



Centre for
Human Rights and
Restorative Justice

REFERENCES TO COLONIALISM, COLONIAL, AND IMPERIALISM

Timor-Leste Truth Commission

Abstract

A list of references to colonialism, colonial, and imperialism in the Timor-Leste Truth Commission.

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Links to Data Visualization

This section contains links to all data visualization for the Timor-Leste report.

Comparison Charts

- [References to Colonialism, Colonial, and Imperialism chart](#)
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Word Trees

- [Colonial](#)
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References to Colonialism, Colonial, and Imperialism

This section contains all references to colonialism, colonial, and imperialism from the Timor-Leste report.

<Files\\Truth Commission Reports\\Asia\\TimorLeste.CAVR_Report-FULL> - § 167 references coded [0.68% Coverage]

Reference 1 - 0.01% Coverage

Part 1: Introduction

Introduction 1.

Background to the Commission 1. The people of Timor-Leste's long struggle to secure their freedom and their destiny as a nation reached a decisive moment in 1999. After hundreds of years of Portuguese colonialism and 24 years of foreign occupation, we were finally able to express our wish to live as free and independent people in a free and independent country, as the international community at last supported our fundamental right to self-determination. The oppression of the long years of colonialism and the shocking violence of the years of militarised foreign occupation culminated in one last campaign of violence against the people of Timor-Leste in September and October 1999, which left our tiny country devastated in the wake of the departing military.

2. The immediate signs of

Reference 2 - 0.01% Coverage

de Acolhimento, Verdade e Reconciliação).

From colonialism to militarised occupation 8. About 500 kilometres north of Australia, Timor-Leste straddles Asia and the Pacific, and this can be

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forge a sense of nationhood.

10. Compounding this colonial legacy was the fact that for most of the 20th century Portugal itself was under the authoritarian regime of Salazar and his successor Marcello Caetano. From the late 1920s until the Carnation Revolution of April 1974, political freedoms in Portugal were heavily curtailed. Portugal suppressed all aspirations for independence in its colonies, characterising them as an integral part of Portugal, even after the United Nations had declared them non-self-governing territories in 1960. Portugal was the last of the European powers to decolonise, ignoring the wave of decolonisation that began after the Second World War. It was only after liberation wars in Portugal's African colonies convinced many Portuguese that the empire could not be sustained that change occurred with the Carnation Revolution of 15 April 1974.

11. The promise of decolonisation was one of the main rallying cries of this revolution in Lisbon. However, for the Portuguese decolonisation meant above all rapid disengagement from the wars it was fighting against the liberation movements in its African colonies. Their Asian colony of Timor was a special case that was easily overlooked. Over the ensuing months Portuguese policy towards Timor suffered from inadequate attention and planning, compounded by constant changes of government in Lisbon. In Timor the Carnation Revolution opened the way for aspirations for freedom among the mostly young and inexperienced politically active. Political associations quickly formed, with the two main ones,

Associação Social Democrata Timorese (Timorese Social Democratic Association, ASDT), later to be renamed Frente Revolucionária de Timor Leste Independente (Revolutionary Front for an Independent East Timor, Fretilin), and União Democrática Timorese (Timorese Democratic Union, UDT), favouring independence for the territory.

12. This was the height

Reference 4 - 0.01% Coverage

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15. This brief civil war was over by early September, but it had changed the situation irreversibly. The fighting took up to 3,000 lives and left deep and enduring scars. At the end of August the Portuguese colonial administration fled the mainland for the island of Ataúro, never to return. Leaders and members of UDT, and the other three smaller parties, Associação Popular Democrática Timorese (Timorese Popular Democratic Association, Apodeti), Klibur Oan Timor Aswain (Association of Timorese Warrior Sons, KOTA) and Trabalhista (Labour), fled across the border into Indonesian West Timor, and aligned themselves with Indonesian aims.

16. The Indonesian armed forces

Reference 5 - 0.01% Coverage

Volume I, Part 1: Introduction

Indonesia as a major power in the South-East Asian region. The situation in Timor-Leste was poorly understood. Governments friendly to Indonesia supported its version of events there. Isolated in its own region during the years of Portuguese colonialism, it was a closed territory for the first 13 years of the occupation as the Indonesian military used every means at its disposal to subdue the people of Timor-Leste. The UN was frustrated in its efforts to enter Timor-Leste to assess the situation, foreign aid was blocked and international diplomats and media were granted permission to make only occasional, tightly-controlled visits to the territory. East Timorese in exile worked vigorously with international civil society to bring attention to the plight of the East Timorese people, but with limited means compared to the powers supporting Indonesia.

21. The war reached every

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victims, human rights and reconciliation

The Comarca in Balide, Dili, was built in the early 1960s by the Portuguese colonial administration. In late 1975 Fretilin used the Comarca to detain prisoners from the UDT and Apodeti political parties. It was used as an Indonesian prison continuously between January 1976 until 12 September 1999. It was damaged in the violence during September 1999.

The idea of rehabilitating the

Reference 7 - 0.01% Coverage

promote human rights.

Temporal boundaries

4. The mandate of the Commission, relating both to inquiring into the truth regarding human rights violations and also to “harmful acts” which might be dealt with by CRP, covered the 25-and-a-half-year

period between 25 April 1974 and 25 October 1999. These two dates mark the beginning and end of the most intense period of the political conflict in Timor-Leste. The fall of the Marcello Caetano regime in Portugal in April 1974 gave the Portuguese colonial territories, including Timor-Leste, the opportunity to exercise their right to self-determination. In Timor-Leste the opening up of politics precipitated a struggle for political power between the main political parties, and led to the Indonesian invasion and occupation. After the descent into violence that followed the Popular Consultation of 30 August 1999, in which the overwhelming majority of East Timorese voted for independence,

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strengthening of those rights.⁶¹

72. The right is said to be held by “all peoples”. It applies not only to the inhabitants of non-self-governing territories (that is, peoples under colonial rule) but also to those living under alien occupation.⁶² The East Timorese are, and were throughout the mandate period, a people with a right to self-determination. Between December 1975 and 1982 the General Assembly passed eight resolutions,⁶³ and the Security Council a further two,⁶⁴ recognising the right of the East Timorese people to self-determination.

73. The essence of the

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history of both countries.¹

4. This part begins with a brief overview of the colonial history of Timor-Leste under Portuguese control. It deliberately places the emphasis upon the period leading up to the internal conflict of August–September 1975 and the subsequent Indonesian invasion. This looks at events and relationships surrounding the decolonisation process in Portuguese Timor, within the territory, in Indonesia and in the regional and wider geopolitical context. They are vital to an understanding of the causes of the political conflicts in Timor-Leste, the lost opportunities to avoid war and seek peaceful solutions to political concerns based on the principles of international law, and involved Timorese, Indonesian and international actors.

5. Later sections deal with

Reference 10 - 0.01% Coverage

and the love of peace.

Portuguese colonialism in Timor-Leste Overview

8. Portuguese involvement in Timor began in the 1500s when it sought sandalwood. In the late 16th century the first Catholic Church was built in Lifau, Oecussi, which became the base for the first Portuguese administration of Timor. Portugal and the Netherlands had tense relations as the two main colonising powers of the archipelago, and in the 1700s Dutch military power gave it the balance of power over Portugal. Portugal moved its base to Dili in 1771 and increasingly focused its colonising efforts on the eastern half of the island. In the latter half of the 19th century, Portugal forcibly introduced cash crops such as coffee to Timor and sought to consolidate its colonial administration through the imposition of taxes and forced labour, resulting in a series of revolts by Timorese. The colonial tactic of divide and rule was used to divide and weaken the traditional leadership of the Timorese.

9. In 1913 the colonial boundaries between Portuguese and Dutch Timor were

fixed in a decision at the international court in The Hague, known as a Sentença Arbitral, with Portugal taking the eastern half of the island and the enclave of Oecussi. The 20th century saw Portugal dominated by the authoritarian regime of Prime Minister Salazar. Timor was the most remote of Portugal's colonies, and development, physical or political, was largely neglected.

10. The Second World War

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of the Conflict - Chega! | 145

War, the Portuguese colonial administration returned. Timor remained a poor though relatively peaceful island until the Carnation Revolution of 25 April 1974 at last opened the way for decolonisation in Timor-Leste.

11. The Commission identified three important impacts of the Portuguese colonisation of Timor-Leste. First, the colonisers' tactics of playing off social groups against each other kept indigenous political alliances weak. This restricted development of the unity that is required for nation building. Second, no self-governing tradition was developed. Most East Timorese existed in subjugation to a feudal system. Third, the Portuguese colonial regime did not develop or institutionalise democratic and human rights values, though traditional cultural values already existed and the Church inculcated religious values. Thus the political activity that emerged in 1974-75 was subject to extensive distortion and manipulation. These factors all contributed to the disorder and internal conflict that emerged during the decolonisation process in 1975. During the civil war in August 1975 Portugal withdrew. The Fretilin political party emerged victorious from the civil war, and began a partially functional interim government. These factors all contributed to Indonesia being able to invade Timor-Leste in 1975 with minimal international protest.

The arrival of the Portuguese

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The arrival of the Portuguese

12. The Portuguese first visited Timor in search of white sandalwood in the early 16th century. Following their conquest of Malacca in 1511, Portuguese missionaries built the first church on the island in 1590. This began a period of settlement in Lifau (Oecussi) on the north coast of the western part of Timor by Franciscan monks, sandalwood traders and Topasses, a mixed race group fathered by Portuguese sailors, traders and soldiers whose descendants remain in Timor to this day. Portugal had established colonies on other islands in the region, however these were not secure. The Dutch soon dislodged the Portuguese from Malacca, Makassar in Sulawesi, and in 1652, from their newly built fort in Kupang, western Timor, only five years after its completion.*

13. In 1702 the Portuguese government formally established a presence at Lifau, administering Timor from its colony at Goa. The governor's approach of conferring military rank on local kings (liurai) established a precedent for the governance of Timor that was to continue into the 20th century. However the Portuguese faced challenges from itinerant liurai as well as from the powerful Topasses, who by that time dominated the sandalwood trade and, despite their Portuguese heritage, only

* The battle of Penfui between the Portuguese and Netherlands colonial powers took part in the mid-17th century, and was a turning point for Portugal. Penfui is north of the town of Kupang, near the site of the modern-day airport. Portugal's defeat at the hands of Dutch military power meant that the Topasses backed by the Portuguese were effectively evicted from the major port of the island in Kupang, in what was a clear signal of Dutch military superiority. The site of the battle is also near the prison where 69 East Timorese political prisoners were taken in 1983 in the crackdown after the Kraras Massacre [see Vol. III, Part 7.4: Detention, Torture and Ill-Treatment].

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eastern part of the island.

Colonial consolidation

14. From their new base at Dili, the Portuguese had limited influence and geographic control over Timor-Leste. Local resistance and limited military capacity restricted Portugal to the north coast for some time. In 1851 Governor Lopes da Lima opened a series of complex land negotiations with the Dutch colonial authorities, involving liurai and patrimonies in the border areas such as Maucata, further inside Timor-Leste in Maubara, and over the Portuguese-controlled island of Flores. These negotiations established the principle of the exchange of territories between Portugal and the Netherlands with a view to a settled border on the basis of an east-west divide of the island between the rival colonial powers. This relieved Portugal of colonial wars with the Netherlands, allowing it to consolidate its power throughout the eastern part of the island. In 1895 Portugal established military/administrative units throughout TimorLeste's ten districts. Oecussi was added to become the 11th district.³

Portugal built

military barracks, offices

Reference 14 - 0.01% Coverage

and Bishop Medeiros was welcomed.

15. The territorial negotiations commenced by Governor Lopes da Lima in 1851 culminated in Portugal and the Netherlands agreeing to take the matter to the International Court in The Hague, where the final decision on the colonial boundaries was fixed in a Sentença Arbitral in 1913. The final territorial exchange between the Netherlands and Portugal pursuant to this decision took place in 1917.⁴

The result

was that Timor

Reference 15 - 0.01% Coverage

in 1917.⁴

The result

was that Timor-Leste remained Portugal's only colonial possession in the archipelago, leaving the Netherlands as the ascendant colonial power.

16. This formal finalisation of international boundaries between the Netherlands and Portugal became a critical reference point for the political future of Timor-Leste. When Indonesia struggled for and won independence after the Second World War, it based its national claim at the United Nations upon the former Dutch colonial boundaries. It was upon this principle that it continued to struggle and ultimately went to war for Irian/ West Papua in the 1960s. While there had been some rhetoric expressed on the concept of a "greater Indonesia" during the nationalist struggle, taking in areas of British Malaya and Borneo, this was never seriously put forward to the United Nations. In submissions to the United Nations over its claim to Irian in the late 1950s, Indonesia explicitly denied any claim to Portuguese Timor.⁵

Later, in 1974-75, and

Reference 16 - 0.01% Coverage

over the former Portuguese Timor.

17. Of equal importance and flowing from this colonial relationship, the Portuguese government never rescinded its position as the legal administering power of Timor-Leste throughout the mandate period of the Commission. This enabled the question of
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and continued to do so until crushing the Viqueque rebellion in 1959. For the Portuguese, the price of this policy of divide and rule was persistent localised resistance to Portuguese authority. For the East Timorese, the price was perpetual weakness and disunity. 19. Portuguese power and prosperity declined over the 17th and 18th centuries. Of its colonies, Portuguese Timor was the most remote and least important. Portugal provided it with limited economic and political investment. The declining value of sandalwood prompted Portugal to introduce new crops in the 19th century in order to develop an export sector. However, Portuguese Timor's subsistence agriculture economy had little surplus labour, which such crops required. Around 1859 Governor Alfonso de Castro introduced forced-cultivation of new cash crops, predominately coffee but also wheat and other non-native species. Portugal still ruled Timor indirectly, which made governing difficult, particularly given resistance to its coercive economic policies. Governor Celestino da Silva extended this system of forced labour in the 1890s and 1900s, a special feature of which was road building. Heavy taxation and coercive labour policies, both of which were a consequence of Portugal's underinvestment in the colony, were deeply unpopular.

20. Liurai resistance began shortly

Reference 18 - 0.01% Coverage

in 1769.8

Portugal then

faced limited resistance until Governor Castro used military force to impose coffee cultivation. The unpopular move provoked a revolt in 1861 that was succeeded by a series of localised liurai-led rebellions against colonial excesses. In response, the Portuguese administration imposed direct control of Timor-Leste in 1895 when Governor da Silva established an administrative and military presence throughout Timor-Leste, dividing the territory into eleven districts, including the enclave of Oecussi.⁹

21. Consequently, Portugal separated Timor

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Timor in the 20th century

22. During much of the 20th century Portugal itself faced domestic instability. In 1910 the kingdom was replaced by a republic, which was in turn replaced by a one-party state in 1928. During this period many Chinese entered the colony of Portuguese Timor, and developed their role as business intermediaries, exporters and traders. Complementing the Chinese economic activity, despite its preoccupations at home, Portugal established the SAPT (Sociedade Agricola Pátria e Trabalho), a trading conglomerate that brought new infrastructure to production and export.* Nonetheless Portuguese Timor remained a distant colonial outpost that functioned with minimal input of Portuguese personnel or investment. In 1929 Portuguese nationals numbered only 200, with a further 300 soldiers.¹¹

Lisbon continued to rule through

Reference 20 - 0.01% Coverage

soldiers.¹¹

Lisbon continued to

rule through local intermediaries. In 1930 Prime Minister Salazar's Colonial Act created representative but largely powerless local councils, and enabled some limited indigenous eligibility for Portuguese national status.

World War II

23. After

Reference 21 - 0.01% Coverage

for decolonisation and Portugal's position

25. Article 73 of the 1945 UN Charter demanded that colonising countries heed the aspirations of colonised countries and gradually introduce autonomy. This international consensus continued to develop as most colonisers granted independence to their colonies after the Second World War, and was expressed through mechanisms such as the UN General Assembly that in 1960 recognised colonialism as a denial of human rights. In 1960 Portuguese Timor was listed as a Non-Self-Governing Territory with the United Nations Decolonisation Committee, affirming its people's right to self-determination, a listing which remained relevant up until the 1999 United Nations-organised Popular Consultation.

26. In response to this growing international consensus on the need for decolonisation, Portugal re-designated its colonies as "overseas provinces" in 1951. It was a paternalistic move designed to "civilise" its colonial subjects and placate its critics, but it changed little. This was particularly the case in Portuguese Timor, which remained extremely isolated. No independence movement developed along the lines of those in Portugal's African colonies. On the contrary, life for the East Timorese in the 1950s was far from civilised. Monsignor Martinho da Costa Lopes reflected that during 400 years of Portuguese colonisation not one lawyer, engineer or doctor had been born in Timor-Leste.¹⁶

significant equality with the colonists

Reference 22 - 0.01% Coverage

Chinese or assimilated Timorese. ²⁰

28. In 1959 a group of exiled Indonesians were involved in an uprising in Viqueque against the Portuguese colonial administration. The Portuguese discovered this plot and crushed it violently, resulting in significant bloodshed. The background to these events remains largely unexplained. A Portuguese official report of the time blamed this uprising on Indonesia but it is unclear whether this was the case.

After these events, in 1959, the government opened a branch of the secret police (Policia Internacional e de Defesa do Estado, PIDE) in Dili to monitor Indonesian movements and anti-Portuguese sentiment.

Portuguese development plans and growing anti-colonial sentiments ²⁹. In 1953 the Portuguese central government began a series of development plans*

aimed at invigorating its stagnant

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31. Increasingly aware of inequality, an emerging generation of politicised East Timorese was also frustrated at the absence of political vehicles to channel East Timorese aspirations. East Timorese had

little role in governing the affairs of the colony. The province's governor represented the Portuguese government, not the East Timorese people, and wielded broad executive powers. Although an 11-member Legislative Council existed, it had only three elected representatives. It could not possibly represent popular aspirations, and only had limited authority.²⁷ resolutions urging Portugal to grant political freedom to its colonies,²⁸

Despite UN the Salazar
and

Reference 24 - 0.01% Coverage

28

Despite UN the Salazar
and later Caetano regime denied democracy to its own citizens, let alone its colonial peoples. This only changed with the accession of General Spínola after the 25 April 1974 Carnation Revolution.
Changes in Portugal and the

Reference 25 - 0.01% Coverage

and the decolonisation process Overview

32. The 1960s national liberation movements in Portugal's African colonies turned to armed struggle to achieve their independence. Forced to engage simultaneously in separate wars on several far-flung fronts, the small, relatively poor nation of Portugal came under tremendous political and economic pressure at a time when it was increasingly looking to Europe for its economic future. In 1968, after 40 years in power, the authoritarian Prime Minister Salazar was replaced by Marcello Caetano, who failed to find a solution to these increasingly costly armed conflicts. Frustrated with these failures, an Armed Forces Movement (Movimento das Forças Armadas, MFA) emerged within the military and on 25 April 1974 led a successful but bloodless coup against the Caetano regime, known as the Carnation Revolution. While the MFA opened the way for decolonisation, it also ushered in several years of political turbulence in Portugal. This turmoil, coupled with Portugal's preoccupation with its larger African colonies, were critical factors in Portugal's failure to give adequate attention to the decolonisation of its remotest colony, Timor.

The MFA and the Carnation

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MFA and the Carnation Revolution

33. In the early 1960s independence movements in Portugal's African colonies began to wage armed struggles. The MPLA (Movimento Popular de Libertação de Angola) in Angola took up arms in 1961, to be followed by PAIGC (Partido Africano da Independência da Guiné e Cabo Verde) in Guinea Bissau in 1963 and Frelimo (Frente de Libertação de Moçambique) in Mozambique in 1964. The Portuguese colony of Goa was "liberated" by the Indian armed forces in 1961.²⁹

Fighting three wars
simultaneously placed

Reference 27 - 0.01% Coverage

1961.²⁹

Fighting three wars

simultaneously placed a heavy financial and military burden on Portugal. At the same time, after joining the European Free Trade Association (EFTA) in 1961, Portugal was becoming increasingly intertwined economically with Europe at the expense of its African colonies. By the early 1970s the protectionist economic policies designed to

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foster trade with and investment in the colonies no longer matched the interests of the Portuguese conglomerates whose focus was increasingly European.

34. Having lost faith in the ability first of Salazar and then of Caetano to find a political solution to the African wars, the armed forces turned to General António Spínola, who had been a close associate of Caetano's. Spínola had advocated a programme of reforms, which Caetano rejected. To disseminate his ideas Spínola published a book entitled *Portugal and its Future*, proposing a solution to the colonial wars through referenda on a federal relationship with Portugal. When the MFA established itself on 5 March 1974, it elected General Spínola as its leader, and when it launched the Carnation Revolution on 25 April 1974, Spínola became the Movement's choice for president.

Rapid decolonisation, turmoil in Portugal

Reference 29 - 0.01% Coverage

to implement a decolonisation process.

36. In April 1974 the MFA immediately formed the National Salvation Council (Junta de Salvação Nacional, JSN), and appointed Spínola as its leader. The JSN manifesto advocated democratisation within Portugal, including dismantling the secret police, PIDE, and releasing political prisoners. On colonial issues it vaguely suggested a political solution³⁰

through a national debate leading

Reference 30 - 0.01% Coverage

principle of self-determination.³²

37. Spínola's federal solution failed to gain significant support. In Portugal public opinion was increasingly in favour of withdrawal from the colonies. Aware of their military superiority against the beleaguered Portuguese, the colonies of GuineaBissau and Mozambique were in no mood to compromise on their demand for independence. Some influential members of the cabinet, including the minister of foreign affairs and leader of the Socialist Party, Mário Soares, also preferred independence as a solution.

38. By mid-1974 even within the MFA support for federation was waning, and a quick exit became the preferred military option. These pressures led to the resignation of Palma Carlos as prime minister, and his replacement by Vasco Gonçalves. On 27 July the new government issued Law No. 7/1974 recognising independence as an acceptable outcome of the process of self-determination in the colonies.³³

This policy shift led to the resignation of Spínola in September 1974. Within a year Portugal's five African colonies had all achieved independence.

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39. After coming to power in April 1974, the MFA had conducted a purge of what it considered reactionary elements in the Portuguese civil administration. It immediately replaced all the governors in the African colonies, but was slower to take similar action in Portuguese Timor. Even though he had made a speech criticising the MFA for its radicalism, just two days before 25 April, the governor of Portuguese Timor, Alves Aldeia, retained his position for another three months. Portugal's preoccupations at the time and the consequent neglect of Timor were summed up by the last Portuguese governor of Timor, Major-General Mário Lemos Pires, in testimony he presented to the Commission: The Portuguese nation that emerged

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welcomed with a mixture of euphoria and concern. The Commission heard testimony from a range of leading East Timorese figures in its hearing on the Internal Political Conflict of 1974-76. They spoke of the excitement events in Lisbon and the other colonies generated among the mostly young people who had an interest in politics. But they also generally agreed that East Timorese society was ill-prepared by its history to engage in political activity.³⁵

41. In early May 1974, when Governor Alves Aldeia asked the JSN in Lisbon for an explanation of the new colonial policy, he was instructed to act according to the principles of the MFA programme and, taking into account local conditions, to seek to avoid any deterioration of relations with Indonesia.

42. On 13 May Governor

Reference 33 - 0.01% Coverage

establishment of civil associations.³⁶

military command, was named the MFA's delegate in the colony.³⁷

43. In contrast to its attitude to its African colonies, the Portuguese government tended to view Portuguese Timor's independence as unrealistic. On 3 August 1974 Minister of Inter-Territory Co-ordination, António de Almeida Santos, objected to Portuguese Timor's full independence, and stated federation as the most realistic option.³⁸

This provoked a strong reaction

Reference 34 - 0.01% Coverage

right to self-determination for

all colonies was subsequently enshrined as an obligation of the Portuguese state in the constitution of 1975. This provision proved critical to sustaining official Portuguese commitment to the self-determination of the people of Timor-Leste in the difficult years that followed.

The formation of political parties

Reference 35 - 0.01% Coverage

technically barred from operating.⁴¹

46. The first association to be formed was the Timorese Democratic Union (União Democrática Timorense, UDT), founded on 11 May 1974. Its founders tended to be politically conservative and many

had links to the Portuguese colonial administration, reflecting their privileged social status and function as intermediaries between East Timorese and the Portuguese colonists. UDT's first president was Francisco Lopes da Cruz. Its other founders included César Augusto da Costa Mouzinho who was vicepresident, the brothers Manuel, Mário and João Carrascalão, and Domingos Oliveira, the association's secretary general. UDT's original manifesto advocated "progressive autonomy" under Portugal, although it also supported the right to self-determination. It announced a modification of its position on 1 August 1974 when it declared that its goal was eventual independence after a period of federation with Portugal. It also specifically rejected integration with other countries.⁴²
UDT's shift showed it to

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47. Nine days after UDT's founding, on 20 May, the Timorese Social Democratic Association (Associação Social Democrata Timorense, ASDT) was established. ASDT's founders were mostly young intellectual East Timorese, from a range of backgrounds; some from within the Portuguese administration, others from the clandestine anticolonial group of the early 1970s. Older and better known than the association's youthful founders, Francisco Xavier do Amaral was appointed president. Other key figures included Mari Alkatiri, José Ramos-Horta, Nicolau Lobato and Justino Mota. ASDT published its manifesto on 22 May, affirming the right to independence and an anti-colonial and nationalist stance. It also stated the association's commitment to a "good neighbour" policy towards the countries of the region without compromising the interests of the East Timorese people.

48. The third association to

Reference 37 - 0.01% Coverage

a defeat for the West.

52. Aside from the support it enjoyed as a result of its anti-communist credentials Indonesia was also in a position to capitalise on its status as a founding member of the Non-Aligned Movement, its links to other Muslim countries through the Organisation of Islamic Conference and as the largest nation in the Association of South-East Asian Nations (ASEAN). Indonesia's broad-based support, Portugal's reluctance to internationalise the issue and widespread indifference about the fate of what many saw as an obscure remnant of a minor colonial power, all weighed against an active UN role over the question of Timor-Leste. All of these factors worked to Indonesia's advantage in its campaign to win support for its policy on Timor-Leste.

The United Nations and Portuguese

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Portugal's African colonies and paid little attention to Timor. In June 1975 the UN Special Committee on Decolonisation considered Portuguese Timor, and urged the attainment of the goals of the UN Charter on the Declaration of Independence to Colonial Countries and Peoples. Despite having been asked to assess the situation on the ground, the Committee did not do so.⁴⁹

This lack of attention to

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the motherland of their ancestors.*

65. Nonetheless, the integration of Portuguese Timor never became an objective of official policy under President Sukarno. The occasional statements and infiltrations did not amount to a serious commitment to absorb Portuguese Timor because Indonesia never saw the colony as posing a threat to it. Indonesia maintained stable relations with the Salazar government: it opened a consulate in Dili and Sukarno himself visited Portugal in 1959.

66. Until 1974 Sukarno's successor

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Colonel Aloysius Sugianto, an operative in General Ali Moertopo's special operations [Opsus] section of the intelligence agency, Bakin, who played a key role in early covert activities in Portuguese Timor in 1974-75, told the Commission that he saw himself as working to reunite people divided by colonialism: The basis of Apodeti has always been, we are one people, one island. We were divided, we became two, Timor Dili and Timor Kupang. That's because of the colonisers. It's them, if we look at it, it's true, right? Because of colonialism, we were divided. Over there it became Portuguese territory, and here Dutch. In truth there is only one solution. That logic is right, the people's rationale is right.⁵⁹

67. After the invasion of

Reference 41 - 0.01% Coverage

the UN, Anwar Sani stated:

Let me first explain why Indonesia is so vitally interested in what happens in Portuguese Timor. Portuguese Timor is part of the island of Timor, the other part is Indonesian territory. Timor is situated at the heart of the Indonesian archipelago, one of the thousands of islands which constitute the archipelago. The population of Portuguese Timor... is of the same ethnic origin as the population in the Indonesian part. The 450 years of division because of colonial domination has not diminished the close ties of blood and culture between the population of the territory and their kin in Indonesian Timor. This geographical nearness and ethnical kinship are important reasons why Indonesia is vitally concerned about peace and stability in Portuguese Timor, not only in its own interest but also in the interest of the entire region of South East Asia.⁶⁰

68. More powerful in Indonesian

Reference 42 - 0.01% Coverage

process and political parties Overview

71. The Carnation Revolution immediately transformed the political landscape of Portuguese Timor, which until that time did not have active political parties and only a low level of organised anti-colonial activity. With new laws for political association, parties were quick to form. Two parties emerged as the dominant groups, ASDT and UDT. The platforms of both parties called for independence as the ultimate outcome of decolonisation. They differed over the pace of decolonisation, ASDT wanting immediate independence, the more conservative UDT a more gradual process. What really divided these two centrist parties, however, were the militant ideologues on their extremes who accused each other, and by extension each other's parties, of being "fascist" or "communist". A third party, Apodeti

Reference 43 - 0.01% Coverage

The dawning of political consciousness

73. The Portuguese colonial system denied the East Timorese a voice in their own affairs. However, the gradual spread of education after the Second World War began to foster critical thinking about a colonial system whose defining characteristics were economic underdevelopment, corruption, high unemployment, racial discrimination and brutality. The grievances of the East Timorese began to find expression among the educated.

74. Denied an institutional voice and having learned from the Viqueque uprising of 1959 the likely price of a direct confrontation with the colonial system, in the early 1970s the politically aware adopted an approach to politics that was tentative and secretive. In 1970 members of the young educated generation started an anti-colonial discussion group that included Mari Alkatiri, José Ramos-Horta, Nicolau Lobato, Justino Mota and Francisco Borja da Costa. A small anti-colonial political group founded around 1967 and functioning at the time of the Carnation Revolution was organised in small cells which largely operated in ignorance of each other. The group seems to have had little political impact.⁶⁷

75. In the early 1970s

Reference 44 - 0.01% Coverage

DGS*

reported that he had

suggested to an American tourist that if Portugal was incapable of developing Timor, it would be better for America to take over the colony.⁶⁸

The articles of Amaral and

Reference 45 - 0.01% Coverage

political networks and alliances. ⁷⁰

79. A privileged background was common to leaders across the parties. To be privileged in late colonial Portuguese Timor could mean a number of things, for example: a liurai background, mixed-race (mestizo) ancestry, a family with landholdings, secondary education in church or state schools. Often those who had these marks of privilege gravitated to employment in the civil service. These characteristics united many of the leaders across parties. They were often distinguishable only by finer social gradations. Not surprisingly, in view of its federalist political platform, several UDT leaders were well-entrenched in the colonial system, whether through holding relatively senior positions in the civil service, through membership of the Salazarist Acção Nacional Popular (ANP), or through their closeness to the Portuguese Church.⁷¹

Though often

from similar backgrounds

Reference 46 - 0.01% Coverage

Portuguese Church.⁷¹

Though often

from similar backgrounds, Fretilin leaders did not have an emotional attachment to the Portuguese colonial regime. Apodeti attracted its leadership from specific areas that had ties with Indonesia that could

be geographic (based on proximity to the Indonesian border) or political (linked to their involvement in the 1959 Viqueque rebellion).

80. Timor-Leste's traditional rulers

Reference 47 - 0.01% Coverage

parties prepare for armed confrontation

84. Apodeti was the first, but not the only party, to develop a paramilitary capacity. This was a strong tendency on the part of these three parties. UDT and Fretilin both actively competed for support among the East Timorese members of the Portuguese colonial army.⁸⁰

Beyond the question of their

Reference 48 - 0.01% Coverage

to mobilise the soldiers.⁸¹

85. This was a concern to the colonial administration. When Fretilin declared the East Timorese armed forces part of the UDT-Fretilin coalition, Major Francisco Mota, head of the governor's Political Affairs Office, forbade military involvement in politics, in keeping with the Portuguese military principle of standing apart from politics (apartidarismo).⁸²

However, in April 1974 the

Reference 49 - 0.01% Coverage

the Portuguese army itself had

provided a very recent example of a military becoming involved in politics. Many East Timorese soldiers in the Portuguese colonial army and police were also bemused by what they saw as a lack of discipline and attention to duty shown by Portuguese in the colonial army after the Carnation Revolution.⁸³

Although there were already rumblings

Reference 50 - 0.01% Coverage

of the Conflict - Chega! | 167

brought experience of radical politics from their Lisbon student groups* strong anti-colonial stance.⁸⁴ and a

While some East

Reference 51 - 0.01% Coverage

a more revolutionary stance,⁸⁵

member Mari Alkatiri that when they arrived back in Timor, the students, unlike the Central Committee members, saw Portuguese colonialism as a greater threat than Indonesian neo-colonialism.⁸⁶

some of their more radical

Reference 52 - 0.01% Coverage

for Fretilin's more radical policies.

ASDT becomes Fretilin 87. On 11 September 1974, ASDT renamed itself the Revolutionary Front for an Independent East Timor, Fretilin (Frente Revolucionário de Timor Leste Independente). From then on the party adopted a more radical stance. Its manifesto (Manual e Programa Politicos da Fretilin) referred to Fretilin as "a front that united nationalist and anti-colonial groups under one vision – the liberation of Timorese from colonialism".⁹⁰

It also asserted that Fretilin

Reference 53 - 0.01% Coverage

also asserted that Fretilin was

the "sole legitimate representative" of the East Timorese people. There was no electoral legitimacy to this claim, which Fretilin based on its belief of the allegiance of Timor-Leste's indigenous-agrarian majority. Nonetheless on the basis of values that it claimed were common to "all East Timorese" Fretilin demanded Timor-Leste's de jure independence from Portugal. On the one hand, Fretilin was aiming to achieve independence from its colonial master Portugal. On the other, some of its leaders by this time were looking to what they saw as the greater threat of a neo-colonial power in Indonesia and aimed to build a broad national front to meet this challenge.⁹¹

88. Fretilin's self-proclaimed role

Reference 54 - 0.01% Coverage

is a little conservative.⁹⁶

94. During the period before the internal armed conflict, Fretilin's programme and rhetoric included elements that suggested communism. Its language, starting with its name, was social-revolutionary. Fretilin's maubere ideology aimed at a popular social revolution, working to build a grassroots national identity. Its policies were firmly leftwing, focusing on the radical overhaul of education, health and agricultural production. Its manifesto claimed that it was the "sole representative" of the East Timorese people. This rhetoric echoed that of many other Marxist social-revolutionary movements, particularly that of the liberation movements in the Portuguese African colonies.⁹⁷

95. Members of Portugal's MFA

Reference 55 - 0.01% Coverage

minimal. I was right.¹⁰⁹

102. In the absence of a clear brief from his superiors in Lisbon, on his arrival in Timor Governor Lemos Pires hoped to carry through a programme to tackle what he saw as the most urgent problems facing the colony. These he defined as: the demoralised state of the military; the need for a decolonisation policy; the need to kick-start the stalled civil administration; and the need to prepare the East Timorese to administer the country themselves. He was able to address some of these issues, such as educational reform, speedily. Tackling the most urgent ones, such as military reform and finding a formula for decolonisation, proved less easy. Part of the problem was that he had little support from Lisbon. His requests for clear guidance were ignored. His own views on decolonisation were not shared by such key figures as the Minister for Inter-territorial Coordination, Antonio de Almeida Santos. Before his arrival in Timor, communication with Lisbon had been complicated by competition between the representative of the MFA in the colony, Major Arnão Metello, and the Governor for the government's attention. Mário Lemos Pires sought to create clearer lines of communication, but the team he assembled in the

Governor's Office replicated the divisions on policy that existed in Lisbon. He could do little to raise the flagging morale of the Portuguese forces, most of whom wanted to go home to Portugal as soon as possible.¹¹⁰

103. Local conditions were not

Reference 56 - 0.01% Coverage

not fulfil its mission.¹¹³

105. Lisbon denied Lemos Pires's request for additional Portuguese troops, providing instead only two companies of elite paratroopers. As a result Portuguese control was reduced at a time of rising tensions inside the colony and when external pressure from Indonesia began. Lemos Pires was aware that his policy of Timorisation could easily lead to conflict that he would not be able to control. Mario Carrascalão told the Commission of a warning from Lemos Pires:

You need to be very

Reference 57 - 0.01% Coverage

and increased covert military operations

114. By early 1975 Indonesia's interference in Portuguese Timor had reached a level where it could not really still be called covert. The Bakin agent, Luis Taolin, was a regular visitor to Dili from his base in West Timor. Indonesian Special Forces were known to be training Apodeti sympathisers in West Timor. Operasi Komodo's disinformation campaign was being stepped up, through strident radio broadcasts into Portuguese Timor from Kupang and through the planting of stories in the Indonesian and foreign media. The radio broadcasts claimed that Portugal was about to withdraw from its colony, spread unfounded stories of Vietnamese and Chinese infiltration into the territory and argued that integration was the only option. They fuelled distrust between the parties, and caused apprehension among East Timorese not committed to a particular political party.¹²⁴

115. After UDT and Fretilin

Reference 58 - 0.01% Coverage

3: History of the Conflict

its ties to the colony. Again according to the Indonesian side, the state secretary and the prime minister were less guarded in stating their support for integration, though they too referred to the need to defer to the wishes of the East Timorese people.¹³²

121. The Indonesian delegation told

Reference 59 - 0.01% Coverage

of the Conflict - Chega! | 177

took a firm line, ruling out the Portuguese plan for a transitional government and any moves to internationalise the problem, claiming that integration was the only solution and proposing that it have an advisory role in the government of the colony. Portugal reiterated the principle that the people of Timor-Leste should be consulted about the future status of the colony. Again, however, its stance did appear to concede some ground to Indonesia, when, for example, it said that Indonesia was entitled to give active support to Apodeti. Portugal thereby extended to Indonesia a privileged status beyond that of "interested observer".

125. As at the Lisbon

Reference 60 - 0.01% Coverage

of the Conflict - Chega! | 183

UDT's intention to remove communist elements from the colonial government and from Fretilin. The former governor wrote in later years that Carrascalão told him that the movement did not intend to replace the Portuguese government, and that it hoped for no military intervention. The following day UDT formally submitted its demands to Governor Lemos Pires. These included: replacement of certain military personnel, a faster decolonisation process, the handover of power to UDT, and acknowledgment of UDT's extra-judicial power as a liberation movement.¹⁶²

146. UDT's show of force

Reference 61 - 0.01% Coverage

Fretilin as such, but at

"communist elements" within Fretilin. Any hopes UDT may have had that Fretilin would disavow its "extremists" and unite with UDT to jointly pursue independence were quickly dashed. Fretilin remained united and demanded that the Portuguese colonial government crack down on UDT.¹⁶³

UDT detained hundreds of Fretilin

Reference 62 - 0.01% Coverage

circumstances that are disputed.¹⁶⁴

147. The early momentum belonged to UDT. In the days immediately after the 11 August "attempted coup", UDT supporters detained hundreds of Fretilin leaders and supporters throughout the territory. Governor Lemos Pires decided not to oppose UDT with force. Several considerations persuaded him against such a course of action. He was uncertain whether the loyalty of the East Timorese troops to the colonial administration would outweigh their sympathies to one or the other of the contending parties. If they did not, there was a real risk that Portuguese soldiers would end up fighting East Timorese. A confrontation in which the battle lines pitted Portuguese against East Timorese would not only be politically disastrous; it might also end in military defeat for the Portuguese. The run-down of Portuguese troop strength in the previous months had not been offset by the recent arrival of 75 paratroops to reinforce the colonial army.¹⁶⁴

148. Meanwhile, Fretilin leaders withdrew

Reference 63 - 0.01% Coverage

response to the internal conflict

158. Portugal responded to the internal conflict by sending an envoy to the colony from Lisbon. Indonesia blocked Colonel José Gomes, the first envoy to attempt to reach Dili on 14 August. On 22 August a message from the President's Office in Lisbon reached Governor Lemos Pires, informing him that the minister for interterritorial coordination, Antonio de Almeida Santos, would be arriving in Darwin on 27 August. Mário Lemos Pires tried to arrange a ceasefire to permit negotiations. UDT agreed to a limited ceasefire, but Fretilin rejected the proposal out of hand.¹⁸⁸ On the night of 26 August what remained of the Portuguese administration departed Dili for Ataúro Island, never to return.¹⁸⁹

159. Having attempted to seek

Reference 64 - 0.01% Coverage

Timor under Fretilin administration

Overview

164. With the end of fighting between Fretilin and UDT, by early September 1975, Fretilin found itself in de facto power in Portuguese Timor and facing an emergency. Fretilin continued to respect Portuguese sovereignty over the territory while the colonial administration remained in Ataúro. Lacking funds and administrative experience, and faced with a potential humanitarian crisis, Fretilin made a credible effort at food distribution and maintaining order in the community. However, it continued to hold large numbers of political prisoners from the brief internal armed conflict and faced difficulties restraining its own cadres from abuses. Moreover, Indonesia's response to Fretilin's victory in the internal armed conflict was to step up its military activities. Beginning in September 1975 it conducted armed incursions into Portuguese Timor. In October these incursions grew in scale and led to the Indonesian capture of several towns near the border. Aside from direct resistance to the Indonesian forces, Fretilin also tried to win support in the international community.

Fretilin fills the vacuum

165

Reference 65 - 0.01% Coverage

do Amaral told the Commission of the dilemma facing Fretilin as the Portuguese colonial authorities remained on island of Ataúro: From Fretilin's point of view

Reference 66 - 0.01% Coverage

black Mercedes-Benz, the official car of the Portuguese governor. At 5:55pm the Portuguese flag, which had been flying for centuries over Timor-Leste, was lowered. Fretilin raised the new flag of the Democratic Republic of Timor-Leste – red, black and yellow with a white star – and a minute's silence was observed to commemorate "everyone who has died during these past few months and throughout Timor-Leste's anti-colonial wars".²⁶⁸ A cannon was fired 20 times as a sign of respect for the dead. The Fretilin President, Francisco Xavier do Amaral, read the proclamation of independence: Stating the highest wish of

Reference 67 - 0.01% Coverage

Nicolau Lobato, as Prime Minister.

211. The Constitution included articles committing Timor-Leste to the following: • Removal of colonial structures and the creation of a new society free of all kinds of domination and exploitation (Article 2) • Development policies to focus on agricultural development, and industry (Article 6) • The pursuit of a policy of planned economic development (Article 10) • To fight illiteracy and ignorance, and protect and develop its culture (Article 12) • To develop and run a health system (Article 13) • Guarantee of parity of rights to men and women (Article 14) • Guarantee of the freedom of religion (Article 15) • To develop "friendly and cooperative relations" with "democratic and progressive world powers, considered natural allies." (Article 16) • Guarantee of the right to participate in the process of democratic consolidation

(Article 23) • Guarantee of freedom of thought, association, union, and speech (Article 24) • Guarantee of the right to vote and to be voted for in general elections (Article 25).

212. The Constitution established a

Reference 68 - 0.01% Coverage

of independence The Balibó Declaration

213. The day after the Fretilin unilateral declaration of independence of TimorLeste, the four other East Timorese political parties – UDT, Apodeti, KOTA and Trabalhista – issued their “Proclamation of Integration” to counteract the move. The proclamation accused Fretilin of obstructing a peaceful solution to the conflict and the right of the people of Portuguese Timor to self-determination. It stated that “the whole former Portuguese Timor colony” would be integrated with Indonesia, and described this as “the strongest avowal of the feelings of the people of Portuguese Timor”. It asked the Indonesian government and people to “take the necessary steps to protect the lives of the people who now considered themselves Indonesian but lived under Fretilin’s reign of terror and fascist practices with the acquiescence of the Portuguese government”.²⁷⁶

214. At the bottom of

Reference 69 - 0.01% Coverage

May, Alarico Fernandes claimed that:

Food production in Fretilin-controlled areas is another front to be developed along with the armed struggle. We have reached the maximum production reached in the Portuguese colonial domination [period], when there was hunger and sickness... People in TimorLeste are working hard on national reconstruction. Hunger is less than before.³⁹²

US leads re-arming of

Reference 70 - 0.01% Coverage

Ataúro as a prison island

344. Ataúro has had a history of being used as a prison island by successive regimes in Timor-Leste. The Portuguese colonial administration did so over a long period, as did the Japanese occupying forces in World War II. The Indonesian regime of occupation initiated a similar policy commencing in 1980. The Commission received expert testimony that this was an extension of the policy of separating civilians who were considered a possible future support base for the armed Resistance. Gilman dos Santos testified:

In 1980, ABRI and the

Reference 71 - 0.01% Coverage

of 1975, UDT and Fretilin.

378. In the early years of war and occupation, the Church was a unique and vital link to the outside world. In these years it had undergone a transformation from a bastion of the Portuguese colonial system to become a voice for ordinary East Timorese people.

Fretilin survivors of the 1978

Reference 72 - 0.01% Coverage

3: History of the Conflict

the occupation. Previously an adjunct of the ultra-conservative Portuguese colonial administration, the Church's composition changed during the Indonesian era. Due to the departure of many Portuguese clergy and nuns following the Indonesian invasion and occupation it became more "Timorese". In addition to East Timorese clergy there were also Indonesian and international priests and nuns. The three groups played different roles. Many Indonesian clergy tended to support the Indonesian government, while international clergy, subject to visa approval by the Indonesian government, took a more openly apolitical position.⁵⁴⁵

the East Timorese clergy were

Reference 73 - 0.01% Coverage

Indonesian armed forces imposed military

solutions to the emerging political problems with disastrous consequences for the people of Timor-Leste. Indonesia's concerns over the emerging post-colonial Timor-Leste need never have resulted in military intervention if hard-line military leaders had not played such an important role in President Soeharto's New Order regime. Once committed to military intervention, ABRI was dominant during the early years of the occupation: by increasing military violence they sought to achieve the political objectives of pacification and integration. To do this, they brought the conflict to every level of East Timorese society, involving East Timorese men, women and children in combat, intelligence, torture and killings to control the population. By the late 1980s, when full-scale military conflict shifted to clandestine resistance by a new generation of East Timorese youth, the Indonesian military again sought violent solutions to the problem. Death squads and paramilitaries in the mid-1990s became forerunners to the widespread militias formed in 1998-99. From 1974 to 1999, there was a consistent pattern of forming East Timorese armed paramilitary forces that operated with impunity with the support of ABRI.

2. This military strategy had

Reference 74 - 0.01% Coverage

forces, ABRI became the TNI.

The armed forces as saviour of the nation Indonesia's struggle for independence from Dutch colonial rule was long and

9. complex. Its armed phase after the Second World War mobilised a broad cross-section of Indonesian society to evict the Dutch who attempted to reassert their colonial authority following the surrender of the Japanese. The Army of the Republic of Indonesia (Tentara Republik Indonesia, TRI) and later the Indonesian National Army (Tentara Nasional Indonesia, TNI) were formed to lead this struggle and played a key role in forcing the Netherlands to depart after the revolution of 1945-49. During this period the relationship of the armed forces with politicians and the many citizens' militias that sprang up to fight for what was called the Revolution was not always easy. While Indonesia's civilian leadership adopted a democratic constitution in 1950, the military saw itself from the outset as having a major role to play in Indonesia's political future.

10. In the years following

Reference 75 - 0.01% Coverage

war left deep divisions.⁶²

74. When Portugal returned after the Second World War, it maintained a professional armed force, comprising Portuguese soldiers and recruits from Portugal's African colonies. The police were technically part of these armed forces. East Timorese were also recruited to the armed forces, though few held positions above the lower ranks. There was not much resistance to the Portuguese colonial authority during these years that were dominated by Salazar's authoritarian regime. The Portuguese secret police, PIDE, monitored all signs of opposition among the East Timorese and had a fearful reputation.⁶³ This suppressed freedom of expression and the ability to form political associations or to have political debate. Compared to the subsequent experience under Indonesia, the impact of the armed forces on society was minimal.

75. When the Armed Forces

Reference 76 - 0.01% Coverage

going on constantly, massacres...⁸⁴

83. ABRI also recruited East Timorese into the Korem/Kodim/Koramil regular territorial structure. Some had formerly served in the Portuguese colonial army. Others were former members of civil defence forces (Hansip) who had been recruited into ABRI through the Milsas programme (see section on "Tri-monthly Military Member" Milsas, paragraphs 100-102 below). By July 1998, there were 6,097 East Timorese serving in ABRI, of whom 5,510 were in the army and 569 in the police. The chances of East Timorese becoming officers or non-commissioned officers were far less than those of Indonesians. The data show that in July 1998 only 0.4% of East Timorese serving in the Indonesian armed forces were officers and less than 24% were non-commissioned officers, while 76% were privates. The breakdown for Indonesians in the 17,834 armed forces in Timor-Leste at the time

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Reference 77 - 0.01% Coverage

in September 1980, Araújo said:

The government is showing great attention [to Timor-Leste], but unfortunately it is not being directed to the East Timorese. It's like during the Portuguese colonial period: money came from Portugal earmarked for the East Timorese people only to be sent back to Portugal in the name of private individuals who had been sent by Portugal itself.

145. He advised the Indonesian

Reference 78 - 0.01% Coverage

advised the Indonesian Government to:

[C]reate a normal situation as quickly as possible and put an end to the situation of terror, unchecked power, arbitrariness, of taking the law into one's own hands, lawlessness, economic monopolies and so on, similar to the time of Portuguese colonialism.¹⁶⁷

146. Araújo's replacement, Guilherme Maria

Reference 79 - 0.01% Coverage

further research in the future.

2. The Resistance had its origins in the armed conflict triggered by the attempted coup of 11 August 1975. The UDT coup aimed to get rid of the so-called "communist" elements in Fretilin that UDT considered

dangerous to the national interest of TimorLeste. The Revolutionary Front for an Independent East Timor (Frente Revolucionaria de Timor-Leste Independente, Fretilin), which succeeded in securing the support of most East Timorese in the Portuguese colonial armed forces, won the conflict in fewer than 20 days. With its victory over UDT, and the departure of the Portuguese colonial government, Fretilin found itself having to act as the de facto government of the territory. Its leadership, which previously believed they could secure independence without armed conflict, suddenly faced a new situation that forced them to reorganise.

3. The invasion of the

Reference 80 - 0.01% Coverage

Administrative Unit

Region (região) Area

Similar to the area covered by a conselho in the Portuguese colonial administration system, today referred to as district.

Zona (zona)

Similar to the

Reference 81 - 0.01% Coverage

independence of the motherland.³⁶

41. Fretilin cultural activities were sought to develop a sense of nationhood, based on the idea that the nation could progress only if the people fought to free themselves from the negative mentality sown by the colonial power. The theme of the poor needing to fight for their liberation had been developed since before the Indonesian invasion. Fretilin took traditional songs from many regions and gave them progressive lyrics. Songs were also sung to traditional dances such as the tebe and dahir.

42. Cultural activities were guided by the Fretilin concept of equality of all human beings. According to Fretilin, colonialism was a form of inequality by which a minority exploited and oppressed the majority. Oppression and exploitation did not only occur between the colonial power and the people of Timor-Leste, but also among the Timorese population itself between the traditional kings (liurai) and the people. This manifested through the tribute that subjects were required to pay to the liurai and forced labour. Inequality was also apparent in the form of discrimination and violence against women as a result of their low position in traditional society.³⁷ Fretilin introduced the concept of “comradery” (camarada) which viewed each person as a friend and an equal. The need to wipe out inequality from exploitation and oppression and replace it with equality became a theme in songs and verse which were sung at cultural events and in literacy programmes.

Women’s emancipation 43. The emancipation

Reference 82 - 0.01% Coverage

months below ground.⁵¹

Strategy

53. The Resistance strategy adopted by Fretilin derived from the idea that it was engaged in a revolutionary war for independence. The concept of revolution was linked to independence, but the independence Fretilin desired involved more than simply the departure of Portuguese colonial rulers and their replacement by a Timorese government. For Fretilin, independence without a change in the social structure would mean only replacing one master with another. Fretilin saw independence as the creation of equality among people by “ending the inequality of the colonial situation, which was based on

exploitation of the majority by a minority. The colonial minority and the wealthy exploited the majority".⁵² The process through which Fretilin wanted to eliminate the colonial social structure was revolution.*

54. The Fretilin Political Programme

Reference 83 - 0.01% Coverage

5: Resistance: Structure and Strategy

55. Fretilin considered that traditional Timorese society was also oppressive. In the traditional social structure the liurai held power over the people by forcing them to work for him and to give him tithes. Colonial rulers also used the liurais' traditional status to mobilise people to work on plantations producing goods for export.* saw the liurais' authority as feudalism and wanted to eliminate it.

Fretilin

56. Colonialism and tradition

Reference 84 - 0.01% Coverage

wanted to eliminate it.

Fretilin

56. Colonialism and tradition were also considered oppressive towards women. Fretilin saw that Timorese women experienced twofold oppression; the general colonial oppression that all Timorese experienced, and the more specific oppression they suffered as a result of traditional and colonialist attitudes towards women.⁵⁴ While general colonial oppression took the form of forced labour, inadequate wages, racism and so on, women's oppression was manifested in the way women were treated as an object of pleasure for colonialist employers and as commodities traded in barlaque practices and polygamy. Fretilin aimed to eliminate this oppression. Fretilin's revolutionary programme included

"the liberation of women as

Reference 85 - 0.01% Coverage

women as social creatures".⁵⁵

57. To create a new social structure free of oppression, Fretilin conducted socio-political programmes from September 1975. The most important programmes, according to Fretilin, were ones in the fields of agriculture, health, education and culture.⁵⁶ Fretilin saw that in the agriculture sector, colonialism had made the people of Timor-Leste poorer by focusing on export crops. People starved because of food shortages and a limited variety of food.⁵⁷ Fretilin sought to develop an agriculture sector that served the interests of the people and enabled "everyone to get proper food for good health, so everyone can live in prosperity".⁵⁸ A system of co-operative ownership and organisation was deemed the most appropriate to achieve this goal.†

Fretilin planned to build production

Reference 86 - 0.01% Coverage

Education was considered important because, for Fretilin, true independence would only happen if people actively participated in government, and people could only participate actively if they knew what they wanted and why. If people lived in ignorance, they would always be exploited. From Fretilin's perspective, the education system under the

Portuguese colonial administration was the opposite of what was needed.⁶⁰ Freire's method of conscientização was preferable because people not only learned to read and write but also went through a process of gaining

* This forced labour was called

Reference 87 - 0.01% Coverage

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awareness of colonial oppression and how to overcome it. The literacy programme, which had been prepared in May 1974, was first implemented in January 1975.⁶¹

59. Health was viewed as being closely connected to education. Fretilin believed that poor public health was caused by people's lack of knowledge about health and nutrition, which was in turn caused by colonialism. For Fretilin, health education was the only solution to the problem.⁶²

60. Fretilin's ideas about culture were closely linked to the need to develop a new national awareness among the people of Timor-Leste. During colonial times people generally understood that they were members of a particular suco community, a particular kingdom, or a particular ethno-linguistic group. For instance, people considered themselves as Turiscai people, as members of the Mambae ethno-linguistic group, rather than as East Timorese, and they viewed outsiders, even people from Dili, as foreigners (malae).⁶³ Fretilin tried to develop national awareness through programmes of cultural exchange between regions, and giving all East Timorese a sense of ownership of these forms. For instance the tebe dance from one place was introduced in literacy programmes in other places. Similarly, songs such as "Kolele Mai", which originated in a village in Baucau, were introduced throughout the nation. It was also Fretilin that used Tetum, which was the lingua franca throughout the territory, in their meetings and literacy programmes.

61. Fretilin considered that the

Reference 88 - 0.01% Coverage

for two reasons. * First, it

was becoming clearer that the Portuguese policy of decolonisation was more likely to lead to independence at the time Fretilin wrote its programme in November 1974. This assured Fretilin that colonialism was bankrupt politically and administratively.⁶⁴ Second, Fretilin was becoming increasingly popular because of its socio-political programmes.⁶⁵ For example, in the local election of village chiefs in May 1975 in a number of villages in Lospalos (Lautém), 90% of the elected village chiefs were Fretilin supporters.⁶⁶ According to Francisco Xavier do Amaral, this increased popularity made the leaders of Fretilin confident that the majority of people wanted independence and that they would easily defeat the idea of federation with Portugal or the idea of integration with Indonesia without an armed struggle.⁶⁷ For Fretilin, the way to launching the revolution was to mobilise people to accelerate the agricultural, education, health and cultural programmes.†

62. The socio-political programme

Reference 89 - 0.01% Coverage

Laline Conference in 1977, stated:

[T]he experiences of other countries in the struggle against colonial powers, and our own experience, show that this kind of movement is met by total violence from the imperialist power, and that the only way for a true nationalist movement to protect people from genocide or mass slaughter is to organise,

mobilise and educate people to work for the full and complete eviction of the enemy and to beat imperialism.⁷¹

67. The war was considered

Reference 90 - 0.01% Coverage

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71. This problem continued in the jungle after the invasion, culminating in incidents such as the death of Falintil's deputy chief of staff, José da Silva. José da Silva, a sergeant in the Portuguese colonial armed forces, was commander of Falintil's first company in August 1975. Later Fretilin appointed him as Falintil's Deputy Chief of Staff (Sub-Chefe do Estado Maior). After the invasion, he fought in Ermera, which became part of the Centro Norte Sector. Conflicts among Fretilin leaders occurred over some of the decisions reached at the Soibada Conference. Hélio Pina (Mau Kruma), who was elected political commissar with Antonio Carvalho (Fera Lafaek) as his assistant, was given the task of restructuring the civilian and military relationship as proposed at the conference. José da Silva refused to accept the restructuring and so he captured Mau Kruma and several of his commanders. A fire-fight ensued and José da Silva was captured and imprisoned. He was executed by Fretilin in the middle of 1977.⁷⁸

72. It appears that conflicts

Reference 91 - 0.01% Coverage

leadership tended to choose youth:

Youth were brought in to become mid-level cadres, in which many youths were involved because in Fretilin's view, youth were easier to educate compared to older people, who were already familiar with colonial traditions. These youth became the liaisons between the people and the Fretilin Central Committee.⁸⁹

79. Another conflict related to

Reference 92 - 0.01% Coverage

be used to analyse mortality.

27. While human rights activists sometimes cited the large variation in estimates as evidence of high mortality resulting from the Indonesian occupation of Timor-Leste, a possible explanation may be the lack of reliable population and demographic data for the period. The last population census in Timor-Leste before the Indonesian invasion was carried out by the Portuguese colonial administration in 1970. Censuses were conducted by the Indonesian authorities in 1980 and 1990, but their accuracy is questionable. The East Timorese population's suspicion, fear and general resistance to the government conducting the census combined with its frequent displacement introduced significant measurement challenges.

28. Even if the 1980

Reference 93 - 0.01% Coverage

concern of all states".¹

3. Self-determination is fundamental because it is a collective right of a people to be itself. The struggle to enjoy this right above all others was the central defining issue of the CAVR mandate period. This period began with the decision of the colonial power in 1974 to recognise this right after 14 years of denial and

ended with the decision of the occupying power to recognise it in 1999 after 24 years of denial. In the interim, the people of Timor-Leste made extraordinary sacrifices to realise this right. It was essential to the survival, identity and destiny of Timor-Leste.

4. This part examines the

Reference 94 - 0.01% Coverage

natural wealth and resources.³

7. The right to self-determination entitled the Timorese people to bring their colonial situation to an end by choosing freely between independence, free association with an existing state, or integration with an existing state. This decision was required to be made through a free and genuine expression of their will. To be internationally acceptable and valid, a people's decision about its future must be the outcome of an informed, fair and democratic process, free of outside intervention and threats, conducted impartially and preferably supervised by the United Nations. Because this right belonged collectively to all the people of Timor-Leste and not a particular group, its exercise was also required to be representative. The people of Timor-Leste also had the right to struggle for self-determination and to seek and receive support for their struggle. States were entitled to respond to such requests for moral and material assistance.*

States are not permitted to

Reference 95 - 0.01% Coverage

society support for Timor-Leste.

19. Lack of official enthusiasm for Timorese independence was compounded by a sense that mainstream decolonisation had run its course. Most of the large colonies of the European powers – Britain, France, the Netherlands, Germany, Italy and Belgium – were already independent or, in the case of Portugal, in the process of becoming independent. Decolonisation started in the Middle East in the 1920s and was followed by a second wave in Asia in the 1940s and 1950s when India gained independence from Britain and Indonesia from the Netherlands. The process peaked in the 1960s with the third wave of emancipation when no fewer than 42 countries, mostly in Africa, gained independence and membership of the United Nations. In this context, issues like Timor and Macau were seen in some quarters as vestiges of colonialism that were unsustainable as independent states and best dealt with through incorporation into a larger entity, in some cases former colonies, with which they shared a border and other features. Goa's absorption into India was often referred to in this connection. From this perspective, Timor's future was historically inevitable and only conceivable as part of Indonesia even though, in reality, the territory was larger than some of Portugal's African colonies and many newly independent states.

20. At the level of

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demonstrably harmful to Timor-Leste.

21. During this period, Portugal experienced a left-wing military coup, attempted counter-coups and several changes of government. In addition to being deeply preoccupied with its own fate, it was also very engaged with the decolonisation of its major colonies in Africa. Indonesia was threatened with economic collapse due to the Pertamina crisis over many months at this time. This occurred when Pertamina, Indonesia's state-owned oil company headed by Lieutenant General Ibnu Sutowo, had trouble repaying substantial foreign borrowings. The crisis threatened the oildependent Indonesian economy and foreign investor confidence. Rising oil prices had brought Indonesia from poverty to modest prosperity and were crucial to President Soeharto's political programme. Presidential advisers said that Timor was of

relatively minor importance compared to the Pertamina crisis and that the latter absorbed ninety per cent of the President's time in the months before the Indonesian invasion.¹⁴ President Soeharto's health, always an issue in a highly centralised government, was also problematic towards the end of 1975 when he had a gall bladder removed. Australia, too, experienced some uncharacteristic political instability during this

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members of the international community.

27. The UN Charter recognises the principle of self-determination and, under Chapter XI, requires members with responsibility for non-self-governing territories or colonies to accept as a "sacred trust" the obligation to promote the advancement of these peoples and their political institutions and to report to the world community on steps to prepare for self-determination.

28. The movement against colonialism gathered extra momentum following the Second World War. Both captive peoples and colonial powers concurred that colonialism, as a system based on domination and inequality, was inconsistent with the fundamental principles of the UN and unsustainable in a changing world. In 1960, to accelerate the process, the UN promulgated the Declaration on the Granting of Independence to Colonial Countries and Peoples. It was adopted by the overwhelming majority of UN members. The Declaration states:

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Reference 98 - 0.01% Coverage

them for another 40 years.

33. The right of the people of Timor-Leste to self-determination was recognised on 15 December 1960, when the UN General Assembly listed Portuguese Timor by name as a non-self-governing territory, along with Portugal's other colonies.¹⁶

This was the first

time

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The Right to Self-Determination

decision radically redefined Timor's relationship with Portugal and the international community. It elevated the fate of a small people from colonial obscurity to an issue of international responsibility and made the UN and its organs the primary forum of accountability for their future.

Portugal

34. Portugal joined the

Reference 100 - 0.01% Coverage

accountability for their future.

Portugal

34. Portugal joined the UN in 1955. An amendment in 1951 to the Portuguese Constitution of 1933 abolished the Colonial Act of 1930 and incorporated the colonies as "overseas provinces". The indigenous inhabitants were not consulted about this change in their de jure status. Portugal abstained

when the General Assembly adopted the Declaration on the Granting of Independence to Colonial Countries and Peoples in 1960, refused to report to the UN under Chapter XI of the UN Charter, and resisted other UN initiatives including Security Council resolutions in 1963 which criticised it for non-compliance and upheld Portuguese Timor's right to self-determination. The Salazar-Caetano regimes insisted that Portugal was a "pluri-continental" state in which its peoples exercised self-determination through participation in the Portuguese political process. The Portuguese Prime Minister, Dr António de Oliveira Salazar, also believed that the global decolonisation process was being driven by Third World and communist countries intent on the disintegration of Western Europe and that the West was appeasing the majority through the UN.¹⁷

This stalemate continued until 1974

Reference 101 - 0.01% Coverage

in 1974, the General Assembly welcomed the acceptance by Portugal "of the sacred principle of self-determination and independence and its unqualified applicability to all the peoples under Portuguese colonial domination".²³
41. In keeping with the

Reference 102 - 0.01% Coverage

both before and after 1974.

47. The former governor explained that the decision to decolonise was a sudden revolutionary event that took both Portugal and Timor-Leste by surprise. Both were unprepared and ill-equipped for their respective roles and thrown into turmoil by the decision. This was due in large part to the Salazar-Caetano regime's failure to comply with its international obligations to prepare itself and its colonies for self-government in a systematic, positive way as explained above. Its neglect of its responsibilities and obstinate maintenance of the status quo in violation of UN policy frustrated legitimate decolonisation and contributed to its own downfall and to upheaval both at home and in its overseas territories. It also contributed to the view in Portugal that independence was not a viable political and economic option for Timor-Leste and that the territory should integrate with Indonesia, albeit through a process of self-determination.

48. Although its decision to

Reference 103 - 0.01% Coverage

Greece and Italy. Official activity

increased during the 1990s, stimulated inter alia by the public response in Portugal to the demonstrations that accompanied the visit by Pope John Paul II, the emotional impact of young Timorese praying in Portuguese during the 1991 Santa Cruz massacre and the award of the Nobel Peace Prize in 1996. In 1993, for example, Portugal was largely responsible for the adoption of a positive resolution on Timor-Leste by the UN Commission of Human Rights. In what was described by a US diplomat as "one of the most dramatic moments of this year's session", Portugal, with the help of its former colonies, gained the support of the US, Canada and Australia for the resolution. The US mission in Geneva reported:

The passage of the East

Reference 104 - 0.01% Coverage

subsist through incorporation with Indonesia.

62. Portugal's change of policy in 1974 to support self-determination was critical to the fate of Timor-Leste as was Portugal's adherence to this principle throughout the Indonesian occupation. However, Portugal failed to discharge its responsibilities to the people of Timor-Leste during the critical period 1974-75 and beyond. Although the third largest of Portugal's six territories, Timor was low on the list of Portuguese priorities. For Portugal, this period appeared to mark the end of its role rather than the active assumption of new responsibilities. The central government did not provide adequate resources to its local representatives, did not secure the territory in the face of clear external aggression, was too accommodating of Indonesia's position, and declined to internationalise the issue. The human cost of these mistakes was severe. This passivity and ambivalence continued to characterise its diplomatic activity until the mid-1980s despite its constitutional and international obligations and constant petitioning by the people of Timor-Leste and Portuguese civil society for a more credible defence of its former colony's interests.

63. Mario Lemos Pires, the

Reference 105 - 0.01% Coverage

the 1945 Indonesian Constitution reads:

That in reality, Independence is the right of every nation and, therefore, colonialism in this world must be abolished because it is not in conformity with humanity and justice. (Bahwa sesungguhnya Kemerdekaan itu ialah hak segala bangsa dan oleh sebab itu, maka penjajahan di atas dunia harus dihapuskan, karena tidak sesuai dengan peri-kemanusiaan dan peri-keadilan).*

* This is taken from President

Reference 106 - 0.01% Coverage

The Right to Self-Determination

65. The Indonesian Government under both President Sukarno and President Soeharto officially supported the right of the East Timorese people to self-determination and disavowed any territorial claims to the colony. 66. In a series of statements to the General Assembly between 1954 and 1962 relating to the dispute over West Irian between Indonesia and the Netherlands, Indonesian officials stressed repeatedly that the national boundaries of Indonesia were those of the former Netherlands East Indies. In 1961, for example, the Indonesian Foreign Minister, Mr Subandrio, stated:

In regard to the large island of Borneo... whose northern part is British territory, and likewise as regards one-half of the island of Timor, which is Portuguese, we have no territorial claims at all; because what we consider to be Indonesian and Indonesian territory is nothing else but the entire territory of the former colony: the Netherlands East Indies.⁴⁰

67. In 1960 Indonesia voted in support of both the UN Declaration on the Granting of Independence to Colonial Countries and Peoples and the General Assembly resolution recognising Portuguese Timor as a non-self-governing territory. It supported subsequent UN resolutions critical of Portugal's colonial practices and its failure to comply with its obligations under the UN Charter. The deputy chief of President Sukarno's Advisory Council, Roeslan Abdulgani, told a rally held in Jakarta in 1961: "Fill your hearts with hatred not only for Portuguese colonialism, but for all colonialism still existing on Asian and African soil," adding that Indonesia's "eyes and heart are directed towards Portuguese Timor and Goa (which) are still under the power of colonialism."⁴¹

68. The Australian Government was convinced that the continuing presence of a colonial regime within the Indonesian archipelago would provoke President Sukarno to eliminate this last vestige of colonialism in his neighbourhood, and urged Portugal to develop the territory and Indonesia not to use force. However, Sukarno's interest in Timor was largely rhetorical and did not compare with his "crush

Malaysia” or West Irian campaigns. During a visit to Lisbon in 1961, he reportedly told the Portuguese Prime Minister, Dr Salazar, that Indonesia respected Portuguese sovereignty in the territory.⁴²

69. These policies were continued

Reference 107 - 0.01% Coverage

Portugal, the Indonesian representative stated:

Indonesia would like to see the people of Portuguese Timor exercise their right to self-determination in an orderly and peaceful manner in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples.

70. He added that Indonesia

Reference 108 - 0.01% Coverage

with Portugal because that choice

“besides adding to Portugal’s burden, would also constitute a new form of colonialism” and stated that independence was “not realistic” because of “the backwardness and economic weakness of the population”.⁴⁴

72. A key Soeharto adviser

Reference 109 - 0.01% Coverage

Soeharto on 17 July 1976.

82. In his address accepting the petition on 7 June 1976, the Indonesian President sought to justify integration in cultural and historical, rather than legal terms and as a triumph over European colonialism consistent with Indonesia’s Constitution. Speaking more to the Timorese delegation than the international community, he said the petition was an “historic occasion” because it represented reunion and reintegration after generations of separation by artificial borders:

I do not feel as though I am greeting strangers today. I feel that I am meeting my own brothers again, who were separated for...hundreds of years by the artificial barriers of the colonial Governments.⁵¹

83. The integration process enabled

Reference 110 - 0.01% Coverage

independent East Timor.⁶⁰

Conclusion

94. The Soeharto Government violated the right of the people of Timor-Leste to selfdetermination. This was also a breach of international law and the spirit of Indonesia’s Constitution, anti-colonial tradition and policies. The Indonesian military was principally responsible for this violation. The Indonesian people were not consulted or informed and bear no responsibility.

95. The Soeharto Government had

Reference 111 - 0.01% Coverage

chose to ignore due process.

96. This violation followed a high level, secret decision taken in 1974 to integrate the then Portuguese colony into Indonesia. Publicly the Soeharto Government supported the Timorese right to a free choice between three options as provided for by UN General Assembly Resolution 1541 (XV) of 1960, and presented itself as a good international citizen. In practice it worked to engineer only one of those choices, that of integration, and to undermine and deny the right to independence that was the goal of TimorLeste's two major political parties. It attempted to justify its takeover on the grounds of humanitarian responsibilities, regional security, self-defence, pre-colonial cultural, historical and ethnic ties, and Timor-Leste's lack of economic viability. These claims were not valid reasons to override the East Timorese people's inalienable right to selfdetermination and were incompatible with the 1960 Declaration on the Granting of Independence to Colonial Countries and Peoples which Indonesia professed to uphold.

97. This process of subversion

Reference 112 - 0.01% Coverage

Minister, William McMahon was informed:

There is no early prospect that Indonesia would seek to take over Portuguese Timor...(but) in the long term the sensible disposal of the colony would be by incorporation in Indonesia.⁶⁶

109. In 1973, the Australian

Reference 113 - 0.01% Coverage

Minister, Gough Whitlam, was informed:

The people of Portuguese Timor would probably be marginally better off under Indonesian rule than under any other conceivable dispensation (the Indonesian half of the island is better run than the Portuguese colony and its prospects as a separate entity would be poor).⁶⁷

Australian policy, 1974–1975

110

Reference 114 - 0.01% Coverage

party principal in Portuguese Timor:

We have no national obligations or interest in getting re-involved in colonial or postcolonial affairs in Portuguese Timor... We continue to hold that the future of the territory is a matter for resolution by Portugal and the Timorese people themselves with Indonesia also occupying an important place because of its predominant interest.⁷⁵

120. Indonesia made known to

Reference 115 - 0.01% Coverage

Council.*

Reflecting its own often

humiliating colonial background, China has traditionally taken a very strong position on issues of sovereignty, self-reliance, self-determination and the rights of the Third World. China is particularly sensitive to what it regards as undue Western influence on the international system, including outside interference in a country's internal affairs in the name of humanitarian intervention and human rights, and the imposition of an overly individualistic interpretation of human rights.

176. China opposed Portuguese colonialism in Africa and planned to absorb Macau,† but was and remains firmly opposed to independence for Taiwan and Tibet.

177. Indonesia recognised the People's

Reference 116 - 0.01% Coverage

common with France's republican tradition.

193. France did not support decolonisation initiatives taken by the UN in the 1960s. It abstained from supporting both the historic Declaration on the Granting of Independence to Colonial Countries and Peoples on 14 December 1960 and its related principles for reporting on colonies. During the same period, France joined Portugal in opposing the listing of Timor by the General Assembly as a non-self-governing territory.

194. The French Government supported

Reference 117 - 0.01% Coverage

was a self-professed friend

of colonial peoples, superpower and permanent member of the Security Council. Indonesia and the West feared it might intervene in Timor-Leste and monitored its activity closely. In reality, it played a minor role and, like other powers, took a pragmatic approach based on its strategic interests in Indonesia.

204. Following the Bolshevik Revolution of 1917, the Soviet Union promoted itself as the champion of colonial peoples and revolutionary movements. This activity increased after the Second World War and the collapse of European empires and peaked in the 1970s with, inter alia, Soviet intervention in Angola in 1975, the Ogaden War (1976-78)† and the ill-fated invasion

Reference 118 - 0.01% Coverage

invasion of Afghanistan (1979-89).

205. In 1960 the USSR proposed and drafted the original text of the historic UN Declaration on the Granting of Independence to Colonial Countries and Peoples. The text was substantially modified, but the initiative was an important contribution to decolonisation, including for Timor-Leste. The USSR supported the two Security Council Resolutions on Timor-Leste adopted in response to the Indonesian invasion and all General Assembly Resolutions on the question between 1975 and 1982.

206. Soviet interest in Timor

Reference 119 - 0.01% Coverage

too concerned by developments.¹²⁶

230. Britain's decision to keep "our heads down" was largely dictated by the importance it attached to its long-standing commercial interests in Indonesia. These date back to the 17th and 18th centuries when the English East India Company competed with the Dutch East India Company for control of the spice trade in the archipelago. In the early 20th century, British investments in the Netherlands Indies were second only to the Dutch. Britain headed the Allied Command in the region during the Second World War, restored the Dutch colonial government in Java, then helped mediate a settlement between the Netherlands and the Indonesian republican forces before independence. Relations deteriorated in the early 1960s when Sukarno challenged British plans for Singapore and Malaysia. Soeharto quickly ended

Sukarno's policy of konfrontasi, and economic relations revived under Soeharto who hosted a visit by Queen Elizabeth II in 1974. Deregulation in the 1980s led to the entry of many of Britain's biggest companies and Britain again became Indonesia's second largest investor.¹²⁷
231. Ambassador Ford advised his

Reference 120 - 0.01% Coverage

to Self-Determination
United States

245. The US, once a colony itself, was a key architect and founding member of the UN in 1945 following the Second World War and is a permanent member of the Security Council and superpower. The name "United Nations" was coined by US President Franklin D Roosevelt. Its forerunner, the League of Nations, was established in similar circumstances following the First World War (1914–1918). It owed much to US President Woodrow Wilson's reaction of shock that an advanced civilisation could have engaged in the extreme savagery and devastation that characterised the Great War. In his famous Fourteen Points speech in 1918, President Wilson listed what he considered were the basic premises for the peaceful resolution of conflict. In addition to the creation of an association of nations, these included an early formulation of the principle of self-determination which was later adopted into the UN Charter.*

246. The US did not support the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the UN in 1960, but it reversed its position in 1961 and also recognised Portuguese Timor as a non-self-governing territory with the right to self-determination.

247. US policy on Timor-Leste was further developed during this period in response to fears of a clash between Portugal and Indonesia over the territory. Like Australia, the US was concerned that Prime Minister Salazar's rejection of UN demands to decolonise would lead to intervention by President Sukarno in the name of anti-imperialism. To avoid a clash, the US Department of State proposed that the US should refer the issue to the UN Decolonisation Committee and should also oppose the possible use of force by Indonesia on the grounds that force could not be justified by Portugal's failure to decolonise and would harm the United Nations. A Department of State policy document in 1963 stated:

The one failure does not

Reference 121 - 0.01% Coverage

and should unite with Indonesia:

* Point V of President Wilson's Fourteen Points refers to colonial claims and the need for "a strict observance of the principle that in determining all such questions of sovereignty the interests of the populations concerned must have equal weight". Other Points included the need for the reduction of armaments by countries "to the lowest point consistent with domestic safety".

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Reference 122 - 0.01% Coverage

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287. In 1960 Japan supported the adoption of the UN Declaration on the Granting of Independence to Colonial Countries and Peoples and the related principles for reporting on colonies.¹⁶⁴
listed Portuguese Timor as a

Reference 123 - 0.01% Coverage

with that of the US.

299. Indonesia and Japan established formal diplomatic relations in 1957, following protracted negotiations over Japan's reparations debt to Indonesia arising from its occupation of the former Dutch colony between 1942 and 1945. An expansion in Japanese investment, resource exploitation and aid followed. Indonesia, which has a vast market, natural resources and strategic location, became increasingly important to Japan's economy regardless of who holds power in Jakarta. A significant percentage of Japan's oil supplies and trade flowed through the Straits of Malacca. After the Soeharto regime took power, Japan helped establish the international aid consortium, the InterGovernmental Group on Indonesia (IGGI), which held its first meeting in Tokyo in 1967. By the 1980s Japan was Indonesia's largest investor and aid donor, and very protective of the relationship. Japan's response to Timor-Leste was circumscribed by these priorities.

300. In 1979, Japan provided

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self-determination outside the UN.

308. This attitude was widely shared by many other UN members. Western governments such as Canada and New Zealand, and Asian governments such as India, Malaysia, Singapore, Philippines, Brunei and Thailand all allied themselves strongly with Indonesia. Generally speaking, the only conspicuous exceptions to the rule were Portugal, its former African colonies and a scattering of smaller states.

309. Official international attitudes on

Reference 125 - 0.01% Coverage

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integration stressed that in their view the peoples of Timor-Leste and Indonesia were brothers and that integration was a "natural" reunion after centuries of separation by European colonialism.* Western policy makers also chose to present integration, in Henry Kissinger's terms, as "the normal evolution of the end of colonial rule".178

3.

Indonesia was forced by

Reference 126 - 0.01% Coverage

civilising mission'.*

This privileged relationship

ended with the Carnation Revolution in Portugal. As an integral part of the old colonial system, the Church was deeply challenged by the changing political environment and a period of acute anxiety and confusion ensued, exacerbated by the violence of the civil war and the looming Indonesian invasion.

316. In Timor-Leste, Fretilin's program included a critique of the Church's role in colonialism and its large land holdings. Many clergy and religious favoured UDT and were concerned about communism. Bishop Ribeiro publicly denounced Fretilin as

* In the context of the ferment in Church thinking surrounding the Second Vatican Council (1962-65) and liberation movements in Africa and Latin America, some missionaries used their teaching role to critique colonialism and to introduce their students to new ideas. This was particularly true of the Jesuit seminary in Dare which became the alma mater for many of Timor-Leste's future nationalist leaders.

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the Vatican's diplomatic modus operandi.

343. The Church's mission was spelled out by the Second Vatican Council (1962-65). In brief, it committed the modern church to both a spiritual and a social mission in the world, independent of any political system. The Vatican and the Church of Timor-Leste differed, however, in their interpretation of this mission in the context of the crisis in Timor-Leste. The local Church, which had been part of the Portuguese colonial system, now emphasised its community basis, independence from the state and prophetic role.* The Vatican preferred a more conciliatory approach and stressed principles without being direct or specific. It also considered that policy and management of the question was primarily its prerogative, not that of its local representative.

344. The Vatican's response was

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The Right to Self-Determination

the other former Portuguese African colonies, themselves newly independent. This was supplemented in the early period by support from Tanzania's Ambassador to the UN, Salim A Salim, Chair of the Special Committee on Decolonisation and Huang Hua, the People's Republic of China representative.

373. Portugal was supportive in

Reference 129 - 0.01% Coverage

a presence in both worlds.†

413. The diaspora was small, politically divided, scattered and impoverished. Many started their new lives in refugee camps and carried in their luggage scars and antipathies from the civil war and the Indonesian invasion. In Portugal newly arrived East Timorese were outnumbered by large numbers of people from the former Portuguese colonies in Africa and had difficulties finding accommodation and work. Many East Timorese lived in camps in Lisbon for several years.

414. In Australia, East Timorese

Reference 130 - 0.01% Coverage

its main personalities with Indonesia.

426. The Resistance countered these challenges by utilising its strengths and by adapting itself without compromising its goal of self-determination and independence. Though not sufficient to halt the deterioration in its diplomatic fortunes, Fretilin's early policy decisions were fundamentally important and contributed significantly in the long-term. They included the decisions to open a diplomatic front, to focus on the UN and Timor-Leste's internationally recognised right of self-determination, to work with Portugal, to build support in Africa with the five former Portuguese colonies and the large bloc of UN votes, to build links with first world civil society and many of its key institutions, and to appoint José Ramos-Horta to represent Timor-Leste at the UN. His contribution to building civil society support and world consciousness about TimorLeste was outstanding, and his policy and strategic input to the Resistance, based on his extensive diplomatic experience and knowledge, was decisive – both inside and outside the country.

427. The most important contribution

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434. Portuguese civil society welcomed the 1974 Carnation Revolution and the decision of the Movement of the Armed Forces (Movimento das Forças Armadas, MFA,) to decolonise, democratise and develop both Portuguese society and the overseas provinces. Civil society itself was a beneficiary of these political changes after decades of marginalisation under successive dictatorships. For many, democracy and decolonisation were interlinked. “A nation cannot be free while oppressing other nations” was a common slogan before and after the 25th of April. Portuguese who had lived and worked in Timor-Leste, and those who had worked to end Portuguese dictatorship and colonialism, felt a strong sense of responsibility to the East Timorese people. CIDAC (The Centro de Informação e Documentação Anti-colonial, Anticolonial Information and Documentation Centre) was founded in September 1974 to promote decolonisation, including self-determination and independence for TimorLeste. CIDAC contributed to the creation of the short-lived Associação de Amizade Portugal-Timor Leste (Portugal and Timor-Leste Friendship Association) and, in 1981, to the establishment of the CDPM (Comissão para os Direitos do Povo Maubere, Commission for the Rights of the Maubere People) which became Portugal’s main solidarity organisation until its dissolution in 2002.

435. However, despite links with Timor-Leste going back 400 years, a common language and the presence of East Timorese in Portugal, civil society faced many challenges at both government and community levels in relation to Timor-Leste during this early period. These included general public ignorance about Timor-Leste, turmoil in Portugal resulting from radical political change after 48 years of dictatorship, a preoccupation with Portugal’s African colonies and divisions of opinion over Timor-Leste’s future compounded by differences between Fretilin and UDT. Luisa Teotonio Pereira, the Coordinator of CDPM for 19 years, testified to the Commission:

Real ignorance of Timorese history

Reference 132 - 0.01% Coverage

to neutralise evidence from witnesses.*

459. Friends of Timor-Leste also produced several publications at this time. Jill Jolliffe’s pioneering work *East Timor: Nationalism and Colonialism* was published in 1978 and was for some years the main English-language reference on Timor-Leste. Working from Portugal, she also published *Timor Newsletter* from 1980-83. In 1979, Tapol filled a gap in the UK and US by publishing *An Act of Genocide: Indonesia’s Invasion of East Timor* by Arnold Kohen and John Taylor. In 1980, the *Yale Journal of World Public Order* published Professor Roger Clark’s important monograph, “The ‘decolonisation’ of East Timor and the United Nations norms of self-determination and aggression”. A New Zealander by birth, Clark was distinguished Professor of Law at Rutgers University in the USA. His scholarly demolition of Indonesia’s claims to have complied with international law was the first expert contribution in this area. Clark also testified to the UN and other bodies on Timor-Leste. In 1981, the Swedish *Osttimor-Kommitten* in Stockholm published *Det Glomda Kriget (East Timor: The Forgotten War)* by Ollie Tornquist and H. Amahorseja.

460. This period of crisis

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world affairs.

Indonesian civil society

500. Indonesian civil society added Timor-Leste to its formidable list of pressing social, human rights and environmental issues in the 1990s. Though small and isolated, significant sections of the pro-Timor movement went to the heart of the issue and advocated self-determination. This policy orientation owed much to the influence of Indonesians living abroad and to East Timorese studying in Java and Bali. Its advocacy in Soeharto's Indonesia required rare courage. Though its Constitution requires Indonesia to fight colonialism and uphold the right of all peoples to independence,²⁵⁰ in the eyes of the regime to support self-determination in Timor-Leste (after 1976) amounted to subversion of the central dogma of national unity, which underpinned state and military policy. Those who supported it or who collaborated with its Timorese advocates were harassed and risked being labelled traitors. Only in Timor-Leste itself was such activity more dangerous. But by daring to speak out, Indonesian civil society groups broke the taboo of fear and silence and, against great odds, mobilised support

* The breadth of Australian public

Reference 134 - 0.01% Coverage

including their tolerance of violence.

- The formation and arming of militia affiliated with political parties.
- The abandonment by East Timorese and Portuguese members of the colonial army and police of political neutrality.
- The failure of the organs

Reference 135 - 0.01% Coverage

Displacement and Famine - *Chega!* | 1191

come down from the mountains and surrender. This challenge came from a number of sources, including professional soldiers, who had served in the Portuguese colonial army, traditional leaders and some within the Fretilin leadership itself. The most notable early advocate of these dissenting views was Aquiles Freitas, a former sergeant in the Portuguese army and a traditional leader from Quelicai (Baucau), who had been appointed deputy commander of the Centro Leste Sector. Aquiles Freitas was ultimately arrested on the orders of the Fretilin leadership with several of his followers and executed (see Vol. II, Part 7.2: Unlawful Killings and Enforced Disappearances). However, support for such views was widespread and persistent.

76. Community leaders told the commission about the impact of this violent conflict on the villages of the sub-district of Iliomar in Lautém in 1976. They remembered that when the political commissar for the Ponta Leste Sector, Juvenal Inácio (Sera Key) and Adjunto Fernando Txay had advocated the party line that civilians should evacuate to the mountains with Fretilin, Francisco Hornay had resisted them. Like his friend, Aquiles Freitas, Francisco Hornay was a former sergeant in the Portuguese colonial army who had joined Falintil. The conflict unleashed violence on both sides which resulted in the execution of Francisco Hornay and 14 of his followers, and the imprisonment and torture of many others.

Responsibilities of parties to the

Reference 136 - 0.01% Coverage

Indonesian control in these camps.

173. Father Eligio Locatelli has been living at the Salesian technical college at Fatumaca, Gariuai (Baucau, Baucau) since Portuguese colonial times. He told the Commission:

People came down from the

Reference 137 - 0.01% Coverage

for example, had three camps.

197. All districts except Oecussi had resettlement camps. In each of the 12 districts where camps were located, almost every sub-district had at least one camp, some had as many as five and most had three or four. Many camps were temporary. Some such as Dataran Faebere (Iliomar, Lautém) were later closed down and the area left uninhabited. Quite a few were located in new settlements that had not existed in Portuguese colonial times.

District Aileu

Sub-district Aileu

Reference 138 - 0.01% Coverage

The period of Fretilin administration

179. From late September 1975, Fretilin had control of the territory of TimorLeste and began to establish an administration, while seeking the return of the Portuguese colonial administration from the island of Ataúro. Many UDT leaders and supporters fled to Indonesia. Fretilin detained those UDT members it had captured in the fighting, and continued arresting opponents. By early October, members of Apodeti also became a target of Fretilin arrests in Dili. Human rights

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Reference 139 - 0.01% Coverage

192

Trials of Fretilin detainees*

194. As Fretilin leaders became aware of the arbitrary nature of the detention and the overcrowding in the Fretilin detention centres they acted to create a way to acquit and release innocent people. The Portuguese colonial administration showed no signs of returning from Ataúro and so was not in a position to deal with the situation. On 30 September, Fretilin announced a commission to investigate detainees' backgrounds. In many areas this commission began its work too late, well after human rights abuses against detainees had begun to be committed. It was not active in all areas of the territory. Indeed, statements received by the Commission indicate that numbers of detainees continued to rise and that individual members of Fretilin in the districts began to make decisions and take action against detainees on their own initiative.

195. One example of such

Reference 140 - 0.01% Coverage

occupation in 1999.

The Comarca

One of the most notorious detention centres for political detainees during the Indonesian occupation was the Comarca, the Balide prison. The Comarca was built as the official prison by the Portuguese colonial administration in 1963,§

and was used during the

Reference 141 - 0.01% Coverage

notoriously cruel Special Forces Unit.

Clubo Municipal (Portuguese: Town Club) The Portuguese colonial administration built the Clubo Municipal as a sporting venue and a place to hold big events like New Year's Eve celebrations. The Indonesian army used the Clubo Municipal as a detention centre for East Timorese who had surrendered. ABRI, who occupied this venue from the moment it entered Baucau until the 1980s, assigned to it not only members of the Special Forces Unit, but also of the District and Sub-district Military Commands, and Civil Defence.

RTP-12, -15 and -18

Reference 142 - 0.01% Coverage

Ill-treatment - Chega! | 1533

Ataúro

Ataúro, the arid island off the north coast of Dili, was first used in 1937 by the Portuguese for exiled political prisoners from Portugal and the Portuguese colonies. According to Vasco Lopes da Silva, the former village head of Vila (Ataúro, Dili), notable prisoners included the father of Manuel Carrascalão and Mário Lopes, the father of Maria do Ceu Lopes da Silva Federer, who were exiled from San Tomé. In one year, 1959, the Portuguese Government sent more than 3,000 people to Ataúro. During the internal armed conflict in 1975, the governor of Portuguese Timor and other members of the Portuguese administration fled from Dili to Ataúro and then to Darwin. They were eventually picked up by a ship that took them to Macau and Lisbon (see Vol. I, Part 3: The History of the Conflict).⁴⁶³ Indonesia used Ataúro as a place for arbitrary detention of East Timorese people between 1980 and 1986, but numbers peaked in 1982 at around 4,000. This is consistent with information collected by the Commission directly through its statement-taking process and in the secondary source reports from Amnesty International; both data confirm that large groups of people were detained on the island of Ataúro in the early 1980s. These figures are shown below.*

Reported number of detainees on

Reference 143 - 0.01% Coverage

to see the detainees.¹³⁷

196. Legal argument by defence teams were based on the claim that Timor-Leste's integration into Indonesia was illegal, and would continue to be so until the East Timorese were given an opportunity to participate in a free and fair choice concerning their political status. This was argued in a number of ways, for example through detailed accounts of East Timorese history from the pre-colonial period up until the Indonesian invasion and occupation; by disputing the validity of the Balibó declaration; by arguing that self-determination was supported by the 1945 Indonesian Constitution; as well as arguments based on international law and UN Security Council resolutions. If the Indonesian claim over Timor-Leste was illegal then there could be no substance to charges that East Timorese had committed treason by not supporting the sovereignty of Indonesia in Timor-Leste.

The core of their defence

Reference 144 - 0.01% Coverage

village people, offered to the

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soldiers by their own relatives in exchange for favours/benefits/ secrecy; in some areas of Timor Leste, such practices were already in use during colonial times; g Young women living in “Guarded Villages” (

. Desa Binaan) that

“In these

Reference 145 - 0.01% Coverage

interests being taken into consideration.

5. A constant theme of Indonesian propaganda during the occupation was the supposed contrast between the backwardness that was said to be Portuguese colonialism’s chief legacy and the rapid development that Indonesia brought to Timor-Leste. In the instances cited above Indonesia plainly failed to live up to its claims that its overriding concern was the well-being of the East Timorese people. Waves of violence and the extreme political and social repression and control exercised by the Indonesian military seriously hampered activities that were fundamental to making a day-to-day living, including movement, farming, and the ability to transport and market goods.

6. Violations of economic and

Reference 146 - 0.01% Coverage

subjected to forced labour.¹⁶

Management of the coffee sector under Indonesian administration 29. The Indonesian state followed the pattern established by the Portuguese colonial government by putting management of

Reference 147 - 0.01% Coverage

sandalwood, timber and oil. Sandalwood

46. Timor’s valuable aromatic sandalwood was the commodity that originally attracted the attention of European traders and the governments that sponsored them in the early 16th century, and was to play a central role in the structuring of power both within the colony and between the Portuguese, Dutch and British powers competing for ascendancy in the region. The Portuguese logged the sandalwood stocks relentlessly, roots and all, and production plummeted from almost 900,000kg in 1910 to a mere 20,000kg in 1926, when exporting sandalwood was officially banned to allow stocks to regenerate.²⁸

2208 | Chega! - Volume III, Part

Reference 148 - 0.01% Coverage

9.:Economic and Social Rights

in the Indonesian Regional Government’s “Twenty years of East Timor Development”: “Development in the former Portuguese colony had to begin right from the ground. Nothing of any significance was left behind by the colonial administration. Development of the region was to be undertaken step by step”.⁷³

Right to health The meaning

Reference 149 - 0.01% Coverage

Public health under Portuguese rule

80. Even in the absence of armed conflict, persistent poverty coupled with nonparticipatory, unaccountable government meant that under both Portugal and Indonesia East Timorese did not enjoy “progressive realisation...to the maximum of [the state’s] available resources” of their right to health.⁷⁷ Although there is little public health data from the Portuguese period, the tiny investment of the colonial government in public services, the harsh climate and endemic malaria all indicate that the state of health of the general population must have been very poor. There was one well-equipped hospital in Dili,† a rudimentary health facility in

Reference 150 - 0.01% Coverage

the maintenance of peace.¹²¹

114. During all but the last decade of Portuguese colonial rule, education was unavailable to the vast majority of East Timorese. Like the health system, the education system under the Portuguese primarily served the needs of the colonial and indigenous elite.¹²² Secondary schools were virtually non-existent for most of the colonial period.¹²³

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Reference 151 - 0.01% Coverage

and Social Rights - Chega! | 2237

115. However, in the early 1960s, Portuguese policy changed and a school-building programme got underway. The main impulse for this change was the rebellion of 1959, which the state believed would not have happened had the people not been so “backward”. Saldanha notes that from the early 1960s to the end of the colonial period, both the Catholic Church and the Portuguese government used education “as a ‘psycho-social strategy’ (ação psico-social) to embrace the population”.¹²⁴ This view of development as a means to win “the hearts and minds” of the people was also an explicit rationale for Indonesian development programmes.*

116. From 4,898 in

Reference 152 - 0.01% Coverage

an adequate standard of living

Development and government spending ¹³⁶. Despite the Indonesian Government’s large investment in Timor-Leste and the rapid economic growth that it produced, particularly when compared with the performance of the Portuguese colonial power, government security concerns rather than the interests of the majority of the population guided the distribution of that investment. The contrast between investment and growth in such sectors as transport and communications and government administration, and that in agriculture on which the vast majority of the population depended for its livelihood, strikingly illustrates the occupying power’s distorted priorities. Income and poverty indicators at the end of the Indonesian occupation, which show Timor-Leste lagging behind most other countries and all the provinces of Indonesia itself, provide strong evidence of the harmful effects that this choice of priorities had on the living conditions of the majority of East Timorese.

Rights over natural resources

137

Reference 153 - 0.01% Coverage

the East Timorese people

Introduction

228. The Government of Indonesia made significant economic investment in the territory of Timor-Leste during the period of the occupation. In particular it was responsible for building many new roads, bridges, buildings, hospitals and schools, needs which had been seriously neglected during the Portuguese colonial period.

229. However, despite these undoubted

Reference 154 - 0.02% Coverage

Part 8: Responsibility and Accountability

to develop a coherent policy on the future of the territory; and the succession of governments that came to power after the revolution saw the decolonisation of Portugal's African empire as a primary responsibility. Although Portugal did eventually devise a broadly acceptable timetable for the decolonisation of Timor-Leste, all of these factors contributed to its failure to do so in a timely fashion. Moreover, it did not seriously attempt to offset its weak position vis-à-vis Indonesia by making a firm commitment to the principle of self-determination or by taking steps to internationalise the issue. • Due to centuries of arbitrary rule and the exclusion of the East Timorese people from participation in government, the legacies of Portuguese colonialism included weak respect for the rule of law and poorly developed state institutions. • A host of factors neutralised the colonial army's capacity to intervene in events. These included: low morale among the Portuguese-born conscripts in the territory, the running down of troop strength, the determination not to shed another drop of blood for the colonies, the ambivalence of some conscripts and men to the principle of political neutrality at a time when the colonial wars in Africa and the revolution in Portugal had had the effect of radicalising the Portuguese armed forces, and the politicisation of East Timorese conscript and regular soldiers • The political inexperience of the Fretilin and UDT leaderships prevented them from seeing the dangers of a descent into violence and the urgency of finding common ground. Instead the youthful leaders of these political parties used violent rhetoric against their political opponents, encouraging their members to resort to actual physical violence. • The absence of key institutions, including those of civil society and an independent media, and the failure of existing non-governmental institutions, including the Catholic Church, to rise above politics meant that where they played any role at all it was to exacerbate rather than calm tensions. • Indonesia's role in destabilising the situation in Portuguese Timor from 1974 through a range of actions that included assistance to Apodeti and the manipulation of internal politics through its contacts with elements in the UDT leadership further heightened tensions. • For a variety of reasons, of which the most important was a desire not to alienate Indonesia, all the international and regional actors who might have restrained Indonesia refused to make it clear from the beginning that a forcible Indonesian takeover of Portuguese Timor would be an unacceptable violation of the principle of the right to self-determination.

294. All of these factors

Reference 155 - 0.01% Coverage

Part 8: Responsibility and Accountability

The responsibility and accountability of the Apodeti party 380. Although the Commission received significantly fewer reports of violations committed by members of the Apodeti party than by either Fretilin or UDT, the evidence clearly demonstrates that apart from having a direct role in the commission of violations, members of Apodeti also played a role in the Indonesian invasion and supported the military occupation in a variety of ways. 381. The Commission has found that from September 1974 members of Apodeti were in contact with Indonesian military officers. From December 1974 they

participated in military training exercises in Atambua, West Timor (Indonesia). This training was undertaken for the explicit purpose of preparing for military action within Timor-Leste, although it is unlikely that the members of Apodeti were aware of the exact details of the Indonesian plans. Approximately 200 Apodeti cadres participated in this training. When the Portuguese colonial authorities travelled to Atambua in January 1975 to try to persuade the members of Apodeti to return to Timor-Leste and play a constructive role in the decolonisation process, they refused and instead continued with their military training.

382. Members of Apodeti worked

Reference 156 - 0.01% Coverage

the truth and seeking reconciliation.

11. Acolhimento grows from an appreciation and celebration of our rich cultural heritage. This heritage includes our traditional culture that was suppressed for so many years, as well as our experiences of colonialism, war and occupation. It is a way to help us accept the many dimensions of being Timorese, living with what we have been through, and creating a society that includes all of us, even those who have done wrong in the past. In this sense, the behaviour of the father in the Biblical parable of the prodigal son is a demonstration of the spirit of acolhimento.

12. While in English the

Reference 157 - 0.01% Coverage

nature of their historical conflict.

The people of Leber regarded the villages of Tapo and Oeleu as UDT strongholds, loyal to the Portuguese colonial administration. Villagers from Tapo had long been suspicious of Leber, first as an Apodeti village and then as a base for the Indonesian army Special Forces (Kopassus). The Tapo group accused Leber of killing civilians, while the people from Leber reminded those present that in the mid-1970s Fretilin supporters in Tapo and Oeleu had attacked Leber, burning hundreds of homes and causing the people of Leber to flee to the mountains. The participants from Oeleu, in turn, blamed Fretilin for the displacement in 1975 of hundreds of UDT supporters who sought refuge in the mountains of Covalima or fled to West Timor. Although later Tapo and Oeleu were both assumed to be bases of Fretilin support, before independence they were also known as fertile recruiting grounds for the pro-integration militia. These initial suspicions and tensions

Reference 158 - 0.01% Coverage

to participation – guaranteeing essential freedoms

The freedoms which are essential to exercise the right of participation were repressed under both the Portuguese colonial system and the Indonesian regime of occupation. Those who exercised their rights to freedom of information, opinion, movement, association and assembly during the conflict with Indonesia ran grave risks, were forced to operate clandestinely and often suffered grievously for exercising these rights. Secrecy and heavy-handed control were the hallmarks of the system. This resulted in the killing of foreign journalists and, inter alia, the massacre of demonstrators at the Santa Cruz cemetery on 12 November 1991. Only information, media, political parties and associations acceptable to the Indonesian military were tolerated and freedom of movement within Timor-Leste and abroad was monitored and restricted. East Timorese were treated as subjects not as citizens. As a result, government was not accountable, development failed and human rights violations were committed with impunity.

The Commission recommends that: 3

Reference 159 - 0.01% Coverage

education and cultural self-determination

The International Covenant on Economic, Social and Cultural Rights (Article 15) recognises the right of all to cultural life and the related need to conserve, develop and diffuse culture including through the formal education system. Though parts of TimorLeste's unique way of life and culture survived, this right was denied to varying degrees under the colonial systems introduced by Portugal and Indonesia. The Portuguese system particularly neglected education for the people. Indonesia, though it addressed illiteracy and provided educational opportunities, used these as vehicles to promote integration not cultural self-determination.

The Commission commends the Government

Reference 160 - 0.01% Coverage

health and a sustainable environment

The enjoyment of basic rights to health, adequate food, housing and livelihood depend on a healthy environment. Harm to the environment is not only a crime against nature it is also a violation of human rights. Timor-Leste suffers from obvious depletion of its flora, fauna and soil. This is due to many factors but includes colonial exploitation of natural resources, war damage, the disruption of land care due to the long conflict, the consuming of native plants and animals during periods of displacement, and the removal of flora and fauna as war trophies to Indonesia.

The Commission recommends that: 3

Reference 161 - 0.01% Coverage

1. An effective civil society

The freedoms required for the flowering of civil society were denied for most of TimorLeste's colonial history and harshly repressed during the Indonesian occupation. Nevertheless, civil society emerged as a positive force for change both in TimorLeste itself and in Indonesia and, together with international civil society, played an important role in the struggle for self-determination and independence. This role, the independence of civil society and the values of initiative and commitment to human rights that inspired it, are equally critical today. Outside government and political parties, civil society is the principal vehicle for the participation and contribution of citizens to nation-building. It is important that this sector enjoys an enabling environment as Timor-Leste continues to make the transition from opposition to constructive interaction between government and civil society.

The Commission recommends that: 5

Reference 162 - 0.01% Coverage

2639

Historical and political context

1. At the heart of the crisis in 1999 was the question of Timor-Leste's political status. Long a colony of Portugal, Timor-Leste was invaded by neighbouring Indonesia in 1975 and subsequently annexed. For the next 24 years, the territory's political status remained in dispute, both in Timor-Leste itself and internationally. Though some states recognised Indonesian sovereignty, the United Nations never did so. As far as the UN was concerned, Portugal retained its formal status as administer ing authority.

2. The period of Indonesian

Reference 163 - 0.01% Coverage

1999.

Indonesian invasion and occupation

5. For roughly three centuries, the territory known as Timor-Leste was governed as a colony of Portugal. That arrangement began to unravel in 1974 when, in the aftermath of its own Carnation Revolution, Portugal set about to relinquish control of its colonies, including Timor-Leste. Portuguese disengagement stimulated the growth of political parties in Timor-Leste.

6. By 1975, three principal

Reference 164 - 0.01% Coverage

that was an implausible expectation.

67. The TNI had never been purely 'professional' in the sense of being an apolitical institution that implements orders from a civilian political leadership. From its origins during the Indonesian struggle for independence from the Dutch colonial authorities (1945-1949), the Indonesian military – and in particular the Army – had always played an important role in the political, social, and economic life of the state. The political power of the military became more deeply entrenched during the New Order regime of President Soeharto (1965-1998). Even after Soeharto's resignation in 1998, the TNI remained by far the most powerful institution in the country, and in Timor-Leste.

68. At the heart of

Reference 165 - 0.01% Coverage

Leste 1999: Crimes against Humanity

to justice lay with the Indonesian Government. Accordingly, they argued that the Indonesian authorities should be given an opportunity to conduct such investigations and prosecutions before any further action was contemplated. They noted, however, that in the event that the Indonesian authorities failed to make satisfactory progress in that work, it would be appropriate to establish an international criminal tribunal. More specifically, the UN Special Rapporteurs recommended that: "Unless, in a matter of months, the steps taken by the Government of Indonesia to investigate TNI involvement in the past year's atrocities bear fruit, both in the way of credible clarification of the facts and the bringing to justice of the perpetrators – both directly and by virtue of command responsibility – the Security Council should consider the establishment of an international criminal tribunal for the purpose. This should preferably be done with the consent of the Government, but such consent should not be a prerequisite. Such a tribunal should then have jurisdiction over all crimes under international law committed by any party in the Territory [of East Timor] since the departure of the colonial Power [Portugal]."*

1097. The Special Rapporteurs made

Reference 166 - 0.01% Coverage

as an overseas province.

1974

Following a change of Government, Portugal acknowledges the applicability of the United Nations Charter provisions regarding non-self-governing territories and the right of the colonial territories under its administration, including Timor-Leste, to self-determination, including independence.

1975

After violent clashes erupt

Reference 167 - 0.01% Coverage

military as a detention centre

colonial Portuguese trading company

3066 | Chega! - Volume V, List