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SENATE

FOREIGN AFFAIRS, DEFENCE AND TRADE
REFERENCES COMMITTEE

Reference: Economic, social and political conditions in East Timor

FRIDAY, 13 AUGUST 1999

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SENATE
FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE
Friday, 13 August 1999

Members: Senator Hogg (*Chair*), Senators Bourne, Brownhill, Lightfoot, Quirke and West

Participating members: Senators Abetz, Bolkus, Boswell, Brown, Cook, Eggleston, Faulkner, Forshaw, Gibbs, Harradine and McGauran

Senators in attendance: Senators Bourne, Brownhill, Hogg, Lightfoot and West

Terms of reference for the inquiry:

- (a) economic, social and political conditions in East Timor including respect for human rights in the territory;
- (b) Indonesia's military presence in East Timor and reports of ongoing conflict in the territory;
- (c) the prospects for a just and lasting settlement of the East Timor conflict;
- (d) Australia's humanitarian and development assistance in East Timor;
- (e) the Timor Gap (Zone of Cooperation Treaty); and
- (f) past and present Australian Government policy toward East Timor including the issue of East Timorese self-determination.

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Committee met at 9.07 a.m.

BIRD, Ms Gillian, First Assistant Secretary, South and South East Asia Division, Department of Foreign Affairs and Trade

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RAWSON, Ms Jennifer, Deputy Director General, Asia and Corporate Division, AusAID

CHAIR—I declare open this public meeting of the Senate Foreign Affairs, Defence and Trade References committee. The committee is inquiring into East Timor in accordance with the terms of reference given by the Senate on 30 November 1998.

I welcome officers from the Department of Foreign Affairs and Trade and from AusAID. The committee prefers all evidence to be given in public, but should you at any stage wish to give any or part of your evidence in private, you may ask to do so and the committee will consider your request. You will not be required to comment on the reasons for certain policy decisions, on the advice which you have tendered in the formulation of policy, or to express a personal opinion on matters of policy.

The committee has before it your department's submission. Are there any alterations or additions you would like to make to the submission at this stage?

Mr Dauth—There are no alterations or additions. However, I would be grateful for the opportunity to make some opening remarks if I may.

CHAIR—Yes, thank you. The committee has agreed to the publication of the report in a separate volume. I now invite you to make an opening statement and then we will proceed to questions.

Mr Dauth—I would be grateful also if Ms Jennifer Rawson could make some opening remarks in respect of the AusAID section of the submission.

CHAIR—Yes.

Mr Dauth—You will have seen that we have offered the committee an updated version of our original submission. We do so partly because events have moved very quickly, and continue to move very quickly, in respect of East Timor. We wanted to offer advice to the committee that was as contemporary as possible. We did that also because we are very conscious, as officers, of the very high level of interest, not just of the committee but of the parliament generally, and of the public in Australia on this issue.

I guess it is true to say that there is no issue which is attracting as much by way of public interest in the external environment in Australia at this time. We are very conscious of that and we are very keen to be as helpful to the committee as we can be. We are determined today, and on all days, to be as open and as helpful as we can with our evidence. There are obvious limitations, which you will be very familiar with, particularly in relation to intelligence issues and exchanges with other governments where there will be strict limitations on what we can say. But I do want to emphasise very strongly that we come here today determined to be as helpful and open as it is possible to be.

CHAIR—Before you proceed, concerning the updated submission that you supplied to us, I have only been presented with it in the last 24 hours. Are there any major changes from the original submission? If so, are you going to point those out in your opening statement?

Mr Dauth—I would not say that they are major changes. There are substantial changes, substantial additions, but they relate mostly to matters of fact, they are not in any sense a change of spin on anything. They do not reflect changes of policy. Policy has been very constant on this issue for some time and so they are substantially matters of fact. Gillian, you might like to address it.

Ms Bird—It was updating, because there have been quite a lot of developments, as Mr Dauth was mentioning. For example, our earlier submission was before the tripartite agreement was reached. That is obviously reflected in this revised submission, and events since then.

CHAIR—Certainly.

Mr Dauth—Other agencies have provided other submissions and you will no doubt be talking to those agencies, in particular Defence and Attorney-General's. In the beginning I want to focus on what really is the bottom line of Australian policy direction on East Timor at this time, and consistently over recent months. That is, we support this poll in East Timor and any processes that it produces. There are many elements to our policy but it is seizing the opportunity of the poll, which is going to be held on 30 August, which is the fundamental element of policy. This is a once in a generation opportunity and the Australian government is deeply committed to ensuring that that opportunity is taken.

We are not at this time prepared in any way to anticipate the outcome of that poll in public. It would be entirely improper for the Australian government to be talking about what might happen at the poll. In that context, it is still the correct position that we continue to recognise Indonesian sovereignty over East Timor. As I say, it is taking this once in a

generation opportunity to have a resolution to a problem which has dogged Indonesia, dogged Australian-Indonesian relations, and which has been a continuing problem internationally for many years. Seizing that opportunity is the fundamental element of current policy. Obviously, the clear implication of a policy approach which is founded on that rock is that we should be continuing to support, with the utmost vigour, the efforts of the United Nations as they seek to bring that poll about and manage its consequences.

Let me just say something about the support which we have been offering the UN process in East Timor. We have first been providing strong diplomatic support for the UN tripartite process, including ongoing dialogue with the UN and the international community on the ballot, as well as post-ballot planning and broader transition issues. I take you back to the Prime Minister's summit in Bali with President Habibie on 27 April: that was important, indeed I think crucially important, in securing President Habibie's agreement to a significant civilian police presence. The meeting at that time prompted President Habibie to announce that Indonesia would sign the tripartite agreement after 17 years of negotiations. That diplomatic engagement has been reflected at all levels and at all times since then.

A very important contribution we have made to our own policy making and, indeed, to support of the process has been to open a consulate in Dili. That consulate is operating in extremely difficult circumstances. As a colleague of the officers posted there, I am proud of the efforts they are making under very adverse circumstances to perform their consular role and to facilitate Australian support of UNAMET. We have additionally taken, in one sense, the obvious diplomatic step of engaging Portugal in a more vigorous dialogue, a more open, more constructive dialogue, than has been the case at any time for the last 24 years. We have established an Australian diplomatic presence in Lisbon—a liaison officer who has been working very actively to maintain dialogue with the Portuguese government. As you may have seen in the media recently, that presence is soon to be expanded into a fully established embassy in Lisbon.

More particularly, to move beyond the diplomatic support for the UN process that we have been provided, we have provided hard financial, logistical and personnel support for UNAMET. UNAMET has a very positive reputation internationally. It is no secret to say that some United Nations operations are more respected than others—that is a fact of life. In some parts of the world, depending on who is doing them, they have not achieved as much by way of regard and respect as has the UNAMET operation in East Timor. That is a very positive thing which we are delighted about. Part of the reason they have been able to develop that reputation is that Australia pre-eminently internationally, frankly, has been very strong in its support for them.

We have undertaken to assist the UN in addressing any logistics problems they might encounter and, to that end, have delivered in excess of \$10 million worth of in kind assistance to UNAMET which was fundamental to getting them going. That includes UNAMET's helicopter capability, a fleet of four-wheel drive vehicles, office and electrical equipment for UNAMET's headquarters, air and medical evacuation services, ballot materials, training and office facilities in Darwin, technical advice from the Australian Electoral Commission and so on. In that context, the role of the Northern Territory authorities has been a particularly proud one as well. They have been very active and vigorous in support of UNAMET. We have also contributed \$10 million to the United

Nations Trust Fund, the basic cash needed to get UNAMET going. Our overall contribution distinguishes Australia as the largest single donor country to the process.

Beyond material and financial support, Australia has been a leading contributor of personnel, with the largest national contingent of civilian police in the territory, including leadership of the police contingent. In that context I should say that, from all sides, you hear only praise for the tremendous work done by Alan Mills, the Australian who is heading the police contingent. The total number of Australians working in the service of UNAMET stands at 108, which includes 50 civilian police and six military liaison officers. When he was here about six weeks ago, Ambassador Jamsheed Marker, the United Nations Special Representative on East Timor, said to us privately and, indeed, said publicly that UNAMET would not have been possible without the very vigorous Australian support. He was delighted with that support. At no point do you hear other than praise for Australian support for UNAMET.

We will be sending, as you will know and as Senator Bourne will know very well, a 10-member official delegation to observe the ballot. It comprises four parliamentarians, three NGO representatives and three officials. At the same time, the critical focus of Australian diplomatic efforts has been to encourage an improvement in the security situation on the ground in East Timor. The security situation is, of course, fundamental to holding a credible poll.

Over the last six months we have made high-level representations 120 times to the Indonesian authorities at all levels. In a very precise, clear way we have made representations calling for the Indonesian authorities to uphold their security responsibilities as set out in the 5 May tripartite agreement. It is, after all, an agreement involving the UN, Portugal and Indonesia; it is a commitment by Indonesia to hold this process. This was not something that Australia forced on the Indonesians; it was a commitment by Indonesia to hold this process, so we have always been advantaged in the representations we have made to them by pointing to obligations which they themselves have undertaken. A particular element of those representations has been to call for the ending of support for and reining in of the militia groups.

Improving human rights in East Timor has been a key focus of what we have been about, of Australian foreign policy, in all of this, including through regular dialogue with the Indonesian authorities, and with the local East Timorese officials and organisations, on human rights abuses as well as pressing human rights issues such as internally displaced persons. Also, promotion of the human rights and welfare of the East Timorese people has been pursued by us through development assistance, including through the Human Rights Fund.

In addition to focusing on the security situation, we have focused on the high desirability of promoting reconciliation among East Timorese of all factions. We think that is critical to the successful conclusion of the consultation process and ultimately, even more significantly, to the resolution of the East Timor conflict. For this reason the government has been working hard to encourage all East Timorese groups to pursue a substantive dialogue. To this end we have held discussions with key East Timorese in Indonesia and with the diaspora, urging and facilitating the path of reconciliation. We have lobbied the Indonesian

government in support of reconciliation initiatives and we have provided \$180,000 in funding for reconciliation activities to date in 1999. We would provide more if more opportunities arose. We have clearly indicated our willingness to consider further support for fully representative reconciliation activities in the future.

A focus for the committee, very reasonably, is what happens beyond the ballot. There are some obvious limitations in how one can discuss that in public. But, whatever the outcome of the ballot on 30 August, Australia will continue to lend its unstinting support to the efforts of the international community to ensure a smooth transition in Timor is realised. If East Timor goes the way of independence, Australia is committed to supporting the UN in East Timor's transition to statehood; if East Timor chooses to remain with Indonesia under a special autonomy arrangement, Australia will be on hand to respond to requests for support for that process. That is all I want to say at this stage, Mr Chairman, but could I invite my colleague from AusAID to speak as well?

CHAIR—Yes.

Ms Rawson—Thank you, Senator. Section 2 of the updated submission that you have before you provides details of the aid program in East Timor—what we have done in the past, what is happening on the ground at the present time and what we are planning at this stage to do in the future. I do not want to go over all the details of that at this stage but I would like to highlight a few of the key points.

The aid program has a long involvement in East Timor as part of our overall development cooperation program with Indonesia. Australia is indeed the largest donor to East Timor: our expenditure was \$46 million between 1980 to June 1999, and that includes about \$7 million in the 1998-99 financial year. The main sectoral focus of that assistance over the years has been very much on water, sanitation and allied health areas, agriculture and education.

As you will be aware, there is a very strong commitment from the government that Australia will provide substantial assistance to East Timor whatever the outcome of the ballot, whether it be an autonomous East Timor or an independent one. It is not possible at this stage to make firm decisions on the level and nature of that development assistance. To some extent, we have to wait for the outcome of the next couple of months but, as I hope the submission does indicate, we are already planning and preparing to the extent that we can so that we will be well placed, once the outcome is clearer, to move quickly to get a fully-fledged development assistance program up and running in East Timor.

I want to mention a few of the things that we are doing at the moment in the short term. Mr Dauth has mentioned Australia's strong contribution to the UNAMET consultation process. Currently about \$21.5 million of that is from the aid program. We also have been, and continue to be, a strong contributor of humanitarian assistance to East Timor. Over the last couple of years, for example, we have responded to the social impacts of the economic crisis and the drought that struck East Timor, as it did the rest of Indonesia, and we have provided about \$800,000 for food, cash for work programs and medical supplies.

In March this year, Mr Downer commissioned AusAID to undertake a fact-finding mission to East Timor to look particularly at what was happening with the food and medical supply situation there in the light of a number of media reports at that time of a worsening situation. You have a copy of that report available with the submission, so I will not go into the details but would note that, flowing from the report's recommendations, the aid program has provided half a million dollars for food, shelter, medical supplies and other necessities for internally displaced people. That has been through Caritas and a range of local non-government organisations. Shortly we are planning another mission to East Timor, and also West Timor, to make another assessment of the needs of the internally displaced people and to have a look at malaria control issues, which have been of prominent concern recently.

We anticipate that there will be a continuing need for flexible and well targeted humanitarian responses over the coming months. We are already looking at deploying nursing practitioners over the next few months to strengthen health service delivery in rural areas. We also have under consideration a number of UN proposals, including an immunisation program proposal. It is certainly an area we have been, and will continue to be, very focused on over the coming months.

As Mr Dauth also mentioned, Australia has given strong support to human rights and reconciliation activities. The aid program has played some part in that. We are a long-standing and continuing major contributor to ICRC activities in East Timor. We have given \$600,000 so far this year. We recently gave support for the DARE II reconciliation meeting in Jakarta. We have also given support and will continue to give support to legal aid and human rights institutions working in East Timor.

The combination of the completion of a number of our past projects and the security situation mean there is not a great deal of longer term development activity on the ground at present from us or indeed from other donors, but we are very confident that our experience in East Timor in the past gives us a very solid foundation to build on quickly. We have currently suspended projects which can be activated very quickly once the security situation permits us to do so. We have new projects in the pipeline that we can get up and running in a short space of time.

We had a program planning mission to East Timor in early May. That highlighted the need for a flexible, responsive program which can be refined to meet the changing circumstances—and I certainly expect there will continue to be an evolution of the situation on the ground over the coming months and years.

We have some preparatory activities under way or completed, again, to prepare us to be ready to start quickly. We are giving some assistance to local non-government organisations. We are in the process of developing and implementing a rapid skills training course to increase the supply of NGO relevant skills. I think one of the major issues confronting either an autonomous or an independent East Timor will be the need for skills in an enormous range of areas, and we will certainly be looking to increase that supply.

We have done a skills audit of the East Timorese people living in Australia and also a stocktake of academic and other expertise on East Timor. We are already giving support, and

we are prepared to give more support, to economic and social research on East Timor that is being undertaken by the World Bank.

We have a capacity building program under development, but I should stress that it is in the very early stages of development. We will be looking at support for establishing and strengthening public institutions and service delivery capacity, strengthening civil society and creating an enabling environment for the development of the private sector.

In both developing and then later implementing our programs, a very high priority of ours will be to make sure that we work in coordination with other donors—bilateral donors, arms of the UN and the international financial institutions. It is going to be very important to ensure that we all know what each other is doing and that it is complementary rather than working against each other. We will also be wanting to work closely with non-government organisations that already have or are planning to have programs in East Timor. Thank you very much.

CHAIR—Thank you.

Senator BROWNHILL—I am glad to hear you say that regardless of the poll result, that even if they vote for independence, there is going to be increased aid. I have read that correctly from your submission?

Mr Dauth—Whatever the result of the poll, I would have thought it should be possible for us to develop a more fully-fledged development assistance program in East Timor, although the dimensions of that are obviously not possible to be too precise about at this time.

Senator BROWNHILL—So, regardless of the poll result, there is going to be more activity from Australia with aid into East Timor?

Ms Rawson—Yes. The minister has said so on a number of occasions, but this year's aid budget statement also makes it clear that it will be substantial assistance to whatever the outcome, either an autonomous or an independent East Timor.

Senator BROWNHILL—Just at the moment, as far as assistance and aid are concerned, security has slipped dramatically. You have given some degree of that. I read in the submission about people going on ships back in about March and interfering with the off-loading of food aid. What is the situation now? How much has it deteriorated since then or has it improved?

Mr Dauth—In some respects, I think it is better. The security situation in East Timor generally varies from time to time. It varies from week to week and sometimes from day to day. In most recent times there have been days when we have been encouraged and days when we have been discouraged. There is certainly some growing evidence that the Indonesian military, TNI, are taking a less engaged approach with the militias. I am not going to be definitive about that. If that is the case, then that is obviously a source of satisfaction. That means that TNI are playing their proper role as the arbiter of security of East Timor. It would be a very unwise person who made definitive statements about the

security situation in East Timor. Some days we are encouraged; some days we are discouraged.

Senator BROWNHILL—As the ability to have the resources to purchase food diminishes, is that going to mean increased security problems? I just read from your submission that the ability to purchase is falling. If people do not get food, and food is usually the thing that drives people to extreme ends—

Mr Dauth—There are certainly a range of factors which will contribute to social instability in East Timor in the time ahead. We are not in a position to make firm predictions as to just how serious that is going to be. They are the sorts of problems which are going to arise after the ballot and which will have to be dealt with in one of two contexts.

Senator BROWNHILL—Regardless of the results. In the health area, for example, the number of doctors has fallen from something like 109 to 81—and Ms Rawson just made the point about the nurses—because of security. How is that going to be fixed so that things can get better just for security, regardless of any polls?

Ms Rawson—I could just go back to the issue of the food supplies and the internally displaced people. The security situation has been a significant factor over the last months in trying to ensure the delivery of food and other necessary supplies to internally displaced people. It would be fair to say, picking up on Mr Dauth's point, that the situation has improved somewhat over the last weeks. We are now seeing some supplies getting through to internally displaced people. The greater presence of UN agencies on the ground, such as UNHCR, together with NGOs is providing mechanisms for the delivery of those supplies. While not wanting at all to leave the impression that we are operating in a perfect situation, we are certainly feeling a bit more comfortable now that some of the supplies are getting through on a more regular basis than they were before.

In regard to the question of people working in the health, education and other sectors, there has been a move from East Timor of a large number of Indonesians who were working in those sectors. That is clearly related to security and, as much as anything, uncertainty about their future in East Timor. It will be incumbent upon us and other donors to make sure that, once the outcome of the current process is clearer, we very quickly get a sense of where the main needs in those areas are. We are certainly working with other donors already to try to develop that sort of a picture so that we can move quickly once the outcome of the current process is known. Service delivery in a whole range of areas will be a major issue, whether we are looking at an autonomous or an independent East Timor.

Senator BROWNHILL—Is everything basically on hold? I do not say that in a definitive sense. For example, is AusAID doing anything to help the economy and to get people much more commercially oriented? I guess that is out the door at the moment because everything is predicated on waiting for the result of the poll, one way or the other.

Ms Rawson—At this stage we are not able to do that kind of work on the ground but, as indicated in the submission, we are trying to prepare ourselves by, for example, the stocktake of Australian expertise on East Timor and the stocktake that we did of East Timorese living in Australia, including their skills and who might be prepared to go back and work in East

Timor. There are a number of things that we can do that are not forestalled by the security situation. I would have to say that currently it is not possible to have a full aid program delivery on the ground. That is primarily because of the current security and other things happening.

Senator BROWNHILL—What is the situation? Doctors are falling away and education, for example, is falling dramatically. Is the HIV-AIDS side of things, for example, going to mean an absolute blow-out with lack of doctors and lack of education, turmoil and a horrific increase in HIV-AIDS?

Ms Rawson—I do not have any exact figures that are showing, for example, a drop-off in school attendance or a significant downgrading in health services. I refer to section 3 in the submission which gives an economic and social profile of East Timor. The reality is that the social indicators in East Timor are already very poor. From the circumstances, particularly over the last six months in terms of the security situation and the flow of people from East Timor—doctors, teachers and others—one would have to reach the conclusion that the likely outcome of that would be a further deterioration in the social indicators. At the same time, I would not want that to be painted in too dramatic terms. We are hopefully not looking at a sustained period where it is difficult to work in those sectors. If we and other donors can get active again in those areas in the coming months, then we can start quickly to address the issues that have arisen.

Senator BROWNHILL—Do I have it right that basically there is no program at the moment for the prevention and treatment of HIV-AIDS?

Ms Rawson—No.

Senator BROWNHILL—Why not?

Mr Dauth—I do not think we are conscious of it being a particular problem in East Timor.

Senator BROWNHILL—That is good.

Mr Dauth—It would be very surprising indeed if there were not a significant number of cases as there are in most countries in the region. I do not think we think that there is a particular problem here. I think that Jennifer has made some very clear points about social indicators generally in East Timor being very low. That has been the case for a long time, regrettably. That is not an issue. There are, clearly, some quite serious public health issues, but that is not one of them that we are particularly conscious of.

Senator BROWNHILL—Japanese encephalitis, or any other programs that are falling by the wayside? In other words, is there a problem there in health? I am going back to the 81 doctors.

Mr Dauth—There is a problem in health and there has been for some time. It is undoubtedly deteriorating. It may well deteriorate further if the security situation deteriorates further. I think Ms Rawson sensibly suggested, though, that it would be wrong to use the

words ‘dramatic decline’ in a defined space of time. That would be to mis-characterise the situation. I think the overwhelming point to come back to is that the social indicators in East Timor have been very low for a very long time.

CHAIR—Ms Rawson, you mentioned the skills audit that has been done of East Timorese in Australia. Is that available?

Ms Rawson—Yes, we could certainly make it available.

CHAIR—It would be interesting for the committee to see that. As part of that skills audit, is there any indication of the willingness or the preparedness of those canvassed to return to East Timor?

Ms Rawson—I have to admit that I only glanced at the copy of the report. It was an optional question in the survey whether people would be prepared to return or not. I am not sure what the outcome of that was, but it was a question in the survey.

CHAIR—That would be interesting, again, for us to know.

Mr Dauth—I have not actually seen the report. I am conscious of its existence. Obviously, it was a very good idea of AusAID to pursue such an audit. My guess is that at this stage it would be very difficult to judge how many East Timorese living in Australia would intend to go back there. They will make judgments on the basis of what the situation is.

CHAIR—I accept that. Already in the brief life of this committee we have had a number of people before us who have not been back there for 20 years.

Mr Dauth—Indeed.

CHAIR—They now have family growing up here and the likelihood of them returning is limited. It would be interesting to see the range of skills that are available to go back. Could you enlighten us as to when this skills audit was done and over what period of time?

Ms Newbury—It was done in about May this year, over about a period of a month to six weeks. There were public consultations held in each of the major capital cities. It was quite widely publicised in the press in English, Tetum and the local Chinese dialect. There was a lot of effort taken to let people know that the option existed. We were really looking at two things: one was the level of skills that would be available to the Australian aid program among the diaspora, both for short-term consultancies but also longer term work, and then, as you said, an indication of the numbers of people who would be willing to return to East Timor over a longer period of time.

CHAIR—Thank you. We look forward to being given a copy of that. We will place no greater emphasis on it than the fact that it has been a skills audit done by yourselves.

Senator BOURNE—Could you tell me how successful was the registration of the diaspora in Australia for the referendum? Do we think that we have picked up a lot of available people?

Ms Bird—The UN has released global figures for the registration process. It was a very high figure, the top end of expectations. It was 446,666 East Timorese registered for the ballot.

Senator BOURNE—And that included East Timor and the diaspora?

Ms Bird—Exactly. The only breakdown they are giving is the breakdown within East Timor and outside. There were 433,576 in East Timor, which by my maths means 13,090 outside, but they are not giving any further breakdown by region—for good reasons.

Senator BOURNE—Very sensibly.

Mr Dauth—I would add, though, that we were vigorous in assisting the UN. The Australian Electoral Commission, as you would expect of them, did a highly professional job in conducting the ballot here in Australia, in effect for the UN, and so we were vigorous. I do not think we could have offered more of an opportunity for East Timorese to register than we did.

Senator BOURNE—Yes, and the East Timorese in Australia who vote will vote on the same day and in the same manner, I take it, as in East Timor?

Mr Dauth—Yes.

Senator BOURNE—But there are not that many, though, are there—13,000 outside East Timor?

Mr Dauth—No.

Senator BOURNE—It is obviously going to be overwhelmingly won or lost inside East Timor.

Mr Dauth—Sure, but I think that was always going to be the case. There is a significant diaspora, but it is not perhaps as significant as it sometimes looks.

Senator BOURNE—As it appears from outside.

Mr Dauth—And there has been very vigorous diaspora which has had a significant amount of support from a lot of people around the world, but the numbers were always going to be small by comparison with the number in East Timor.

Senator BOURNE—Yes. As I understand it, the UN does not intend to release any breakdown at all of any figures afterwards, or even compile them.

Mr Dauth—That is absolutely correct. We think that is a very important measure of security for those who are casting their ballots.

Senator BOURNE—Yes, exactly. I keep seeing a lot of parallels with places such as Bougainville. One thing that I know has been a problem in Bougainville and is going to get bigger as a problem is property ownership, not really knowing who owns what. Assuming—I know it is very difficult to actually assume one way or the other before the 30 or 31 August—

Mr Dauth—For us, it is impossible.

Senator BOURNE—It is; that is right. Just assuming that the vote was for independence, there would still be a lot of problems with, I would imagine, property ownership in East Timor because we know, or we believe, that the armed forces own a lot of property. They may be getting out. There are a great many displaced persons. I know in Bougainville we are starting to help with registration of property ownership and looking at how we can work out who owns what. Has that even crossed the horizon on East Timor, or is that so far away that we have not even thought of it, which it may well be?

Mr Dauth—I do not think it has crossed the horizon. This is really a judgment made right off the top of my head, which is always very unwise in front of a Senate committee, but I do not think the problems will be as substantial in East Timor in that respect as they are in Bougainville. The processes are really not similar.

Senator BOURNE—No, that is true.

Mr Dauth—What is happening in Bougainville is a very different sort of process from what is happening in East Timor. But, no, it is not an issue which has come to the fore at this time, and I quite concede that there are going to be issues there in a sense no matter what happens, whatever the outcome, and they will need to be addressed, but they have not been thought about at this time.

Senator BOURNE—Could I ask a couple of questions on aid? Would that be okay, Mr Chairman?

CHAIR—You go right ahead.

Senator BOURNE—I notice that in a couple of places we have pretty significant indigenous involvement in our aid delivery. Is that something that we put a great deal of emphasis on in East Timor, or is it so difficult at the moment that we are just trying to get everything in?

Ms Rawson—I might ask my colleague to comment in a bit more detail. I will just say that I think it is partly a case of there have not been, in the past, very many other Australian NGOs active in East Timor for a whole range of reasons. So to some extent it is a matter of looking at who is operating effectively on the ground and whom we could usefully channel funds through to achieve the outcomes we want. But Mr Munro is a bit more involved in the detail of that than I am.

Mr Munro—I am sorry, Senator, I did not quite catch a couple of the words in your question.

Senator BOURNE—In a couple of the things that you have got here there is significant indigenous involvement. Is that something we put a lot of emphasis on, or is it so difficult at the moment in East Timor that we are just trying to get aid in and we are trying to find somebody on the ground who can help us deliver it?

Mr Munro—No, we do put a fair bit of emphasis on attempting to build up the civil society in East Timor—I think Ms Rawson did mention this in her opening remarks. We are already working on that process. We have supported the coordination of community assistance in East Timor through their own coordination mechanism, the name of which escapes me at the moment.

Senator BOURNE—POSCO.

Mr Munro—POSCO, thank you. We will continue to do that and look for opportunities to do that. It is going to be very important, whatever the outcome of the ballot, that aid is coordinated because there is obviously going to be a lot of enthusiasm from a range of agencies to try and help. We have found in other parts of the world that this sort of enthusiasm can often translate into great confusion and not the best use of available resources, so we are placing a lot of emphasis on trying to ensure that coordination takes place both amongst NGOs and amongst UN agencies and between UN agencies and NGOs. It is going to be a great challenge.

Senator BOURNE—Reconciliation is the other one I wanted to ask about and I know we have put a lot of money into it.

Mr Dauth—As much as we can. We would be prepared to put quite a lot more money into the reconciliation process, but I think essentially for us, and indeed for anyone in supporting a process, it would have to be a genuine process involving all the parties and there have frankly been fewer opportunities than we would have wished. There has been some progress on reconciliation and that is to be applauded. Where there has been progress, we have been there supporting it. The process of reconciliation is very important. You can provide all the security you like for a poll, you can have a poll which is a credible poll and you can disarm people, but unless you start to build bridges between groups in East Timor who have great distaste for each other, it is going to be very difficult for East Timor to build its own future.

That is what we mean when we say that at the end of the day it is really up to the East Timorese. That is not in any sense to imply any lack of commitment on our part—quite the reverse. We are deeply committed and we will continue to be but, at the end of the day, the East Timorese will have to build bridges amongst themselves if they are to be a successful society, either as an autonomous part of Indonesia or as an independent state.

Ms Bird—This was an issue that Mr Downer very much pressed during his recent visit to Dili: the importance of the reconciliation process and the need for the East Timorese to work together whatever the outcome. It is very important therefore that there be no

retribution and that the human rights of the losers be respected whatever the outcome of the poll. It is a consistent message we have been trying to get across in all sectors.

Mr Dauth—I apologise for interrupting.

Senator BOURNE—No, that is okay. That was the answer really. I assume from what you have said that we do have plans in place no matter what the outcome. Obviously with either outcome it is going to be desperately necessary to still keep helping with reconciliation.

Mr Dauth—Absolutely.

Senator BOURNE—I noticed in the papers yesterday that there were some reports that there may be Kopassus troops going into East Timor not in uniform. Can you comment on that or would you rather not?

Mr Dauth—I am not aware of any reports to that effect. Just precisely what the make-up of the Indonesian military in East Timor is I am not really able to say, not because I am hiding anything but because we do not have definitive information on that. I cannot offer a very clear answer. I am going to be offered a clearer answer than the one I have, I think.

Senator BOURNE—The answer was in the paper yesterday, so it is not really surprising.

CHAIR—Can I interrupt there, because that is an important issue. The involvement of Kopassus is something that I have raised at estimates. They clearly have been in East Timor and, if what Senator Bourne is saying is correct, and I have no doubt about what she is saying, there is an increase of Kopassus people on the ground in East Timor, not in uniform. If that is true, what sort of threat does that pose to the conduct of the ballot coming up?

Mr Dauth—I simply do not know whether it is true. All I can say to you—

CHAIR—It may be a bit of speculation that I am asking for because the real key issue is the ballot.

Mr Dauth—Absolutely. In that respect, as I say, some mornings we wake up and we are discouraged, but I would have to say, over the course of the last few weeks, that I have been more encouraged than discouraged about the likelihood of a ballot occurring which it will be possible for us all to conclude is a credible ballot. There are always challenges to that and fundamental to the challenges are the security situation and the amount of intimidation which that security situation generates. I am certainly not going to be able to say to the committee today or any day really up until 30 August that there are not going to be risks, and those risks could come from anywhere—some further injection of weaponry, for example, on either or both sides. So there are risks there but at the moment we have been a little bit encouraged by recent developments which suggest that the ballot should be able to be held and be credible.

Senator BOURNE—I do not think that anything else I can ask would be particularly useful before 30 August, but I would really encourage the committee to get the department back a week or so after the ballot if that is possible.

CHAIR—I have already flagged to the department privately this morning that there are a number of senators who are unable to be here who do have an interest in what is happening. Because of commitments with other committees, they are not able to be here this morning. They would want to ask the department particular questions on matters past, present and in the future. I have flagged that we will have them back because there is a range of questions that I want to ask as well, which I will not be able to cover today.

Senator BOURNE—I encourage representatives of the department to be available after about a week or so. I know their lives will be difficult for a while after the ballot has concluded and the results known, which we all hope will not be long.

Mr Dauth—It is never too difficult to oblige a Senate committee.

Senator BOURNE—That is very kind. Thank you.

Senator WEST—Can I just follow on from Senator Bourne. When we were in Adelaide we heard some criticism of what appeared to be the limited number of places in Australia that were designed as registration centres. I do not know whether you saw that or heard about that evidence. Have you got any comments that you would like to make?

Mr Dauth—I did not see that. The ballot, of course, is a UN exercise. If there are issues relating to the availability of opportunity to vote they are really issues that have to be taken up with the UN. It is true, of course, that the Australian Electoral Commission is working very closely with the UN in delivering those opportunities for the diaspora in Australia. It would be quite wrong of us to be offering comment on what is squarely a UN responsibility. All I can say is that I have not seen those reports. If they were to be registered with me, I would do my best to facilitate people getting in touch with the UN through the AEC.

Senator WEST—I think there is some movement on your right.

Mr Dauth—I am conscious of that, but I am not interested in it because the bottom line is very much that this is a UN responsibility, not ours.

Ms Bird—I could just add to that. The location of the booths was set in the tripartite agreement which was concluded between Portugal, Indonesia and the UN. That specified where the polling booths would be located. That was the fundamental constraint on re-opening or changing that. Even though there was interest in further booths in a number of places, it was set in that tripartite agreement, and that determined where the booths would be.

Senator WEST—The booths were there for registration and for voting. Is there any capacity for absentee or postal voting?

Ms Bird—That was under the tripartite agreement. It has to be at one of those booths. We did explore this with the United Nations to see if there was any possibility or flexibility. Unfortunately, that was not the case because the terms were very clear in the agreement.

Senator WEST—There was the criticism from those people in Adelaide. The case they were using as an example was an elderly couple well into their seventies and on pensions who were going to have to travel from Adelaide to Melbourne to register, come back home again, and then travel back to Melbourne to participate in the vote.

Ms Bird—Yes.

Senator WEST—In East Timor itself, do people have to register in their home district or are they able to register anywhere in East Timor?

Ms Bull—I do not think they have to register in their home district but they must register and vote in the same location.

Senator WEST—I am interested in trying to get some handle on numbers about the population size. We have had claims of significant numbers of deaths over the last 25 years and population reductions. Does DFAT have any idea or any ability to make a comment about what the number of deaths might have been in the last 25 years? Have those deaths and incidents of human rights abuses increased in the last couple of years or have they been at a fairly constant level all the way through?

Mr Dauth—The answer to your first question is no. Frankly, I do not think anyone would be able to offer a figure as to the number of people who have met violent ends over the last 25 years and been the victims of the civil disorder and oppression. I do not think such a figure exists in anybody's knowledge. It is possible, of course, to get all sorts of accounts from people who have been there and they vary in credibility. What is clear is that many people have died.

Have they increased in the last couple of years? I think there have been a number of periods over the last 25 years where more people have perished. A lot of people have perished in the last couple of years as a result of the focus on the struggle in East Timor, but that is not the only time in the last 25 years when there has been a high in the number of people dying. It is sadly the case that there have been a number of times when large numbers of people have died.

Senator WEST—You mention in your original submission, at page 34, that you had been receiving reports in 1998 and 1999 from the Diocesan Peace and Justice Commission, Yayasan Hak and Amnesty International relating to increased abuses of human rights. Do you accept the validity of those reports?

Mr Dauth—Not in every respect, but they are very reputable organisations, and what they have to say about human rights abuses is broadly sound.

Senator WEST—Have you sought to validate their findings in any way?

Mr Dauth—As much as it is possible for us to do. There are very great limitations on what a diplomatic network can do to validate those sorts of reports. Where it is possible to do so, we do.

Senator WEST—We heard from one witness in Perth, who had been over there doing an evaluation on an AusAID project, that she saw several categories of violence. One was definitely the independence struggle violence that was taking place. She certainly left me with a very distinct impression that there was also a bit of a breakdown in law and order in a number of areas. There was violence occurring that was not in any way related to the pro- and anti-independence movements.

Mr Dauth—As a general proposition, I am sure that is right. I would say that the pro- and anti-independence issue has not been as simple as many external observers would judge. There are what you might describe as splintered groups on both sides. There is not one group committed to independence. A coalition of groups have been developing more and more unanimity of view as the movement towards a poll has come about, particularly on the pro-autonomy side of the armed struggle in East Timor, and have been committed to continuing association with Indonesia. There are great differences of view, so it is very hard to make judgments about just what the source of breakdown in law and order or the source of oppression or instability has been in East Timor. All that said, what the witness in Perth said to you sounds all right to me, without having seen the detail of what she said to you.

Senator WEST—Thank you.

CHAIR—I think the point was not so much that there were splinter groups but that, below the insurrection against the Indonesians, and the reaction by the militias and those groups, there is another level of violence that is taking place of family against family.

Mr Dauth—Oh, yes.

CHAIR—It is tribe against tribe, clan against clan. What degree of evidence is there of that underlying disruption? We know the other is a clear fact and we do not contest that. What sort of intelligence is there as to an underlying problem? Regardless of the outcome, whether it be independence or autonomy, that underlying problem is still going to be there, and is a problem that needs to be addressed. I think that has been alluded to very clearly today in your submission.

Mr Dauth—Absolutely.

CHAIR—Is there an assessment and what are the resolutions to those conflicts?

Mr Dauth—I have three very simple points. Firstly, we do not comment on intelligence. Secondly, you are absolutely right, it is a highly fractured society. Trying in some way to quantify or describe it is not a very useful thing to do. It just remains as a stark fact that there are many differences across many different lines in East Timor and that is going to be a substantial problem for the future, no matter what the outcome of the 30 August poll. The only way to solve that is a thorough process of reconciliation. As you implicitly suggest, that

is absolutely not just a matter of reconciliation between two warring groups. It is a more thoroughgoing process which will be required in society.

I think people on both sides of the central political divide know that, and that has been in their minds when they have embarked on reconciliation undertakings. It is, for example, very much in the minds of the bishops. But at the end of the day that is something that neither the UN nor anyone else from outside can help the East Timorese with.

CHAIR—What significant role therefore will an organisation such as the Catholic church be called upon to play in the post-ballot period?

Mr Dauth—They play a very large role now, and they will continue to play a large role—it is a Catholic society, in essence. The moral authority of the bishops is very great and, obviously, they will have a very important role in reconciliation processes, as they have had to date.

Senator LIGHTFOOT—With uncertainty prevailing as to the future leadership in Indonesia—whether it is going to be a government run by Megawati Sukarnoputri, whether it is going to be a coalition between her and the present leader, Dr B.J. Habibie, whether General Wiranto is going to play a part, or if all three parties will form some kind of coalition—what is the department's update on the likely leadership in Indonesia? Also, is the lack of leadership there giving rise to some of the instability in East Timor?

Mr Dauth—I wonder whether you would mind, Senator, if I just unpick that question a little bit. There are political uncertainties in Jakarta. They derive, of course, from a thoroughly desirable democratic act for which the Indonesians deserve great credit.

Senator LIGHTFOOT—And Dr B.J. Habibie too.

Mr Dauth—President Habibie does deserve credit. For example, in recent days he has cut through the continuing confusion relating to the election outcome and said, 'Enough is enough. We are declaring the poll.' In that sense the uncertainties ought not be too negatively characterised. I think they deserve some credit for what has been a great democratic development, and I assume everybody in the room would support that. You are right to say that the implications of that are that some policies cannot be pursued with the same vigour as will be possible presumably after we know who the next president is going to be, and you are quite right to say that we do not know who that will be.

The issue perhaps that you are alluding to particularly is the attitude of Megawati to the poll in East Timor. There has been quite a lot of public comment in this country about the possibility that she might not recognise the outcome of that poll, but I think that has been overtaken by events. She has certainly given quite clear assurances on that point to Mr Downer when he was in Jakarta recently, before he went to Dili. And although she has in recent days been to East Timor and clearly campaigned actively for the autonomy outcome, I think she has made very clear now that she would respect the outcome of the poll and that if she were president of Indonesia later in the year that that outcome would be an international obligation that she would feel obliged to respect.

Senator LIGHTFOOT—Mr Dauth, the question is: what are the chances of Megawati assuming control as their president and usurping Dr Habibie?

Mr Dauth—No-one in the world can give you a definitive answer on that. I save any betting I do for the Melbourne Cup every year; I do not do anything else. I would reckon that she was a very strong contender. I would say that the most likely outcome would be either a Megawati presidency or a Habibie presidency.

Senator LIGHTFOOT—But not a shared presidency, one being deputy to the other?

Mr Dauth—I do not see that happening. There is a limit to the good sense involved in an Australian official commenting on the internal political processes of our neighbours.

Senator LIGHTFOOT—Does Megawati Sukarnoputri need to be anointed by General Wiranto?

Mr Dauth—We get into the business of political commentary on Indonesia, which is not appropriate for me to do. What I would say is that the TNI remains an important element in politics and society in Indonesia. That will be the case no matter who is president. But it will be clearly a different sort of role—and all of the presidential candidates share an attitude on this—from the role they played in recent years. It will be, if you like, a reduced political role. But they clearly are going to continue to have a role in forging continued national unity. They continue to have specific and reserved representation in the parliament, so they are going to be an important political force. But it will be a very much less important political force than in the past.

Senator LIGHTFOOT—There has been an evolutionary process from independence under Sukarno, who was rather autocratic, if I can put it in diplomatic terms, to Suharto, who was less autocratic, to B.J. Habibie, who was not a product of the armed services, to Megawati Sukarnoputri. There does seem to be a move towards a system that embraces more of the developed world's democratic type of government. Is the step from Suharto, given the relative short tenure of B.J. Habibie, to Megawati Sukarnoputri, too quick in an evolutionary sense?

Mr Dauth—I honestly do not think it is appropriate for me to be offering a commentary on the political processes of another country.

Senator LIGHTFOOT—But having said that you are prepared to make an—

Mr Dauth—No, I was just going to offer, as it were, a historical perspective. I do not think that perhaps it is quite true to say that there has been a sort of linear movement in Indonesia. When Indonesia achieved independence they had high hopes. They had a vigorous democracy in some respects in the 1950s. President Sukarno for a while after that took them in a different direction. There was a reaction to that and, speaking as a historian rather than as a public servant, that provoked the reaction that involved the coup that overthrew President Sukarno. The Suharto presidency, of course, has been far and away the largest element of Indonesian history. To describe that with one adjective as it were, with one characterisation, would not be a sound historical analysis.

Senator LIGHTFOOT—I did not want to dwell on that. I wanted to establish the likelihood of a stable government rising out of Indonesia. Who is going to head that government so we get an idea of how that could be extrapolated to a peaceful transition, either through more autonomy or through independence in East Timor? That was really the thrust of my question.

Mr Dauth—I cannot tell you the answer to that question. I do not know who is going to be the next president.

Senator LIGHTFOOT—But you would agree there is a nexus between the stability of Indonesia and the stability of East Timor in the future, or, if you like, the relative uncertainty of Indonesia and some instability in East Timor?

Mr Dauth—I am not sure about that. I would not necessarily describe the situation in Jakarta these days as unstable. There are political uncertainties—

Senator LIGHTFOOT—We do not know who the government is going to be. That is the thrust of my point.

Mr Dauth—There are uncertainties, but if the outcome of the ballot is for independence, then stability in East Timor will be in East Timor's hands.

Senator LIGHTFOOT—Yes. You did not really get to the point that I wanted you to. Looking at post-referendum East Timor, in particular the border and the enclave of East Timor within West Timor, what is the importance of that enclave to East Timor? If history teaches us correctly, will there not be some instability if that enclave remains an integral part of East Timor? What, if any, is the process that Australia advises with respect to that enclave—I think it is called Ambenu—and what is the likelihood of that border, which has rather tenuous control, being redrawn? It is a long snaking border; the shortest distance between A and B as a straight line is the antithesis of it. It is like the West Bank jutting from Jordan into Israel—which causes problems. Is their advice that that border be redrawn? These are the two questions; can you give the Senate an idea about the answers?

Mr Dauth—Not much of one, I am afraid. I do not know whether that is going to be a problem in the future. The answer to your second question is that we have offered no advice and would not do so.

Senator LIGHTFOOT—You would not do so?

Mr Dauth—No, it would not be appropriate.

Senator LIGHTFOOT—Even if you were asked?

Mr Dauth—Of course, if we were asked, if the parties involved approached us and wanted some assistance—

Senator LIGHTFOOT—That was my question. I was not suggesting you go out there and stand on a box in Dili and start giving advice. I was saying that, if you had been asked for advice in diplomatic circles, we would like to know how you responded.

Mr Dauth—Neither the Indonesians nor any figures in East Timor have sought that advice from us.

Senator LIGHTFOOT—Does your department not see it as the source of a problem, even a small problem?

Mr Dauth—I see what you are saying, and I am certainly not going to say to you that it will not be a problem, but it is not an issue which we have given consideration to.

Senator LIGHTFOOT—Given the relatively small size of East Timor as a landmass and its less than a million people, there seems to be an inordinate concentration of Australian resources in that area. My question should not be inferred to be a criticism nor an endorsement of that—not at all. Given its relatively small size in a global sense, what is it that drives Australia to look at that particular area and concentrate resources there as opposed to the problems that exist in, say, the islands of the Philippines, Irian Jaya and, closer to home, that similarly massive island—Papua New Guinea? I could pick out other areas: Sulawesi, Kalimantan and so on. What is it that drives us to look at that particular microcosm problem?

Mr Dauth—Let me just say that all of the areas you talk about are of concern to us. We are very concerned about our region, about the countries around us. It is a natural thing for us to be concerned. I would have to question whether you felt there was an inordinate focus on East Timor by comparison, for example, with the singular effort we have made in Bougainville in recent times, where the government has made an immense contribution in the last couple of years. We are doing so, as we speak, in the Solomon Islands, where there are problems as well. With respect, I do not think there has been, as it were, a disproportionate focus on East Timor. There has been a very big focus on East Timor in recent times because Indonesian policy has changed on East Timor, and because we have suddenly been presented, in a way which could not have been predicted before the fall of President Suharto, with an opportunity to resolve a problem that has attracted an enormous amount of international attention and which has, to a greater or lesser degree, caused a problem between Indonesia and Australia.

Indonesia is a country of immense significance to us. If the issue of East Timor can somehow be successfully resolved, then there will be that much less of a problem between us and Indonesia. That will be very welcome to us and presumably also to the Indonesians. In that sense, what we are doing in East Timor is seizing an opportunity which has not been there before, just as an opportunity was created in Bougainville that was not there before. I think the government would be seen as very derelict indeed by the public in this country—and, I assume, by senators on the committee—if we did not commit very significant effort and resources to seizing this once-in-a-generation opportunity.

Senator LIGHTFOOT—There is a difference between Bougainville and East Timor.

Mr Dauth—Yes, a very large difference. You are quite right.

Senator LIGHTFOOT—The former colonial administrators of East Timor and Portugal seem to be taking a relegated role compared with Australia's role. In other words, we seem to have taken the lead in almost every aspect of the coming question on East Timor, although we have Bougainville—a part of the former colony—administered by Australia or under a United Nations charter.

Mr Dauth—I have to quarrel with that judgment, Senator. It is not right to say that we have somehow taken a role that Portugal has not. The fundamental element of the process occurring in East Timor is the tripartite agreement between the main parties: the former colonial master—the Portuguese; the current occupant—Indonesia; and the United Nations. That is the basis of the present process. We have contributed to that process and have been generous in doing so, as I think Australians expect the government to be.

Senator LIGHTFOOT—Would you say more generous than Portugal?

Mr Dauth—Yes, we have been the most generous contributor.

Senator LIGHTFOOT—We probably have more Australian personnel on the ground there than the Portuguese.

Mr Dauth—Yes, that is true. We have been a very generous contributor. I am surprised to hear that suggested as a criticism of us.

Senator LIGHTFOOT—It was not meant to be a criticism. You seem to be concluding that from something I have not said. I must be very careful to rephrase my questions to you, Mr Dauth, to say that it is not necessarily an opinion. They really are just questions that I would like answered rather than it be inferred that that is my opinion.

Mr Dauth—I apologise, Senator.

Senator LIGHTFOOT—That is okay. I appreciate your answer thus far. We have established that Australia is in fact a bigger contributor in dollar terms and in personnel on the ground than the former colonial masters—I would not have used that phrase—or colonial administrators of East Timor.

Mr Dauth—That is true. Let me say, though, that we are by no means the only contributor. There are 276 civilian police and 50 military liaison officers. We are contributing approximately a third of those personnel. There are, from memory, at least 17 countries engaged. Mr Downer asked me this question yesterday. How many other countries are engaged?

Mr Moraitis—It is quite a significant number. I do not know the exact figure. I could give you a list of the countries.

Mr Dauth—We will get it for the committee. We will provide you with a breakdown of personnel of other contributing countries to the present process. We are very happy to do

that. We are not by any means alone. We have not been alone in contributing to the trust fund and we have not been alone in contributing in kind, but we have been very important. We have been the largest contributor and that is something which we see as not just an obligation but very much in Australia's national interest. It will be a tremendous boon to Australia if this issue is resolved in a happy way. It will take away an issue which has troubled us and many in Australia. It has been an irritant from time to time in our relations with Indonesia; it has been an issue in the region which has needed resolution. So if we can, by generous contribution, help to bring this process to a successful end, that will be a very good thing.

Senator LIGHTFOOT—Yes. I think you mentioned the importance of Indonesia as remaining a very important part, an integral part of Australia's foreign policy, particularly with respect to over 200 million Indonesians. Of course, it is not a big trading partner of Australia's; nonetheless it is a very important trading partner of Australia.

Mr Dauth—It is quite a big trading partner, in fact. I think, from memory, Indonesia is Australia's 10th largest trading partner, or it is certainly of those dimensions—

Senator LIGHTFOOT—Yes, I think you are right.

CHAIR—That is about right.

Mr Dauth—and growing at all sorts of levels. It is a very remarkable set of developments in respect of the relationship with Indonesia—the way in which it has expanded, not just on the political and commercial fronts, but people to people links. We have 15,000 Indonesian students in this country.

Senator LIGHTFOOT—And growing—a record number this year, I understand.

Mr Dauth—That is a phenomenon that was not there a few years ago. We have all sorts of connections, and the Australia-Indonesia Ministerial Forum, which meets annually, brings together half-a-dozen or eight ministers on both sides. It is a very, very large relationship.

Senator LIGHTFOOT—Yes, the committee does recognise the important part that Indonesia plays in Australia's view of its external friends, and we know that will remain strong. It is a very important and focal point of this committee when we are asking our questions on East Timor.

Mr Dauth—I just wanted to say something. There is, I think, an important misconception which is very often abroad about attitudes, particularly within the Department of Foreign Affairs and Trade, though, as between Indonesia and East Timor. Many people make the claim that officers of the Department of Foreign Affairs and Trade in offering advice on East Timor are somehow guided by the tremendous importance of our relations with Indonesia, and I just want, so much as I can, to dispel that impression.

We certainly recognise that Indonesia is a very important relationship to us, but it is a relationship which has been, in some respects, flawed by the problems of East Timor. There is, in any case, unfinished business there in East Timor which we are delighted is being

finished. It will be a benefit not just to our relationship with Indonesia but to the people of East Timor and to the region as a whole if this process in East Timor can be brought to a successful conclusion. We have approached the challenges of East Timor policy on their own merits, just as we approach the relationship with Indonesia on its own merits. The two are connected, but there is no sense of subservience in a policy sense for officials between the two issues.

Senator LIGHTFOOT—Mr Dauth, you mentioned in your opening preamble that \$10 million had been given to Indonesia in a trust fund. Is that a tied grant?

Mr Dauth—Not to Indonesia, to the United Nations.

Senator LIGHTFOOT—Oh, that was to the United Nations?

Mr Dauth—Yes. The United Nations established a trust fund to pay for UNAMET, and we made the first contribution to that. We were the first nation to pledge, and we pledged \$10 million.

Senator LIGHTFOOT—That was tied?

Mr Dauth—No, it is \$10 million to pay for UNAMET. You are quite right; in addition to that \$10 million cash on the knocker in New York to pay for the operation of UNAMET in Timor—to help pay for that—we made a further \$10 million contribution in kind, and that was certainly, as it were, tied—that is to say, with that \$10 million, we provided the UN with helicopter services, with medical evacuation arrangements and those sorts of things. They were certainly goods and services which we bought for the UN.

Senator LIGHTFOOT—Ms Rawson mentioned that there had been some suspended projects. You may have outlined those projects that have been suspended. Could you give the committee an idea, just in perhaps nominal headings, of those projects that have been suspended?

Ms Rawson—Yes, I can. I could refer you to page 18 of the updated submission.

Senator LIGHTFOOT—Is it a long list?

Ms Rawson—No, it is not.

Senator LIGHTFOOT—Perhaps you could read it out if it is not long. Otherwise, we could have it incorporated.

Ms Rawson—I can certainly mention them to you. We have the Bobonaro Highland Area Rural Development Project Phase I, which commenced in 1998. That project at the moment has not been completed but has been suspended because of the situation on the ground.

We have a Partnership for Skills Development Program that is due to end in 2003, and no activities have occurred on that project to date—again, because of the security situation. I

should mention that, with the Partnership for Skills Development Program, the National Tuberculosis Program and the training program that I will mention next, they are not confined to East Timor. We are carrying out activities under those programs in other eastern island provinces as well. Given the current situation in East Timor, the activities planned for there cannot take place.

We have the Indonesia-Australia specialised training project to undertake training in areas such as good governance, community development and capacity building. Again, we have not been able to proceed with that as far as the East Timorese are concerned because of the events on the ground. We have an ongoing program of Australian development scholarships.

Senator LIGHTFOOT—Is that ongoing, but not suspended?

Ms Rawson—It is ongoing, but not suspended.

Senator LIGHTFOOT—That would almost be an oxymoron if it was both.

Ms Rawson—In Australia at the moment we have—

Ms Newbury—If I might, we have funded 12 all over. With the scholarships program, they are about to start advertising Indonesia-wide for the next year's intake of students. There are probably about three or four East Timorese currently in Australia, and we have funded 12 students from East Timor since the start of that program.

Senator LIGHTFOOT—Perhaps you could tell the committee how that falls into the suspended category.

Ms Rawson—It is suspended in terms of activity suspended. The projects remain on the books; they are not completed. We have not taken them off the books. As soon as the security situation permits, the programmed activities that are planned for East Timor under those projects will proceed.

Senator LIGHTFOOT—Do you have any other projects that are suspended?

Ms Rawson—They are the only major ones. We have another project which is alluded to in figure 1 on page 19 of the submission—the Bia Hula Development Project. Bia Hula is an East Timorese non-governmental organisation with which we have a program, but that is currently also not proceeding with activities. In terms of suspension, I certainly would not wish to infer from that that the projects will not be put into operation as soon as the security situation permits.

Senator LIGHTFOOT—You mentioned that delightful word 'bilateral', and you tied it to bilateral donors. What do you mean by bilateral donors?

Ms Rawson—I mean ourselves. Australia is a bilateral donor.

Senator LIGHTFOOT—With whom? What do you mean by 'bilateral'?

Ms Rawson—I am sorry. For example, with the Indonesia program, we are a bilateral aid donor with Indonesia. We have bilateral relationships with many recipient countries.

Senator LIGHTFOOT—I think it was you who mentioned a skills inventory that you are taking, and I was very interested in that. You may not have used those words, but I think that is what it rendered to.

Mr Dauth—A skills register.

Senator LIGHTFOOT—There are quite a number of former East Timorese in Australia who have, relative to East Timor, been educated here to quite a significant degree. A significant amount of those people have Australian, Portuguese and, I assume, East Timorese citizenship, or are entitled to East Timorese citizenship. They are a group, in my view—and only based on the evidence that we have taken with this committee—whose skills should be used. How are you going to get the boy back to the farm once he has seen Paris, if I could misquote the song? They are, I would have thought, a very important and integral part of the rebuilding of East Timor. Do you have some plan to get those people back?

Ms Rawson—If I could answer from the perspective of the aid program, as I mentioned earlier we would certainly be happy to pass to the committee the outcome of the survey that was undertaken of the community. From the aid program's perspective, we would be happy to work with members of the community who wished to return to East Timor and who had appropriate skills that we could utilise in the program. But, in the end, it would be—

Senator LIGHTFOOT—If I could interrupt you, given that there is about a 50 per cent illiteracy rate in East Timor, wouldn't their skills unequivocally be used in East Timor?

Ms Rawson—Undoubtedly there will be relevant skills. But, in the end, it will be a personal decision of people whether they return or not.

Mr Dauth—That is absolutely right. Many of them are Australian citizens, so the notion that we could somehow compel them is not—

Senator LIGHTFOOT—I think you have again misconstrued what I have said. There is no inference on my part that they should be compelled, but there must be a way—if I could use a softer word, Mr Dauth—that they could be induced to see that there is a civic duty by these people, formerly residents of East Timor, to use their skills—it may be for a short period. When Australia has invested heavily in their education, there must be some process where they can now return that by helping to rehabilitate their country, which is obviously in a very drastic state—there is no question about that when you look at the statistics.

Mr Dauth—The process is through the aid program. The process is through using the skills of the diaspora in this country in a way which is helpful to East Timor, whether or not it is an autonomous region of Indonesia or independent.

Senator LIGHTFOOT—Yes. If I could dwell momentarily on the illiteracy rate, I have a figure for East Timor of 53.8 per cent in 1966—these are Indonesia statistics—and I think the Indonesian one for the same period was 14.7 per cent. That is a vast difference. One

would have thought that 14.7 per cent was bad enough, but 53.8 per cent is absolutely devastating for a young country.

Mr Dauth—Absolutely. As we said earlier, the degree of disadvantage in that province has been great for a very long while.

Senator LIGHTFOOT—All right. I thank you, ladies and gentlemen, for your time.

CHAIR—I have a few questions, bearing in mind the time. On 1 August, Foreign Minister Downer categorically denied press reports of exchanges between the United States and East Timor concerning US contingency planning for possible peacekeeping or peace enforcement in East Timor. On 9 August the minister told the House of Representatives:

. . . I am not aware of any request by the United States for us to participate in the peace enforcement exercise in East Timor.

Again, he said:

I am completely unaware of any proposal by the United States defence force to mount a peace enforcement exercise in East Timor.

And again:

I never heard of a plan of the Americans to send the marines into East Timor.

Mr Downer was subsequently obliged to correct these statements and confirm that there had been discussions between Australian and US military officers on the issue of peace enforcement and that those conversations were detailed in a cabled report sent from Honolulu on 21 June.

In light of the issues raised with Mr Downer on the *Sunday* program of 1 August and his rejection of the press reports concerning US military contingency planning as entirely false, what steps did the department take, prior to his answer in question time this week, to alert him or his office to the report of Air Vice Marshal Treloar's discussions in Honolulu? It gets down to a question of process within the department.

Mr Dauth—It does indeed. As you know very well, we simply do not offer advice on what goes between the department and ministers. That is a longstanding principle at these committees, so there you go.

CHAIR—I am not trying to get the actual advice.

Mr Dauth—I understand.

CHAIR—Was there advice offered to the minister? That is the point.

Mr Dauth—I know what you are asking, Senator, and you will not be surprised by my answer. In accordance with longstanding process, we do not offer advice of what goes between the minister and the department. That process is something which is exclusive to the

executive arm of government, and there it is. If it is helpful, I can say something about that conversation in Honolulu, but we risk, don't we, just tracking over material that has been much the subject of public discussion and debate over the last few days.

CHAIR—The concern that I would express is that one would trust that the minister is being properly advised in relation to these issues.

Mr Dauth—As I understand it, the minister believes he is. But that is something you will have to ask him.

CHAIR—The matter of PPQs—is it appropriate to raise that issue then?

Mr Dauth—No, it is not, Senator—of course it is not.

CHAIR—On Wednesday this week, former President Jimmy Carter and the Carter Centre issued a statement concerning continuing Indonesian military support for pro-integrationist militias in East Timor. Are you aware of it?

Mr Dauth—I was not aware of that.

CHAIR—I am going to go through it because I am going to seek your comment—I think it would be interesting. Former President Carter said in the report:

"Some top representatives of the Government of Indonesia have failed to fulfil their main obligations with respect to public order and security, and in many cases, have actively sought to undermine the popular consultation process."

. Is this a reasonable assessment of the situation as East Timor is about to enter the two-week campaign period before the ballot?

Mr Dauth—In many respects, yes, it is a reasonable assessment. You and I have talked often enough in the past about the situation. There is no question but that there has been an entirely unacceptable level of, if you like, collusion between elements of TNI and the militias. There has undoubtedly been involvement of all manner of people in the Indonesian system in that. I am on the public record in that respect in the past. I said earlier this morning that we had some evidence, which is not by any means definitive, of an improvement in that situation. That is very much to be welcomed, though it would be a very foolish person indeed who said that the situation was anywhere near perfect at this time.

We hope that improvement will continue before campaigning starts on the 14th—that is tomorrow. We want to see a continuing improvement in the security situation in East Timor. We want—as we have said many times to the Indonesian government—TNI, the Indonesian armed forces, to assume all of the responsibilities that are theirs for security in East Timor under the terms of the tripartite agreement, not least under their continuing sovereignty in East Timor. We want them to make sure that this ballot is conducted in as completely secure and unthreatening an environment as possible. That is something where further progress is necessary and where we continue to make points to that effect to the Indonesian authorities.

CHAIR—Thank you. I will quote from the latest report by the Carter Centre observer mission released this Wednesday. It says its observers have collected first-hand evidence of a wide range of violations of the 5 May agreements. I will go through the list:

The Indonesian military (TNI) and the government are actively supporting and directing armed pro-integration militias who are creating a climate of fear and intimidation.

The Indonesian police have consistently failed to take the steps necessary to maintain law and order, and in some cases have colluded with the pro-integration militias.

The Indonesian government and TNI are actively campaigning for the autonomy option and providing resources and support for pro-autonomy groups.

The TNI has failed to fulfil its commitment to redeploy its troops and is maintaining posts and villages throughout East Timor.

TNI and pro-integration militias members are threatening bloodshed and war if the autonomy option is rejected.

Militia members have attacked several UNAMET registration centres with impunity, and both TNI and militias members have intimidated and threatened UNAMET local staff.

Militia members and TNI personnel have threatened and intimidated Carter Centre observers and local staff.

Continued insecurity has prevented the return of up to 60,000 internally displaced persons to their homes and threatens their ability to freely participate in the consultation process.

Could the department give its reactions to these assessments so the committee can get a sense of the Australian government's view of the situation prior to the commencement of campaigning. How does that assessment put forward by the Carter Centre correspond to the view that is being formed by the department of events as they emerge in the week prior to the balloting process?

Mr Dauth—All of the points made there have some validity in our judgment. I do not have them in front of me. I am sure we have them in the department.

CHAIR—Would you like a copy?

Mr Dauth—No, thank you. That is fine because my colleagues have them. I am sure my colleagues have looked very carefully at them. The points made there are broadly consistent with concerns that we have had about the process right from the start. They are concerns which we have raised many times with the Indonesians. I said earlier that, since the process began, we have raised issues at all levels, from the president down, in Indonesia 120 times. Many of the specific concerns we have raised have been concerns which are reflected in that list. The situation has been very serious, continues to be serious, and continues to be far from perfect. The day before we enter the campaigning period, there is a situation which has shown some recent signs of some improvement, but which is still far from perfect.

CHAIR—It does not fall in that 5 May agreement as set out?

Mr Dauth—No, undoubtedly the 5 May agreement has far too often been violated. There is no question about that. I am not going to debate that for a moment. I do not imagine for a moment that those signing it expected that, in every respect, it would be observed from 5 May until the ballot date. Every violation is a source of concern and, whenever we see violations, we raise them with the Indonesian government.

There have been a lot of developments. There have been some positive developments on the security side, but also some other much more heartening developments, including principally the registration. The registration process proceeded far more smoothly than I, for one, had judged was likely. It was a singular success and I think UNAMET have much to be congratulated for it. Those sorts of factors will weigh very heavily with the UN when they make a judgment as to whether this was a credible poll.

CHAIR—Thank you. On the issue of internally displaced persons, the Carter Centre have made an assessment of up to 60,000. Do we have an assessment?

Mr Dauth—I think that is roughly speaking our own figure. They very likely got it from us.

CHAIR—So that is a universally held figure?

Mr Dauth—Not universally, and I do not think it is possible to be precise, but I think in our judgment that is the sort of upper possibility. Is that right? Are we all at one on that?

Ms Rawson—I think it is. The figures over the last few months have been generally in the range of \$40,000 to \$60,000 with probably the higher figure the more accepted one for some time. I do not think we have enough information yet to be talking firmly about a lower figure, but there have been some indications in the last couple of weeks of some people starting to return to their home areas. We cannot, as I say, put a figure on that yet but certainly there is some evidence of people going back to home areas. That, of course, does not necessarily mean that their needs for food and shelter have disappeared; it depends on what sorts of circumstances they are returning to in their home areas.

CHAIR—What is our commitment to post the ballot on 30 August, in terms of personnel, for how long and how many and what is our capacity to sustain an ongoing long-term commitment to the UN in East Timor?

Mr Dauth—The answer to the last question is a very big answer indeed that I could not begin to give here. It would not be at all appropriate for me to be trying to be precise.

CHAIR—Have we done an assessment of our resources—I am talking now in terms of human resources.

Mr Dauth—We have done a great deal of contingency thinking and more than that it is not remotely appropriate for me to say in public. What I do want to say, very clearly, is that we will be committed and we will be there in phases 2 and 3 and whatever phases there are. We will see this through. The government is plainly committed to continuing support for the UN process, the poll and its aftermath in East Timor. That is a firm, clear commitment and,

no doubt, on almost any scenario this is going to absorb significant resources. In that context we have been looking very hard at what we have and what it will cost. Those sorts of issues are certainly very much in the front of the mind of the government.

CHAIR—It was not simply costs I was concerned about, Mr Dauth. It was having the personnel and the people with the expertise, the language skills—I would put it in as broad a term as the personal relationship skills—to go into that environment over what might be a long period of time. I am not trying to commit you—I am trying to get this in the broadest of terms because it seems to me that it is a major operation in its own right, logistically, just keeping the people there, bringing them back, putting in another group and continually rotating the groups into that sort of environment. I am just trying to get a feel for it. Have we got the capacity personnel-wise to sustain that long-term sort of project?

Mr Dauth—We believe so, Senator. The nature of the commitment will depend on the circumstances so it will be very different, for example, depending on the outcome of the poll.

CHAIR—I accept that.

Mr Dauth—I wonder if I could give you a helpful example. We have established a consulate in Dili. As I say, I am very proud of my colleagues who are doing outstanding work there and we have sent an initial team. At some stage we would like to strengthen that consulate. On almost any scenario I think it will be useful for us to do so and we have identified the human resources involved in that.

CHAIR—In terms of the budget commitment to the processes, whether it be for aid or for the UN, are the resources additional to the existing budget of the department or are they being taken from other areas?

Mr Dauth—I will get Jennifer to speak specifically about the aid program, but the government has given us supplementation, for example, for the consulate in Dili and also for the support of the UNAMET process generally.

Ms Rawson—From the aid program's point of view, there was an additional \$20 million in 1998-99 for the UNAMET consultation process. That was additional to the 1998-99 budget.

CHAIR—The other issue that I want to raise briefly is: do we have any assessment of the sort of assistance that will be needed in East Timor in either an autonomous situation or in an independent situation, in terms of the basic administrative running of East Timor itself? One of the things that have been put to this committee is that, if it is independent, there will be a large number of people who have supported the administration of East Timor in just rudimentary things—I am not trying to get to the political nature—that keep a society ticking over. Do we have an assessment of the needs there in the broader sense?

Mr Dauth—Yes, in the broad.

CHAIR—The skills that will be needed? I tried to tie that in with your skills audit that you did make.

Mr Dauth—I think, partly because the needs will vary greatly, it will be significantly different depending on the outcome of the ballot. We do have a sense both of the basic services that will need to continue to be provided and also the further infrastructural support that will be needed in East Timor. Yes, we have a general sense of that but it is not something that there would be any point, quite frankly, in sharing with the committee because it is so contingent.

CHAIR—That is something you may wish to share with us when you get back to us next time.

Mr Dauth—After the poll?

CHAIR—Yes.

Mr Dauth—I would not write any blank cheques at this stage.

CHAIR—That is the sort of thing we would be interested in.

Mr Dauth—Yes, I understand, and for the very best of reasons. To the degree that it is possible for us to do so, we would be happy to do so.

Ms Rawson—If I might add, we mentioned in my opening remarks that we had had a program planning mission to East Timor in early May—

CHAIR—That is my next question.

Ms Rawson—We would be very happy to share with the committee the report from that mission. It looked at a whole range of things but, as I mentioned earlier, the capacity building needs in East Timor were clearly a focus for that mission as well. We could certainly provide to the committee a copy of that report.

CHAIR—I think that would give us some insight into what is happening. Another thing, following on from your statement, is that I believe you also said you are planning a further mission to East Timor and West Timor. That was interesting in itself because your previous mission had been to East Timor. Firstly, why are you including West Timor and what is the significance there and, secondly, when is this planned to take place?

Ms Rawson—Unlike the program planning mission in May, which was to look at the broad development assistance program, this coming one, as with the mission in March, is to look in specific terms at the humanitarian needs and, this time, those of internally displaced people. As you would be aware, a number of the internally displaced people have actually moved into West Timor. I am not sure of the exact figures, but a proportion of people have moved into West Timor. That is the reason for the intended inclusion of West Timor in this mission. We are hoping that that will take place next week. The planning is still being firmed up but the intention would be next week.

CHAIR—Good. We look forward to the outcome of that mission as well. There is one other issue I will raise. We have heard in evidence before the committee that while the Indonesians were said to be withdrawing troops, and very visibly, and while they were going out through Dili, I think, they were coming in through the back door, through West Timor. Do we have any conclusive evidence that that was the case?

Mr Dauth—Troop rotation—we have had this discussion before—

CHAIR—Yes. This is a bit more than troop rotation.

Mr Dauth—Indeed, I am not suggesting it is not, but troop rotation is a continuing aspect of deployment in East Timor.

CHAIR—I understand that.

Mr Dauth—As to whether there have been real reductions or whether they have been replaced in the manner in which you are suggesting, we do not have definitive information. We have a general sense that there has not been a significant reduction in the number of TNI personnel in East Timor. There has been an increase in the numbers of police, and our best estimate on police numbers is 6,000 or 7,000 currently. But we do not have a sense of significant reduction in the number of TNI personnel in East Timor in recent times.

CHAIR—Right. There are a lot more questions that we could ask. I have flagged with you, and for the benefit of Senator Bourne and the other senators, that as soon as it is reasonably possible and practicable we will have you back. There is a wide-ranging group of issues yet to be covered. We do thank you and your officers for your appearance here this morning and for the frankness you have extended to use. Thank you very much.

Proceedings suspended from 11.11 a.m. to 11.26 a.m.

HUNT, Ms Janet Eileen, Executive Director, Australian Council for Overseas Aid

NETTE, Mr Andrew Richard, Policy Officer, Australian Council for Overseas Aid

CHAIR—Welcome. The committee prefers all evidence to be given in public but should you at any stage wish to give any part of your evidence in private you may ask to do so and the committee will consider your request. The committee has before it ACFOA's submission. Are there any alterations or additions you would like to make to your submission at this stage?

Ms Hunt—No, not at this stage. Our submission should also include our report on the delegation that I led in June which was forwarded to the committee.

CHAIR—The committee has agreed to publication of your submission in a separate volume. I now invite you to make an opening statement and then we will proceed to questions.

Ms Hunt—Thank you very much, Senator, and members of the committee. I should start by introducing the role that ACFOA is playing, which is quite a significant one. We have in East Timor a working group of about 30 member organisations and other community organisations outside our membership who are involved in delivery of assistance or advocacy in relation to East Timor. As I mentioned, we have undertaken a delegation, in early June. We are acting also as an international NGO contact point, and that was agreed at a Melbourne conference in April. We are liaising with the Timorese in Australia and, of course, with AusAID and the Department of Foreign Affairs about East Timor and about Indonesia as a whole.

We facilitated the establishment of the Australia-East Timor international volunteers project, which is providing around 30 highly qualified, civilian, self-funded volunteers to monitor the ballot. Many are already there and there are a few still to go. We will also have two ACFOA people and one from the Victorian Local Governance Association, whom we are working with, on that international volunteers project, so three people will be going on the official observer mission.

I would like to state at the outset that ACFOA's position is one of support for the internationally recognised right to self-determination. We are very clear about that. We have about a dozen members and a few other non-members with a very strong involvement in aid delivery and the protection of human rights in East Timor. I would highlight to you in particular, the role that Caritas Australia, the Catholic aid agency, is playing. I regret that the relevant person in Caritas was unavailable to come today, but I would urge you, if you are holding meetings in Sydney, to meet with her.

CHAIR—Who is the relevant person?

Ms Hunt—Anne Wigglesworth. She is the convenor of our East Timor Working Group and the Overseas Program Manager of Caritas.

The key issue at the moment, obviously, is security. The climate of intimidation, which is described in our delegation report, has not really changed. In some areas it is worse. For example, in reports we received yesterday from Suai, about 1,500 people came in to register—and I think the registration process has been extremely successful—but they are now camped around a church, afraid to go home. People are being told that if they vote for independence they will be killed. They are being told this by the militia and the militia acknowledge that they are backed by the Indonesian military. So the pattern of human rights violations described in our report continues.

CHAIR—Can I just stop you there. I am not wanting you to declare the name of any of your sources but you mentioned there the incident in Suai yesterday. Is that directly from one of your people, or is that from a second-hand source?

Ms Hunt—It is from a church source through one of our member agencies.

CHAIR—Right, so it is not one of these 30 civilian funded volunteers that are there that you have had contact with?

Ms Hunt—No, it is—

CHAIR—For obvious security reasons I think you should not divulge that information.

Ms Hunt—No, I am not going to.

CHAIR—I did not think you would. I am just trying to make the point that that is not what I am after, I am just trying to establish where this evidence is coming from.

Ms Hunt—Much of our evidence is from church sources. On the surface, it certainly appears that the situation is calmer but the internally displaced people figures reveal that in some ways the situation is worse in terms of people's security, and in many cases their condition. At the time our delegation was in East Timor, from 5 to 12 June, IDP numbers at that time were estimated to be around 40,000. By mid to late July the numbers had increased to around 60,000. In that period, the numbers in Dili itself had increased from around 7,000 to 14,000. They have doubled. The numbers on the border in West Timor, estimated in June to be anything between 3,000 and 6,500, are now estimated to have increased to around 8,000. But I would endorse the comments made by the AusAID person that we cannot get any tight accuracy on these figures.

The problems of access to IDPs remain as bad as they were in June, and severe malnutrition, TB and malaria are widespread. As you know, many of the IDPs are held in areas controlled by militia and humanitarian access is very difficult, if not impossible. Those who are living in Dili are often in very vulnerable situations. They are in overcrowded conditions with friends and family, and we are seeing increased numbers of things like respiratory infections due to these conditions.

Senator LIGHTFOOT—Is that in Dili?

Ms Hunt—In Dili, yes. But the humanitarian problems are not confined to IDPs. The general disruption to agriculture caused by the security situation is leading to severe malnutrition in some areas. There are reports of people dying of starvation around Aileu, and the UNHRC reported in late July that 100 people had died in the Faulara district, west of Dili. Malaria and TB are particularly bad at present.

So, for us, the urgent key policy issues are to improve the security situation, ensure human rights are protected and that the right of humanitarian access is allowed. Obviously, behind that is the role of the TNI and the militia vis-a-vis the police. As you know, the police have responsibility for the security situation and appear generally to be working quite hard to achieve that, but they are very constrained by the military and the militias. It seemed to us when we were there that they are virtually unable to challenge them, although they are trying.

Human rights violations are overwhelmingly coming from the pro-integration side at the present. They are well documented by non-government organisations, and almost all are by military or militias. Obviously, we see that very close relationship between the military and the militias, and often, though not always, it is with the collusion of local authorities.

As you are aware, late in July, Ian Martin, the head of UNAMET, obtained assurances from Indonesia on a range of issues. These were that the TNI would not carry arms outside their barracks, that the international agencies would be given access to IDPs and so on. There were a range of them. But, as you mentioned, Mr Chair, the Carter Centre report of 4 August, while quite positive about the role of the police, said that there is little evidence that the military has followed through on those commitments, in particular, in relation to redeployment and confining soldiers to barracks. And although the militia have a lower profile, they are actually harassing at night and concentrating their activities in less accessible areas. Obviously, there needs to be intense pressure put on Indonesia to get the TNI to abide by these assurances, and there needs to be support for police action against militias, and arrests. There has to be an end to the impunity.

The human rights presence by the international community needs to be beefed up. We understand that the UN has someone in East Timor working on human rights. We know that Mary Robinson has made a few statements on militia violence, but there is no really strong international human rights presence that is consistently monitoring, reporting, undertaking educational work, or institution building in relation to human rights, and there is no-one in the Australian consulate with a dedicated human rights responsibility.

I should add that in our submission we recommend support to the East Timor human rights centre. However, after our visit to Dili we would say that that is no longer the best option at the present in terms of human rights support and that, if independence is the outcome, a new East Timor human rights centre will need to be built.

Our key concern at this present time is the next phase. We think the next phase is the most dangerous period, and there is obviously potential for considerable conflict, revenge attacks and so on, depending on the outcome. We understand that the 5 May agreement says the UN will maintain an adequate presence in East Timor after the ballot. But there appears, as yet, to be no agreement in place between the parties about the nature of the presence after

the ballot, although there are reports in the press today about a resolution coming to the Security Council in respect of increased military and police advisers. We certainly hope that that will go through.

We also recognise that there will need to be a different composition of the UN presence in the next phase, and there seems to be nothing firm agreed at this time about that. We believe there needs to be a very strong international presence throughout this second phase, particularly if the vote goes to independence, because there will be a great need to maintain security and keep the confidence of the people.

It is crucial that, very quickly after the result is announced, the international community, and particularly Australia, recognises the will of the East Timorese people. If their will is independence then it is very important that the international community ensures that it is respected. At this point we must particularly ensure that the TNI is withdrawn to barracks and that their numbers in East Timor are reduced. This phase will have to embrace the withdrawal of Indonesia and the takeover by a transitional government. The international community, the UN, will need to bring in international people to take over roles formerly conducted by Indonesia, assuming independence, and begin the process of building local capacity.

It is very important that aid efforts are extremely well coordinated. Local capacity is very limited; there is no point in swamping a few key people with endless aid missions. There is a lot of preparatory development planning going on by East Timorese people with international experts, and we need to support their work in the next phase and not let the process be donor driven. But above all, security is crucial in this next phase to enable NGOs and others to work freely to support the process, whichever way it goes. Thank you.

CHAIR—Thank you, Ms Hunt.

Senator BOURNE—In your submission—it was submitted in May, of course, and a lot has happened since then—you had concerns about the conduct of the ballot. Do you still have those concerns—some of them have obviously been addressed, but others not so obviously—and, if so, what do you still feel are the problems?

Ms Hunt—The registration process has been pretty encouraging. The numbers of people who have come out and the fact that by and large it has gone on without too much incident give one some hope for how the ballot process may be conducted. I think it is just the ongoing intimidation, particularly in the outlying areas, which is still troubling us. It is a question of how much that is going to affect the way in which individuals feel they must cast their ballot. I think it is really crucial that people receive the message very clearly that the ballot is secret and that the vote will be counted and announced as one number. Those are the two messages that UNAMET was trying to communicate, and it is really crucial that everyone who is going to that ballot has heard those messages. I know there have been efforts by Timorese students and others to try to get that message out. I could not say from here how effective that has been. But that is the crucial issue, it seems to me.

Senator BOURNE—Apart from that, have the other things you have identified gone as well as we could expect?

Ms Hunt—The UNAMET personnel on the ground have been excellent. I think the numbers probably have been adequate, although we had reservations about that initially. We have subsequently received information about the way in which they are grouping polling booths that gives us a bit more confidence about that. I think the concern at the time was that the numbers were insufficient. The success of the registration process would give us some confidence that that is not of such concern now, but the intimidatory climate certainly is.

Senator BOURNE—It is still there, yes, especially in the outlying areas.

Ms Hunt—Especially in the outlying areas, yes.

Senator BOURNE—You mentioned the Cox Peninsula and Radio Australia, and of course it is still not on and I still cannot believe it.

Ms Hunt—It is now too late for that in relation to the ballot, although we would still argue that it was a very ill-timed and unfortunate decision to close down that transmitter at this crucial time in not only East Timor but Indonesia as well.

Senator BOURNE—And Malaysia and Cambodia.

Ms Hunt—Absolutely. We certainly were told that people used to listen to Radio Australia and probably got much of their best information that way. Also Channel 7, I think, had an arrangement with television to screen the late ABC news. That has gone as well, and people we spoke to in Dili—obviously it only reached Dili—were quite distressed that that arrangement was ending.

Senator BOURNE—I do not think it has quite gone yet, but it is ending.

Ms Hunt—It was ending at the end of June.

Senator BOURNE—That is interesting. I will talk to you about that later.

Ms Hunt—I think sometimes we have better information about East Timor here than people in East Timor have.

Senator BOURNE—Yes, I am sure that is right, and I am sure that is one of the main reasons. In your June delegation report—I do not have it with me but I have read it—you were concerned about the numbers of independent people who would be needed, particularly in the next phase. Could you elaborate on what you think would be a sensible way to put that together and how many you think would be needed?

Ms Hunt—There are two aspects to that: the UNAMET people and the observers, or other human rights monitors, civilian monitors—call them what you will. I could not say what the required UN numbers would be. What I can say is that we are being urged to try to keep civilian monitors in East Timor for a period after the ballot. As I said, some are already there, and the goal was to try to have people there for the month in the lead-up to the ballot. We are being urged to maintain that presence for an undefined period after the ballot.

I think it is really important that international observers, human rights monitors, remain on the ground through the next phase—absolutely crucial. That aim needs to be built into the new agreement between the parties. It was built into the agreement up to the ballot that there could be civilian monitors. They are accredited with UNAMET, and it is very important that some provision for that be allowed in the new agreement so that that role can continue. It has been a very important one, I think.

Senator BOURNE—Thank you.

CHAIR—How long do you see this second phase taking? There is the process of the ballot and then there is the process of the acceptance of the result by the government of Indonesia. And whilst the result may be a foregone conclusion, in some senses it might not necessarily be that way in the end. But assuming that the result is agreed to, what sort of time frame are you looking at—from when the ballot takes place to there being, as everyone expects, a pro-independence ballot result and then to there finally being the capacity to put in a government elected by the constituents of East Timor themselves? What sort of support do you see will be needed in that period of time?

Ms Hunt—It is very hard to say exactly how long that process is going to take.

CHAIR—The reason I ask is that some people have an expectation that all of this is going to happen instantaneously overnight.

Ms Hunt—No.

CHAIR—I am not suggesting that you are one of those people, but could you shed some light on it? For example, some people think that the ballot for independence is held today and they will have an established government by next week. They honestly do think that. They think that there will be an East Timorese government established in the week or in the couple of weeks following the ballot. They have no real idea of the processes. If we could get some sort of insight as to how your organisation sees the process unfolding, that would be a help to the committee. There will be different organisations with different views, and that is what we are trying to elicit. It is not a trick question.

Ms Hunt—Obviously some key things will have to be done once there is agreement in Jakarta. There will be the need to establish a constitutional convention of some sort and to create a process by which all the stakeholders in East Timor agree on a constitution. That has to be step one. An interim judicial system will also have to be set up, obviously law and order will have to be maintained throughout this period and an electoral commission will have to be established—those things. The establishment of the electoral commission and the constitutional convention would be crucial. Those steps have to happen before a government can be created—obviously.

I would imagine there would also have to be some discussion about the sorts of institutional arrangements in terms of banking systems, judiciaries, the structure of the public service and so on. There is an enormous amount of work that would need to be put in place. Some would be before a government is elected; some, at least, would be interim. Then there

would be final decisions by a newly elected government. Just to establish a constitutional convention and agree on a constitution would take months, if not a year.

CHAIR—Right. Given just that process alone, what role do you see organisations such as your own playing? The literacy rate is not very high and the necessary understanding of political process is not very high as well. What role do you see your organisation or other organisations needing to play in that rudimentary process which is going to be so important to a peaceful transition?

Ms Hunt—I just reiterate that the first requirement is peace and security if we are going to be able to play a significant role. There is quite a bit that we can do in the interim. The most urgent thing will be to deal with the displaced people and try to get them back to their homes, get their villages rebuilt and get them re-established. In some cases many of the villages have been burnt.

The other thing is that there will have to be significant assistance to people who have lost livelihood or crops through the security problems of the last few months. There will be an emergency role and immediate support to get people who have lost crops or livelihood through the next 12 months. They may be dependent on food assistance and so on to just get them through that 12-month period.

CHAIR—Do you have an assessment, albeit maybe a fairly broad assessment, of that need now?

Ms Hunt—Individual NGOs have and I guess we have a picture together. It is not a documented picture as a group of NGOs, but individual NGOs certainly have assessments and are trying to do what they can, given the security situation. I think the other thing that we have to do is start to address health. That is one of the urgent priorities. Education is an area in urgent need. APHEDA, the trade union aid agency, has done an assessment mission in relation to education.

Our task in the next 12 months will be to help strengthen the local NGOs, particularly their own coordination, and just provide whatever assistance we can. Priority would go to the emergency, but the re-establishment of development programs that have stopped would be the next priority, and also helping the local NGOs to build their capacity to take the whole range of needs forward and to address all the needs that there are. We recommended in our report that there be a nutrition survey done. To my knowledge, that has not yet been done. That would be an absolutely crucial first step, but it has probably not been done because the security situation is not enabling it to be done at the moment.

CHAIR—Do not take this comment the wrong way since I might not phrase it as well as it should be phrased. Are we likely to foist on them or introduce an expectation that outstrips the capacity of both the people and the country to deal with what we see as being the outcome?

Ms Hunt—I know what you are getting at.

CHAIR—I am not saying we should not be trying to assist. If we pitch the benchmark too high for the state of preparedness of the country, given the trauma that the people have been through, given the displacement, and given the actions of the militias and so on over the period of time, are we expecting too much out of the result too soon? Maybe, without being too paternalistic in our approach, we might need to take a step back. Is that possible?

Ms Hunt—I think the risk is that there will be a flood of assistance very quickly that will dry up relatively quickly. What we would want to see is that we try and take the assistance at the pace and under the direction of the Timorese. Obviously, it is urgent to build the capacity of local institutions, whether they be government or non-government. Our focus clearly is on the non-government institutions, by and large. There is already work going on to try and build the capacity of those local institutions, both by NGOs and by AusAID. That work is commencing, but it is not going to change them overnight. We do have to be a little cautious to not suddenly swamp them and take over.

CHAIR—Could we kill them with kindness?

Ms Hunt—We could do two things. We could marginalise them by coming in and taking over, or we could swamp them with expectations that they will achieve things that they cannot, and then be surprised if they fail. I think we have to be very careful about how we move forward and be sympathetic and supportive when helping them. They have stretched themselves to the limit in this period and they will undoubtedly go on stretching themselves for the work that they are doing. I think we have to be careful not to push too fast. I agree with you; I think there is a risk of that.

CHAIR—In ensuring that we do not go beyond that limit, given the various interests from governments of many countries as well as the general NGOs and so on, how is that going to be coordinated so we do not end up with one group competing against the other and trying to outdo the other?

Ms Hunt—An East Timor NGO forum comprising about 17 local NGOs has been established in East Timor. We are at present talking to the Timorese here in Australia to try to identify someone who could be placed with the forum in Dili to be the international coordinator. It needs to be somebody who has good English language skills and, desirably, somebody who either already has training or whom we could quickly train to have some project design skills. The NGO forum is in the process of appointing a coordinator. Once the NGO forum is properly established, we will hopefully be able to move fairly quickly to get somebody identified and in place to play that coordinating role in East Timor.

For the time being, AGFOA is playing a sort of loose coordination and information sharing role with international NGOs. At the moment there is not a large number of international NGOs in East Timor and so there is good, albeit informal, liaison and communication among them. When we were there in June we were advised that formal coordination was virtually impossible because to coordinate was seen to be political. So they put themselves at risk by coordinating. I think the local NGOs are formally coordinating among themselves now, and my understanding is that there is some liaison with the small number of international NGOs who are there on the ground.

So I think at the NGO level—at the moment anyway—the coordination is adequate because there are not large numbers of international players and we are doing the coordination of the major grouping of players here in Australia through our Timor working group. But that could change, and so we are trying to prepare for that change by identifying someone who could go and work in that particular role from Dili, which we think is the best place to do it from, as soon as the situation allows.

CHAIR—Thank you.

Senator LIGHTFOOT—Ms Hunt, I think you said that there were 8,000 people on the border between West Timor and East Timor. Is that correct, or as near as you can get?

Ms Hunt—As near as we can get. The figures vary according to the sources, so it is very hard to know exactly what is going on. But there are people who have moved across from the western parts of East Timor into West Timor.

Senator LIGHTFOOT—Yes, but the border is ill-defined. There is no definition of the border other than a sort of dotted mark on the map.

Ms Hunt—I think it is more than any normal sort of movement of the people.

Senator LIGHTFOOT—Is it?

Ms Hunt—Oh yes, most definitely.

Senator LIGHTFOOT—How do you establish that? I am interested in your sources. How is your intelligence on these issues better than, say, the Australian government's? Perhaps you could explain that.

Ms Hunt—In June—I think it was in late June—one of our member agencies did a mission to that border area and provided us with a report on that.

Senator LIGHTFOOT—Is that border area accessible? Do you go in there by helicopter or by light plane or by four-wheel drive?

Ms Hunt—I am not really sure how they went in. You can get to it from either side, as far as I am aware. They now have continuing communication with that area, so we can get you the latest that they have, if there is anything more updated than the June report. Certainly the figures are updated on the June report.

Senator LIGHTFOOT—When you say 'get the latest that they have', do you mean that they are part of your organisation or that they are one of those bodies that you represent as the peak body for overseas aid?

Ms Hunt—The people who are able to go there are local people who are working for a local NGO which is supported by one of our member agencies.

Senator LIGHTFOOT—I see. What about the incidence of, say, TB? I understand from a previous witness that some of the mobile groups of people who ascertain problems with respect to medical conditions are having much difficulty and that some in fact have left. How are you establishing the incidence of TB now, or are your figures based on something that happened before the escalation of the militias?

Ms Hunt—I think TB has always been a problem in East Timor. I do not have exact figures, again, but the issue now is that, with so many people being displaced and with so many people living in very poor and overcrowded conditions—often sleeping on floors and things like that—the conditions in which TB will worsen and spread more rapidly are there. So there are increasing reports of TB from health clinics.

Senator LIGHTFOOT—These reports come from a predictable and reliable source, with respect to, say, TB and malaria.

Ms Hunt—And from health workers, who are treating more cases.

Senator LIGHTFOOT—Do you have reports on hepatitis and HIV-AIDS, in particular?

Ms Hunt—No. The two big areas are TB and malaria. Hepatitis may well be there, but I do not personally have any knowledge of that. As far as I know, there has been no reported case of HIV-AIDS but, again, it would be hard to know whether people are correctly identifying some of these diseases.

Senator LIGHTFOOT—So you can identify malaria and TB, but you are unable to identify hepatitis or HIV-AIDS?

Ms Hunt—People there may not identify HIV-AIDS but, as far as I know, there have been no reported cases.

Senator LIGHTFOOT—I would like to move on to your statement that the pro-integration militia are ‘overwhelmingly’ responsible for the violence. How is the violence on the pro-independence side? How does that manifest itself? Does it manifest itself as reactive rather than proactive? Quite clearly there is violence on both sides.

Ms Hunt—There is violence on both sides but, when we were there, we approached both sides and asked for documentation of human rights violations by one side against the other. We got extensive and well-documented evidence from, for example, church and NGO sources of violence against people who were perceived to be pro-independence. When we asked the pro-integration side to provide us with documented evidence of violations against them by pro-independentists, we were given no documentation whatsoever.

Senator LIGHTFOOT—So do you base the level of violence on the documentation you received, given that you clearly identify and empathise with pro-independence? Is it not a bit difficult for us to accept that, because you did not receive documentation of violence perpetrated against the pro-integrationists, one side is more violent than the other. It might be difficult to say that. Would you agree?

Ms Hunt—Human rights organisations can only work from documented evidence. That is the first thing I would say.

Senator LIGHTFOOT—With respect, Ms Hunt, if you are not getting documentation of some kind from the pro-integrationists, is it not a little difficult to qualify violence by saying that it is overwhelmingly being perpetrated by the integrationists?

Ms Hunt—I do not think so. I would like to make really clear, as I did in the beginning, that ACFOA's position is clearly in support of the self-determination of the Timorese people. Any outsider, any Australian, any of you will be perceived by people who are pro-integration as being pro-independence. Anyone from outside is perceived by the pro-integration people as not being on their side.

Senator LIGHTFOOT—Yes.

Ms Hunt—We made great efforts while we were there to assure them that our position was in support of self-determination. We were not taking any position about the outcome. We have had some communication with the pro-integrationists over a number of months to try to make that really clear to them, and to make really clear that our position is in support of internationally-recognised human rights standards—which, by the way, Indonesia has already accepted.

Senator LIGHTFOOT—Indeed, to which they are signatories.

Ms Hunt—Yes. The opportunity is there for pro-integrationists to document violations against them and to provide them to the outside world—if not to ACFOA, then to others. There has been very little evidence documented—I have seen none.

I know there have been violations by the pro-independentists. I am not denying that, and they have acknowledged that. All I am saying is that the reports we are receiving from the field and the documentation we were given while we were there strongly indicate that most of the present violence is by the pro-integrationists, the militias.

Senator LIGHTFOOT—But you said quite clearly that that documentation came from your pro-independence sources.

Ms Hunt—From pro-independence sources, yes.

Senator LIGHTFOOT—Yes. You mentioned violence at night. How does that manifest itself? Does it manifest itself in burning, pillaging, raping, killing—all of those things?

Ms Hunt—As I understand it, all of those things and also by simply encircling a house at night and threatening. It ranges from that sort of intimidation to burning, raping, murdering—the full range.

Senator LIGHTFOOT—And it is not until the morning that you could tell, I suppose. Or are there enclaves in Dili? This happens in Dili, I imagine, more than in other parts?

Ms Hunt—No, I think it would happen more in the outlying areas, in places like Suai, Maliana and Bobonarao. Those are the places where it is worst.

Senator LIGHTFOOT—Yes, but on these occasions it is violence against the pro-independence people by the pro-integrationists?

Ms Hunt—Yes. Can I just add that some intimidation does go on in Dili but it is much more low level, as far as I know.

Senator LIGHTFOOT—Ms Hunt, you said that you get better information here than in East Timor. Would you care to amplify why you get better information here? I can guess, but perhaps you would like to tell the committee.

Ms Hunt—I just think that the reporting, not on the very specifics but on the overall situation—there are a number of journalists there—about what is happening in relation to this in Jakarta and New York and about what is happening in East Timor comes out of East Timor but is not necessarily relayed inside East Timor.

Senator LIGHTFOOT—Would you care to tell the committee who you met of significance on both sides of the argument on the visit you made to East Timor with people from your very commendable organisation? Just a very generic, broad brushed picture would be very welcome.

Ms Hunt—We have actually listed that in our report. We met Indonesian authorities, some of whom expressed pro-integration views. We met with the Governor of East Timor. We met with Basilio Araujo's organisation, the Forum for Unity, Democracy and Justice, which is the main political organisation for pro-integration. We also met with other authorities. We met with the deputy commander of the police. We met with two commissioners from the Commission for Peace and Stability. We met with the National Council of Timorese Resistance, the CNRT. We met with Bishop Belo and the Bishop of Baucau, Bishop Basilio Nascimento. We met with the chair of the Indonesian Ulama Council—that is, the head of the Muslim organisation.

Senator LIGHTFOOT—How do they express their feelings; do they have a bias one way or another?

Ms Hunt—No. Their major concern was security. They had a very small Muslim membership in East Timor—30,000. Of those, about half had already fled. Their concerns were both for the security of the people who remained and for what had happened to those who had fled. They did not know, in every case, where they had gone. They were in the process of trying to establish where some of these people had gone to. Some had gone to West Timor; others had gone to other parts of Indonesia. They understood that many had gone to south Sulawesi, in particular.

Senator LIGHTFOOT—To escape the violence?

Ms Hunt—Yes, presumably to escape the violence. But who knows, maybe it was just the uncertainty of the situation.

Senator LIGHTFOOT—You mentioned in your submission that Australia should be prepared to provide temporary sanctuary to East Timorese seeking safe haven on political grounds. Who did you envisage would ascertain whether that application for sanctuary in Australia should be on political grounds? What sort of organisation should it be—an NGO, the church, or a government organisation? Should we have immigration there?

Ms Hunt—Under the normal immigration procedures.

Senator LIGHTFOOT—What part did you see Portugal—the former colonial administrators of East Timor—playing, remembering that East Timorese citizens are still eligible to migrate to Portugal?

Ms Hunt—My understanding is that some Timorese do go to Portugal but for many who want to remain close to family and close to information, Australia is a much better location for people to come to. I would assume that Portugal would retain a strong involvement in this whole process and will, I understand, provide assistance after the ballot in terms of aid. They are working with the EU in that regard to try to build a commitment of other governments in Europe to assist. I do not know that there would be anything more I could add on Portugal's role vis-a-vis humanitarian refugees, people seeking humanitarian asylum.

Senator LIGHTFOOT—How do you see the refugee situation now in terms of, broadly speaking, Muslims and non-Muslims? How do you see the urgency for those particular disparate groups that are clearly defined, I understand, in East Timor? Do you see one group wanting to migrate more out of the troubled island, or do you see one group wishing to stay? I guess the obverse is the answer to the first question.

Ms Hunt—It is difficult to say. A couple of months back there were certainly independence sympathisers, not necessarily even activists, who—

Senator LIGHTFOOT—They would be largely categorised as Christians?

Ms Hunt—They would be largely Catholic. The bulk of the population is Catholic. Some of them were fearful about the coming months, and if they did not want to get out, some wanted their families out. They did not feel safe in other parts of Indonesia because militias were mobilising in other parts of Indonesia. I know some certainly considered whether it would be possible to send family to Australia. I have not heard calls for that recently.

What the composition of the people might be who might flee after the ballot is obviously going to depend on the outcome. But, if it goes as commentators think it will, for independence, then there will be quite an exodus. There is already quite an exodus of Indonesians from other parts of Indonesia who have been working in East Timor as teachers or public servants, doctors and the like. Many of them have left already. Undoubtedly, if there is an outcome for independence, many others will leave. Those gaps will need to be filled in the short term. If the outcome goes for autonomy, there may be fears by some of the leading activists in the independence movement about their own safety. It will depend on which way it goes.

Senator LIGHTFOOT—If I could sum it up, and without putting words into your mouth, if the pro-integrationists should win then there would be an exodus of the pro-independence people from the island. If the pro-independence people were to win then there would be an exodus of the pro-integrationists from the island. Is that some way of putting it down in precis form?

Ms Hunt—I would not want it recorded that I agreed absolutely with that. Let us take a pro-independence outcome; I think we could expect that a number of Indonesians would leave, but some may stay. It is really hard to know what their thoughts are, quite honestly. If it is a pro-autonomy outcome, the CNRT has said that they would still work for an autonomous East Timor. But my guess, and it is only a guess, is that some of their leaders would feel fearful, at least for a period, about their safety.

Senator LIGHTFOOT—You mentioned in your recommendations within your submission that very large numbers of United Nations observers would be needed. Do you recall that recommendation?

Ms Hunt—Yes, I do.

Senator LIGHTFOOT—What do you mean by very large numbers? Can you give the committee some idea, numerically, of very large numbers?

Ms Hunt—The figure that we had in mind was around 2,000. I do not know what the numbers are in there at the present time, but I know there have been efforts internationally to bring in as many as possible suitable international observers, bearing in mind that—and certainly it is the case with the people that we have recruited from Australia—we wanted people with language skills because there is a very small number of English language speakers. Also, we are cognisant of the very difficult logistics problems in East Timor in terms of accommodation, transport and the like.

There are certain constraints on the numbers. It really had to be something that was explored in the weeks after our visit to see what was really possible. That would be ideal. Whether that has actually been achieved, or will be achieved by the date of the ballot, I do not know. I think there have been strong efforts internationally to get more people on the ground. The UN has welcomed that, and so I understand have the Timorese people.

Senator LIGHTFOOT—Thank you very much.

Senator BROWNHILL—Indonesia has spent something like \$A100 million a year in administration in East Timor, and \$A365 million on security. What is going to happen after the poll if East Timor becomes independent? Who is going to pick up the tab?

Ms Hunt—Portugal has indicated it would pick up a significant amount of that, if not all, in the first two years, but obviously it is not desirable that one nation should put in the entire funding. Obviously, Australia is already committed to substantial assistance, and I think that is appropriate. One trusts that other countries would also help to share the costs, particularly in the early years. It will take some time before the economy of East Timor is in any way able to be self-reliant and no longer in need of aid.

Senator BROWNHILL—Yes, regardless of the result of the poll. If you were to rate everything, what is the biggest concern to you at the moment? Is it security, health or education? Is it the ability to feed the people adequately and properly, or is it general humanitarian concerns? Is it the fact that there are so many people wanting to get out?

Ms Hunt—Security is our absolute number one concern.

Senator BROWNHILL—Just rate them.

Ms Hunt—Security is the number one concern because, if the security situation could be improved, many of the other things like health, education and agriculture can be dealt with. The problem is that at the moment the security situation is preventing access to people in urgent need of medical care and food. It is also preventing normal development activities so that both international and local NGOs, which had been doing very good local development work, by and large—I will not say entirely—have had to suspend that work for the time being. So if the security situation could be addressed, then we could start work again on both the emergency needs and the longer term development requirements—which, as you point out, are substantial. The security situation is the blockage. If that can be addressed, a lot of the other things will flow. Clearly, health, education, agriculture and food are crucial.

Senator BROWNHILL—If security is the biggest concern, what is any result of the referendum going to achieve? Is the side that does not win still going to cause disruption in the future?

Ms Hunt—That is the billion dollar question, isn't it?

Senator BROWNHILL—No, it is \$1.6 million!

Ms Hunt—We can assume that there will continue to be some conflict. We would be naive to think that the outcome of the ballot, whichever way it goes, will be accepted by everybody immediately.

Let us take the two scenarios. If it is a pro-integration outcome, the CNRT has said that they will accept it if the UN authorises it as a properly held ballot. If the UN believes it has been conducted in conditions that are as free and fair as possible, and people have been able to express their will freely, then the CNRT has said publicly that they will accept an autonomy outcome and they will work with Indonesia to build the development of East Timor. So that is according to the leadership of the CNRT.

One would be foolish to think that, on the ground, they will have control of every single one of their supporters. If there is an integration outcome, then one could expect some continuing conflict from isolated groups. But I would have to say that, to date, Falintil members appear to have been quite disciplined—through this period anyway. A number of them have been cantoned, and it appears that they have been reasonably disciplined. I am not really talking about Falintil; I am really talking about small groups of independence supporters. So that is one scenario.

If independence is the outcome, then we are more likely to see violent attacks by militias—and it may be a sort of final fling. It is quite possible that there would be a round of revenge attacks. I would be concerned about that. Those are the two possibilities. We also have to remember that East Timor has been in conflict for 23 years. Most families have been touched by it, and peace-building is going to have to start very quickly and right throughout society—at top political levels, but also at local community levels, because there are families that have been divided over these issues. It is a very traumatised society, so trauma will need to be addressed and peace-building will need to begin in a very serious way.

CHAIR—Thank you very much. We thank you for your attendance and for the evidence that you have given us this morning and this afternoon. We really do appreciate how frank you have been with this committee.

Ms Hunt—Thank you.

[12.31 p.m.]

da SILVA, His Excellency Mr Zozimo Justo, Ambassador, Embassy of Portugal

CHAIR—I welcome His Excellency Mr Zozimo Justo da Silva, the Ambassador of Portugal. The committee prefers all evidence to be given in public but should you at any stage wish to give any part of your evidence in private, you may ask to do so and the committee will consider your request. The committee has before it your submission. Are there any alterations or additions you would like to make to the submission at this stage?

Ambassador da Silva—No.

CHAIR—The committee has agreed to its publication in a separate volume. I now invite you to make an opening statement and then we will proceed to questions.

Ambassador da Silva—Thank you. Mr Chairman and honourable senators, allow me to begin by expressing the appreciation of the Portuguese government for the work that has been carried out for such a long time by the Senate and particularly by this committee. It has made a remarkable contribution to the outstanding discussions on the past and present Australian government policy towards East Timor, including the crucial issue of East Timor's self-determination, which has been widely recognised. May I remember, by paying my respects, those in this House who have worked so hard over almost a quarter of a century to give the East Timorese people a say in their own destiny—who, unfortunately, are not with us to share this special moment, when we can finally see a light at the end of the tunnel.

I would also like to highlight, as a tribute to the Senate, that history will give a special place to the landmark visit of a Senate delegation to Indonesia some years ago, when the delegation was prevented from going to East Timor. It is worthwhile remembering the wisdom and courage represented at the function that the Senate gave here in honour of the East Timorese leader and Nobel Peace Prize winner Jose Ramos Horta almost 2½ years ago—well ahead of the events that changed the course of the future of East Timor.

I would also like to thank you for inviting me to give evidence to the committee in relation to the inquiry into East Timor. Mr Chairman, I will follow the advice that you gave in your media release in December 1998, which states:

The committee will focus mainly on the current situation and the prospects for a lasting settlement in East Timor, as well as the evolution and future direction of Australian government policy towards East Timor.

I propose to follow your advice by confining my opening statement to the exact terms of reference of this inquiry into East Timor. Please feel free to interrupt me whenever you think that it would be advisable. Point (a) of the terms of reference reads:

economic, social and political conditions in East Timor including respect for human rights in the territory

I think it is remarkable that, in over 400 years of Portuguese sovereignty in East Timor, there were no clashes among the people of East Timor until 1975. That says a lot about the

political conditions and, thanks to the resistance to the illegal military occupation of East Timor, we have now arrived at the point where the world, in particular the Australian government, recognises their right to self-determination.

From an economic point of view, there are fortunately a lot of countries—Australia, Portugal and the member states of the European Union—who have already announced a contribution to the rebuilding of East Timor, as Senator Lightfoot said a few hours ago. On the social side—confining myself to the terms of reference—I think the church is playing a very important role. Just two days ago, the World Bank also referred to the question of giving a minimum structure to the protection of people on social security and related matters. On political conditions, the resistance in the mountains of East Timor has the full support and recognition of people around the world.

As Ambassador to Australia, and having had the privilege of being here for three years, I think what the politicians, the people and the press have done towards these noble objectives is remarkable. Since the Senate already devotes a lot of its time to human rights and knows a lot about it, I will not take up your time with that. Point (b) reads:

Indonesia's military presence in East Timor and reports of ongoing conflict in the territory

I think the world knows, particularly the Senate, what the military occupation of East Timor was like and how the East Timorese people resisted that illegal occupation. As for conflict, we are receiving reports, even these days, of some groups having some support from parts of the military structure of Indonesia—I will not say from the hierarchy—but some elements are supporting them, going against the course of the events. Point (c) reads:

the prospects for a just and lasting settlement of the East Timor conflict

The tripartite agreement in New York signed on 5 May by Portugal, Indonesia and the UN under the UN flag was a remarkable achievement. I think that you, the honourable members of this Senate, the people and the government also deserve a special word from the government and the people of Portugal for your whole contribution. Through your moral stand, you played a very important role in giving birth to this agreement. Point (d) reads:

Australia's humanitarian and development assistance in East Timor

What you have done is remarkable, not only in the last 25 years but well before the invasion of East Timor, when Australia was already giving generous aid to East Timor. The NGOs here, which play a very important role, and the government of Australia, giving so much attention to the eastern part of the Indonesian Republic, deserve a word of appreciation for point (d) of your terms of reference. Allow me to say that, on humanitarian and development assistance in East Timor, a lot of countries have already announced their contribution. Portugal, as it was said before, is committed to helping East Timor rebuild itself for at least three years, whatever the result of the ballot. It was publicly announced and Portugal will be committed to that project.

Australia knows a lot about East Timor from the huge community here. It gives Australia a bridge to the Portuguese Commonwealth through the Portuguese language and so many Portuguese speaking people being in your country. A lot of them are Australian citizens. I

think that they will play a very important role. As an Ambassador in this country, I am glad that these Australian citizens of Timorese origin would be in a very good position to play a part.

I would also like to recall that East Timor will count with the contribution of the so-called Portuguese Commonwealth, the Portuguese speaking countries. A special place is due to Brazil with almost 170 million people. It is another link that will link Australia and East Timor in this world of the Portuguese-speaking countries.

About point (e) at the end of the terms of reference, I think Australia knows a lot already of what was the position of Portugal against the Timor Gap. But as long as the Timor Gap will profit the East Timorese people, and the right expectation of Australian companies, Portugal is glad. We never profited from those fields, but we are glad that Australian companies, Australian people and the East Timorese people would share according to their wishes.

The last point of the terms of reference is on:

past and present Australian Government policy towards East Timor including the issue of East Timorese self-determination.

What we witnessed from Portugal, with great appreciation during the 25 years of the occupation of the territory, was the real stamp of the biggest regional power of Australia here. It was, apart from the position of the East Timorese people resisting in the mountains and in the cities, one of the most remarkable contributions.

I say that my government and myself were quite glad to see the change of policy of the Australian government in January this year giving new expectations to the relations between our two countries and, particularly, on matters concerning East Timor. Due to the change of policy of the Australian government last January, our governments are cooperating in a superb way for the future of East Timor. The fact that it was announced almost one week ago that Australia will upgrade its representation in Lisbon to the re-opening of the embassy says a lot.

One last word regarding the members of this parliament belonging to the wide political spectrum and not only to political parties who fought so hard for these matters. We have the greatest respect for them as individuals, belonging to so many parties and particularly for those parties—the Australian Democrats, the Greens, Labor and Coalition—who always gave a very strong push to this matter. Thank you very much for allowing me to make this opening statement. I am at your disposal and will follow your advice, Mr Chairman, that most of my time here must be devoted to the question and answer section.

CHAIR—Thank you, Your Excellency.

Senator LIGHTFOOT—Good afternoon, Excellency, and thank you for your time here. What role do you expect Portugal to play, assuming post-independence, with the United Nations? In other words, do you propose in the event of that outcome that Portugal should be the pre-eminent body advising your former colony after the United Nations?

Ambassador da Silva—If the East Timorese people will opt for independence, all things will revert to the position when Indonesia invaded East Timor. That means that Portugal will resume its role as administering power of East Timor under international law and UN resolutions.

Senator LIGHTFOOT—Would you propose to bring in administrators from Portugal to re-establish the kind of colonial status that existed, given the 23 years that have passed since then?

Ambassador da Silva—No, on the contrary. I started to mention the legal point of view about that, as we did in Angola, Mozambique and Guinea-Bissau and a lot of other countries. You did the same when independence was given to the countries under your rule. We are still working on that phase that under the UN an administration will be put in East Timor. The Portuguese government, the UN and Indonesia are already working on that prospect.

Senator LIGHTFOOT—Where would you see the delineation of responsibilities and powers between the United Nations and Portugal? Could you define, even in a rudimentary way, those clear definitions of powers as you would see them with the United Nations in East Timor and Portugal as the pre-eminent power after the United Nations?

Ambassador da Silva—Surely. Legally, Portugal will be the administering power under international law, but Portugal does not want to assume that by itself. The world has changed. We have seen so many statements from so many countries, particularly from neighbouring Australia, about playing a role in rebuilding East Timor. In these modern times, the rule of re-assuming administering power of that territory will be in conjunction with a lot of countries and particularly with Australia. These plans are being made in New York, together with the plans that we are working on in Portugal. In Portugal, due to the experience of more than 400 years, there is a commission which has already worked on sanitary matters, sewerage alleviation, education, et cetera, so that will be the contribution of the Portuguese government to the wide plan under the UN flag in which Australia will also be involved.

Senator LIGHTFOOT—Would you be working under the United Nations or do you see the United Nations working under the Portuguese administration?

Ambassador da Silva—We will work under the United Nations.

Senator LIGHTFOOT—And what role do you see Australia playing, given the significant role that it is playing in East Timor now?

Ambassador da Silva—I foresee a very important role for Australia. Australia is the country with most expertise on East Timor, as I referred to in my opening statement. For many years Australia has been watching the events and working and helping East Timor through Australian organisations. I would like to mention that, before coming here, as permanent representative in Geneva I always witnessed the way the Australian government and NGOs were giving help with sanitation, sewerage and things like that. Australia has a great capital. Darwin was for centuries, even before the formation of the Australian

Federation, the main gate for East Timor. Through nature and geographical position, Australia will play a very important role.

Senator LIGHTFOOT—Assuming the outcome of the election is for pro-integration, what role would Portugal play after that, and would Portugal accept that outcome unequivocally?

Ambassador da Silva—Sure. We said to the United Nations that, whatever the result, we will also assume our role there for the option of independence.

Senator LIGHTFOOT—You mentioned your time in New York, and I assume you meant at the United Nations headquarters—

Ambassador da Silva—In Geneva, I am sorry.

Senator LIGHTFOOT—How long do you see the administration period in East Timor with respect to Portugal's integral role in that changeover? There would be the United Nations, under the United Nations there would be Portugal, and we assume Australia and other countries would play a role somewhat subservient to that. How long do you see the Portuguese administration staying there?

Ambassador da Silva—My government has already declared that we assume it would be for at least two years, but it is not a rigid plan. By natural relations, moral obligation and historical links, I think Portugal is due to continue cooperation in East Timor for a long time, along with so many other countries.

Senator LIGHTFOOT—Would the committee be correct in assuming that Portugal's involvement again in East Timor may mean in some quarters that it will be re-establishing a form of 21st century colonialism in East Timor?

Ambassador da Silva—I do not think so. On the contrary, since the fall of the former regime in Portugal in 1974 and when the new regime went to the United Nations and declared that the new Portugal would accept independence due to all the former colonies, Portugal is a respected sovereign country and the world recognises that Portugal will never, but never, be and has no intention whatever of being in that position.

Senator LIGHTFOOT—So your assistance in the administration of East Timor would be defined as very temporary in assisting East Timor to establish itself as a full and integral member of the United Nations. Is that a cut-off point for Portuguese administration or assistance in administration in East Timor?

Ambassador da Silva—It is a legal obligation according to international law and to the agreement signed in New York by Indonesia and Portugal. Both countries, Portugal and Indonesia, assumed that we had obligations after the ballot. Indonesia cannot walk out after 23 or 24 years of occupation of East Timor. Indonesia must assume its responsibilities for what they did in East Timor, as we will assume ours. We will not fix a time, by historical links or any other. We will continue cooperation with East Timor for a long time.

Senator LIGHTFOOT—Just for the record, and I should have posed this question to you when we started: is it your view—and you represent the view of your country, naturally—that East Timor has never been part of Indonesia in an administrative sense? Geologically, geographically, that may be another question, but it has never been part of Indonesia—is that correct?

Ambassador da Silva—It is. There are more than 16,000 islands in the archipelago of Indonesia. Islands in themselves are different—we can see this around the world. Portugal was the first country in Europe to receive the first president officially, in a state visit, of the new republic of Indonesia. President Sukarno was received in Lisbon soon after the declaration of independence of the republic of Indonesia. President Sukarno never claimed that East Timor would be part of Indonesia.

Senator LIGHTFOOT—There will be a vacuum in terms of funds and finance for East Timor in the event of there being a vote for independence. Does Portugal propose to fill that vacuum in a money sense? I think the gap is somewhere between \$US30 and \$US40 million annually. Does Portugal propose to fill that gap in part? Could you please tell the committee your view on that?

Ambassador da Silva—My government will fill that gap, as declared officially, whatever will be the result of the ballot.

Senator LIGHTFOOT—Thank you very much for that. Mozambique, along with Angola, is a former colony of Portugal. Mozambique has chosen in recent times to become a full member, at invitation, of the Commonwealth of Nations. Given the proximity of East Timor to Australia, would you encourage East Timor, in the event of an independence vote, to become a member of the Commonwealth of Nations, in which Australia plays a significant role?

Ambassador da Silva—It will be for East Timor to decide. But be sure that whatever the decision of the East Timorese will be, I will be glad.

Senator LIGHTFOOT—I appreciate your answers very much indeed. Thank you, Your Excellency.

Senator BOURNE—Ambassador, from what you have been saying and from knowing you for a while, I assume that Indonesia is well and truly prepared to be involved in the next stage of this whole process, no matter what the outcome. Has Portugal been planning for the next stage or the next declaration by the United Nations—I would imagine it would still be a tripartite one, or even just Portugal and the United Nations—of what will happen after the ballot?

Ambassador da Silva—I am sure that Indonesia is engaged. The fact that the special representative of the Portuguese government for East Timor disembarked yesterday in Jakarta to speak with the Indonesian government, with Indonesian officials, is a good sign. That means a lot. That means that Indonesia is engaged, Indonesia is honouring and, we hope, will fulfil its obligations. It is the intention of the Portuguese government never to humiliate Indonesia. On the contrary, by our account five per cent of Bahasa Indonesia is of

Portuguese words. No other country in Europe can claim this, so we are a friendly nation to the Indonesian people and we are glad that Indonesia is cooperating.

Senator BOURNE—I have noticed on the television news that the Portuguese ambassador to Indonesia has spent a lot of time in East Timor and in the planning of all of this. Could you tell us if you know what her assessment is of the situation at the moment, and whether she is optimistic or pessimistic about the conduct of the ballot?

Ambassador da Silva—We are quite worried for security in East Timor. We praise the declaration of the Indonesian authorities, the Indonesian government, the commander-in-chief of the armed forces. Unfortunately, the situation on the ground is completely different, so we are quite worried about the situation on the ground in East Timor. This is the assessment of my colleague in Jakarta who is handling the interests of Portugal. But we hope that, with the decision of the Indonesian government to increase the number of civilian police, we could see an improvement on that.

Senator BOURNE—So for the conduct of the ballot, the registration so far and that sort of thing, you are optimistic, but security is still your main concern. Thank you.

Senator BROWNHILL—Australia is a very large bilateral aid donor to East Timor. Does Portugal give any aid, and can you quantify that in Australian dollar terms?

Ambassador da Silva—We are prevented, by the illegal occupation of East Timor, from giving aid to East Timor. In other words, my government would give a lot of aid, and some aid is channelled into East Timor through the European Union by the contribution of the Portuguese government and by NGOs and people in general, but because the illegal occupation of East Timor deprived the Portuguese government of its sovereignty in that territory we cannot. But we are giving, if I may say so, a lot through other channels.

Senator BROWNHILL—And you cannot quantify that?

Ambassador da Silva—No. I can check for you what the contribution is effectively being channelled to East Timor.

Senator BROWNHILL—In the event of independence, what would Portugal then do, again in dollar terms?

Ambassador da Silva—For the time being I do not want to speak about numbers because sometimes there are lots of ways to help a country, not only with money. For instance, a country that knows it quite well is Australia. Sometimes they have money but they cannot buy goods. I will give you an example, if you will allow me. A lot of countries were willing to give money to the trust fund of UNAMET. But the United Nations was asking that, instead of money, countries should give four-wheel drive cars because they are not available there. Be sure that the contribution of the Portuguese government for independence or autonomy will be something that will put us in the first rank. We are proud of our moral and historic obligations.

Senator BROWNHILL—I asked this question of previous witnesses. Obviously, Portugal has got a responsibility even though there is not a presence in East Timor. You have got plenty of past interests. What is the degree of your concern at the moment? Is it human rights? Is it health? Is it foodstuffs? What would you regard as the biggest problems associated with East Timor at the moment, notwithstanding your comments about Indonesia?

Ambassador da Silva—For the moment the biggest problem is security. For instance, regarding the displaced people, there is a shortage of food. NGOs here have made some big appeals for foodstuffs that are part of the diet of East Timorese people. There are health problems. When people are displaced from their houses they face real sanitary and health problems. From my government's point of view, those are the most important problems. There are needs for hospital assistance, medical assistance and so on.

Senator BROWNHILL—I think Senator Lightfoot asked the question about the deployment of United Nations troops. Would that be fully supported by Portugal?

Ambassador da Silva—Surely. That is the phase that will come after the ballot. According to international law, according to the agreement signed in New York, if the option will be for independence then that situation will be considered because there will also be some movement on the part of Indonesia. It depends how long Indonesia will stay there. Although Indonesia claims to have sovereignty in East Timor, that is the key problem regarding Australia. That is why the Australian government cannot say that it is for the peacekeeping operation there because Indonesia does not recognise that their troops and their police cannot cope with the situation.

Fortunately, the world—including Portugal, the United States, Australia and so many other countries—is keeping an eye open for the day immediately after the ballot, 31 August. Plans are being carried out in New York. The Indonesian government is cooperating to see, in a very real way, what will be the situation, because Jakarta knows that it will not be of interest for the Indonesian government and the Indonesian people to have some problems on the ground.

CHAIR—Your Excellency, your submission states:

Indonesia claims only 17 East Timorese political prisoners remain in detention, while credible NGOs put this number at more than 100.

Given that this submission would have been written some time ago, do you have any update on what the situation is in terms of political prisoners in detention within East Timor?

Ambassador da Silva—If I understand correctly, I appreciate that the NGOs claim a higher number than we said but, as you will understand, being deprived of our exercise of sovereignty in East Timor, we cannot check. So we rely a lot on friendly countries like Australia, NGOs and so on.

CHAIR—So you have no independent sources?

Ambassador da Silva—We do not have people to check, although these days, under the UN agreement, we have an observer mission in East Timor. Both countries, Indonesia and Portugal, have established an observer mission in East Timor. We will be entitled to check these numbers. I do not have the numbers with me. This is a very important problem. We want to see all these people freed. But the most important problem is security. That is why the observer mission of Portugal in Dili now contains experts.

CHAIR—The second issue I want to raise is the issue of East Timorese in Portugal. How many East Timorese are there in Portugal at this stage?

Ambassador da Silva—East Timorese who come to Portugal usually enter with one of two passports—a Portuguese passport or an Indonesian passport. Few of them are in Portugal with Portuguese passports. The great majority of East Timorese who are in Portugal are in Portugal with Indonesian passports. If they enter Portugal with a Portuguese passport, they are not controlled, as you know. According to the rules of the European Union, if you enter the borders of the Union in Stockholm, for example, then you are checked in Stockholm, but you cannot be checked by the law if you enter in the internal space of the Union. This is another difficulty.

Allow me to tell you that in the 23 years since the occupation of East Timor, not a single East Timorese has knocked at the door of the Portuguese embassy in Canberra, nor on the doors of the consulates of Portugal, to ask for Portuguese nationality. It means a lot. It means that East Timorese want to be East Timorese. Although they can apply for Portuguese nationality, not a single one of about 20,000 East Timorese here in this country has asked for a Portuguese passport. That is remarkable.

This is the best compliment for Australia. East Timorese people are settled here. They are close to their country and they would rather prefer to see things being settled in order to allow them all to go to East Timor or to be here. I do not want to say that they are not pleased to go to Portugal, on the contrary, but—

CHAIR—The reason I asked the question was that I wanted to see if I could establish the number of East Timorese in Portugal. I know the Australian government has done a skills audit of the East Timorese population in Australia to see what skills are available so that on the gaining of independence it may be possible to repatriate people to East Timor.

Has the Portuguese government undertaken a similar exercise with the resident population of East Timorese in Portugal to work out who of those people want to go back to East Timor, what skills they have, what part and what role they can play in an emerging independent East Timor? Has your government undertaken that exercise at this stage? If it has not, will it be undertaking that exercise?

Ambassador da Silva—I do not want to evade your question, but let me tell you frankly that I was surprised to hear that only 2,000 East Timorese are registered in Portugal. UNAMET cannot disclose the figures officially. Be sure that the number of East Timorese in Portugal is less than the number here in your country. I have been here for three years and different sources have said to me that there are between 15,000 and 20,000 East Timorese here. You have now the same difficulty that we have. Some of these East Timorese are

Australian citizens, so you cannot count them like this. It is impossible by law for Portugal to control people by origin. Apart from that—

CHAIR—I accept that, but I just thought that they may well have emerged with the changing circumstances that have taken place. But that has not occurred?

Ambassador da Silva—No, that has not occurred.

CHAIR—The last question follows on from one asked by my colleague, Senator Brownhill. It is on aid. You gave the view that it is indirect aid. Into what principal areas has the indirect aid been going: education, health and agriculture? Without telling us the dollars—you are not in the position to do that—where has the aid been channelled and will that change now?

Ambassador da Silva—I can tell you that aid to East Timor, according to the Indonesian government, cannot be done in a clandestine way. A lot of this aid is being done through NGOs. NGOs, in my opinion, are concentrating on foodstuffs, medical supplies and so on. On the other hand, other aid being sent to East Timor is through the European Union. Once you put together the package of the European Union, with the agreement of the Indonesian government, you cannot say how much belongs to each of the 15 countries raising the flag and doing the propaganda.

CHAIR—Thank you very much for appearing before the committee this afternoon. You have been a most welcome attendee at this committee. We thank you for the evidence that you have given us.

Proceedings suspended from 1.12 p.m. to 2.05 p.m.

Evidence was then taken in camera, but later resumed in public—

[3.06 p.m.]

COTTON, Professor James (Private capacity)

CHAIR—I welcome Professor James Cotton of the University of New South Wales College, Australian Defence Force Academy. The committee prefers all evidence to be given in public, but should you at any stage wish to give any part of your evidence in private you may ask to do so and the committee will consider your request. The committee has before it your submission. Are there any alterations or additions you would like to make to your submission at this stage?

Prof. Cotton—No.

CHAIR—The committee has agreed to its publication in a separate volume. I do apologise for the fact that we went over time with the previous witnesses. Given the constraints of Friday afternoon and the need for senators to travel to their homes, we will have to finish the proceedings at 3.30, as I indicated to you privately. I will invite you to make an opening statement. Any questions that the senators are unable to ask in the forum today will be sent by way of notice to you and then, if needs be, we will invite you back at a further stage if the Senate committee so desires. Over to you, Professor.

Prof. Cotton—Thank you very much. I am very pleased to be able to come. I supplied to you a copy of the introduction of my edited book. That covers the following territory: first of all, I review Australia's interests in the Timor issue. I then say something about the Timor debate in recent times. I think that is as much a debate about Timor as it is about Australia's past and Australia's responsibilities, and very much our conception of ourselves. The last part of that introduction gives you a chronology for some of the policy developments leading up to the development of UNAMET.

Since that time I have written a paper called "Peacekeeping" in East Timor: an Australian policy departure'. I supplied Robert King with a copy of that paper just recently. There I bring up to date some of the issues looking at developments since I wrote that introduction. I will just make a couple of points about that paper, if I may. It will be published shortly, so I am happy for it to be part of your proceedings as well. I say some things about the basis for the intervention in East Timor, and I make the point that this is very much a chapter 6 intervention. The UNAMET presence is there by agreement with the various parties, including Indonesia. It is a situation which in my opinion was probably the best that could be managed.

I followed with some interest the debate in this country regarding the need for an augmented presence, and very often people have used the phrase, the description, 'peacekeeping forces', when they have been engaging in this debate. I make the point in the paper that it would be most unlikely that a force that would have the capacity and legitimation to intervene with independent authority is simply not a prospect that is likely to have arisen, or is likely to arise, so that some at least of the debate about how UNAMET might conduct its affairs in a different way I think is unrealistic. I am happy to take some questions on that subject.

In listing some problems of the intervention, I note the fact that its political foundation is rather slender, because it was a Habibie initiative and he, as we can see, is probably not going to be the next president of Indonesia.

Senator LIGHTFOOT—You said it would not be whom?

Prof. Cotton—He is not likely to be the next president, I would say.

Senator LIGHTFOOT—I did not get the name.

Prof. Cotton—The present president, Habibie, is not likely to be president after November. I make the point that everybody makes: requiring the Indonesian authorities to be the source of security in the territory is problematic because, in some ways, one can interpret the past of the territory as being a conflict between the Falintil and their allies on the one hand and the Indonesian military on the other. So they have been parties to this conflict and to make them responsible for security is problematic. It is true that these people are police forces rather than military forces, but they were under a combined command until the beginning of this year. So the distinction between the two is fairly slight.

Another point is that one of the autonomy proposals being put to the voters in East Timor does have some shortcomings—in particular, there is nothing in there that really protects any particular offices as the property of the people from East Timor and, of course, the autonomy proposals could be rescinded at any time. So it is not an autonomy proposal of the kind, say, that one sees in Hong Kong.

I then make the point that, when I wrote the paper—post-ballot arrangements are still to be determined—whatever the outcome, the United Nations must maintain a presence in East Timor for some period of time. I note a couple of days ago in a report to the Security Council that the Secretary-General has underlined the importance for a continuing UNAMET. He has gone to the Security Council seeking a mandate for an extended UNAMET, irrespective of the outcome of the ballot. I think it is very important. I also think it is important for this country to support that proposal, as I say, whatever the outcome.

I then make the point in the paper that it is crucial not to underestimate the military stake in East Timor. It is a place where the honour and the record of the entire military establishment in Indonesia is at stake. The military took extensive casualties in East Timor. Nobody knows exactly how many, but one estimate puts it at between 5,000 and 10,000 killed since the intervention of December 1975 and, of course, there were many wounded.

Pretty well all of the senior officers in the Indonesian military served in East Timor. General Wiranto himself, to my knowledge, served two tours of duty in East Timor. So their reputation is very much on show. I think some of them might be worried that in a post-ballot situation, particularly with an independent East Timor, they may be called to account. They may be concerned, looking at events in Kosovo and Bosnia and other places, that they may be required to give an account of the things they did during the Indonesian occupation. I think we need to factor that in to any consideration of the military point of view.

We also have to take on board that pretty well all of the moveable property, all of the businesses and most of the real estate in East Timor are controlled by the Indonesian military or their companies or their nominees. Immediately upon occupation of the territory, all of the property owned by various Portuguese companies was taken away and assigned to military companies. It does not matter what industry you look at—pearls, timber, sandalwood, coffee—it is all run by military companies or on behalf of military companies, so that these people have a very large presence there.

One has to bear in mind too that, because a lot of development money has been spent in East Timor by the Indonesian government, a proportion of this has undoubtedly found its way to some of these military companies and people associated with them. So it has been a very lucrative business. I have suggested to some of the East Timorese that one of the ways they might ease the transition is to offer some kind of deal to these interests because this property will remain the property of these companies, even if the territory becomes independent. This might encourage them to detach themselves politically from the territory, if they could be offered some arrangement. I think that is a serious one. So the military stake in this territory is very great.

I discuss Australia's interests covering much the same ground as I discussed in my introduction to the book. I then make some points, though, that I think perhaps we ought to think about carefully—that is, all the way through the Timor saga, the countries of ASEAN have been absolutely solid with Indonesia. Apart from a single abstention by the Singaporeans at the very beginning, they have always voted with the Indonesians in the United Nations General Assembly on this matter. In fact, their cooperation has been very considerable. There was one story that the Malaysians provided arms for the Indonesians so these could not be traced during the early days of the occupation. More recently there have been a number of attempts by East Timorese and other human rights groups to convene meetings in ASEAN capitals to discuss the Timor issue, and these have been broken up or obstructed with the connivance of the various governments of ASEAN.

I make this point because, of course, whether we like it particularly or not, Indonesia is the biggest player in ASEAN and this is the regional organisation that in my opinion is here to stay. So if we adopt a prominent profile on the Timor issue—and I think there are some good reasons for doing that—there may be a downside in terms of our relationship both with the ASEAN countries individually and also with ASEAN as an organisation.

Lastly, in the paper that I have given you I make the point that the problems of East Timor would seem to me to be problems that will require quite a lot of time and quite a lot of money to sort out. Some of these problems are the traditional problems of underdevelopment, but the experience of the last 24 years has created some additional problems that we will need to deal with. So if we are committing ourselves to a prominent position in the post-ballot situation in East Timor, whatever the outcome, then this may be quite a long undertaking and may prove quite expensive. That is a very quick summary of my submission.

CHAIR—Thank you very much. I have one question. It has been put to us in a submission that part of the problem from the Indonesian perspective—I am trying to look at it from their side and get your view—is that to allow independence to take place in East

Timor will threaten their hold over the rest of the archipelago because of the problems in Aceh, Ambon, Kalimantan and so on. Therefore, whilst there might be a political will within Indonesia for something to be done positively for East Timor in the sense of independence, that will may not be shared by the military who see that the rest of the archipelago will be under threat by way of uprising, independence movements and so on. How does one address that particular aspect of the Indonesian psyche?

Prof. Cotton—Yes, I have heard that argument, and I think there are some grounds for it. I have also heard some Indonesians say that precisely because East Timor was never part of the Dutch East Indies—it was never part of the original territory of the republic—it is in quite a different category.

CHAIR—Do you think that would be accepted internationally?

Prof. Cotton—It does seem to me that its very different character in history does really set it apart. I have also heard some Indonesians say, in fact, ‘This whole exercise was a terrible mistake; the sooner that we withdraw ourselves from there, the more easy it will be for us to focus on our real internal problems. Far from being advantageous to the military, in fact this exercise has deflected us from what our purpose should have been. We should never have been anywhere in our territory an army of occupation, because that is what we have been. We have developed priorities and outlooks that are actually not appropriate for the kinds of tasks that we should perform, so it actually would be good for us not to in East Timor.’ So I think, yes, there are arguments from a strategic point of view, but I think there are some arguments on the other side as well.

Senator BOURNE—I have a question following on from one that I mentioned earlier today. You mentioned that people or companies associated with TNI members tend to own almost everything in East Timor, which is one of the reasons that has been put forward by many for it still being there inside Indonesia. Much of that property and those things were not bought in the normal way that we go about transferring property but were acquired at the time of the takeover. It sounds as if you do not think there would be any problems with property ownership after the result of the ballot, no matter which way it goes. Is that correct? Is that the way you see it?

Prof. Cotton—No. I think there are enormous problems every way you look. My suggestion was that some positive offer to them might actually ease their uncertainty in this area. I have said to Jose Ramos Horta and other people, ‘Really, one of the things you should address is giving them some undertaking that you would not simply try to take it all away from them but that you would offer them some middle course because that might actually induce them to relinquish some part of it.’ That is the one issue. The other issue, of course, is the human rights record issue which is also something where they really ought to offer them something.

Senator BOURNE—Yes. That is a very interesting point of view on property ownership and the ownership of all the plantations and what have you, and one that I had not heard before. Have you expounded that view anywhere?

Prof. Cotton—Nothing more than in the paper that I have submitted. Indeed, I have talked about this issue with a number of people and it seemed to me that it has not yet developed any firm proposals about what to do. The CNRT and other people do acknowledge that, yes, they do have this enormous stake, but when you ask them—and I have done this many times—‘What are you going to do with it; what is your policy,’ they say, ‘Well, we do not think people should profit from bad undertakings and bad policy of the past.’ But then I specifically say, ‘What are you going to do,’ and they say, ‘We really do not have a policy.’

Senator BOURNE—No. It is obviously something that is going to have to be addressed and it will have to be fairly soon.

Prof. Cotton—Yes.

Senator LIGHTFOOT—Professor, if you thought it practicable, short answers would be very much appreciated at this time of the afternoon because we are limited for time.

Prof. Cotton—Yes, I understand.

Senator LIGHTFOOT—You said that Dr B.J. Habibie would not be president. That begs the question: who will be president?

Prof. Cotton—The money is on Megawati, but it is possible a coalition behind some other figure would emerge.

Senator LIGHTFOOT—Who would be vice-president, do you think, as an academic guess?

Prof. Cotton—If Megawati does a deal with ‘Gus Dur’, or with Rais or one of those people, they may be on a ticket with Megawati.

Senator LIGHTFOOT—She could not unilaterally do a deal, could she?

Prof. Cotton—There will have to be a coalition of parties. She does not have enough votes by herself so there must be a coalition of parties. They are all busy talking to each other at the moment and they will be doing this for another month. It is a possibility.

Senator LIGHTFOOT—Yes. You mentioned that businesses, real estate and anything of value—intrinsically or otherwise—are owned by the army or the armed services, but that is a culture which is not peculiar to East Timor. It is a culture that has pervaded Indonesia since Bung Sukarno brought ‘freedom’. So it is a matter of coping with that particular culture, and I think that suggestion that you put forward offers some support for that. You said that ASEAN supports Indonesia in all respects—I think that may have been what you said—but there is one that it does not manifestly support Indonesia with and that is with respect to the Timor Gap Treaty. Can you comment on that?

Prof. Cotton—I said ASEAN supported, and this is past tense, because in the last few months the situation has changed so much that there are signs of some independent thinking on the part of other ASEAN countries.

Senator LIGHTFOOT—There is a certain fluidity there.

Prof. Cotton—Yes, I think that is right. Of course, the Timor Gap Treaty is something that is going to have to be looked at again. The CNRT have said that they will observe the conditions of the treaty but, of course, the independence ballot has not occurred yet and they have not become the government either. The whole thing is extremely fluid.

Senator LIGHTFOOT—The Timor Gap Treaty is very important to Australia and particularly to my state of Western Australia. Where do you see the negotiations going? Because of its design it is referred to as the coffin.

Prof. Cotton—The coffin, yes.

Senator LIGHTFOOT—So you are well versed with it.

Prof. Cotton—Yes.

Senator LIGHTFOOT—Where do you see the treaty going? Is there going to be some give and take or do you think it will largely remain the same?

Prof. Cotton—I am encouraged by a statement that Jose Ramos Horta made a couple of weeks ago. He said that he thought that the terms of the treaty were generally acceptable to his side and they would observe these conditions if they, the CNRT, became the government. I would say our position should be to say, 'Let's go with these terms, except transfer the rights that are held by Indonesia to an independent East Timor, if there is an independent East Timor.' If there is not an independent East Timor, and there is an autonomous East Timor, I would suggest that we might ask the Indonesians perhaps to invest some of these royalties that they get with the autonomous government.

Senator LIGHTFOOT—Professor, there has been some evidence given to this committee on a couple of occasions that up to a third of the population of East Timor, which would amount to about 250,000 people, has been killed during the problems over the last two decades or so. Do you still stand by your figure of 9,000 to 10,000?

Prof. Cotton—Mochtar Kusumaatmadja, the then Indonesian foreign minister, said in 1979 that 150,000 people had died. He said that was in connection with famine, civil war and the occupation, but we could imagine that was not an overestimate. Years have passed since then, so between that number and 200,000 is probably a reasonable figure, which is a frightening proportion.

Senator LIGHTFOOT—I have one last question. What sort of a government do you think will emerge? It is not a fait accompli and there is not a consensus on it but it seems to be leading towards the fact that there will be an independent East Timor. What sort of a government do you think will emerge from it and what assistance can Australia play in

ensuring that a government will be a continuous and fruitful government so we could suggest or help implement a model that will be ongoing?

Prof. Cotton—There are a number of political factions in East Timor. At the moment they are held together by the present situation but they may well part company after independence if there is independence. I would say our biggest impact could be on building civil society, making sure that the network of social institutions underneath the top political layer is sufficiently strong and resilient so that, whichever political party is in charge, the people themselves are empowered so that groups may come and go but the stability of a society not be threatened. Of course, directing our development aid to all kinds of development assistance, particularly in those areas where East Timor is likely to be best developed—for example, in the coffee business, sandalwood, timber, pearls and things like that—might also be a useful thing to do.

Senator LIGHTFOOT—Perhaps a directly elected president might be appropriate under the prevailing circumstances, Professor?

Prof. Cotton—We may be able to learn something, yes.

Senator LIGHTFOOT—Thank you very much.

Senator BROWNHILL—Professor, it has always amazed me how about 800,000 people have kept up a resistance for 24 years against 200-odd million people. How has that happened?

Prof. Cotton—It is an extraordinary fact. The terrain of the country has been particularly suited to guerilla warfare. I think there is a strong cultural factor and that is that the Catholic Church has been a very powerful influence in East Timor society. The evidence is that, since the occupation began in 1975, it has become more influential because it is the only organisation that cannot really be controlled by the Indonesians. That, I think, has given the society very great resilience and that is something that is quite unique to East Timor. There are many Catholics in the rest of the islands of Indonesia, but the Catholic Church is organised in East Timor directly from the Vatican. There is no connection with the Indonesian Catholic community, so it has been allowed to maintain a separate existence.

Senator BROWNHILL—You are not implying that there have been strings pulled by a foreign state in the centre of Rome?

Prof. Cotton—I do not think there is a lot of evidence for that. I think the evidence is that people took refuge in the Catholic Church because this was the only organisation where their culture was protected. Remember that Portuguese, which was the language of the elite, was outlawed by the Indonesians when they came in and people were required to learn Bahasa Indonesia. In many ways the country was turned into a province of Indonesia in every respect. It was only with the Catholic Church that the people could seek refuge.

Senator BROWNHILL—From a defence perspective, how is an independent East Timor going to affect Australia's defences?

Prof. Cotton—It depends very much on how stable East Timor is and very much also on the Indonesian attitude. In both respects, we could use such good offices as we have to make sure that, whatever the outcome, the Indonesians in the home islands take the claims of the people in East Timor seriously and develop an amicable relationship. The East Timorese have said that they are prepared to do that. But interestingly, rather than join ASEAN, they say the South Pacific forum is their first foreign policy objective because they think that they would be most comfortable there. I think that too. We could help facilitate that.

Senator BROWNHILL—So our diplomacy with Indonesia, in the event of that happening, is going to be very important.

Prof. Cotton—Absolutely. For us, it is the number one foreign policy issue. Right now it is the most important foreign policy issue since 1975.

CHAIR—I have just one final question. If independence is granted and Indonesia withdraws its armed forces and police, would this require the deployment of an armed UN force to maintain security until a local security force is established?

Prof. Cotton—The proposal of the UN Secretary-General a couple of days ago says that both the numbers of police and military people should be augmented in UNAMET. That should be extended beyond the ballot date of the end of August and these people should have additional tasks. He has taken this proposal, as I understand it, to the UN Security Council and this will be debated there. It would be in everybody's interest if the post-ballot responsibilities of UNAMET were to be augmented so that other kinds of issues can be addressed, including public order issues.

CHAIR—Unfortunately, that is where we have to stop this afternoon. Thank you very much for coming along. I am sure that there are some questions that the secretariat will put in writing to you on notice. If you would be prepared to send back an answer to help us in the drafting of our report, we would be most pleased indeed. Thanks very much for your candour.

Committee adjourned at 3.32 p.m.

