

# DID UN PROMOTE THE RIGHT TO SELF-DETERMINATION TO THE PEOPLE IN EAST TIMOR?

*Omi Ongge, S.P*

MA Globalization and International Relations student  
Universitas Muhammadiyah Yogyakarta-Indonesia

---

## Abstracts

Started 1998, Indonesia faced political instability due to the social unrest and the step down of Indonesian President Soeharto. The condition impacted into the East Timor condition to have self-determination right to have its independent. Indeed, historically The Dutch colonialized Indonesia; meanwhile East Timor was colonialized by the Portugal. Therefore, the creation of UNAMET initiated by the United Nations to give the right to the people in East Timor for referendum whether they choose to be independent or still be apart of Indonesia. This paper will try to prove that UNAMET was not promoted the right to self-determination for people in East Timor for several reasons. Firstly, the peace keeping forces of the UN in East Timor were led by Australia, which had a special interest to East Timor regarding the East Timor Gap Project. Secondly, UNAMET staff proved to be partial in supporting the pro-independence and intimidate the people in society who supported the integration with Indonesia by attacking the members of society who flew the Indonesian flag. Thirdly, the United Nations proved they were only there as a means to protect the US and Australian interests by postponing the referendum through the United Nations Security Council, which created more instability among the people in East Timor.

---

**Keywords:** UNAMET, East Timor, Referendum, and self-determination,

## Introduction

Based on the agreement of May 5, 1999 between Indonesia and Portugal, both countries agree to offer the East Timorese people a choice by referendum between special autonomy and independence<sup>49</sup>. Hailed by the United Nations Secretary General as providing an historic opportunity for a

---

<sup>49</sup> Malone, D. M. (2004). The UN Security Council from the Cold War to the 21<sup>st</sup> Century. A Project of the International Peace Academy. London. Lynne Rienner Publisher

just, comprehensive, and internationally acceptable solution to the case of East Timor, The New York Accords compromised three separate agreements. First, the general agreement between Portugal and Indonesia to set forth the lynchpin principle to request the United Nations Secretary General to conduct a popular consultation<sup>50</sup>. As a result, the establishment of UNAMET under the United Nations Security Council resolution no. 1246 was to organize and conduct a popular consultation for the implementation of a Referendum in East Timor on the basis of direct, secret, and universal ballot in order to ascertain whether East Timorese people would like accept the special autonomy or reject integration, thereby leading to East Timor's separation from Indonesia<sup>51</sup>. The two supplementary agreements were tripartite between Portugal, Indonesia and the United Nations and dealt with the modalities for the popular consultation or the Modalities Agreement<sup>52</sup> and the security arrangement<sup>53</sup>.

Based on the security agreement, which crucially laid down a second lynchpin principle that a secure situation devoid of violence or other forms of intimidation is a prerequisite for the holding of a fair and free ballot, as a mission of the world body UNAMET was obliged to exercise its mission with full responsibility and without the slightest bias for or against either side (pro-independence or pro-integration). Nevertheless, in fact UNAMET failed to show its integrity as an international arm of the UN and favored one side over the other by supporting the pro-independence groups. Likewise, the UN peacekeeping forces in East Timor were lead by Australia<sup>54</sup>. In that circumstance, Mr. Santos<sup>55</sup> view that Australia has a special interest in East

---

<sup>50</sup> Drew, C. (2001). The East Timor Story: International Law on Trial. *European Journal of International Law*/2001, volume 12/Issue 4. 1 2 (4):651

<sup>51</sup> See United Nations Security Council resolution no. S/RES/1246 (1999). 11 June 1999. Retrieved on March 12, 2014, from: <http://www.un.org/docs/scres/1999/sc99.htm> or [http://daccess-dds-](http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N99/174/13/PDF/N9917413.pdf?OpenElement)

[ny.un.org/doc/UNDOC/GEN/N99/174/13/PDF/N9917413.pdf?OpenElement](http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N99/174/13/PDF/N9917413.pdf?OpenElement)

<sup>52</sup> Agreement regarding the Modalities for the Popular Consultation of the East-Timorese a Direct Ballot (Modalities Agreement), A/53/951, Annex II of Report of the Secretary-General, S/1999/513, supra note 11. Retrieved on March 11, 2014, from: [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/1999/513](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/1999/513)

<sup>53</sup> East Timor Popular Consultation Agreement Regarding Security (Security Agreement) A/53/951, Annex III of the Report of the Secretary-General, S/1999/513, supra note 11. Retrieved on March 11, 2014, from: [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/1999/513](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/1999/513)

<sup>54</sup> The Australian Army. (2012). East Timor peacekeeping mission to conclude. Retrieved on May 6, 2014, from: <http://www.army.gov.au/Our-work/News-and-media/News-and-media-2012/News-and-media-December-2012/East-Timor-peacekeeping-mission-to-conclude>

<sup>55</sup> Chris Santos, a former senior journalist at *The Sun*, travelled to East Timor just before the Portuguese relinquished it as a colony in 1975. He became a member of the Fretilin independence movement during that year's civil war, which preceded the Indonesian

Timor due to the huge Timor Gap Project dealing with the oil of East Timor that Australia wanted to invest in<sup>56</sup> meant that the UNAMET members' staff forced the society to choose independence, where most of them were coming from Australia and the United States of America<sup>57</sup>. Furthermore, the western countries interests, especially the interests of Australia and the United States, could be seen in the case of East Timor. These countries were supporting East Timor to be a part of Indonesia in 1975, but conversely the US and Australia were also supporting the independence of East Timor when the calls for a referendum were starting and when the UN began to become involved in it. Both Australia and the United States simply changed their attitude into not supporting Indonesia at all, as they used to in the era of the Cold War.

Therefore, this paper will try to analyze whether or not UNAMET, as a UN representative, was neutral in organizing and overseeing the process of a ballot by discussing three concerns: Firstly, it will briefly discuss the historical background of the conflict between Indonesia and East Timor, and ask why the United Nations needed to become involved and create a special body to deal with it. Secondly, the effectiveness and role of UNAMET as a UN mandate will be discussed. Thirdly, it will analyze the international pressure, especially from the United States and Australia, in supporting East Timor independence through UNAMET.

### **Chronological Background**

Historically, Indonesia was colonized by the Dutch, while East Timor was colonized by the Portuguese. East Timor was only of marginal importance to Portugal's Empire because The Portuguese had a limited amount of control over East Timor, Portugal had little permanent cultural impact on East Timor. By 1749 the Dutch, who had replaced the Portuguese as the main colonizer in the eastern archipelago, took the western half of the island, and the border between East and West Timor was not delineated until

---

invasion months later. He had become Fretilin's information officer, but was forced to flee to Australia just before the invasion. He became a close associate of Mr Ramos Horta during this time and returned to East Timor after the country voted for independence in 1999.

<sup>56</sup> Hazibuan, M, R. (1999). UNAMET must not take sides. The Jakarta Post. Retrieved on March 11, 2014, from; <http://www.thejakartapost.com/news/1999/08/11/unamet-must-not-take-sides.html>

<sup>57</sup> Chusna, M. (2007). *KKP Ungkap kecurangan UNAMET di Timtim* (Fact and Alliance Committee revealed UNAMET's fraud in East Timor). Retrieved on March 11, 2014, from: <http://news.okezone.com/read/2007/07/23/1/34957/kkp-ungkap-kecurangan-unamet-di-timtim>

1913<sup>58</sup>. The Dutch held on to West Timor until, with the rest of the Dutch East Indies, West Timor become independent of the Netherlands in December 1945 and became a part of Indonesia. When the dictatorship was overthrown in Portugal in April 1974, so much political activity boiled to the surface so quickly that it was obvious that the underground had been active. Three major political parties were formed: the *Uniao Democratica Timorese* (UDT) in early May 1974 and, less than two weeks later, the Social Democratic Union (known as FRETELIN). Both supported independence. The third party was the Indonesian-backed APODETI (*Associacao Popular Democratica Timorese*) which was already committed to integration with Indonesia.<sup>59</sup> The APODETI party was prepared to consider a merger with Indonesia, which expected East Timor to govern itself and enjoy the same privileges as other Special Regions such as Yogyakarta and Nanggroe Aceh Darussalam. It would take place in accordance with international law through a properly organized referendum, following a transitional period of one or two years in which the people of East Timor could get to know Indonesia as a whole and learn the Indonesian language (*Bahasa Indonesia*).<sup>60</sup> Coming shortly after the formation of APODETI and with the growing awareness amongst Dili's elite of its ties with Indonesia, Indonesia felt that East Timor was part of the Indonesian archipelago in the first place.

Starting from the civil war in East Timor, Fretelin, which is known as a Marxist sectarian group, acquired help with weaponry. This help came from the Portuguese, Australia, and New Zealand offering armaments, and made them a particularly powerful group in East Timor<sup>61</sup>. On 28 November 1975, Fretelin unilaterally proclaimed independence and the founding of the Democratic Republic of East Timor, with Xavier do Amaral as president, Ramos Horta as foreign minister, and Nicola Lobato as prime minister. Responding to that proclamation, the majority of the society under Arnaldo dos Reis Araujo refused to accept it, and then civil war was unavoidable.

---

<sup>58</sup> BBC News Asia. (2013). East Timor Profile. Last updated 25 July 2013 at 11:14. Retrieved on March 14, 2014, from: <http://www.bbc.co.uk/news/world-asia-pacific-14952883>

<sup>59</sup> Wurfel, D. (2007). *Democracy, Nationalism, and Ethnic Identity: The Philippines and East Timor Compared. Democratization and Identity – Regimes and Ethnicity in East and Southeast Asia*. Plymouth. Lexington Books. p.210

<sup>60</sup> Carey, P & Cox, S. (1995). *Generations of Resistance – East Timor*. Cambridge. Cambridge University Press. p. 15-16

<sup>61</sup> Adiguna, M. (2013). "*Masa Integrasi adalah Masa Terindah Bagi Timor Timur*" (Integration Era was The Best Era in East Timor). Retrieved on March 11, 2014, from; <http://politik.kompasiana.com/2013/03/07/masa-integrasi-adalah-masa-terindah-bagi-timor-timur-539975.html>

Indonesian naval, air, and land forces invaded the territory<sup>62</sup>. Soon afterwards the Indonesian Foreign Minister announced the establishment of a “provincial government”. Consequently, in the new order of Indonesia under President Soeharto, East Timor was the 27<sup>th</sup> province of Indonesia, and the Indonesian parliament approved a bill for the incorporation of Indonesia’s new province on July 17, 1976<sup>63</sup>. However, in December 1976 the General Assembly of the United Nations rejected the claim that East Timor had been integrated into Indonesia since the people in the territory had not been able to freely exercise their right to self-determination.<sup>64</sup> The United Nations never recognized the integration of East Timor into Indonesia because East Timor is administered by Portugal as an overseas province.<sup>65</sup> As a result, the UN believed that it needed to have an agreement between Indonesia and Portugal, as the previous East Timor colonializing nation, to make East Timor become integrated into Indonesia. That is why the UN decided to create UNAMET.

The UN created UNAMET (United Nations Mission on East Timor) to facilitate the referendum that was offered by BJ Habibie as the next President after Soeharto because of international pressure, especially from Australia and the United States. In fact, initially the US gave Soeharto a green light to invade East Timor. Ninety percent of the weaponry used by the Indonesian forces in their invasion was from the United States (despite a U.S. law that bans the use of its military aid for offensive purposes), and the flow of arms, including counterinsurgency equipment, was secretly increased.<sup>66</sup> The United States also lent diplomatic support to the invaders. In the United Nations, U.S. ambassador Daniel Patrick Moynihan successfully worked, as he boasted in his memoirs, to make sure that the international organization was ineffective in challenging Jakarta’s aggression. Under the presidency of Jimmy Carter, there was a further increase in U.S. military aid to Indonesia. Since 1975, the United States has sold Jakarta over \$1 billion

---

<sup>62</sup> Purnawanty, J (2000). Various Perspectives on Understanding the East Timor Crises, 14 Temple International and Comparative Law Journal 65.p.79-80

<sup>63</sup> Clark, R, S. (2000). East Timor, Indonesia, and the International Community. 14 Temple International and Comparative Law Journal 75-87. p.81

<sup>64</sup> General Assembly Resolution. GA Res 31/53 of December 1, 1976. Question on Timor. Retrieved on March 11, 2014, from: [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/31/53&Lang=E&Area=RESOLUTION](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/31/53&Lang=E&Area=RESOLUTION)

<sup>65</sup> United Nations (2000). The United Nations and East Timor - A Chronology Retrieved on May 8, 2014, from: <http://www.un.org/en/peacekeeping/missions/past/etimor/Untaetchron.html>

<sup>66</sup> Chomsky. N. (1999). East Timor Questions and Answer. Retrieved on March 14, 2014, from: <http://www.chomsky.info/articles/199910--02.htm>

worth of military equipment.<sup>67</sup> In addition, the integration of East Timor into Indonesia was acknowledged by the USA. The reason behind this was because the staunchly anti-communist regime of Indonesia was considered by the United States to be an essential counterweight, and a friendly relationship with the Indonesian government was considered to be more important than the decolonization process in East Timor for the containment policy toward communism<sup>68</sup>. Furthermore, in September 1974, Australian Prime Minister Gough Whitlam met with Soeharto and indicated that he would support Indonesia if it annexed East Timor, and Australia became the only government to officially recognise East Timor as a province of Indonesia.<sup>69</sup> Indonesia conducted some very serious diplomacy with the Portuguese. On 12 June 1974, Deputy of the Indonesian Parliament John Naro, a member from Eastern Indonesia, argued in parliament that Indonesia should ‘work out a special policy on Portuguese Timor so that the area could once again return to Indonesia’s control’<sup>70</sup>. It proves that historically, before the Portuguese were coming into East Timor to colonialize it, East Timor was basically under the control of the Majapahit Empire, which was the largest empire in Southeast Asia and covered South Thailand, Malaysia, Singapore, Brunei Darusslam, Indonesia, and Timor Leste.<sup>71</sup>

The atmosphere of the Fretilin movement to separate from Indonesia was not being stopped by the Indonesian declaration in having East Timor as part of their integration. When Indonesia was under crisis politically and economically in 1998, Soeharto resigned as President, and this made the separation movement even bigger due to the violation of human rights carried out by the Indonesian Army, and this made Australia report them to the United Nations.

### **The International Pressure on Indonesia**

Australian governments saw a good relationship and stability in Indonesia (Australia's largest neighbor) as providing an important security

---

<sup>67</sup> Ibid

<sup>68</sup> Schwarz, A. (1994). *A Nation in Waiting: Indonesia in the 1990s*. Westview Press. p.207

<sup>69</sup> Dunn, J. (1996) *Timor: A People Betrayed*. Sydney: Australian Broadcasting Corporation, Australia, John Wiley & Sons Inc. p.345

<sup>70</sup> Taylor, J. G. (1991). *Indonesia’s Forgotten War-The Hidden History of East Timor*. Australia. Pluto Press Australia. p. 29

<sup>71</sup> Cribb, R. (2010). *Digital Atlas of Indonesian History of Majapahit’s Overseas Empire*. Retrieved on March 6, 2014, from: <http://www.indonesianhistory.info/map/majapahit.htmlstory>.

buffer to Australia's north.<sup>72</sup> Australia was a secondary actor. Australia is not a major actor but is a securitizing actor which positioned itself in a double line, thus indicating a very good relationship with East Timor. Australia began to involve itself in the conflict in East Timor at the time of the referendum in mid-1999 and continues to do so to the present day. Led by Australia, who contributed the biggest number of 5,500 personnel and the force commander, Major General Peter Cosgrove, it was tasked with restoring peace and security, protecting and supporting UNAMET, and facilitating humanitarian assistance<sup>73</sup>. Australia gives effect to East Timor as a non-material form of political support in the United Nations, and with the involvement of Australian troops in the UN peacekeeping force through UNAMET.

Australia's foreign policy influenced East Timor's fate; from the approval of the Indonesian invasion to Australian peacekeeping forces ensuring independence. By opting for a foreign policy that promoted a good relationship with Indonesia above any other obligations, Australia benefited from the oppression and murder of thousands of people. How and why Australia betrayed, and then 'saved,' East Timor is a heady mix of economic and political self-interest with media coverage<sup>74</sup>.

Some opinions said that the real case of East Timor was basically the formation of the interests of the West. Mark Aarons and Robert Domm, in the book *East Timor: A Western Made Tragedy*, reveal that the dual attitude and hypocrisy which Australia and the United States showed that both countries had become accomplices over one big tragedy after World War II.<sup>75</sup> It could be seen that Australia showed support for the integration of East Timor into Indonesia, but the attitude of Australia was puzzling. Supposedly, Australia and the United States revealed that Indonesian violence against East Timorese was unacceptable,<sup>76</sup> but in reality Australia and the U.S. were pressing tacitly by ensuring that Portugal handed over the territory peacefully. In addition, the U.S. also persuaded Portugal to run a 10-year program that is associated with the right to self-determination for East Timor. Australia and the U.S. used to support East Timor attempts to

<sup>72</sup> National Achieve of Australia. Australia's Prime Minister. Australian Government. Retrieved on March 15, 2014, from: <http://primeministers.naa.gov.au/primeministers/keating/in-office.aspx>

<sup>73</sup> Australian War Memorial. (2000). Australians and Peacekeeping. Retrieved on March 14, 2014, from: <http://www.awm.gov.au/atwar/peacekeeping.asp>

<sup>74</sup> Wilson, B (2009). How Australia Betrayed Then "Saved" East Timor. Retrieved on March 11, 2014, from: <http://www.onyamagazine.com/australianaffairs/history/how-australia-betrayed-then-saved-east-timor/#sthash.u8wmP5Fp.dpuf>

<sup>75</sup> Aarons, M & Domm, R. (1992). *East Timor – A Western Made Tragedy*. United Kingdom. Left Book Club.

<sup>76</sup> Ibid

integrate with Indonesia, but this turned into accusations of human rights violations by Indonesia against East Timor<sup>77</sup>. Australia has actually long been concerned that East Timor does not fall into the hands of hostile parties, and Australia looked for many ways to avoid this, including making East Timor a controlled area of Portugal. This suggests that there were definitely foreign interests involved in the East Timor case.

Large oil and gas reserves lie in the sea between the two countries in an area known as the Timor Gap. Territorial disputes over control of this resource, which some geologists estimate could pump out over \$10 billion of oil and gas, have colored diplomacy over East Timor, both when it was an Indonesian possession and since. Australia broke with many of its allies and recognized Indonesia's annexation of East Timor in 1976 in what was widely seen by analysts at the time as a quid pro quo for a treaty favorable to Australia involving oil and gas exploration in the area. Since East Timor's independence, disputes over how much of a split Dili would receive when the resource is finally developed have been an occasional strain on an otherwise close relationship.<sup>78</sup> Australia then led a United Nations backed International Force for East Timor to end the violence, and order was restored. While the intervention was ultimately successful, the Australian-Indonesian relationship would take several years to recover.<sup>79</sup>

According to US Secretary General of State, James B. Foley, the United States is proud to have supported UNAMET in its administration of a successful election in East Timor.<sup>80</sup> In the UN Security Council, the United States voiced support for the introduction of an international force into East Timor.<sup>81</sup> Fifteen Senators, led by Russell Feingold (D-WI), wrote to President Clinton in 1996 stating that people in the US believed that the moment was right for the United States to take a leading role in advocating

---

<sup>77</sup> Singh, U. B. (2000). Indonesia: From Economic Crises to Political Turmoil. Retrieved on March 14, 2014, from: <http://www.idsa-india.org/an-nov-00-9.html>

<sup>78</sup> Marks, K. (2004). Australia casts a shadow over East Timor's future. The Independent News. Retrieved on March 14, 2014, from: <http://www.independent.co.uk/news/world/australasia/australia-casts-a-shadow-over-east-timors-future-6168509.html>

<sup>79</sup> Wessel, I & Wimhofer, G. (2001). How many deaths? Problems in the statistics of massacre in Indonesia (1965-1966) and East Timor (1975-1980). Retrieved on March 15, 2014, from: [http://works.bepress.com/cgi/viewcontent.cgi?article=1001&context=robert\\_cribb](http://works.bepress.com/cgi/viewcontent.cgi?article=1001&context=robert_cribb)

<sup>80</sup> United States Department of States. Office of the Spokesman For Immediate Release August 31, 1999 Statement By James B. Foley, Deputy Spokesman. Indonesia: UNAMET Carries Out Successful Vote. Retrieved on March 14, 2014, from: [http://1997-2001.state.gov/www/regions/eap/ps-indonesia\\_990831.html](http://1997-2001.state.gov/www/regions/eap/ps-indonesia_990831.html)

<sup>81</sup> Schenier, C. (1999). United Nations Takes Over East Timor, Belatedly and Reluctantly. Voice of East Timor Action Network/US. ISSN #1088-8136. Vol. 5, No. 3. Autumn 1999



for the right of the East Timorese to choose their own government through a UN-sponsored referendum.<sup>82</sup>

On July 10 1998, the Senate unanimously adopted S.Res.237, introduced by Feingold and Jack Reed (D-RI). This resolution called on President Clinton to encourage the new leadership in Indonesia to institute genuine democratic reforms. The resolution also urged the President to work actively to carry out the UN resolutions on East Timor and to support an internationally-supervised referendum on self-determination<sup>83</sup>. During his first presidential campaign, candidate Bill Clinton said that the U.S. approach to East Timor had been "unconscionable." In a 1993 press conference, President Clinton turned aside the argument that pressuring Indonesia on East Timor and human rights would have an adverse impact on business. The relationship of U.S. corporations in Indonesia meant they were engaged in many lines of business, and the relationship with Jakarta is one of mutual profit, a basic fact unaffected by Timor policy.<sup>84</sup>

### **Critiques towards United Nations**

The United Nations General Assembly placed East Timor on the international agenda in 1960, when it added the territory to its list of Non-Self-Governing Territories. But the UN does not have much to show for almost four decades of work. Nearly 40 years later, an agreement between the UN, Indonesia and Portugal gave the people of East Timor a historic opportunity to decide their own fate.<sup>85</sup> The 1975 session of the UN General Assembly coincided with the announcement of the de facto Fretilin government and the subsequent Indonesian invasion. The General Assembly adopted resolution 3485 calling for the withdrawal of Indonesian forces, and they recommended that urgent action needed to be taken by the UN Security Council in order to protect East Timor's territorial integrity and the Timorese right of self-determination. All General Assembly resolutions are non-binding, and so Indonesia was free to ignore it without breaking its international obligations<sup>86</sup>.

In contrast, the UN Security Council had far more power. Under the UN Charter, all member nations pledge themselves to follow Security

---

<sup>82</sup> East Timor Action Network. (2010). Background on East Timor and US Policy. Retrieved on March 14, 2014, from: <http://etan.org/timor/BkgMnu.htm>

<sup>83</sup> Ibid

<sup>84</sup> Ibid

<sup>85</sup> UN News Centre. (2002). Timor-Leste: UN admits newest member state. Retrieved on March 11, 2014, from: <http://www.un.org/apps/news/infocusRel.asp?infocusID=27&Body=timor&Body1>

<sup>86</sup> Suter, K. (1997). East Timor, West Papua/Irian and Indonesia. Minority Right Group International. London. MRG. p. 13

Council resolutions. Portugal complained to the Security Council about the invasion of “its territory”. As a result, on 22 December 1975 the Security Council adopted Resolution 384, calling for the withdrawal of Indonesia’s forces. East Timor has also appeared on the agendas of other UN bodies, such as the Commission on Human Rights and its Sub-Commission. Annual sessions have been marked by Indonesia lobbying to get East Timor dropped from the commission’s business. This had not been successful. For example, at the 1993 session of the Commission on Human Rights, and again in 1997, a majority of member states supported a strongly-worded resolution condemning Indonesia for gross and systematic human right violations in East Timor.<sup>87</sup> The United Nations claimed that the serious problems faced by East Timor were serious crimes and defined as genocide, war crimes, crimes against humanity, murder, sexual offenses and torture.<sup>88</sup> Those phenomenon were claimed by the United Nations, which made the United Nations Security Council consolidate, facilitate, and save Timorese people by making up the special mission called the United Nations Mission on East Timor (UNAMET).

In implementing its vision and mission in East Timor, UNAMET found some frauds that stood by UNAMET before the referendum, such as the recruitment of local staff who were only taken from the pro-independence group. Moreover, most of the polling stations, from 274 polling stations with more than 700 voting booths, were located near settlements in the pro-independence area. UNAMET also seems to be very reckless as to who it lends its vehicles to, who it employs, (approximately 91 percent of about 4,000 local staff are pro-independence supporters), and whose house they decide to illegally search.<sup>89</sup> Other reports have been circulated by non-partial NGO charity organizations and independent observers, The Forum for Peace, Democracy and Justice (FPDK) has discovered more than 100 rule violations committed by UNAMET personnel during the August 30 popular consultation. Most of the violations were acts by UNAMET staffers to force voters to choose independence.<sup>90</sup> The UNAMET staff intimidated and threatened people with the Indonesian flag in front of their house, and forced them to lower it under threat of violence

---

<sup>87</sup> Ibid, p.14

<sup>88</sup> Shaw. M, N. (2008). *International Law*. 6<sup>th</sup> edition. Cambridge. Cambridge University Press. p. 425

<sup>89</sup> Sangster, G, K. (1999). UNAMET Rails. *The Jakarta Post*. Retrieved on March 11, 2014, from: <http://www.thejakartapost.com/news/1999/08/19/unamet-rails.html>

<sup>90</sup> Damiri. A (2007). Ballot-Violations: Forum Discovered More Than 100 Cases of UNAMET. *Antara News*. Retrieved on March 11, 2014, from: <http://www.antaranews.com/berita/57510/adam-damiri--unamet-bertanggungjawab-atas-lepasnya-timtim>

from dozens of people if their orders were not adhered to immediately.<sup>91</sup> On July 16, 1999 in the village districts of Ritabo Maliana Bobonaro, 3 members of the public force of UNAMET removed clothes labeled pro-autonomy and which were supporting integration, and they lowered the flag of Indonesia that was still flying in people's homes.

Within hours of the results, paramilitary groups had begun attacking people and setting fires around the capital city of East Timor-Dili. Foreign journalists and election observers fled, and tens of thousands of East Timorese took to the mountains. Islamic gangs attacked Dili's Catholic Diocese building, killing two dozen people, and the next day the headquarters of the ICRC was attacked and burned to the ground. Almost one hundred people were killed later in Suai, and reports of similar massacres poured in from around East Timor<sup>92</sup>. Those violations happened because UNAMET was proven to be impartial and not neutral, and then it started the pro-integration to mutiny by attacking the pro-independence group.<sup>93</sup> Therefore, the riots and chaos were unavoidable because of the anger of the pro-integration group, who felt unfairly treated by the UN. Therefore, UNAMET was the organisation responsible with that.<sup>94</sup> It should be taken into consideration by all foreign personnel in East Timor that they are guests there, and as guests they should behave accordingly.

UN Secretary-General Kofi Annan also behaved in the same way by arbitrarily postponing the referendum date. All of the unfavorable things happening in East Timor, as far as the referendum was concerned, might result from a policy which was too lenient on the part of the Indonesian government in dealing with violations of referendum procedures.<sup>95</sup> He knew that the arrangement was a recipe for disaster, but no government - certainly not the United States - would pressure Indonesia to improve the conditions for the referendum. As militia violence continued and their links to Indonesia became more obvious to the international community, Annan was unable to make significant changes in the process. He delayed the vote twice, and increased the number of Military Liaison Officers (MLOs), unarmed international soldiers who consult with the Indonesian army in a similar way

---

<sup>91</sup> Ibid

<sup>92</sup> Nevins, Joseph (2005). *A Not-So-Distant Horror: Mass Violence in East Timor*. Ithaca, New York: Cornell University Press. p. 100-104

<sup>93</sup> Op-cit

<sup>94</sup> Kontras. (2007). PBB Dinilai Delegitimasi KKP : Kecurangan Unamet di Timor Timur Dibeberkan (*UN delegitimize the Fact and Alliance commission: The Frauds of UNAMET in East Timor Revealed*). Retrieved in March 11, 2014, from: [http://kontras.org/index.php?hal=dalam\\_berita&id=1149](http://kontras.org/index.php?hal=dalam_berita&id=1149)

<sup>95</sup> Op-cit

to the unarmed Civilian Police Advisers (Civpols) who advised the police.<sup>96</sup> Those conditions made it easier for the pro-independence group to spread their wave of terror among pro-integration groups for much longer.

## **Conclusion**

The creation of UNAMET initiated by the United Nations was not promoted the right to self-determination for people in East Timor for several reasons. Firstly, the peace keeping forces of the UN in East Timor were led by Australia, which had a special interest to East Timor regarding the East Timor Gap Project where Australia's interest into the East Timor's oil projects. Moreover, geographically East Timor is so close with Australia, so it would be so efficient for Australia having oil from its neighborhood with extremely cheap prices. Secondly, UNAMET staff proved to be partial in supporting the pro-independence and intimidate the people in society who supported the integration with Indonesia by attacking the members of society who flew the Indonesian flag. Thirdly, the United Nations proved they were only there as a means to protect the US and Australian interests by postponing the referendum through the United Nations Security Council, which created more instability among the people in East Timor.

## **References:**

Malone, D. M. (2004). *The UN Security Council from the Cold War to the 21<sup>st</sup> Century*. A Project of the International Peace Academy. London. Lynne Rienner Publisher

Drew, C. (2001). *The East Timor Story: International Law on Trial*. European Journal of International Law/2001, volume 12/Issue 4. 12 (4):651

United Nations Security Council resolution no. S/RES/1246 (1999). 11 June 1999. Retrieved on March 12, 2014, from:

<http://www.un.org/docs/scres/1999/sc99.htm> or <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N99/174/13/PDF/N9917413.pdf?OpenElement>

Agreement regarding the Modalities for the Popular Consultation of the East-Timorese a Direct Ballot (Modalities Agreement), A/53/951, Annex II of Report of the Secretary-General, S/1999/513, supra note 11. Retrieved on March 11, 2014, from:

[http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/1999/513](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/1999/513)

East Timor Popular Consultation Agreement Regarding Security (Security Agreement) A/53/951, Annex III of the Report of the Secretary-General, S/1999/513, supra note 11. Retrieved on March 11, 2014, from: [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/1999/513](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/1999/513)

---

<sup>96</sup> Schenier, C. (1999). *United Nations Takes Over East Timor, Belatedly and Reluctantly*. Voice of East Timor Action Network/US. ISSN #1088-8136. Vol. 5, No. 3. Autumn 1999

- Hazibuan, M, R. (1999). UNAMET must not take sides. The Jakarta Post. Retrieved on March 11, 2014, from; <http://www.thejakartapost.com/news/1999/08/11/unamet-must-not-take-sides.html>
- Chusna, M. (2007). *KKP Ungkap kecurangan UNAMET di Timtim* (Fact and Alliance Committee revealed the UNAMET's fraud in East Timor). Retrieved on March 11, 2014, from: <http://news.okezone.com/read/2007/07/23/1/34957/kkp-ungkap-kecurangan-unamet-di-timtim>
- BBC News Asia. (2013). East Timor Profile. Last updated 25 July 2013 at 11:14. Retrieved on March 14, 2014, from: <http://www.bbc.co.uk/news/world-asia-pacific-14952883>
- Wurfel, D. (2007). *Democracy, Nationalism, and Ethnic Identity: The Philippines and East Timor Compared. Democratization and Identity – Regimes and Ethnicity in East and Southeast Asia*. Plymouth. Lexington Books. p.210
- Carey, P & Cox, S. (1995). *Generations of Resistance – East Timor*. Cambridge. Cambridge University Press. p. 15-16
- Adiguna, M. (2013). “*Masa Integrasi adalah Masa Terindah Bagi Timor Timur*” (Integration Era was The Best Era in East Timor). Retrieved on March 11, 2014, from; <http://politik.kompasiana.com/2013/03/07/masa-integrasi-adalah-masa-terindah-bagi-timor-timur-539975.html>
- Purnawanty, J (2000). Various Perspective in Understanding the East Timor Crises, 14 Temple International and Comparative Law Journal 65.p.79-80
- <sup>1</sup> Clark, R, S. (2000). East Timor, Indonesia, and International Community. 14 Temple International and Comparative Law Journal 75-87. p.81
- General Assembly Resolution. GA Res 31/53 of December 1, 1976. Question on Timor. Retrieved on March 11, 2014, from; [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/31/53&Lang=E&Area=RESOLUTION](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/31/53&Lang=E&Area=RESOLUTION)
- <sup>1</sup> Chomsky. N. (1999). East Timor Questions and Answer. Retrieved on March 14, 2014, from: <http://www.chomsky.info/articles/199910--02.htm>
- Schwarz, A. (1994). *A Nation in Waiting: Indonesia in the 1990s*. London. Westview Press.
- Dunn, J. (1996) *Timor: A People Betrayed*. Sydney: Australian Broadcasting Corporation, Australia, John Wiley & Sons Inc. p.345
- Taylor, J, G. (1991). *Indonesia's Forgotten War-The Hidden History of East Timor*. Australia. Pluto Press Australia. p. 29
- Cribb, R. (2010). *Digital Atlas of Indonesian Hisotory of Majapahit's Overseas Empire*. Retrieved on March 6, 2014, from: <http://www.indonesianhistory.info/map/majapahit.htmlstory>.

- UN News Centre. (2002). Timor-Leste: UN admits newest member state. Retrieved on March 11, 2014, from: <http://www.un.org/apps/news/infocusRel.asp?infocusID=27&Body=timor&Body1>
- Suter, K. (1997). East Timor, West Papua/Irian and Indonesia. Minority Right Group International. London. MRG.
- Shaw, M, N. (2008). International Law. 6<sup>th</sup> edition. Cambridge. Cambridge University Press.
- Sangster, G, K. (1999). UNAMET Rails. The Jakarta Post. Retrieved on March 11, 2014, from: <http://www.thejakartapost.com/news/1999/08/19/unamet-rails.html>
- Damiri, A (2007). Ballot-Violations: Forum Discovered More Than 100 Cases of UNAMET. Antara News. Retrieved on March 11, 2014, from: <http://www.antaraneews.com/berita/57510/adam-damiri--unamet-bertanggungjawab-atas-lepasnya-timtim>
- Nevins, Joseph (2005). *A Not-So-Distant Horror: Mass Violence in East Timor*. Ithaca, New York: Cornell University Press.
- Kontras. (2007). PBB Dinilai Delegitimasi KKP : Kecurangan Unamet di Timor Timur Dibeberkan (*UN delegitimize the Fact and Alliance commission: The Frauds of UNAMET in East Timor Revealed*). Retrieved in March 11, 2014, from: [http://kontras.org/index.php?hal=dalam\\_berita&id=1149](http://kontras.org/index.php?hal=dalam_berita&id=1149)
- Schenier, C. (1999). United Nations Takes Over East Timor, Belatedly and Reluctantly. Voice of East Timor Action Network/US. ISSN #1088-8136. Vol. 5, No. 3. Autumn 1999
- National Achieve of Australia. Australia's Prime Minister. Australian Government. Retrieved on March 15, 2014, from: <http://primeministers.naa.gov.au/primeministers/keating/in-office.aspx>
- Australian War Memorial. (2000). Australians and Peacekeeping. Retrieved on March 14, 2014, from: <http://www.awm.gov.au/atwar/peacekeeping.asp>
- Wilson, B (2009). How Australia Betrayed Then “Saved” East Timor. Retrieved on March 11, 2014, from: <http://www.onyamagazine.com/australianaffairs/history/how-australia-betrayed-then-saved-east-timor/#sthash.u8wmp5Fp.dpuf>
- Aarons, M & Domm, R. (1992). East Timor – A Western Made Tragedy. United Kingdom. Left Book Club.
- Singh, U, B. (2000). Indonesia: From Economic Crises to Political Turmoil. Retrieved on March 14, 2014, from: <http://www.idsa-india.org/an-nov-00-9.html>
- Marks, K. (2004). Australia casts a shadow over East Timor's future. The Independent News. Retrieved on March 14, 2014, from:

<http://www.independent.co.uk/news/world/australasia/australia-casts-a-shadow-over-east-timors-future-6168509.html>

Wessel, I & Wimhofer, G. (2001). How many deaths? Problems in the statistics of massacre in Indonesia (1965-1966) and East Timor (1975-1980). Retrieved on March 15, 2014, from: [http://works.bepress.com/cgi/viewcontent.cgi?article=1001&context=robert\\_cribb](http://works.bepress.com/cgi/viewcontent.cgi?article=1001&context=robert_cribb)

United States Department of States. Office of the Spokesman For Immediate Release August 31, 1999 Statement By James B. Foley, Deputy Spokesman. Indonesia: UNAMET Carries Out Successful Vote. Retrieved on March 14, 2014, from: [http://1997-2001.state.gov/www/regions/eap/ps-indonesia\\_990831.html](http://1997-2001.state.gov/www/regions/eap/ps-indonesia_990831.html)

Schenier, C. (1999). United Nations Takes Over East Timor, Belatedly and Reluctantly. Voice of East Timor Action Network/US. ISSN #1088-8136. Vol. 5, No. 3. Autumn 1999

East Timor Action Network. (2010). Background on East Timor and US Policy. Retrieved on March 14, 2014, from: <http://etan.org/timor/BkgMnu.htm>