than, the way the East Timorese had been treated in the rest of East Timor. This indicated that the pro-independence feeling in the enclave had been just as strongly in favour of independence as it had been elsewhere. The international community therefore owed it to the people of Oecusse to treat them in exactly the same way as they treated the rest of East Timor.<sup>43</sup>

3.30 Mr Abel Guterres told the Committee the enclave was not negotiable:

Oecussi was still part of the territory of East Timor ... Before the Indonesian invasion they were under Portuguese rule. There was access. Things will change. We hope to have a good, cooperative relationship with West Timor, with Kupang, with the Nusa Tenggara Timor government. We hope to have that good working relationship in the area with the whole of eastern Indonesia. That will happen. There was endeavour in terms of communicating with local West Timor leadership. It will be in their interest and in our interest to maintain that cooperative role.<sup>44</sup>

3.31 Professor Charles Sampford said that the residents of Oecusse should be asked if they wanted to stay part of East Timor, and that their wishes should be respected. He said it was better to work on creating an international order in which border differences did not mean as much:

changing those boundaries would be a real problem. 'Those who try to correct the accidents of history create some of its greatest tragedies.' I think it was best in this particular case to say to the Indonesians or anybody else

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42 Mr McDonald, *Committee Hansard*, 4 November 1999, p. 813.

43 Dr van Klinken, *Committee Hansard*, 4 November 1999, p. 810.

44 Mr Guterres, *Committee Hansard*, 18 November 1999, p. 933.



that that was part of East Timor until they want to leave and just work with it.<sup>45</sup>

3.32 The Committee notes that the basic international instrument, the *Declaration on the Granting of Independence to Colonial Countries and Peoples* of December 1960, expressly asserts, ‘Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations.’<sup>46</sup> This would appear to give strong support to those in Timor who desired to preserve the territorial boundaries as finally established in 1916.<sup>47</sup>

3.33 On 29 February 2000, during President Abdurrahman Wahid’s visit to Dili, Indonesia and UNTAET reached in principle agreement for free access by land from Ambeno to the rest of East Timor by way of a ‘special corridor’.<sup>48</sup> Further talks on this were held on 8 June when the Governor of Nusa Tenggara Timur (West Timor and adjacent islands), Piet Tallo, visited Dili for round table talks with UNTAET officials and East Timorese leaders, and on 5 and 6 July during UNTAET-Indonesia talks on the border in Surabaya.<sup>49</sup> It had not been established by October 2000 because of the fragile security situation in West Timor.

3.34 Upon handing over to his Timorese successor at the end of July 2000, the first UNTAET district administrator of Ambeno, Mr Graham Day, said that it was essential for the future of the enclave that East Timor establish a transport link between Oecusse and Dili by sea that was entirely under its own control. ‘Be it humble, be it infrequent, it must fly the Timorese flag, be controlled by Timorese authorities, and be subject to Timorese laws’, he said. ‘No resident of Oecusse is going to have confidence in a corridor open to the influence of the militia groups that continue to be active in the region.’<sup>50</sup>

3.35 UNTAET said that ‘The takeover of parts of West Timor by militia groups makes it unlikely that a land corridor can be established anytime soon. Therefore, the only economic possibility for transport between Oecussi and East Timor proper is by sea’, and announced that a passenger ferry service was being established to supplement the limited air service until a land corridor could be established. The East Timor Transitional Cabinet decided to provide a subsidy of \$US5,000 per month to enable the Australia-based East Timor Shipping and Supply (ETSS) to operate the

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45 Prof. Sampford, *Committee Hansard*, 3 November 1999, p. 730.

46 Quoted in Gough Whitlam, *The Whitlam Government, 1972-1975*, Melbourne, Viking, 1985, p. 114.

47 Cf. Steve Farram, ‘The Two Timors: The partitioning of Timor by the Portuguese and the Dutch’, *Studies in Languages and Cultures of East Timor*, vol.2, 1999.

48 Joint communiqué signed by President Abdurrahman Wahid and UNTAET chief Sergio Viera de Mello in Dili, 29 February 2000.

49 ‘W Timor Governor calls for repatriation of E Timor refugees’, *Deutsche Presse-Agentur*, 8 June 2000; Mark Dodd, ‘West Timor wants to empty camps’, *The Sydney Morning Herald*, 9 June 2000; ‘Agreement reached on border demarcation but not on Oe Cusse corridor’, *Lusa*, 10 July 2000.

50 ‘Um ano depois: “Treinador” de Oecusse quer substituto timorense’, *Lusa*, 10 August 2000.

service. Early in 2001, there was speculation that another company might take over the ETSS passenger ferry service, which UNTAET called 'a temporary solution'.<sup>51</sup>

3.36 The Committee believes that the long-term future of Oecusse should be based on the wishes of the residents of the enclave. In the meantime, everything possible should be done to establish a secure land link between Oecusse and the rest of East Timor, free from the ravages and harassment of the militia or others yet to come to terms with an independent East Timor. Once security is restored in West Timor, and with co-operative Indonesian authorities, there is no reason to believe why Oecusse cannot operate successfully as part of East Timor.

## AUSCIVPOL

3.37 The 2000-01 Budget provided for the maintenance of Australia's civilian police presence in UNTAET, funded from the \$104.3 million over four years allocated to aid to East Timor. The Budget initiative provided for a continued civilian policing capacity of up to 80 deployed Australian civilian police (AUSCIVPOL) to meet UNTAET's requirement. A reserve pool of some 240 trained members was established, drawn from recently retired AFP and serving State and Territory police.<sup>52</sup>

3.38 The role of civilian police with UNTAET is to assist in every aspect of its peacekeeping and capacity-building role, from maintaining law and order at a community level to investigations to ensuring the security of prisons, airports, courts and harbours. They are also involved in the development and training of an East Timorese police force.<sup>53</sup>

3.39 On 15 February 2000, 28 State and Territory police were sworn in as Special Members of the Australian Federal Police to allow them to serve in East Timor. This was the first time that State or Territory police had served with a United Nations mission since 1976, when they served with the United Nations Force in Cyprus. Since then, although several police from Victoria and Queensland served as part of a United States-led multinational force in Haiti in 1995, the responsibility for contributing to United Nations missions had fallen solely to the AFP.<sup>54</sup> More than 250 Australian police served in East Timor between July 1999 and August 2000.<sup>55</sup>

3.40 Mr Alan Mills was selected by the United Nations to head the civilian police detachment (CIVPOL) which helped to conduct the 30 August 1999 ballot. Mr Mills

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51 (UN Newservice. 28 September 2000, ETISC, [http://www.esattimor.com/news\\_today/2706.htm](http://www.esattimor.com/news_today/2706.htm) (28 September 2000).

52 'AFP East Timor Presence Continues', *Media Release*, Minister for Justice & Customs, Senator the Hon Amanda Vanstone, Senator for South Australia, 9 May 2000.

53 'State and Territory police sworn in for East Timor role', *Media Release*, Minister for Justice & Customs, Senator the Hon Amanda Vanstone, Senator for South Australia, 15 February 2000.

54 'Australian announced as head of UN Civilian Police in East Timor', *Media Release*, Minister for Justice & Customs, Senator the Hon Amanda Vanstone, Senator for South Australia Tuesday 15 June 1999.

55 'Federal Police members awarded for service in East Timor Timor Police', *AAP*, 8 August 2000.

headed a detachment of some 270 police, drawn from 15 countries, that liaised with the Indonesian police, who were responsible for security for the ballot.<sup>56</sup>

3.41 At the hearing of 15 September 1999, former Australian Federal Police agent, Mr Gary Wood, who was an accredited UN observer of the East Timor ballot, was critical of the conditions under which it was allowed to take place:

I think that, compared with formulas in the past, the formula of how they went was not quite right. If you take the example of Mozambique, there was a formula. People agree to go to different areas, the combatants go to different areas, the military come in, they then feed them and clothe them. The weapons are handed in, the military takes control and it is reasonably safe, then the military starts to withdraw, the civilian police start to come in and eventually there is some harmony on the ground. Then the electoral people come in with the humanitarian people ... and towards the end there is an election ... In 1994 I saw it work in Mozambique. East Timor was the opposite way around. It was like, 'Let's have an election and everything will be okay' ... All the combatants were there. The anger, hostility and violence were still there. I thought that made the position of our people on the ground very difficult.<sup>57</sup>

3.42 Mr Wood referred to the very difficult situation unarmed CIVPOL officers consequently found themselves in when, following the ballot, they were required to protect people from the militias.

From the accounts of these good friends of mine, they said that when they had had enough - and you have to realise that these people are highly trained policeman who are used to being in a position of authority and having some power on the ground - and they had shouted at the militia, the police turned their firearms towards their stomachs and said, 'If you keep yelling at the militia, we will kill you.' That was on Tuesday morning, the day after the elections.<sup>58</sup>

3.43 Mr Wood said that people who had worked with the Australian CIVPOL as drivers and interpreters had been executed by the militias, in particular in the areas of Maliana and Ermera.<sup>59</sup>

3.44 Federal agent Sharon McCarthy, who received the International Policewoman's Association's Medal of Valour for her work in East Timor, took part in the evacuation from the UN's Liquiça compound when it came under fire from pro-Indonesian militia. She later described the experience:

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56 'Australian announced as head of UN Civilian Police in East Timor', *Media Release*, Minister for Justice & Customs, Senator the Hon Amanda Vanstone, Tuesday, 15 June 1999.

57 Mr Wood, *Committee Hansard*, 15 September 1999, p. 521.

58 Mr Wood, *Committee Hansard*, 15 September 1999, p. 522.

59 Mr Wood, *Committee Hansard*, 15 September 1999, p. 542.

There was militia on either side of the road. I remember seeing people in army uniforms with weapons. I remember weapons pointed at our vehicles, and I remember gunshots going off all around us. I remember a very large explosion in our vehicle—a strong smell of cordite ... When I later got out of the vehicle I realised that a round had actually come up through where my feet were in the vehicle and had gone through my backpack and up through the ceiling of the vehicle. We had shrapnel, sort of, all over us. We were picking it out of our skin for days. Not large chunks, but, you know, splinters of metal and glass.<sup>60</sup>

3.45 Public recognition of the vital role played by civilian police in securing the popular ballot in East Timor and in subsequent efforts to restore order to the territory was shown on 19 April 2000 when some 30 AFP members, who had served with UNAMET, Interfet and UNTAET, took part in the parade held in Sydney on that day for Australian Defence Force and AFP personnel who had served in East Timor.<sup>61</sup> Speaking in Sydney on 19 May 2000, Interfet Commander Major General Peter Cosgrove saluted the peacekeeping efforts of Australian Federal Police: ‘Let there be no doubt the Australian Defence Force salutes the AFP for their great service in East Timor’.<sup>62</sup>

3.46 Presenting 16 members of the AFP with Police Overseas Service Medals and Clasp in Canberra on 8 August 2000, Justice and Customs Minister Senator Amanda Vanstone said:

AFP officers were amongst the first international contingents into East Timor, having served there since July 1999 when they played a significant role in the successful conduct of the self-determination ballot. Let’s remember they were there first, they were there unarmed, they protected the Timorese while the ballot was being undertaken and they protected the ballot boxes to make sure that the will of the people was properly recorded.<sup>63</sup>

3.47 On 14 October 2000, Senator Vanstone announced that the United Nations would award its Service Medal for East Timor to the first detachment of Australian police officers who served in East Timor during the 1999 popular consultation. This involved the United Nations waiving the normal condition of award of a 90-day minimum period of service. The fourth detachment of 70 Australian police became the first to be presented with the medal in a ceremony in Dili on 14 October 2000. The first three detachments of about 170 police sent to East Timor since June 1999 had all been ineligible for the medal because of the 90-day condition. Senator Vanstone said she was pleased the UN had finally agreed to recognise the first and most deserving

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60 ‘Federal Police disappointed in United Nations’, *AM*, 16 August 2000.

61 ‘Public recognition of police members serving in East Timor’, Australian Federal Police media release, April 18, 2000

62 ‘Cosgrove applauds AFP efforts in Timor’, *Agence France-Presse*, 19 May 2000.

63 ‘Federal Police members awarded for service in East Timor Timor Police’, *AAP*, 8 August 2000.

police sent to oversee the August 30 independence ballot. 'It was an accident of history that these people didn't serve the time normally required to achieve the UN medal,' she said. 'The men and women who went through the most dangerous time in Timor, who were there first, who were there unarmed before the army, are the ones who most deserve the medal.'<sup>64</sup>

3.48 The Committee believes that the police who served in East Timor as part of UNAMET had a more difficult and dangerous job than did the military as part of Interfet. They were unarmed and served there during the height of militia harassment and violence in the lead up to the 30 August poll and afterwards in the systemic destruction of the territory. Indonesia, which demanded and got responsibility for maintaining security in East Timor during the UNAMET period, abjectly failed in fulfilling that responsibility. There are obviously lessons to be learnt from this experience and the Australian Government should consider not acceding to such deployments in the future where the United Nations does not have responsibility for the security of its mission and where security arrangements are unlikely to be satisfactory.

### **United States role in East Timor**

3.49 The United States had an important role to play in the processes that led to East Timor gaining its independence. Mr Alan Dupont emphasised this point in evidence to the Committee:

I think it is absolutely critical for the US to remain engaged politically and to be prepared to pressure the Indonesians, if necessary, because at the end of the day the US is the world's only superpower ... I think American political support is crucial to seeing ultimately a viable East Timorese state emerge from the ashes of the destruction of the last couple of months.<sup>65</sup>

3.50 Professor Hugh Smith agreed that the diplomatic role of the United States had been a key one, by providing diplomatic back-up and economic clout, through the IMF and other agencies, to create the right political and diplomatic atmosphere.<sup>66</sup>

3.51 Mr Tom Uren drew attention to the change in American policy toward East Timor. From 1975 until the Dili massacre, Indonesian actions in the territory had been accepted without question. Following that massacre, the Congress and Administration became concerned about human rights abuses and this changed to outright support for independence after the August 1999 ballot.<sup>67</sup> Mr Uren regretted that Australia had not worked to gain American support for East Timor's independence earlier in 1999, a view also put by Mr Robert Lowry, who said: 'I think that one of the great failures on

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<sup>64</sup> Rod McGuirk, 'UN to award Timor medals to all Aust police Timor', *AAP*, 14 October 2000.

<sup>65</sup> Mr Dupont, *Committee Hansard*, 24 September 1999, p. 626.

<sup>66</sup> Professor Smith, *Committee Hansard*, 24 September 1999, p. 599.

<sup>67</sup> Mr Uren, *Committee Hansard*, 4 November 1999, p. 767.

Australia's part was not to mobilise support from the United States at that earlier period back in April or May'.<sup>68</sup>

3.52 Dr Harold Crouch referred to reports that senior American military and naval officers had spoken to Indonesian Armed Forces Chief, General Wiranto, during the crisis in early September 1999, to gain Indonesia's agreement to an international peacekeeping force in East Timor.<sup>69</sup> Following President Bill Clinton's condemnation of the Indonesian military's refusal to stop the violence in East Timor, the Commander-in-Chief of the United States Pacific Command, Admiral Dennis Blair, travelled to Jakarta, where he told General Wiranto the United States was cutting off the remainder of its military relations with Indonesia. He then left the country, cancelling a speech he was to deliver at the army staff college in Bandung. Meanwhile, Chairman of the Joint Chiefs of Staff, General Henry Shelton, spoke on three occasions with General Wiranto, finally on 10 September saying the United States would block the International Monetary Fund from delivering the funds that Indonesia needed to recover further from the Asian economic crisis unless either the violence in East Timor was halted or an international peacekeeping force was allowed into the territory. After visiting East Timor to inspect the situation there, General Wiranto telephoned General Shelton on 12 September to say he would recommend to President B.J. Habibie that he ask immediately for an international peacekeeping force.<sup>70</sup>

3.53 The United States provided vital support for Interfet, in particular in the form of state of the art intelligence equipment and expert personnel sent directly to Canberra in late September 1999 for installation at the Defence Signals Directorate headquarters at Russell Hill.<sup>71</sup>

3.54 Admiral Dennis Blair, Commander-in-Chief, Pacific (CINCPAC), said on 4 April 2000, during a visit to Jakarta, that Indonesia's armed forces needed to become more professional before military co-operation could resume. Admiral Blair said there were two main areas the Indonesian military needed to focus on. The first was that military personnel responsible for the rape, murder and destruction in East Timor in September 1999 should be brought to justice. The resumption of military links was also conditional on a peaceful solution being found to the refugee crisis in Indonesian West Timor, where United Nations officials estimated there were still about 120,000 East Timorese sheltering in camps, many of them being prevented from

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68 Mr Lowry, *Committee Hansard*, 20 September 1999, p. 556.

69 Dr Crouch, *Committee Hansard*, 20 September 1999, p. 578.

70 Elizabeth Becker, 'General speaks a language that Wiranto understands', *The New York Times*, 14 September 1999. Thailand also played an important role in getting Indonesia to accept Interfet. Foreign Minister Surin Pitsuwan met General Wiranto and President Habibie in Jakarta on 14 September and, after obtaining Wiranto's consent to an ASEAN contribution, asked all ASEAN members to support Interfet and to assist in solving the refugee crisis. Bruce Cheesman, 'Thailand pressed to take Timor reins', *Australian Financial Review*, 15 October 1999.

71 Lincoln Wright, 'US spy gear used in Canberra', *The Canberra Times*, 21 March 2000.

returning home by anti-independence militias. ‘We need to see the disbanding and stopping of support to the militias’, he said.<sup>72</sup>

3.55 Although Australia was instrumental in galvanising international support for the United Nations sponsored Interfet intervention in East Timor as a result of the post-ballot violence, it was the United States, using leverage that only it could bring into play, that finally persuaded Indonesia to support Interfet, thus allowing Interfet to operate in East Timor. The Committee believes that the United States has a continuing role to play in ensuring the future security of East Timor and the successful return of the remaining East Timorese held against their will by East Timorese militias in refugee camps in West Timor. With elements of the TNI still frustrating Indonesian Government efforts to resolve security and other problems in West Timor, United States involvement may be crucial in neutralising ‘rogue elements’.

### **Radio Australia**

3.56 It was put to the Committee that the reduction of service to Indonesia by Radio Australia following the closure of the transmission station at Cox Peninsula near Darwin in June 1997 had had the unfortunate effect of reducing the flow of information into Indonesia and East Timor. Mr Bruce Haigh said: ‘we withdrew the Radio Australia service, so how can they possibly know what is going on? We should have increased it, not decreased it. It is in our interests to have as much information flowing into the region as we can manage because, from their own sources, from their own newspapers, from their own radios, they will not get this information’.<sup>73</sup>

3.57 From 11 September 1999, Radio Australia was able to broadcast directly across Indonesia for the first time since 1997 because of a six-month contract the ABC negotiated for the lease of two transmitters in Taiwan and Singapore. This significantly increased broadcasting capacity, which had been limited to the transmission facilities at Shepparton, and enabled Radio Australia to be heard, on a not very good signal, in East Timor for about three hours or less per day.<sup>74</sup> Attempts by UNAMET to obtain transmission time on the Radio Australia transmitters were unsuccessful, and UNAMET finally turned to the Portuguese national broadcaster RTPi for access to their facilities.<sup>75</sup>

3.58 Former Radio Australia correspondent Ms Sue Downie told the Committee its importance for the East Timorese and Indonesian populations was to provide them with access to information about what was happening in their own territory, in Indonesia and the rest of the world.<sup>76</sup> Sister Susan Connelly said the re-installation of Radio Australia broadcasts in the region would allow its listeners an alternative view

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72 ‘US Admiral sees no quick resumption of Indonesian ties’, *AP*, 4 April 2000.

73 Mr Haigh, *Committee Hansard*, 3 November 1999, p. 673.

74 *Committee Hansard*, 8 September 1999, p. 373.

75 Michelle Gilchrist, ‘Deaf to Timor radio plea’, *The Australian*, 10 November 1999.

76 Ms Downie, *Committee Hansard*, 18 November 1999, p. 965.

and could be welcomed by the new Indonesian Government.<sup>77</sup> Other witnesses also supported the case for an increase in Radio Australia services to East Timor and Indonesia.<sup>78</sup> Mr James Dunn said:

At this time, I think it is more important than ever that Radio Australia be opened. It is not only for the Timorese; it is also to give another side to the Indonesians who listen into radio quite a lot ... It should give our point of view and demonstrate over the airwaves, as Radio Australia was always good at, that Australians really care and are not just picking on Indonesia.<sup>79</sup>

3.59 Lieutenant General John Sanderson noted that explaining to the Indonesian people what Australia's actions, intentions and desires were would be equally important as explaining them to the East Timorese.<sup>80</sup>

3.60 Mr John Scott-Murphy agreed that it was important for Radio Australia to provide educational and general broadcasting services with an independent view to East Timor and for current services to be expanded. Caritas Australia had made a submission at the time of the proposed closing down of the service to that effect. He regarded Radio Australia as a crucial element of the provision of information to the local people, and for communication with people in general throughout South East Asia. He said: 'It really should be seen now as a terrible mistake to have reduced the service'.<sup>81</sup>

3.61 On 8 August 2000, the Australian Government announced that Radio Australia would receive up to \$9 million over three years to extend its short-wave radio broadcasts. The Australian Government also would consider supporting commercial television broadcasts to the region. Minister for Communications, Information Technology and the Arts, Mr Richard Alston, and Minister for Foreign Affairs, Mr Alexander Downer, said the initiatives were a recognition of the importance of a credible, reliable and independent broadcaster in the region: 'Recent events have highlighted the value of Australia's international broadcasting activities in conveying accurate news and information to the region, as well as providing an Australian perspective'. ABC Chairman Donald McDonald said the ABC could now consider buying time at the Cox transmitter, which had been sold to the British charity broadcaster Christian Vision.<sup>82</sup>

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77 Sister Connelly, *Committee Hansard*, 4 November 1999, p. 681

78 Bishop Brennan, *Committee Hansard*, 3 November 1999, p. 703; Mr Plunkett, *Committee Hansard*, 15 September 1999, p. 552; Mr Lowry, *Committee Hansard*, 20 September 1999, p. 657; Mr Wesley-Smith, *Committee Hansard*, 8 September 1999, p. 373; Ms Hunt, *Committee Hansard*, 13 August 1999, p. 254.

79 Mr Dunn, *Committee Hansard*, 24 September 1999, p. 605.

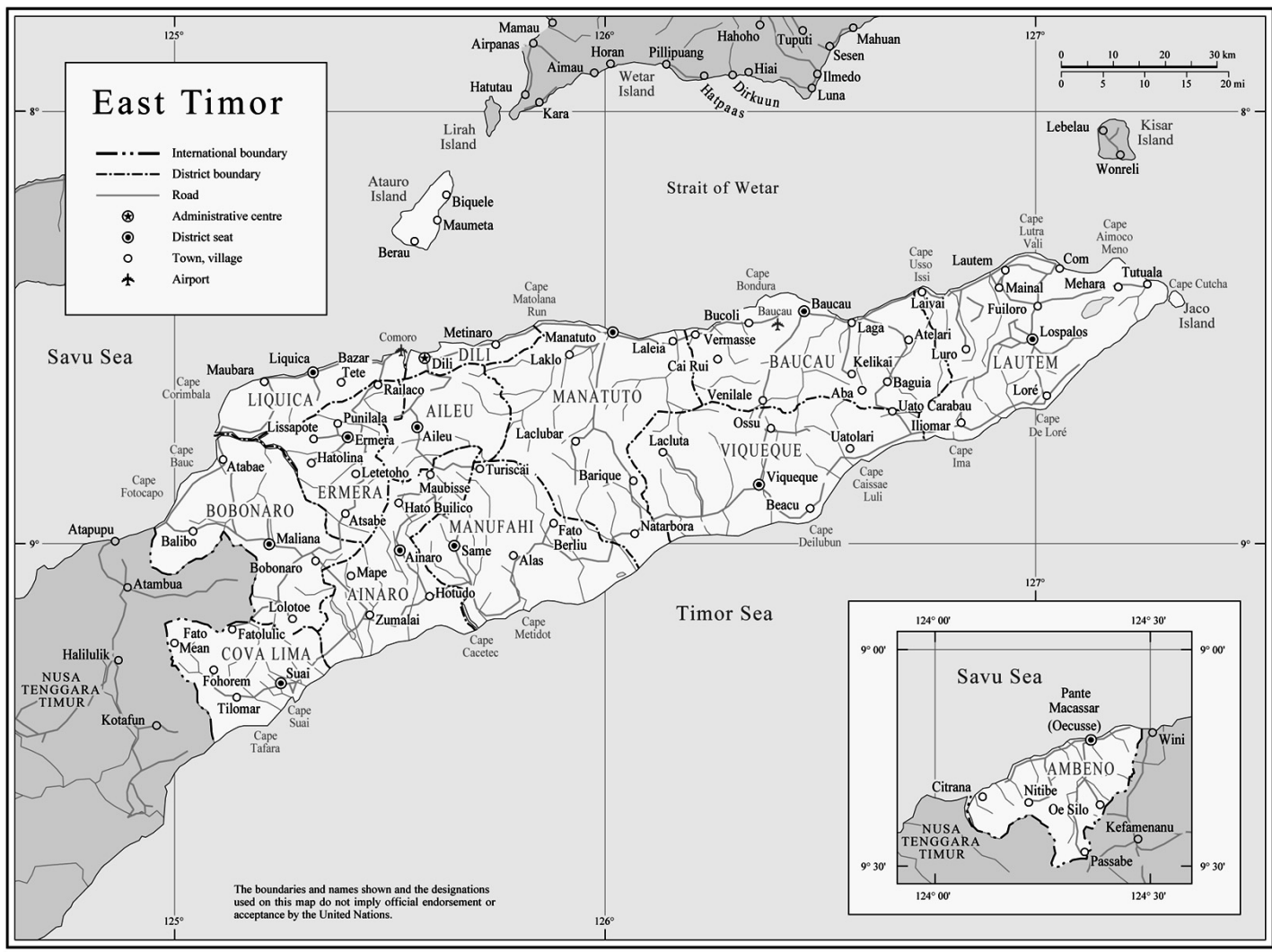
80 Lt. Gen. Sanderson, *Committee Hansard*, 15 September 1999, p. 552.

81 Mr Scott-Murphy, *Committee Hansard*, 10 September 1999, p. 506.

82 'Radio Australia to get more funding for Asian broadcasts', *AAP*, 8 August 2000.



3.62 In its Interim Report of September 1999, the Committee made three recommendations aimed at increasing Radio Australia transmissions to Indonesia. The Committee is pleased that the Australian Government has now enabled Radio Australia to improve its service to Indonesia, in accordance with the Committee's recommendations, even though it took the Government more than 10 months to come to that decision. In so doing, the Government has, at last, recognised the need to counter false and unfair criticisms of Australia, which have been broadcast by Indonesian broadcasters, and to put an Australian viewpoint direct to the Indonesian people.



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