



COMMONWEALTH OF AUSTRALIA

# Official Committee Hansard

## SENATE

FOREIGN AFFAIRS, DEFENCE AND TRADE  
REFERENCES COMMITTEE

**Reference: Economic, social and political conditions in East Timor**

FRIDAY, 27 AUGUST 1999

MELBOURNE

BY AUTHORITY OF THE SENATE

## **INTERNET**

The Proof and Official Hansard transcripts of Senate committee hearings, some House of Representatives committee hearings and some joint committee hearings are available on the Internet. Some House of Representatives committees and some joint committees make available only Official Hansard transcripts.

The Internet address is: **<http://www.aph.gov.au/hansard>**

To search the parliamentary database, go to: **<http://search.aph.gov.au>**

**SENATE**  
**FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE**  
**Friday, 27 August 1999**

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

**Substitute members:**

**Participating members:** Senators Abetz, Bolkus, Boswell, Brown, Calvert, Chapman, Cook, Coonan, Crane, Eggleston, Faulkner, Ferguson, Ferris, Forshaw, Gibbs, Gibson, Harradine, Knowles, Mason, McGauran, Parer, Payne, Tchen, Tierney and Watson

**Senators in attendance:** Senators Brownhill, Hogg 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.

**WITNESSES**

<b>ARISTOTLE, Mr Paris, Director, Victorian Foundation for the Survivors of Torture</b> .....	<b>299</b>
<b>AUBREY, Mr Jim, Executive Spokesperson, Australians for a Free East Timor</b> ...	<b>313</b>
<b>DEAKIN, Bishop Hilton Forrest, Chair, East Timor Human Rights Centre</b> .....	<b>340</b>
<b>ENSOR, Mr James, Advocacy Manager, Community Aid Abroad</b> .....	<b>327</b>
<b>GUTERRES, Miss Isabel Amaral, Member, Mercy East Timor Health Network</b> ...	<b>285</b>
<b>HALLIDAY, Ms Margaret Therese, Social Worker and Founding Member, Mercy East Timor Health Network</b> .....	<b>285</b>
<b>HAULTAIN, Ms Lynne Catherine Outram, Acting Chair, Committee of Management, Victorian Foundation for the Survivors of Torture</b> .....	<b>299</b>
<b>KAPLAN, Dr Ida, Direct Services Coordinator, Victorian Foundation for the Survivors of Torture</b> .....	<b>299</b>

<b>KENT, Ms Lia, Policy Coordinator, Community Aid Abroad</b> . . . . .	<b>327</b>
<b>NORONHA, Ms Ana, Executive Director, East Timor Human Rights Centre</b> . . . .	<b>340</b>
<b>TAYLOR, Miss Martine, Founding Member, Mercy East Timor Health Network; and Manager, Northern Birthing Support Service</b> . . . . .	<b>285</b>

**Committee met at 9.46 a.m.**

**GUTERRES, Miss Isabel Amaral, Member, Mercy East Timor Health Network**

**HALLIDAY, Ms Margaret Therese, Social Worker and Founding Member, Mercy East Timor Health Network**

**TAYLOR, Miss Martine, Founding Member, Mercy East Timor Health Network; and Manager, Northern Birthing Support Service**

**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 witnesses from the Mercy Hospital for Women. 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?

**Ms Halliday**—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.

**Miss Taylor**—The Mercy East Timor Health Network was formed after four staff members from the Mercy Hospital for Women visited East Timor in May 1998 for a 10-day study tour of the Catholic health facilities in East Timor. This interest in East Timor developed for a number of reasons: East Timorese women and their children were users of the hospital; the proximity of East Timor to Australia; the key role the Catholic church plays in East Timor in expressing and maintaining culture and identity; and our growing awareness of the poor health of East Timorese women and children, both in Australia and in their homeland.

Based, as we are, in a Catholic hospital within a community comprising the East Timorese, our continuing involvement with the Mercy East Timor Health Network has been a natural progression. The key issues we want to talk about today are under the following headings: Catholic health clinics, hidden issues for women, nurse training, housing, nutrition, war trauma, and projects.

**Catholic health clinics:** as the report has indicated, primary health care services are provided by a combination of Catholic mission clinics and Indonesian government clinics. There are also government hospitals and one Catholic hospital at Suai in the south of the country. There are 24 Catholic clinics in East Timor, 19 of which are participants in the TB program funded by Caritas Norway. We visited eight Catholic clinics, one government hospital and the one Catholic hospital at Suai.

We wish to acknowledge the achievements of the Catholic clinics in delivering primary health care services throughout the period of Indonesian military occupation under extremely

difficult circumstances. Staff, who were in many cases volunteers, have worked with extremely limited support, training and resources. The willingness and dedication under such conditions and the trust shown by ordinary people in them and in the clinics is remarkable.

We have been told that every clinic comes up with its own structure and that training is crucial in the following areas: planning and organising workloads, lines of accountability and professional boundaries, time management, discipline and documentation, and monitoring and supervision. We were told that there is a lack of coordination of resources and personnel, and nepotism has been reported as a feature of the way resources have been allocated to the clinics. There is no universal health care coverage. People must pay for health care and medicines. Catholic clinics are often the only affordable means of health care.

We were told that it is not uncommon for untrained clinic staff to prescribe medicines. The TB program sponsored by Caritas Norway appears to us to be functioning fairly well. There was a regular six-monthly monitoring and training program conducted by an external Caritas evaluator. Even then, there were still substantial difficulties with drop-out rates, stigma associated with the disease and difficulty accessing remote villages. We have been told that the program has currently collapsed due to militia activities.

Hidden issues for women: in many cases the geographical isolation of women and families has major implications for accessing health services, health information and ongoing health care. We were told of a remote hamlet in the mountainous Venilale region that could only be accessed on foot, and it took two hours to walk to that hamlet.

We were told about the position of women in a traditionally patriarchal society. Their position of inferiority has been exacerbated by the impact of 25 years of trauma from war, which has led to an increase in the prevalence of domestic violence. Health care workers commented upon the issues for young girls growing up in such a culture where their sense of self worth is often minimal. The program of contraception, initiated by the government through the government health clinics, has led to an increase in suspicion by East Timorese women towards government health facilities and workers.

Nurse training: we were told that nurses prefer to go abroad to study, as they feel the subjects and training provided by the government are sometimes not relevant to nursing. It was difficult for us to find potential training programs in Australia which would be relevant to primary health practitioners in East Timor. We think it is important for the government to consider reviewing the visa rules to facilitate short-term training in Australia and East Timor. This could make exchange programs for health practitioners, including volunteers, more effective.

Housing: on our journey throughout East Timor, we saw many villages comprising groups of thatched dwellings. We were told that these dwellings were not in good condition. We were told that in most villages entire families live in these one-room thatched huts. We were also told that everything happens in this room: cooking, eating, sleeping and childbirth. Here new born babies, often delivered by traditional midwives, are cared for in front of the smoking fire. There is no chimney and no clean running water. The poor sanitation and living conditions and lack of clean water aids the spread of tuberculosis, dysentery, malaria

and skin diseases. Water catchment appears to be non-existent. Running water catchment is non-existent.

**Nutrition:** we saw many people who appeared to be malnourished. It appears to be a major issue for the entire population. We were told that people do not have a balanced diet. Rice and maize is the staple diet. If they have beans or vegetables, they are not eaten, but are sold for money.

**War trauma:** we were told that the level of fear amongst the people has a profound impact on all health programs. This is only very informal information at this stage on the significance of 25 years of war on the mental health of people and their ability to build a civil society. The effects of war have also contributed to the prevalence of general mistrust and nepotism. There is no program that addresses mental health in any form. We believe that it is crucial for health initiatives in Australia to be properly coordinated.

**Projects:** the water project at Suai was undertaken by AusAID. It is an example to us of the importance of balancing local ownership with ongoing monitoring and support. The water pumps at Suai did not work. They had been handed over to local ongoing management. However, corruption and the absence of a regular monitoring system have meant that the program has essentially failed. That is the end of the presentation.

**CHAIR**—Thank you. Do any of your colleagues wish to make a statement to us?

**Ms Halliday**—No.

**Senator BROWNHILL**—Thank you for that submission. Is there any evidence or anything on the record as to how things have changed in the last 20, 10 or five years, or in the last year? How much worse or better have things got in the last 20 years, as far as health is concerned and all the things you have talked about?

**Miss Guterres**—I am an East Timorese; I was living there before the war and I came to Australia in 1996. Before that, we did not have that many problems, I guess, because people were living in their own villages and had not left the villages to live in small towns. So the majority of people were farmers. They are all up in Dili because they cannot farm. It is controlled by the military so it is very hard for people to have a proper farm and proper nutrition. With respect to the houses in which they live, the majority live in one room, so disease can spread throughout the family. Also, before, health care was free; we did not have to pay for that in the time of the Portuguese.

**Senator BROWNHILL**—In your submission you talked about the maternal mortality rate being 235 per 1,000 births. Was it always the same or has it got worse?

**Miss Guterres**—It is really hard to give a correct answer because we have not got the statistics relating to the Portuguese time. By way of an example, I come from a family of 10 and we all lived. At least, that is the case in my village; a few people died at birth or from infant mortality.

**Senator BROWNHILL**—I also noticed in the submission that people prefer Portuguese trained nurses. Is that correct? Does that mean that the people who are being trained now are not well enough trained or are they just not accepted?

**Miss Guterres**—Because of the way that the nursing training is conducted, people do not believe that they are well trained, so they have more trust in the old nurses from the Portuguese time. It is a matter of trust.

**Senator BROWNHILL**—If it takes a doctor five hours to walk to reach a woman who has been in labour for 24 hours, you would need a heap of doctors there, if they have that much walking to do. The amount of kilometres or miles travelled and hours taken to travel per patient would be quite horrific.

**Ms Halliday**—I think it also emphasises the importance of how local health care is delivered at the village level. The issue of trust in local midwives, nurses and health care practitioners is a crucial one, because if they are able to provide outreach care, they can work with the traditional midwives, for example, in talking to women about their antenatal and postnatal care. At the moment that is extremely difficult to do because of the issue of trust, because of the dislocation of families and because of the lack of training for midwives and nurses that is at a level that is having a beneficial impact.

**Senator BROWNHILL**—What is your summation of the situation if East Timor becomes independent, compared to the situation if it stays integrated with Indonesia? What is your ballpark feel for how health problems, et cetera, will go if it is independent compared to if it stays the way it is at the moment?

**Ms Halliday**—Speaking personally, I think a crucial issue is how much the East Timorese feel they can own and control any local health programs. If they are encouraged to participate and have a say in how those programs are formed and delivered, then the issue of trust can be addressed in some way. At the moment, however, the relationships from our view appear to be stronger towards the Catholic health clinics than towards the government health clinics because of that crucial issue of trust. I would think the degree of that long, slow, hard work of actually working at the village level to build up that trust is going to be crucial.

**Senator WEST**—You mentioned the AusAID water project at Suai, which was basically a failure because the pumps had failed. Have you passed that information on to AusAID?

**Miss Taylor**—Yes. We saw the pump for ourselves. It was not in operation and we did pass that information on. We were furnished with the explanation that the project was handed over and that is where it appeared to have fallen through.

**Senator WEST**—Do you have an ongoing relationship with AusAID? Are you in contact with them regularly?

**Miss Taylor**—Not regularly, but there is some minimal contact.

**Ms Halliday**—The East Timor Health Network is part of a network of agencies which is associated with ACFOA, and through ACFOA, with AusAID, so our links are established in that way.

**Senator WEST**—To your knowledge, the pumps are still not working at Suai?

**Miss Taylor**—As far as we know.

**Senator WEST**—You mentioned that there was no mental health program. Did you see much evidence of mental illness in your travels?

**Miss Taylor**—There is one example quoted in the report about the mother carrying her young child. We did not witness that, but it was a story that was very vivid to us. Not so much in the vein of mental illness, but certainly in terms of disability, I have a very clear picture of a disabled person dragging themselves along the streets of Dili—no wheelchair or crutches. In terms of mental illness, perhaps the atmosphere could tie into that issue.

**Senator WEST**—There are no psychiatrists, psychologists or social workers, and no mental health nurse training?

**Miss Taylor**—Not that I am aware of.

**Senator WEST**—The figures that you gave us of the illness rates indicated a high incidence of syphilis. That is one sexually transmitted disease. Do you know what the incidence of, say, AIDS is because AIDS, HIV and hep C are of course also sexually transmitted? You have listed that as a common and often fatal illness. Do you know—or do you know of anybody who would know—what that problem is like? Is it going to be an increasing problem? I would be surprised if it were not going to be an increasing problem.

**Ms Halliday**—I think that information came to us via the health unit of Caritas Dili. At the time we were there their TB program was up and running and improving in effectiveness every month. Their next major program was going to be to address the AIDS incidence. Part of the greatest challenge for them was to try to develop some accurate statistics on how prevalent it was—what was happening, how it was being transmitted and ways of addressing it. That was in its very early stages last year, and I do not know what has happened since.

**Miss Taylor**—From my memory, they were trying to get a coordinator for this HIV program. I think they were having difficulty getting that person.

**Senator WEST**—That also would be a disease that is apparent there, but because it has a long incubation period and a long latency period it may not have shown itself as a problem. You talk about the need for training, particularly nurse training, and you called for a review of the visa applications and issuing. What type of program do you think is required in terms of the nurse training? Is it basic or specialist nurse training areas? Is it registered nurses or assistant nurses? I would like to explore that area with you.

**Ms Halliday**—Prior to going we looked at a range of programs happening in Australia to see what the possibility was of some exchange training happening. We found some primary

health care being offered at the university in Darwin, which had a relationship, from our understanding, with the University of West Timor. That was the only incident we could find of a primary health care program that may be of some relevance to nurses and health providers in East Timor.

Since we have been back we have looked at the practicabilities of health exchange programs not only for nurses and primary health care workers but also for doctors, surgeons and volunteers in the health area. One of the things we found was the practical difficulty of having visas processed in a timely way. Obviously, this has been because of the political situation. So it has been very difficult for us to push ahead on this issue of, for example, health practitioners coming here for a limited period of time and then returning with the skills that they have acquired.

Just to go back to the area of nursing, I think there are two main areas: one is in the area of maternal and child health nursing—a crucial area to be addressed, I think—and the other is in the area of midwifery and community development work. As far as we understand, the training which is provided at the moment works with an Indonesian curriculum, and it seems to us that the status of nurses is very low in East Timor, that it is not regarded as a professional career. In order for that to be addressed, improved education for nursing training seems to be needed such that the standards that are expected can be upped, if you like. We saw examples of midwives in Dili with very different views about what it is to be a nurse and with very little understanding of issues of respect and politeness towards their patients—issues as basic as that. There seemed to be a belief that if you were too nice to your patients they would never go home, they would never leave the hospital, so you had to be very businesslike. The issue of service to your patients was quite foreign.

**Senator WEST**—We have had evidence from another witness that the level of education in East Timor—in Indonesia in general but certainly in East Timor—is not particularly high, and particularly for women. As is usual in developing areas, the women have a lesser education. If you are wanting to set high standards for your RN and your EN training but there is a gap between that and the base level of education that you are starting off with for the average person, how do you think you can bridge that gap between the low level of basic education and the need to have a higher level of professional education?

**Miss Taylor**—In relation to nurse training, it appears that the graduates have mostly the theoretical aspect of the training and it is the clinical angle that they need experience in. I know that is not quite answering your question, but that is the one area. They come out with the theory but it is actually the hands-on, practical—

**Senator WEST**—They lack the clinical experience?

**Miss Taylor**—Yes, and also the managerial—organising workloads and accountability responsibility, those sorts of managerial issues. That seems to be a weak point.

**Senator WEST**—Would one of the things that they would benefit from be actual training in health administration and in training the trainer type of work? Is there a need for training up of people so that they can go back to the wards and instil some of that practical clinical experience?

**Miss Taylor**—Yes, I think the administration part and also the clinical. We tried to facilitate one or two people to come over to build up on their clinical skills. They were really wanting to do that. That was an example where the visa and those issues relating to that exchange were difficult.

**Senator WEST**—So you have been able to identify individuals who would suit. Where has the failure been—in the fact that they have not been able to get a visa or it has taken too long or that events over there have overtaken the situation?

**Ms Halliday**—The latter—the difficulty of leaving and getting someone to replace them when the needs are very pressing over there and the difficulty of getting visas in time to fit in with their own circumstances at home. The situations of the people we identified when we were over there have changed dramatically in the last 12 months, and they are unable really to remove themselves from the practical work that they are doing at the moment.

**Senator WEST**—Is there any relationship or is there any coordination with groups such as the Royal College of Nursing, the New South Wales college, the colleges of midwifery and the university teaching training programs or with World Health? Have any of those had an involvement together?

**Ms Halliday**—There has been a lot of NGO activity in Australia in relation to health areas. We are very much latecomers in that regard. I think there has been a recent delegation from the ANF to East Timor. We have had meetings with the Royal Australian College of Surgeons. Interplast has been involved as well at various times. I think one of the issues that we have realised is most pressing is coordinating NGO involvement from Australia into East Timor. It is absolutely vital for there to be some way of mapping the resources available in Australia, the goodwill and the expertise that is available, and coordinating that in the service of the priorities as nominated in East Timor. At the moment the health network we are involved in has written a submission for funding for a position for one person to take on that role of trying to coordinate NGO activity in Australia with a corresponding position in East Timor specifically in the health area because there is an enormous amount of activity all uncoordinated at the moment.

**Senator WEST**—So there can be duplication and reinventing of the wheel.

**Ms Halliday**—Yes, and it is very costly in terms of time and resources for East Timorese people, too. If we are talking to them about good management and not employing those principles here it does them a disservice.

**Senator WEST**—Who do you think should be responsible for the overall coordination? Is there one organisation, one body? What role should government have as well?

**Ms Halliday**—Speaking personally, I think government should be encouraging those agencies with a good track record to take the initiative and to work with the programs that they are already thinking of developing or are already involved in. I think the fact that AusAID has given money, for example, to Caritas Dili and to Caritas Australia to conduct specific health care programs is a good example of that. Caritas has the track record; they have got the trust of the people and they are able to deliver. I think they have done

extraordinary work in the last few months trying to coordinate the work of the Catholic health clinics, trying to get a regular supply of drugs, trying to get the drugs out to those clinics, trying to do an inventory of what is available. That seems to me to be a good way forward.

**Senator WEST**—There are just a couple of other questions. You mentioned contraception and people being hesitant about it because of the suspicion of government services. What did you mean by that? We have had other people say that there is some compulsion involved with sterilisation. Is that the reason? What did you mean by that?

**Miss Taylor**—Yes, the compulsory contraception which is part of the government program.

**Senator WEST**—Is it tubal ligation?

**Miss Taylor**—We have been told Depo-Provera, the injection.

**Senator WEST**—So you certainly had evidence from people when you were there—from women—that this had happened to them?

**Miss Taylor**—Yes.

**Senator WEST**—Just the use of Depo-Provera and no other alternatives or other education programs or anything like that?

**Miss Guterres**—They have tubal ligations and the pill but the majority have Depo-Provera without their knowledge.

**Senator WEST**—Are they giving their informed consent to have this or is it that they just happen to go near a government health centre and get an injection?

**Miss Guterres**—At the village level it is without consent. In Dili some of them have knowledge and do consent.

**Senator WEST**—When you say that it is given without their consent at the village level, are the women rounded up to have their injections, or does it just happen when they go near the government health service?

**Miss Guterres**—Yes, they go to the government service. They have a price for the fewer children they have. They have been told it is good for them but they have not been told about the side effects.

**Senator WEST**—So they are given additional food and incentives to have the injection?

**Miss Guterres**—Yes.

**Senator WEST**—What are the incentives that they are given to have it?

**Miss Guterres**—If you work for the government, two children will have support from the government. If they are sick, they are not paid. If they go to the hospital they are entitled to the support. That is information that we get. I do not know how accurate it is.

**CHAIR**—I follow up on the issue raised by Ms Halliday because the prioritising of needs has been one of my great concerns in this inquiry. Without sounding harsh in any way, we see needs in terms of the type of environment in which we live. They are probably very basic needs. Are we making too big a rod for the back of the East Timorese by necessarily having our expectations become their expectations? Do we have a reasonable enough assessment of what they see as their very primary needs? Whilst we might see something as being primary within our environment, it may well be an excess to what their basic primary needs are. We might not address their real primary needs. How do we avoid that? What are their primary needs? Can you give us some sort of idea of the priority of their needs in the health area or other areas?

**Ms Halliday**—I think there is a real risk that we impose our priorities on them. That has been something that health workers in Melbourne that we have had contact with have also identified. There is a level of expertise and skill in Melbourne, Sydney and Darwin that is ready and willing to step in when needed. The important thing is to match that level of expertise with the priorities as articulated by the East Timorese. There are several ways that that is being done.

One is simply through the information that has been gathered by trips such as ours where we have spoken to the health care workers and the people coming into the clinics. We have an idea of what are the main reasons and main illnesses bringing people in from their villages. They are very much the primary health care issues of dysentery, anaemia, skin rashes, TB and malaria.

**CHAIR**—Yes, I noticed in your submission that of the deaths in 1995, TB accounted for 15.7 per cent and malaria 11.8 per cent, so that adds up to nearly 27 per cent. Almost one third of the deaths were caused by malaria and TB. It would seem that, whatever other demands might be there, attacking those two alone would have a significant impact on the mortality rate in East Timor. That might not necessarily line up with some of the other priorities which other people might have. Is this the way that we should think about these issues?

**Ms Halliday**—From our point of view, these are clearly being identified by local people as the most pressing needs that affect their day-to-day ability to get on with their family lives. The ability to address those needs has been severely impacted upon by the current situation. The TB program is in disarray. That model was working exceptionally well because it was so rigorously monitored and was such a hands-on program. I do not think the issue of prioritising the needs is significant. A lot of that work has been done.

The primary health care model is the one that we are suggesting fits most appropriately. For example, Caritas has just identified the WHO list of primary health care drugs, trying to establish a protocol throughout their clinics so that these will be the drugs that will be requested, bought and administered and so workers will be trained to use them appropriately. In the past workers have not been trained to do that. They have used whatever they have got

in as donations, often very inappropriately, not finishing courses of antibiotics if they can get them. I do not think identifying the priorities of the East Timorese is that problematic. They have done an enormous amount of work themselves. Maternal and child health care and infectious diseases are the primary areas that time and time again have to be first addressed.

**CHAIR**—One issue that goes hand in glove with the identification is also the ability to communicate and educate. As you have just said, people do not necessarily complete their course of prescription medicines. Given the state of general education within the community, that poses a difficulty in its own right in overcoming some of these basic health problems. How can that be addressed? One can say, ‘Educate the population in general terms,’ but given that post 31 August there is going to be for a while a transitional state, what could be done in that transitional stage to start to educate the people about basic primary health care?

**Ms Halliday**—I think you need to take short-, medium- and long-term views of the problem. The challenges are enormously long-term in the area of health education. You cannot get away from the fact that it is long-term work because a lot of the issues around education for health care rely on face-to-face contact, outreach work and forming relationships at the village level. That is long-term work and there is no way around it. Impacting upon that also are issues of trust. Who do you trust? Can you trust family members? Can you trust Catholic nuns? Can you trust your local midwife or are you better to stick with your traditional midwife? There is no escaping the fact that it is long-term work. You need East Timorese trained and skilled on the ground to start that long-term work of building relationships and of educating.

A lot of it is going to be outreach work—walking long distances maybe once a week, doing a Sunday in the village with the village women, talking to them about breastfeeding or washing hands. They are very basic issues; they are long-term issues. Our focus was not education, but when we looked at the number of children we met in the orphanages as we travelled around, often staying in orphanages, there was a huge number of girls in particular, there were children who have been dislocated—they might have lost both parents, or lost one parent and the other parent might be in the hills or anywhere, really. The issue of education for those children is huge. The issue of whether they have any hope for their future, anything to look forward to, is huge.

**Miss Taylor**—As well as building new strategies, it is building on what is already there which is working well and building on the programs in existence, particularly the outreach programs, because there are a number of examples of outreach programs to some of the remoter villages. So it is building on what is already there, as well as looking at new strategies.

**Senator BROWNHILL**—You mention education, but how are you going to educate in all the things you are talking about when, as you say in your submission, traditional practices have caused a lot of the poor state of health of people—things like the wife purchasing program, for example? Isn’t it a cultural change, rather than an educational change, that will be needed to fix the health problems?

**Miss Guterres**—Again, we have to go back and talk. As my colleagues say about Caritas, maybe you can point out some of the cultural things that are affecting the health

issues so that people can understand and not necessarily get rid of our cultural ways but just improve them a bit in relation to health. For example, with barlaque, where they buy a wife and the wife is forced to work hard for the family, you can point out that that is not good for their health. That is one of the things that you can do for the people in East Timor by pointing out these issues to them.

I want to add to what my colleagues have said. We mentioned earlier the expertise in East Timor. If we are a bit worried about the expertise in East Timor, maybe we can help them by sending experts to help in doing a survey. I know there are some people here who have been working in tropical health diseases and there are other experts who have worked in New Guinea and other areas who could help by doing a proper survey and identifying the priority needs so that proper help can be administered.

**CHAIR**—One of the difficulties I see emerging from this inquiry is that a wide range of needs is being put to the committee in a diverse range of areas that, at the end of the day, will require vast amounts of money, let alone anything else. Obviously there is not going to be a bottomless pit of money, whether it be from our government or from other governments throughout the world, to address the problems that are manifest in East Timor. How does one therefore address the priorities? You have come up with the health problems, which I concede, but there are other groups that come to us with different ranges of problems. Given that there will be a limitation on resources, whether they be provided through the United Nations or whatever, how should the priorities be set? Obviously that will come from the East Timorese themselves. And will that frustrate some of the people who support improving the general lifestyle and livelihood of people in East Timor?

**Ms Halliday**—I think the East Timorese have been active in trying to identify their priorities in a range of areas. Last year and this year they have been very busy doing that work. Certainly the East Timorese who are part of the health network have talked about the importance of partnerships, that they need the expertise and experience of people from Australia in a whole range of areas, but that projects will not succeed unless they have a sense of ownership of those projects. We have to respect that, but also we have to be mindful that there are things that we do have to offer that they do need. They are saying that they want that partnership to work on both sides, that we both have to get something out of it: health professionals have to get something out of it and the East Timorese have to get something out of it.

**CHAIR**—When I read your assessment, one thing that jumps out at me is about the network of roads. It would seem that if there was a reasonable or a proper road system—I have not been to East Timor—then that, of itself, would break down some of the barriers. Are these the sorts of things that need to be properly prioritised from within? That may well be as significant a contributor to the health of people as trying to put an extra 400 nurses in there, but putting the 400 nurses in there has no effect because there is no ability for the people to move freely from one village to another. Is that the sort of thing that people need to address properly?

**Miss Taylor**—We could not get to Bobonaro clinic because of the state of the road. That is an example. We wanted to go and see it, it is quite remote, but we could not get there because of the road conditions.

**CHAIR**—The other thing that could be important is the access to short-wave radio as a means firstly of people being educated, becoming aware of different facilities, different things that will improve their health and so on. What is the availability of short-wave radios for people in that part of the world? The reason I raise this is that one of the other inquiries that I was involved in a little while ago was on Radio Australia and I am just wondering how important something like Radio Australia would be to people in East Timor. I do not know if the footprint reaches there currently. I do not think it does. I think it used to come off the Cox Peninsula.

**Miss Guterres**—In Dili it depends upon the type of radio they have got to receive it. In some areas, at the village levels, they do not.

**Senator WEST**—We need to define very clearly what basic public health is. I would suspect that if we had adequate housing, clean water and adequate nutrition that you would see the incidence of tuberculosis drop, and you would see respiratory tract infections drop. Maybe you would see no change to asthma, but with adequate and appropriate treatment of water and the non-storage of water in stagnant pools, malaria would disappear. It would certainly have a major impact on gastroenteritis, and on skin problems. Clean water and just washing hands is what is required. My recollection is that the biggest decrease in mortality and morbidity figures in any health sphere, at any time, has followed the introduction of washing hands and the introduction of some very, very basic programs that Lister and Pasteur implemented.

**Ms Halliday**—That is absolutely right. We were struck by the lack of water catchment. For example, with thatched housing you cannot catch water from the roofs. Therefore, you cannot have a tank. Women might have to walk quite a distance to collect water from a stream from the mountain. If there was access to clean running water, what a huge impact that would have. That is an example of the complexities of delivering that on the ground.

**Senator WEST**—But I am right in saying that they are the basic elements of good public health.

**Miss Taylor**—Yes.

**CHAIR**—What is the current commitment of the Mercy Hospital in East Timor? Is there any current commitment and are there any future commitments post 31 August, regardless of the outcome?

**Ms Halliday**—We are employees of the Mercy Hospital for Women. The East Timor Health Network is based at the hospital and the hospital supports the work of the network. Part of what the network has done has been to investigate the possibility of exchange programs for training for medical and nursing practitioners. We have looked at the possibility of a sister relationship with the hospital at Suai where facilities are ready to go but there are no trained people to use them. There is also the issue of looking at funding for a national coordinator for NGO health initiatives in Australia. That is the current work being proposed and looked at, but in a sense the health network is not the Mercy Hospital for Women.

**CHAIR**—But it was through the initiative of the Mercy Hospital for Women that the first study group went.

**Ms Halliday**—That's right.

**CHAIR**—Given the relationship between the network and the hospital, is there any intention on the part of the hospital to send another study group in an independence environment to assess changed circumstances? You have the pre-model. Are you going to send another group to look at the post-model, that is, post-Indonesian occupation?

**Ms Halliday**—Nothing is being proposed at this stage. I think the hospital is supporting the work of the network as it unfolds, and it unfolds according to the practical situation as we try to identify how best we can make a contribution. But no study tour has been proposed at this stage.

**Miss Taylor**—We will have to approach them because a lot of the work and the initiatives have been generated from the group. I suppose it will be up to us to approach them with a proposal such as you have suggested.

**CHAIR**—I am not trying to suggest anything to anyone, I am just trying to get some idea of what you might be doing, that's all. I saw in your submission that there was \$10,000 outlaid for the initial project, which is not an insignificant amount of money to raise.

**Ms Halliday**—That came from the national Mercy organisation, rather than the hospital specifically. The Mercy Order of Nuns has a national training program which we applied to for funding.

**CHAIR**—Has the national Mercy Order taken up this issue themselves, independent of the Mercy Hospital, in any different way?

**Ms Halliday**—They are very interested in the work of the network and they continue to support it. Their interests are in nursing and education. Traditionally, in Australia that has been their involvement. Perhaps I could say that they are looking to see how the work of the network unfolds and what opportunities may emerge down the track when things are perhaps a little easier to put into place.

One of the main things we have concentrated on is an exchange program for training. That is not only confined to the Mercy, it is trying to link in with other Catholic agencies in Victoria. We have also worked in with the MacKillop Centre in Sydney, which has primarily been involved in education work in East Timor, and health work as well.

**Miss Taylor**—We have been negotiating with Cabrini Hospital as well about an exchange program.

**Senator WEST**—Water is obviously essential, and it is women's work to collect the water. Therefore, would AusAID be better off training women in pump maintenance? It is just a suggestion and you may not want to comment. It just occurred to me that they have a

greater stake in all of this. They may benefit from knowing how to maintain a pump and therefore ease their workload.

**Ms Halliday**—It is an interesting point. I do not know how sexual politics would impact upon its implementation. I think the issue would still be present of, I suppose, accountability in keeping the program going.

**Senator WEST**—I am not denying that bit, but I thought teaching women how to maintain the pump would be useful. They have already got ownership of the collection of water and so maybe they would have more incentive to make sure the damn thing works so they don't have to walk an hour and a half there and walk an hour and a half back.

**Ms Halliday**—Once that education work really takes on, once women understand the importance of clean water for themselves and their children, things will improve. That is a key hurdle, really.

**Senator BROWNHILL**—Senator West is saying that if you want to get the job done you have got to get a good woman. It sounds to me a pretty sound suggestion.

**CHAIR**—We have finished on the note that I wanted to start on—education. It seems to me that education is so important right throughout this whole area. Thank you very much for the submission that you have put to us, and thank you for your contributions today. Undoubtedly, this will assist us in drafting our report. We will now have a short break.

**Proceedings suspended from 10.49 a.m. to 10.58 a.m.**

**ARISTOTLE, Mr Paris, Director, Victorian Foundation for the Survivors of Torture**

**HAULTAIN, Ms Lynne Catherine Outram, Acting Chair, Committee of Management, Victorian Foundation for the Survivors of Torture**

**KAPLAN, Dr Ida, Direct Services Coordinator, Victorian Foundation for the Survivors of Torture**

**CHAIR**—I welcome to this hearing representatives of the Victorian Foundation for the Survivors of Torture. 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?

**Mr Aristotle**—There is a paper which we drafted which has a bit more detail about integrating trauma response services into development and aid programs. Some of the material is captured within the submission but we felt if you wanted a copy of it—unfortunately I have only got it on green paper—we would be happy to furnish it to you as well.

**CHAIR**—If you furnish that to us we will need to peruse it first before we make it a public submission. Subject to it passing the normal tests to which we put any submission, we will then take it as being an addendum to your submission. The committee has agreed to the publication of your submission in a separate volume. I now invite you to make an opening statement and then we will proceed to questions.

**Mr Aristotle**—The main purpose of the foundation's submission and presentation is to make a contribution to progressing development and an improvement of the situation in East Timor. It is also to provide the committee with clear expert clinical evidence of the nature of some of the human rights violations that have taken place in East Timor over the past 24 years. We felt it important that the committee have clinically sound evidence of such violations and how these issues would need to be addressed in rebuilding East Timor, regardless of the outcome of next Monday's vote.

The other thing that is very important to state in that regard is that the information contained in the submission is not a reflection on Indonesia itself or the Indonesian population generally. We would very clearly want to make that distinction before we proceed. We are acutely conscious of the issues that Indonesia as a nation is grappling with and we are completely supportive of the fact that they are grappling with moving to a more democratic society. We would not want our comments here to be confused as a reflection on the general population at all.

As the submission states, persecution and violence were fairly indiscriminate in East Timor, regardless of age and gender or political activity. The impact of these experiences over a long period of time have been pervasive and cannot be ignored if we are to be serious about issues such as peace, justice, reconciliation, recovery and the rebuilding of East Timor. As was alluded to in the paper, the first and most critical element for any such progress to

be made is for a safe and secure environment to be established in East Timor. Stability, safety and security is essential to such processes and in their absence it would be unrealistic to believe that any substantial progress in recovery from experiences such as those described in the submission could be achieved.

It is also impossible to build a basis of trust and confidence in the future without the people of East Timor believing that their own society and civil structures of governance, public service, justice, health, education, community and economic systems are there to operate, to protect and assist them. Any sense of this has been absent for many years.

That is just the context in which we would like to move on from here. We feel as though there is a fair bit of detail in the submission and we would like really to respond to your questions rather than add any more.

**CHAIR**—Whilst your submission looks at the past situation—and there is no trying to deny that—what is your view on what might happen post the ballot next week? I am not asking you to gaze into a crystal ball at all, but obviously there have been atrocities occur from the militia and there have been TNI atrocities in East Timor. Let us say that the ballot, as expected, goes the way of independence. Obviously peace and stability is important for a free and independent East Timor. How should those who were pro-integration be assimilated and accommodated and not have the reverse of what they have imposed on others then imposed on them?

I think the leadership of the resistance movement realises that this is a critical issue. What you have documented would see a number of people wanting to get their pound of flesh back, if one could term it like that. How does one balance this and ensure that we do not go from one very unstable unsatisfactory arrangement to an equally unsatisfactory arrangement post the referendum? How is that to be handled? It is a difficult question, I know.

**Mr Aristotle**—And I would be impressed if I could answer it properly for you.

**CHAIR**—Given the insights you have as to the difficulties that exist, this must, in the reverse situation, create a lot of pressures and tensions which are going to be difficult to manage.

**Mr Aristotle**—I think that is very true. The only way to really successfully progress those sorts of issues is to ensure that, whatever kind of reconstruction process is put in place, it is a fully integrated one—that we do not just address certain aspects of that rebuilding process of East Timorese society. Listening to the previous discussion, there was discussion about the need to rebuild roads, to ensure clean water, those sorts of things, which are basic questions that must be addressed to improve the standards of living in society.

We all know also that, in order for societies to progress, particularly democratic societies, it requires the capacity of governing bodies to embrace many different perspectives and encourage and allow those perspectives to be expressed without necessarily feeling threatened or a need to shut them down. Obviously, if we were wanting to avoid a repeat of past experiences, that would have to become an underlying principle in the way in which a

process of rebuilding would take place. ‘Reconciliation’ is a term that is used right throughout the world these days and has quite a deal of prominence, including here in Australia, but it is a difficult one to achieve because you are dealing with highly emotional issues, experiences of extreme loss and grief, and, as a result, you need to ensure that systems are perceived to, and operate in, a fair and just manner.

I think that one of the things that will become important is that any system of government embraces all sides of politics in East Timor, and I do not say that without knowing that that will be a difficult thing to achieve. It will not happen overnight, and it probably will not happen without any eruptions of violence or whatever, but the critical issue is that everybody stays very focused on achieving a goal where everybody in East Timor has the right to participate in government and the future of the country.

That is a very general statement. I would say though, in regard to our work, that the reason why we feel very strongly about the need to develop responses to mass experiences of violence, trauma, loss and grief is that, if those sorts of responses are not integrated into the way in which the health system, the educational system or the justice system is developed, or a process of reconciliation occurs or is developed, then what we will be left with is dealing with the residual effects on individuals of that traumatic experience. Trust will be diminished, a degree of confidence in the system will be diminished, and unresolved anger and grief will come out. Unless systems are prepared for dealing with that, it will undermine the way in which decisions will be taken and the sorts of strategies that will be put in place for rebuilding the future in East Timor.

Ida is perhaps better placed to talk about some of those issues than I am. It is certainly very true from our end that, if you do not deal with those sorts of issues, it is very difficult to progress in complex social policy areas that will be necessary in East Timor.

**Dr Kaplan**—Our submission outlines in a lot of detail the impact of trauma on individuals. The submission could go further in talking about the impact of trauma on the community. Some of the issues that Paris has raised around the impact of loss of trust and suspicion are critical to rebuilding East Timor. The investment that needs to be made in establishing security and safety is what we consider to be paramount. I know it is a commonsense realisation that safety and stability is a fundamental condition, but this needs to be thought of in all aspects of establishing a civil society and also in establishing health and education systems.

Distrust will be transferred from that which seemed to belong to the Indonesian military to the new systems of government. This might seem to be irrational but we know that there is this transfer of suspicion. Therefore, I think that government, countries and personnel involved in facilitating the rebuilding process need to take on the issues of negotiation, reconciliation and the way consultation is carried out, which at all times considers the process of restoring trust, and that trust needs to be developed over time. It is a bit of a cliché to talk about the long-term nature of this, but I think the transfer of that realisation needs to be brought into every negotiating and consultative process in all strategic planning.

**CHAIR**—I gather from what you are saying that there needs to be a transitional period where trust can be re-established. What sort of transitional period is necessary—not to obtain

the long-term objective, but is there a buffer period of three months, six months or 12 months before there is a transition to a new government in which to establish the basis of trust that you see as necessary? Do you have any experience, knowledge or background that can tell us, if there is a time, what the minimum time is, so to speak, given that you are not going to obtain everything that one would hope and require?

**Mr Aristotle**—That is a difficult one to answer.

**CHAIR**—I realise it is a difficult one. I understand the concept of loss of trust; I understand that there is a need to re-establish the trust and that there is a rebuilding process. Whilst one might not achieve this overnight, there is a transitional period in which it will happen.

**Mr Aristotle**—I understand the point. For me, if I were to highlight the most critical issue in the first few months, it would be to ensure that the violence and conflict in East Timor stops. The imperative of having a peacekeeping force, regardless of who it is, that is genuinely and completely committed to restoring peace in East Timor, is the first critical factor.

What people will need to see very quickly after the ballot are some assurances that the effort has been worth it and that the international community and the Indonesian government will not abandon their obligations to the outcome of the vote. They will need to see very visible and tangible evidence of that safety being put in place. Once we begin to establish that, then the sorts of transitional issues that you are talking about become more realistic to pursue. By way of answering the question, for me that would be the most critical thing in the first instance.

**CHAIR**—Having established peace through a peacekeeping force, what are the processes which bring about trust? Apart from safety itself, are there other elements in the re-establishment of trust? The committee has already heard evidence that it is not just a matter of there being violence by the TNI or the pro-militias against the East Timorese. There are interclan rivalries and interfamily rivalries, which is a below the surface type of element that may well surface post ballot. What are the elements that are needed to re-establish trust at all levels? Is there a program?

**Ms Haultain**—It is an enormous question that you ask about where to begin. Obviously, we have expertise in the foundation that looks at specific aspects of that. To pick up on a number of elements that Paris alluded to, I do not think we can underestimate the hunger that there is in East Timor for control and for a sense of their own future, despite the extraordinary circumstances that have prevailed there for the last 24 years. The mass registration for the vote is the clearest demonstration that we can have that they are very keen to carve their own future. Once the violence has stopped and people are aware that they have a sense of future, once that uncertainty about their place in the world and their connection with Australia, Indonesia and Portugal is settled, then a climate may develop whereby those sorts of clan rivalries that you talk about may erupt, but they may also be dampened by a wider sense that there is a community worth developing here—a sense which has been undermined for some time.

**CHAIR**—One thing that you have just mentioned which we have not really canvassed so far is the need, I would imagine, for a good relationship post independence with Indonesia. Given the violence that has been pretty much evident from the Indonesians towards the East Timorese, how is this managed in terms of the post ballot situation?

**Mr Aristotle**—One of the issues in that respect is that the violence that has been evidenced was perpetrated by certain elements of the Indonesian military, probably with the support of elements of past Indonesian governments. It was not perpetrated by Indonesia or Indonesians in general.

**CHAIR**—You were very careful to point that out at the start.

**Mr Aristotle**—That is something that really has to be embraced by everybody in that process because the sorts of things that you are alluding to are the critical answers in the rebuilding process. They are not immediately obvious, but one of the things that we know is that the effects of that kind of experience of trauma and violence do not just go away. So the first issue is that, after the vote happens, it will be inappropriate for the international community, East Timorese society or Indonesian society to say, 'It's all over now. Let's forget what's gone on in the past and move on.' That does not happen in the lives of people who have lost family members.

If you like, you can look at experiences from all over the world. In our own community, there are the holocaust survivors who came to Australia after the Second World War; the transgenerational effects of those experiences of violence were passed on from generation to generation, and that was in a society as stable and secure as Australia. There is no doubt, as Ida said earlier, that there will be a transmission of the effects of those experiences into future processes. What is important is that we ensure that there are some systems for constructive expression of those experiences and that there is the ability to seek recognition through a process of reconciliation without it being focused on retribution.

There are people who have done this all over the world. They did it in South Africa with the Truth and Reconciliation Commission. In Nicaragua years ago when the Sandinistas first came into power, they did not pursue revenge against people. There are processes throughout the world that give good insights into how we can progress in that area. It is very important that we understand that. It will not weaken East Timorese society to allow that to occur; it will strengthen it if we give it some positive expression and allow it to be taken somewhere so that people can move on.

**CHAIR**—Can I interrupt you there because I want to get to the issue of the relationship between East Timor and Indonesia. Before you address that, how important will the role of the Australian government be in facilitating the relationship between an independent East Timor and Indonesia, given that we need reasonable relations with both of those places? In addressing my previous question, could you address that question as well.

**Ms Haultain**—What occurs to me is that the unknown in this equation is how Indonesia is going to respond. A great deal comes down to the sort of goodwill that they intend to offer after the vote, whatever result emerges. That is something that we are not in a position to project. They have an opportunity to provide stability to their very near neighbour to

ensure that the progress towards an autonomous or independent country is made much easier. That would facilitate a much greater and happier relationship between Australia and those two nations as well. It would be difficult for us to crystal ball gaze as to what Indonesia's position is going to be after all this, but they have an opportunity to take it on.

**Mr Aristotle**—The Australian government has an opportunity to strengthen its relationship with Indonesia by being extremely proactive in supporting a deal following the outcome of the vote. It seems to me that Indonesia is under great stress at the moment. It has a huge population, all of whom deserve to have the sorts of lives that we would want for anybody else here. If the Australian government takes a very proactive role in assisting Indonesia to deal with not just East Timor but the rest of Indonesian society, then that will go a long way towards supporting progress in East Timor. There is no doubt in my mind that if East Timor is to progress, then its relationship to Indonesia, and Australia's role in that, will have to be thought through very carefully. It is a long-term commitment. It is one where it is not going to help anyone for us to maintain a heavily judgmental position. We do not understand all of the complexities of trying to manage a country like Indonesia, but we should be able to support them in doing that. We cannot let them feel abandoned by Australia in that process.

**Dr Kaplan**—I would like to add that I think we are in a unique situation whereby we can progress the needs of both Indonesia and East Timor, whereas previously it was almost impossible to look at progressing the needs for East Timor without it being at the expense of Indonesia's interests. I think we have come as far as we have because Indonesia has recognised that it may be in its own interests as well for there to be a non-violent outcome, and I think our role as facilitators in taking advantage of that situation would be an important one to optimise.

**Senator BROWNHILL**—Going to the evidence you have had from your patients, can you categorically confirm, or are you able to confirm that torture was used routinely—and intimidation and obtaining of information by any of the authorities—as a means of control? For example, in your submissions there are lots of comments about people who said they were tortured or raped or whatever you like, but is there firm evidence?

**Mr Aristotle**—It is our view that the evidence is firm. We conducted quite comprehensive psychological assessments. They were not research interviews or anything like that; they were assessments of people's experiences in East Timor. Many of them have been clients for quite some time. So I guess we would argue very clearly that the evidence that you have before you in the submission is firm. The foundation is considered to be expert in this area of work, nationally and—increasingly—internationally, so I guess on the basis of that I would say that it is categoric.

The actual extent on the ground is difficult for us to say. But it became a routine, a way of life, over in East Timor for a while, and much of it probably was able to occur without necessarily the endorsement of all members of the Indonesian military, but the climate was so unstable and there was virtually complete impunity for actions. As a result, it was a very pervasive process. The sorts of material that you have in the assessments are a condensed version of what we found in our assessments. There is in fact more evidence, clinical

material and so forth, than you have in the submission. We just felt that what we presented in the submission was probably adequate for the purpose of the inquiry.

**Senator BROWNHILL**—Was there any follow-up? Were there any discussions with any of the authorities to say that these things have happened, and can they verify them?

**Mr Aristotle**—What sort of authorities?

**Senator BROWNHILL**—Any Indonesian authorities, or any of the people in East Timor.

**Mr Aristotle**—Certainly East Timorese groups. We have had discussions with different groups—aid groups, church groups, human rights groups—all of whom would verify these sorts of things. I am not sure any of those have undertaken assessments from the psychological and clinical perspective in the way in which we would have done with this cohort. In terms of Indonesian officials, we certainly have not tried, but our clear impression was that we would not have had a great deal of success in trying to progress those issues prior to now, whereas I think now there probably is much more recognition and possibility for it.

**Senator BROWNHILL**—Do any of the forms of torture actually give rise to an opinion from you that they may have been trained to use systematic torture?

**Dr Kaplan**—I might comment on that, being fairly familiar with a lot of the material. If you study in detail the methods that were used, and you can even gain an impression from reading the material in this report, you will see that certain sorts of methods were used. At the foundation we work with survivors of torture from many different countries. It is a difficult thing to say, but nevertheless true, that you can detect the forms of torture that particular countries favour. I think it is from the consistency of certain methods that are used that one could argue that it is likely that people have been trained and that these are not haphazard methods. For example, the use of electric shock is a popular method of torture, as is breaking people's feet and using chairs as objects of torture. I believe that the consistent methods that are used mean that people have shared ways in which to interrogate and torture.

**Mr Aristotle**—The use of cigarettes for burning people is very common practice. Rape and sexual torture is very common practice. The very sad truth is that internationally it is difficult not to consider it, if you like, as a science in which there is a commitment to developing the techniques. If you look at different countries right across the globe, in Latin America beating the soles of your feet with an iron bar is referred to as falanga. Beating the soles of your feet in a country like Turkey is falanca. There are similarities in the ways in which people are suspended during torture. There are similarities in the ways in which electrodes are attached and where they are attached in regards to the application of electric shock treatment. There is a very common phenomenon where communities are attacked through attacks on women and children, and that is prevalent here. There is no doubt that the advancement of those sorts of techniques is no accident.

**Senator BROWNHILL**—Is Indonesia a signatory to the international conventions prohibiting the use of torture?

**Mr Aristotle**—That is a good question.

**Senator BROWNHILL**—I do not know.

**Dr Kaplan**—I just wanted to mention that the other feature of the systematic nature of the torture is that, in virtually all cases of women who reported being raped, their spouses were usually in detention at that time or in labour camps. Again, one of the hypotheses we developed was that the detention of men meant the rape of their wives and daughters while men were absent.

**Mr Aristotle**—In section 3.2.4 of the submission from page 13 through, if you read the vignettes either of people's own words or extracts from the assessments undertaken by staff, the similarities are very clear. For it to have the effect in East Timor—or in any country—that it had it has to be systematic and at some level organised.

**Senator BROWNHILL**—Do you know if there has been any change in this over the last few years? Has there been an increase or a decrease in the amount of systematic torture or anything else? Has it dwindled? Has it got worse?

**Mr Aristotle**—We thought it was improving but then, with the arming of militias and so forth, there are repeated reports of violent attacks and so forth. I guess the other issue for us is that what happened was that quite a large number of people came to Australia seeking asylum and these assessments and this evidence are based on our work with that group of people. The numbers coming since that time have diminished quite a bit, so our access to another cohort from more recent times to make that assessment has not been possible.

**Senator BROWNHILL**—Have you approached AusAID or any other people in Australia to help you in looking at the development of aid and that sort of thing?

**Mr Aristotle**—Yes. What we are basically doing is trying to work with the international aid agencies to get them to incorporate responses to these issues in their submissions and their programs for development and in which our own organisation and other services throughout Australia—in New South Wales, Queensland, Western Australia and so forth—would also be prepared to participate in assisting them. Ida and another staff member were invited by the Australia-Indonesia Institute to provide training to non-government organisations working with women survivors of rape and abuse. At the Australian Embassy, on their behalf, we have run two such programs for 23 NGOs each time they were in Jakarta. They were very successful. It was with the support of the Indonesian government. So we are quite committed to working at that level. Currently, we have a team working with the UNAMET mission.

**Senator WEST**—The effects of torture on those who actually receive it are pretty obvious and well documented. The effect of torture on the rest of the community must have an impact—that fear of the threat of torture. I am interested in what you have got to say about that. I am also interested in what you might be able to tell us about what torture actually does to the perpetrators. It must be a fairly desensitising thing to be involved in; those people as well must have problems, to put it politely.

**Dr Kaplan**—There are some profound questions there. Yes, you are quite right that torture is used to destroy not only the individuals who are subject to systematic torture but also the families and to intimidate the community through terror. The people whom we have had a lot to do with certainly give very good voice to decades of fear which really began in 1975 with the invasion. In fact, some of the atrocities that are recorded in this report date from that period. Some of the most terrible may not be technically regarded as systematic torture—pregnant women, for example, being bludgeoned and children being smashed against trees. This is not torture in the training manual sense, but it is those events that survivors were witness to and have lived with for many, many years, and they do describe the persistent nature of those memories.

The recurrent memory of a client of mine who had been tortured was of his brother having been beaten to death many years prior to his coming to see me. So that is the nature of torture. The witnesses to torture and violence retain the memory, the sense of terror and also the sense of guilt for what happened.

It is unusual to think of witnesses to torture blaming themselves for events that have happened, when clearly it lies in the perpetrator's hands, but we know from our work with all our survivors of torture and trauma that every human being feels that they should have done more to prevent what happened. Being a witness to torture is a betrayal of one's personal values about preventing such things, particularly protecting one's children. So that is why the nature of the damage is so pervasive.

**Mr Aristotle**—Another specific example was that we were asked by the government a few years ago to undertake the psychological assessments of 17 people who arrived by boat and who were being held in Derby, Western Australia, as to their ability to be cared for while they were in detention. A number of them had experiences of torture, or imprisonment and beatings, but what came through the assessment process was that the most significant contributor to their depressive symptomology was living in a climate of fear, not knowing whether or not they would live the next day or whether or not their family would be there when they got home or those sorts of things. That was the most significant contributor to their depression, more so than an individual experience of detention and beatings, or even of torture. So it is a very powerful tool, and that is why it is used so often throughout the world as a means of controlling societies.

**Dr Kaplan**—If you look at the types of harassment used, they are also designed to invade people's personal boundaries, so that they have no right to security. So seemingly non-violent events, like Indonesian military entering people's homes and spending hours in there watching television and asking for meals was a way of showing one's power over the community.

To turn to your question about torturers, one of the effects of working with survivors of torture is that you also begin to discover more about the nature of perpetrators. I cannot subscribe to the view that torturers are evil. Unfortunately, their motives are quite comprehensible, I believe, in that they have been manipulated, usually, in order to dehumanise their victims and also develop an idealised view of the correctness of what they are doing. I think a lot of torturers in the Indonesian situation have been manipulated by the seduction of special privileges and power, as well as by dehumanisation of their victims.

What this means is that when there is no longer a need for torture, a certain proportion of perpetrators will be subject to being broken by the realisation of what they have done. But there are other perpetrators, particularly the leaders in torture, who would not experience any such remorse and who would legitimise and maintain the validity of what they have done. I think we have all been witnesses to that. If we look at some of the perpetrators who have come forth in the Truth and Reconciliation Commission in South Africa, you can detect that diversity in response. Some have expressed remorse, genuinely felt, and others have stood by the legitimacy of what they have done. To do otherwise would be to face irrevocable personal damage.

**Senator WEST**—What are the counselling and support needs of those perpetrators who actually do begin to get the insight and have great, deep remorse?

**Dr Kaplan**—I think it is very important to include them in rehabilitation and community education. One of the things we talk about is the importance of having community programs which enable people to look at the ways in which the community itself has been fragmented through the process of manipulation. For example, we know that informers were used by the Indonesian military in order to deliberately fragment the East Timorese community. I think some of those processes need to be brought out into the open.

The reason why rape was used as such a pervasive tool of torture was because it was known that it would destroy families through shame and many of those women would be ostracised. Situations of domestic violence would erupt as a result of women having been raped. It is important to bring about the reconciliation within family structures as well as the community. One can include perpetrators in that process, but it would have to be done not necessarily in the early stages by literally having people sitting in the same room as one another. Eventually the principle of inclusion through understanding would be an extremely important one.

**Senator WEST**—You have said that it is not a reflection on Indonesia and Indonesians generally. One would presume that most Indonesians would not know a great deal about what is happening there. What is going to be the impact upon them if they get an understanding of what some of their people have been perpetrating?

**Mr Aristotle**—I think the impact is likely to contribute to people feeling as though the pursuit of justice and reconciliation is more important. After General Pinochet handed over power in Chile, the media was freed up. You started to have the media reporting on mass graves or graves of people the government had said had left the country. That was in the mainstream media. Prior to that, the mainstream media would not produce it, and so there were large sections of Chilean society that believed essentially what they were told, which is the case in most societies. Since that time their recognition of the fact that those sorts of atrocities did take place has allowed for much more expression of that without fear and so it has been a positive thing. The trick is to manage it in a constructive way. It cannot be about retribution.

**Senator WEST**—The management needs the management tools and they are going to have to be implemented. Do you have suggestions? That is the \$64,000 question.

**Mr Aristotle**—Have you guys got any easy questions?

**CHAIR**—That is not what this game is about, unfortunately.

**Senator WEST**—Maybe you ought to think about it and take it on notice. I am quite happy to float that at you. These are issues we are wrestling with.

**Mr Aristotle**—I think they are the sorts of issues we can make a contribution to, but there are many more elements required to pull that sort of stuff together other than just our own expertise. You would need legal people and others engaged in the process. I am sure that the contributions of people like Ida to that process would be helpful.

**Ms Haultain**—I think it is in some ways perhaps easier to manage the rehabilitation of the East Timorese population, given that they are geographically located, as opposed to managing Indonesian perpetrators who may vanish back into the wider Indonesian community and never deal with the sorts of issues that perhaps they need to. There will be difficulties in dealing with their problems, but the foundation would certainly be in a position to provide the sort of expertise, as we would to the East Timorese community, in order to train people to ease that path.

**Senator WEST**—That is important. They will disappear back into other parts of the community. I am concerned about the impact they might have on the communities they move to.

**Mr Aristotle**—It comes back to the earlier question that was asked about the reconciliation process and our relationship with Indonesia. We really cannot afford to abandon Indonesia generally in terms of all of the issues they are grappling with, and not just the issue of East Timor because, if Indonesian society generally is supported through this very difficult time, that will bode well for these sorts of issues you are talking about.

**Senator WEST**—If they were the soldiers, you wouldn't want them being transferred up to Aceh or West Irian or Kalimantan or some of the other areas where there is conflict because they have probably honed their skills very nicely in East Timor. The impact they could wrought upon those communities would be dangerous and a worry to everybody too. You said that it is very important to give assurances that the effort is worth it and that they will not be abandoned by both Indonesia and the rest of the world. Do you want to comment any further on the importance of Indonesia remaining involved?

**Mr Aristotle**—I think it is important that the Indonesian government maintain its stated commitment to honour the outcome of the vote and, for as long as it has responsibility for it, ensure protection inside East Timor. The international community's responsibility is to support them in doing that and to exert appropriate pressure through offering them support to make sure that is upheld. I would hope that would also mean providing an international force that would be able to help through the transition, but the critical issue is to get something like that in place immediately after the ballot, and not three or four months after the ballot. It needs to be done with Indonesia; it cannot be done in spite of them. It is fundamentally important to the outcome.

**Senator WEST**—Do you think there appears to be enough of that work going on or are you not in a position to comment?

**Mr Aristotle**—It is difficult to say because a lot of it is secret.

**Senator WEST**—Yes. You have the same problems that we have.

**Mr Aristotle**—I hope with all of my heart that it is going on and that some of the discussions that are taking place are vigorous enough to ensure that it does.

**Senator WEST**—Where are the victims of torture and trauma resulting from that best cared for and provided treatment? Are they best taken out of their community and brought here or would they be best off as part of a holistic community reconciliatory rehabilitation program with specialist emphasis on those who are more severely traumatised?

**Dr Kaplan**—I think it is essential that they remain in the community. In delivering special programs that would be directed towards the rehabilitation of torture survivors, you would need to integrate those into existing services, such as primary health care. You would also need to look at the school system as a means by which to reach children, adolescents and parents who have been affected.

There is no doubt that there is an enormous stigma associated with anything that smacks of the psychological effects of torture and trauma. One would imagine that it would be acceptable to be adversely psychologically affected, but it is not. Survivors interpret it as a great weakness; they assume that they are going crazy. If in any way you segregate their rehabilitation from addressing the needs of all members of the community they would fear being ostracised further. On that basis alone it would be important to use an integrated holistic approach.

The other reason for an integrated approach is that, although there is no doubt that there are very active members of the community who have remained strong and their experience of trauma has probably contributed to their strength, we would imagine that most members of the community have been affected by 24 years of human rights' violations. That also speaks to the need for a holistic, community based approach.

**Ms Haultain**—There is also a great deal of physical work to be done. As a result, there are needs for all hands on deck. Also, that construction of the roads and the sorts of infrastructure that are required can play a very important part of rehabilitation as part of developing a future and having a sense of a community that is looking forward and re-establishing the sorts of structures that the people there look forward to.

**Mr Aristotle**—We would argue very carefully in this context that it is a great mistake to take models that may work here and try to transplant them in East Timor. It is absolutely critical that we offer expertise we have that is relevant, but directed in a way in which the East Timorese people can incorporate it into their society so that responses are indigenously relevant and much more effective. There are experiences all over the world where the opposite has occurred. They have been incredibly expensive and have not achieved the outcomes that were originally intended.

**CHAIR**—People's good intentions have been totally misplaced. It has not been through anything deliberate. That is something I think the committee in its evidence taking has become aware of. This leads me to one question which I should have pursued with you people at the outset. Is your organisation solely focused on East Timor, or is East Timor its substantive study case and you pursue the issue on a wider front?

**Mr Aristotle**—We work with anything up to 35 or 40 different ethnic groups in one year.

**CHAIR**—So with East Timor, whilst this is germane to this inquiry obviously, you have a broader brief in a sense—all right. Do you have experience with international groups similar to yours, or are you a part of any broader international grouping whose experience you can call upon to assist you in the work that you perform?

**Mr Aristotle**—Yes. One of the things that has emerged over the last few years in particular is that we have been trying to take a lead role in pulling together a forum of services in different parts of this region that would be able to support one another and transfer experience into new environments. We have relationships with services operating in the Philippines, people who have done a lot of work in Cambodia—Cambodians, that is—people from Sri Lanka, Pakistan and Bougainville.

We are trying to achieve a mechanism through which that expertise can be shared in situations. So you can imagine that the rebuilding process in East Timor will have many similarities to what has been going on in Cambodia. We would want to learn from those experiences the dos and the don'ts and assist with that process.

There are doctors in the Philippines who have worked in remote rural communities in health settings for many years. They have many more insights into that work than we would have. The difficulty is that we do not actually have the funding to sustain a network like that within the region in the way in which it needs to be done. We have been trying to achieve it by cobbling a few resources together. It is not an expensive thing to do; it is really about maintaining and facilitating communication.

I am on the executive council of the International Society for Health and Human Rights which has membership of agencies similar to our own from all parts of the world. The National Forum of Torture and Trauma Services in Australia is formally participating in an international agency referred to as the International Rehabilitation Council for Torture Victims which is looking at building consortiums for doing work on a regional basis. We are doing that. Australia has an enormous amount to offer in this area. The level of expertise in this field in Australia is as good as anywhere in the world. We probably could do with some additional assistance in harnessing that expertise and the expertise of other people in the region. If we could do that, it would make a great contribution to East Timor.

**CHAIR**—Where do you get your funding from, just as a matter of interest?

**Mr Aristotle**—We receive our funding from the Victorian government and the Commonwealth government, the Victorian Department of Human Services, the federal Department of Health and Aged Care and the federal Department of Immigration and

Multicultural Affairs. We receive funding from philanthropic trusts because we are a registered charitable agency, and organisations like the Victorian Health Promotion Foundation, and so forth.

**CHAIR**—You may wish to take this on notice, and you would probably be wise to do so. Could you draw some sort of overall broad analysis of the parallels of your experience in dealing with East Timor and dealing with some of the other groups that you might deal with? I do not want you to go into a document as lengthy as this, but the committee might get a feel for where there are similarities and dissimilarities. As I say, I do not want you to traverse the whole world, but obviously you have a broader experience in this than we have and you would be helping us to become aware of this and we would be very appreciative.

**Mr Aristotle**—Yes, I am happy to take that on notice and provide the information. It is a very good point that you make because, while there are a great many universal elements in experiences and reactions to traumatic events, there are other cultural factors that require the response to differ from place to place. Everybody may experience nightmares, flashbacks, depression or anxiety, but the pathway into supporting them to recover from those may be different depending on the cultural framework that you need to apply. We would be happy to produce something for you on that.

**CHAIR**—Thank you very much for your appearance before this committee today. It has been invaluable to us, undoubtedly. We do appreciate the frankness that you have been prepared to speak with us and we look forward to the extra information that you will provide to us. Thank you.

**Proceedings suspended from 12.04 p.m. to 12.26 p.m.**

**AUBREY, Mr Jim, Executive Spokesperson, Australians for a Free East Timor**

**CHAIR**—Welcome. The committee prefers all evidence to be given in public, but if 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 and an additional submission which you have put to us this morning. Are there any alterations to your original submission that you would like to make at this stage?

**Mr Aubrey**—Yes, there are two things. The first is that the population study in the original submission is now redundant. I have done a far more comprehensive population study in the supplementary submission. The second thing is I only finished the supplementary submission this morning before coming in and there are some grammatical errors in it. I would like to repair that over the weekend, without adding anything else, and send you the repaired copy on Monday.

**CHAIR**—We do not too often mark on grammar, but we are appreciative of the fact that you will correct that. At this stage your supplementary submission has not been authorised for publication but your initial submission has been authorised for publication and subject to the normal checks and balances that the secretariat apply on behalf of the committee. Your supplementary submission will ultimately become a public document as well. Do you understand that?

**Mr Aubrey**—Yes.

**CHAIR**—I invite you to make an opening statement and then we will proceed to questions.

**Mr Aubrey**—Do the senators all have a copy of the supplementary submission?

**CHAIR**—Yes.

**Mr Aubrey**—I will be starting on page 2 and I will draw reference to the pages that I go to. I start from the heading: ‘East Timor, the historical record and the Senate inquiry: How many died? Complicity in genocide?’ Gough Whitlam said on 9 July 1963:

The Portuguese must be told in no uncertain terms that the standard of living in [East Timor] must be raised and the right of self-determination fully granted . . . through the United Nations we must act quickly to meet this problem.

In listening to the accounts of Australian foreign policy on East Timor from major participants like Gough Whitlam, Gareth Evans and Richard Woolcott, I am left with the impression that consecutive Australian governments played the role of the good Samaritan with policies that helped shape the tragic destiny of the former Portuguese colony.

These people viewed their relationship with Jakarta as *sui generis*, which is puzzling from the perspective of international relations and the corollary of obligations under international law concerning universal human rights. On the one hand, Canberra would

condemn brutal dictators everywhere else in the world, while on the other hand they would argue that there were special circumstances to consider regarding Indonesia and that, therefore, appropriate accommodation to the plague of human rights abuse by this country became policy *res adjudicata* for consecutive Australian governments.

The good Samaritan assessment is one viewpoint. Opposite this is the other view that Australian governments are guilty of complicity in genocide. This is an extremely serious accusation and one that this year's Senate inquiry into federal government policy on East Timor will need to consider. As well, the inquiry will need to resolve the veracity of the conflicting accounts covering this period. For example, the former ambassador to Indonesia, Richard Woolcott, has stated that genocide did not occur in East Timor and that the often reported 200,000 having perished during and after the Indonesian invasion is a 'deliberate exaggeration'. However, both public statements and pre- and post-invasion census figures do not support Mr Woolcott's allegation.

In February 1976, an Indonesian collaborationist and minister in the newly formed provisional government, Francisco Lopes da Cruz, stated in a radio interview that 50,000 people had died during the first two months of the invasion. After visiting East Timor in November 1976, Indonesian relief workers reported that 100,000 people had died since the invasion. On 5 April 1977, the Indonesian Foreign Minister Adam Malik remarked, 'Fifty thousand people or perhaps 80,000 people might have been killed during the war in East Timor. So what?'

While accompanying President Suharto to London in November 1979, Malik's successor, Dr Mochtar Kusumaatmadja, stated at a press conference that 120,000 East Timorese had died since 1975. It is difficult to imagine Indonesian foreign ministers inflating East Timor's fatality figures. Indeed, anyone intent on mischief would underestimate how many people died. Clearly, the loss of life during the invasion and the initial occupation period was significantly high. After some consideration it becomes a simple exercise in statistical projection to approximate a total fatality figure of East Timorese from the 1975 invasion through the subsequent 24 years of illegal occupation.

In the period of 1960 to 1970, the population annual growth rate in East Timor was 1.7 per cent. This figure contrasts conservatively with the current rate of 2.35 per cent and with the 1980s rate of 3.02 per cent. The pre-invasion population in 1975, based on census and demographic studies, is reported to have been around 690,000. Projecting this figure with the conservative 1.7 per cent growth rate to the year 1995 gives an estimated population of 966,643. The last Indonesian census was conducted in 1995. According to this data the population of East Timor for that year was 840,000 people. Even without subtracting a figure for Indonesian transmigrants, the contrast between the 1995 Indonesian census and the projected population total for 1995 leaves 126,924 people missing.

Human rights NGOs like Amnesty International, Human Rights Watch, Tapol, Community Aid Abroad and the East Timor Human Rights Office have long talked about the displacement effect upon indigenous East Timorese by Indonesian transmigrants during the 1980s and 1990s. East Timor became an official transmigrant area for Bali and Java in 1980 and some NGOs have used figures of 100,000 to 200,000 transmigrants moving to the territory. However, relying on Indonesian government statistics for transmigration from the

1997 statistical yearbook of Indonesia, compiled by the Department of Information, we are told that East Timor had 58,856 transmigrants by the end of 1995. It now becomes possible to subtract the transmigration figure from the Indonesian census total for 1995, leaving 780,863 bona fide East Timorese people. Subtracting this figure from the projected population total for 1995 gives a conservative indication based upon all the available empirical evidence of the number of East Timorese men, women and children who have perished under the Indonesian occupation—185,780.

The disturbing aspect of this study, apart from the enormous loss of life, is that this information was available in 1980 when the first Indonesian census was made giving a population total of 555,000. The projected population figure of 1980 is 750,677. This leaves an absence of 195,677 East Timorese. Surely it was the job of the staff of Australia's Department of Foreign Affairs and Defence to highlight the empirical evidence of Indonesia's acts of genocide in East Timor. Surely the then Prime Minister, current CARE Chairman, Malcolm Fraser, must have had a glimmer of care for the victims of Suharto's crimes against humanity, crimes that make the Chilean dictator Augusto Pinochet look like a simple dilettante.

The shameful truth is that Australian governments, from leaders and foreign ministers to the foreign affairs department and from diplomats in Jakarta and at the UN in New York, acted as a surrogate wing of the Indonesian Department of Foreign Affairs and willingly pursued Indonesia's illegitimate interests in East Timor as if the illegal and brutal crimes of the Indonesian government were as good a reason as any that the people of East Timor were expendable.

Those people who were in a position to care most acted like liberal-minded Nazi sympathisers from another era, averting their gaze and turning away from victims of such terrible oppression who were appealing to them for help. When asked, I believe, by Senator Lightfoot, at this inquiry in Canberra three weeks ago how many East Timorese people died as a result of the war in East Timor, the Department of Foreign Affairs and Trade answered that there is no way of knowing. I must conclude that, as there actually are the ways and the means of knowing this information, for political purposes—that is, in keeping with the department's bias towards Indonesia and the department's perpetual belief in the irreversible political status of East Timor—the Department of Foreign Affairs and Trade did not want to know the truth.

Perhaps there has been an unofficial policy of blissful ignorance within the department, the consequences of which allowed the truth of East Timor's plight in general and the truth of the seriousness of the crimes being committed by the Indonesian armed forces to be concealed and further obfuscated by the official policy of humanitarian aid and family reunion. The policy of humanitarian aid and family reunion acted to ingenuously display a genuine commitment of Australian governments to what they described as 'the interests of the East Timorese', but the constraining of this genuine commitment to non-political status served to entrench the legitimacy of the Indonesian government incorporation of East Timor and to justify Australian governments' recognition of Indonesian sovereignty over East Timor. And there is a paragraph on family reunion there. We will move down to the next paragraph.

One final remark on the population study is that it is not unreasonable to make allowance for the conservative growth rate used throughout the population projection, and the possibility that the number of transmigrants in East Timor has been underestimated by Indonesia's department of information. Therefore, it is highly possible that the estimate of East Timorese who perished during the invasion and under the subsequent 24 years of Indonesian occupation far exceeds the often quoted 200,000. Only when East Timor is independent can the empirical evidence be gathered to substantiate the estimation.

We move forward to page 8—Australia's national interest and the Senate inquiry. The issue of East Timor is a black and white issue. There are no paler shades of culpability. Either Australia stood by the East Timorese during their long struggle or it did not. One-third of the 1975 population perished under brutal war and oppression. Immigration, medical, cultural and ethnicity policies further weakened and jeopardised the survival of the indigenous people and their customs. It is appropriate to say that beginning from 1975 East Timor endured one of the longest acts of genocide since the end of the Second World War. With the depth and the intensity of the suffering of the East Timorese so grave and so prolonged, and the crime inflicted upon them so pronounced, this year's Senate inquiry into federal government policy on East Timor has one critical aspect to resolve—whether Australian governments are guilty of complicity in genocide. You may like to use the term 'crimes against humanity'. I will settle for that. I call it genocide.

The conclusions of the last Senate inquiry into East Timor in 1983 were completely disregarded by the then government, as well as by all subsequent governments. Among its several recommendations, the inquiry stated that the Australian government should make formal recognition of the incorporation of East Timor into the republic of Indonesia conditional on the holding of an internationally recognised act of self-determination. Instead, Bob Hawke reaffirmed Malcolm Fraser's formal recognition of Indonesian sovereignty over East Timor. This recognition of sovereignty, as well as the 1989 Timor Gap oil exploration treaty, acted in a way to make freedom in East Timor unreachable, and entrench the isolation and victimisation of the people.

We move to page 13. There is a time line that I have included there as an additional time line to the one in the original submissions. It is a more comprehensive time line to a part of the debate on East Timor in Australian politics in 1983. I believe it would benefit the senators to view that at their leisure.

I will go to page 14, the third paragraph from the end. I am aware of the time constraints. While the East Timorese consistently appealed for help, Canberra showered their allegiance on President Suharto. Bilateral aid to the tune of almost \$2 billion was given to a man responsible for mass murder, massacre and genocide. As well as substantial military aid and defence cooperation exercises, our Department of Defence even trained the special forces that were let loose in East Timor. Supporters of East Timor would argue that the forte of the new order regime was not economic progress but crimes against humanity. They would add that the forte of Canberra during this period was acquiescence.

The Australian people were asked to believe that economic progress and the national interest took precedence over the destiny of East Timor. The real history of East Timor is a litany of horror. It is also a testimony of man's inhumanity to man—gender reference

deliberate—of which the failure of Australian governments to honour obvious ethical and moral obligations and basic human rights, as well as the same governments' determination to promote East Timor's fate as irreversible, is of critical importance to any historical overview of this issue.

The Senate inquiry has the opportunity to clarify just exactly what is our national interest. The Senate inquiry also has the opportunity to confirm that there can be no national interest without national honour. This aspect is so vital that one cannot survive without the other. It is little wonder to the general community's cynicism to the political arena. On East Timor consecutive governments have, at one and the same time, tried and failed to convince the general public that national interest can bear the weight of national dishonour. In this regard, and with all due respect to honourable members of this committee, a commonality widespread in the community is a view that you cannot trust politicians. On East Timor and federal government policy this premise gains speedy credibility.

Good government is all about a covenant of care between itself and the electorate. In the global village, this covenant of care is all that is left for people like the East Timorese to cling to in times of tyranny. That they have proven five governments wrong—the fate of East Timor is reversible—is more than enough inspiration for this inquiry to be a credible and honest post-mortem of the role Australian governments played in determining East Timor's fate and for it to reinvent accountability of government without the absence of care.

If anything is to be learned from Canberra's moral impoverishment over East Timor, it is that we must rehabilitate the failing of the covenant of care and replace the elitist old-school style of foreign policy making with a form of policy making that, first and foremost, reflects the democratic wishes of the people of this nation. I recommend the creation of codes of conduct whereby the policies and dynamics of government are bound by moral and ethical obligations as well as the practical day-to-day considerations of running the office. The creation of codes of conduct for all ministerial departments in order that they are bound by legislation and unable to act from outside such legislation can prevent an East Timor from happening again. For example, under such a system of checks and balances, Canberra would be no longer able to subsidise a brutal military dictatorship. No less than a political Hippocratic oath is essential where no-one's human rights are expendable.

I am aware of the time constraints. I move to the end of this supplementary submission, to page 19. I am going to make a very poignant and pertinent comparison between the Dili massacre and the Port Arthur massacre. I have done this in public on many occasions without offending anybody.

Let us reflect for a moment on this year's massacres at Liquica, Dili, Suai and Dili again, and also on the Dili massacre of 12 November 1991. Let us also reflect on the Port Arthur massacre. Thirty-five people were killed by that lunatic at Port Arthur. The nation joined as one extended family in grief for the victims and their families. To their credit, the federal government enforced legislation to change national gun laws. With all due respect to all the relatives of the victims, let me ask you how you would feel if, at the time of the Port Arthur massacre, an Australian politician had described Martin Bryant's behaviour as an aberration. It is my guess that this politician would have been lynched. Or if this politician's assessment

of the tragedy in East Timor—‘The world’s a pretty unfair place’—was made in reference to Port Arthur. No politician would still be in office having made such an appalling remark.

What if Canberra’s standards towards the massacres in East Timor were adopted to define the Port Arthur massacre—that the number of deaths could not be verified and, when they are verified, that only five people have died; that both parties of the conflict—that is, the victims and the criminal—should not resort to violence and should seek peaceful means to settle their differences; that some unknown rogue element was responsible and that the killer has not been apprehended or disarmed? Finally, there is the Jakarta specialty: that the victims were attacking Martin Bryant.

There are many examples of Australian governments widely accommodating such findings. A good example is the acceptance of the conclusion of the Indonesian inquiry into the 1991 Dili massacre which stated only 50 East Timorese had died. The art of ingenuity is sadly evident in the reflections of the Department of Foreign Affairs and Trade on the Dili massacre. In a 1997 regional human rights report of the human rights subcommittee of this committee, a director of the Department of Foreign Affairs and Trade effectively undermined the significance of the shocking massacre of 273 people at the Santa Cruz cemetery. More than 400 innocent people were massacred in total at and after the cemetery slaughter. He called it the ‘Dili incident’. Would the department have the temerity to call the Port Arthur massacre an incident? I doubt it.

With one-third of their 1975 population having perished under genocide, it is indeed pertinent to say that the East Timorese have suffered a multitude of Port Arthur massacres. Still, the criminals—that is, the Indonesian military and their militia thugs—act with impunity, as we saw only yesterday. The failure to disarm them through the more serious measure of a UN peacekeeping force has resulted in more suffering and death in East Timor.

The final steps to freedom are bloody, and this committee can help both the people of Australia and East Timor with an honest account of consecutive Australian governments’ shameful past and an apology to the people of East Timor for their very real disgrace of this record. It is our undying shame that Australia acted as Indonesia’s Trojan Horse in East Timor.

In closing, I would like to take the opportunity of personally thanking those politicians who dedicated much of their energy to the struggle of the heroic people of East Timor for freedom. If we fail to learn from this tragedy, we will truly be no better than those who perpetrated such wicked crimes.

Postscript this morning, I am writing this edition on the morning of the hearing. What we have witnessed the previous day in Dili is exactly why all East Timor support groups have been urging the immediate participation of a UN peacekeeping force in the territory. The reign of violence makes a mockery of the Department of Foreign Affairs and Trade statement to this committee in Canberra three weeks ago that they have made 120 representations to Jakarta over the security problems in East Timor. Surely, even blind Freddy could see that the policy of diplomatic representation is a complete failure. The time for more of the same diplomatic malaise is long over.

**CHAIR**—Thank you.

**Mr Aubrey**—I welcome questions.

**CHAIR**—Could I just take you back to page 20 for a moment. There is a matter of fact that needs to be corrected. In the third-last paragraph you say:

In a 1997 Regional Human Rights report of the human rights sub-committee of this committee . . .

**Mr Aubrey**—It is not this committee?

**CHAIR**—It is not this committee.

**Mr Aubrey**—My apologies.

**CHAIR**—There is a joint committee, but there is certainly no such subcommittee of this committee.

**Mr Aubrey**—My apologies. Would the senator tell me what committee it is?

**CHAIR**—No, what I am saying is that I believe it is the joint committee of foreign affairs.

**Senator WEST**—We do not know which report you are referring to because it is not this committee.

**Mr Aubrey**—I will go back to the original document.

**CHAIR**—If you would check that out—but that is matter of fact.

**Mr Aubrey**—I will go back to the original document and make the change.

**CHAIR**—The other question that I want to raise with you, again knowing that my colleagues will want to ask some questions, is: do you have a definition of ‘genocide’?

**Mr Aubrey**—The United Nations has a definition of ‘genocide’. I am afraid that in the rush this morning I did not bring it with me. That definition is in the public arena. I cannot honestly remember it word for word.

**CHAIR**—I am not pressing you to remember it. I am just asking you: do you have a definition of genocide?

**Mr Aubrey**—Do I have a personal definition?

**CHAIR**—Yes.

**Mr Aubrey**—No, I do not have a personal definition.

**CHAIR**—So it is the United Nations' definition that you subscribe to.

**Mr Aubrey**—That is correct. I have based my allegations upon the United Nations' definition of 'genocide'.

**CHAIR**—All right. The other point I want to raise is in respect of the third sentence of the third-last paragraph of page 14 of your supplementary submission, where you say:

As well as substantial military aid and defence cooperation exercises our Department of Defence even trained the special forces that were let loose in East Timor.

What evidence do you have to support that statement?

**Mr Aubrey**—Is it not a fact that the defence department trained members of Kopassus?

**CHAIR**—No, that is not the issue. You have made the accusation there that they have 'even trained the special forces that were let loose in East Timor'. That is a quite specific claim.

**Mr Aubrey**—Yes.

**CHAIR**—If you have evidence to that effect, the committee would like to see that evidence. That is different from the issue of whether or not our Department of Defence has run defence cooperation by way of training exercises, military exercises. If you have specific evidence that showed that our Department of Defence trained the special forces that were let loose in East Timor, we would welcome it. We have had these allegations before, and I know that I have questioned, in the estimates process, on the public record, the Department of Defence on this specific issue. They deny that they have been involved in training forces either specifically for use in East Timor by the Indonesians or indirectly or inadvertently.

**Mr Aubrey**—I am not trying to say that the defence department has specific training courses to be used in East Timor. I draw my conclusions on the fact that there were Kopassus soldiers in East Timor from day one of the invasion up until now and that, throughout this period of time, some of those soldiers have conducted training exercises with the Australian Department of Defence. I am not saying that there was a specific training exercise for soldiers to go into East Timor.

**CHAIR**—My problem with that is that it implies guilt by association. That is a fairly broad thing—the fact that someone has known someone and has then gone off and committed whatever. You cannot convict the defence department because of that.

**Mr Aubrey**—In light of the fact that there was so much available evidence in the public arena from 1975 onwards—the remarks that I read out by Indonesian foreign ministers, evidence available to parliament from 1976 from annual reports by Jim Dunn, who I am sure you all know. One of these reports, which I have with me, is the 1979 report that was taken from the Parliamentary Library. It is the last report that I can find in the Parliamentary Library of Jim Dunn's annual reports from 1976 to 1983 in which he describes a blow by blow account of atrocities in East Timor.

**CHAIR**—No-one is denying the atrocities.

**Mr Aubrey**—What I am saying this for is that—

**CHAIR**—What I am trying to get is some factual evidence.

**Mr Aubrey**—I think it is relevant to draw the conclusion that, because the evidence was in the public arena, the Department of Defence and the Department of Foreign Affairs and Trade should have said, ‘What are we going to do about this? Should we still train Indonesian soldiers?’

**Senator BROWNHILL**—It concerns me that you say in your supplementary submission:

As well as substantial military aid and defence cooperation exercises our Department of Defence even trained the special forces that were let loose in East Timor.

I think you are actually making an accusation there that is not substantiated, and I would just highlight that. You do not have to agree or disagree, I am just highlighting the fact that I think that it is not substantiated evidence that is given here today.

**Mr Aubrey**—I take the senator’s point—

**CHAIR**—It is guilt by association.

**Mr Aubrey**—I take the senator’s point and I should have rephrased that conclusion better than I have done. However, I still draw the conclusion that, with all the available evidence in the public arena, the Australian Department of Defence should have said, ‘Are we going to continue to train Indonesian soldiers who are committing crimes against humanity in East Timor? Is this good policy?’

**CHAIR**—Have you looked at the training programs that were involved between the Australian defence forces and the Indonesian defence forces? I can speak only from my experience in the Senate itself. Let me say that I have looked at some of the programs, and some of those programs would definitely not have had application in terms of involvement in East Timor. Maybe some would, and this is why, if you have the evidence, if you can lead us down the path where we can come to a conclusion, I would appreciate it.

Some of them are in respect of just interoperability and are not troops necessarily in the field at all. I have not got the program in front of me but you can look back through the portfolio budget statements which outline our defence cooperation with Indonesia and quite a wide range of nations over the past three years. If you can go back beyond that as well and show us where that has led to the direct use of training by the Australian defence forces in East Timor, then we would be interested in that evidence.

**Mr Aubrey**—I do not have that evidence here.

**CHAIR**—I appreciate that and that is why I am seeking clarification on that issue. When we have put this issue to the defence department they have denied that their resources or their efforts could be in any way construed with human rights violations in East Timor. I am not defending the defence department; I am just telling you the proposition that they have put to us.

**Mr Aubrey**—I take the senator's point. However, as a prominent activist on this side of the fence with the East Timorese struggle, I cannot for the life of me justify any defence cooperation exercise, no matter what it is—whether it is cartography or non-military within the defence department—with a regime that is a brutal military dictatorship.

**CHAIR**—I am not going to pursue this. I know my colleagues have got some questions, so I will pass over to Senator Brownhill.

**Senator BROWNHILL**—Should there be a truth and reconciliation tribunal or a war crimes tribunal established in East Timor? Would it be better for the process of reconciliation in East Timor that the past not be raked over or in other words, should it be 'Let's move to the future'?

**Mr Aubrey**—Senator, one of the most remarkable aspects about the East Timorese people is the fact that they are able to look at the past and say we should conduct a reconciliation process. I am sure you are aware that yesterday Xanana Gusmao urged that such a reconciliation process would take place in an independent East Timor without any judicial process for political crimes committed during the 24 years of the Indonesian occupation.

I am not East Timorese, Senator. It is in their court as far as that goes. I have a personal view that people who commit crimes against humanity should suffer a judicial process. I would like to see President Suharto and his generals subjected to a judicial process. The Chilean dictator, Augusto Pinochet, was alleged to have been responsible for the death of 3,000 people—and I am not belittling what happened to those people in Chile. I have many friends in Chile. My political activism started with the death of Salvador Allende. However, President Suharto and his generals are responsible for God knows how many hundreds of thousands of deaths. I would like to see a judicial process or an international war crimes tribunal but really that is up to the East Timorese people. I know Jose Ramos Horta has called for that in the past but Xanana Gusmao's statement yesterday throws a new light on that.

**Senator BROWNHILL**—Over the last 24 years, how do you think the Australian government could have taken a stronger stand against human rights abuses in East Timor?

**Mr Aubrey**—What we are seeing now is a failure of foreign policy because the foreign policy that was espoused for 24 years has not led to East Timor remaining a part of Indonesia. At biennial conferences, going back 10 or 20 years—there are examples of it in this supplementary submission—even honourable members of parliament stated that you cannot stop a process of a struggle for freedom of a people under oppression. It was seen in Vietnam and we have seen it in East Timor. The Australian government, from the very first day, should not have been ambiguous over the political future of East Timor.

It was not the right of the then Prime Minister, Gough Whitlam, to say that East Timor was an economic basket case. We have examples of smaller nations like Hong Kong, Fiji and Singapore—God knows how many. Looking at our own track record, we have a balance of payments deficit—I am sorry, I am not an economist—and we could have done a lot more.

With all due respect, I need to speak about the history as it is. Malcolm Fraser said that the Timorese people were communists. He had not met one East Timorese person and, in fact, under the Fraser government, Jose Ramos Horta was banned from coming to Australia. He had the opportunity to meet an East Timorese and discover what he was all about. Bob Hawke could have done a lot more. Bob Hawke and Bill Hayden shafted a very credible Labor Party policy on East Timor which called for a genuine act of self-determination. This caused lots of problems within the Labor Party. I remember being told that people burned their caucus cards after that particular decision. It goes on. I, myself, have not been to East Timor and I am sure that could be one of your questions. It is taken up in this submission. I have not been to East Timor but neither had Prime Minister Whitlam, Prime Minister Fraser, Bill Hayden, Peacock, Prime Minister Hawke, Gareth Evans or Paul Keating when they continued a policy of acquiescence and appeasement with Indonesia. They had not been to East Timor.

**Senator BROWNHILL**—This is my last question. Do you think you can ever strike a balance between strategic and economic interest, on the one hand, and human rights, on the other hand? How do you strike the balance? How do you actually interfere in the affairs of another country?

**Mr Aubrey**—You possibly saw in the current week in the media that there were reports from the very renowned Australian Geoffrey Robertson—he is here for the writers' festival—who stated that what we are witnessing at the end of this century is a remarkable push by people all around the world for human rights justice. I am afraid that until strategic considerations by policy makers in Canberra include, as the foundation of all policy making, a common concern for the welfare of all people, then we are going to have policies that disregard the welfare of people and that even regard people—like the East Timorese have been regarded for 24 years—as expendable.

Australian governments for 24 years said that the fate of the East Timorese people was irreversible. Had we had a foreign affairs policy in 1975 that took into consideration the common concern for the wellbeing of all people there probably would be 200,000 people alive today in East Timor. As I mentioned in this submission, you cannot have a national interest without national honour. I am sure that senators welcome that aspect.

**Senator WEST**—Can you explain to me how you would implement your policies of human rights and there being no genocide, recognising that the independent countries do have rights of their own as well? How would you implement that policy?

**Mr Aubrey**—An initial aspect would be a more discerning perspective taken by leaders of government, by leaders of foreign affairs and by policy makers in general. A poor example of this is the fact that our current Prime Minister and our current foreign affairs minister have all year pursued the policy that a United Nations peacekeeping force in East

Timor is not necessary, when the East Timorese people themselves—Xanana Gusmao, Jose Ramos Horta and all the East Timorese solidarity groups—have called for a peacekeeping force in East Timor. With all due respect to the senators, as I mentioned in this submission, a general concern in the community is that you cannot trust politicians. I do not mean this to be taken literally by each senator here.

**CHAIR**—We are not offended, I can assure you.

**Mr Aubrey**—I have some wonderful friends who are politicians. I have met some wonderful people. However, we—the general community—cannot have a guarantee from you that East Timor will not happen again. So we need to have in place—

**CHAIR**—What do you mean by that?

**Mr Aubrey**—That the policy making failure of Australian governments from 1975 to now over East Timor will not happen again. I am proposing that there be created ministerial codes of conduct. That is the first step to espousing and to creating an ethical moral balance in policy making. I gave the one example: that the Department of Defence and the Department of Foreign Affairs and Trade would not be able to subsidise any military dictatorship. To me that is reasonable.

**Senator WEST**—You have not answered my question about what you thought the policy should have been post-1974 and how you would have implemented it.

**Mr Aubrey**—That is a very lengthy question, Senator. I will answer it.

**Senator WEST**—You can take it on notice if you want to and give us a written answer.

**Mr Aubrey**—I can do that. I will give you a written reply to that.

**Senator WEST**—I am also interested to know what you think the policy should be now and how you would implement that.

**Mr Aubrey**—The vital aspect of current policy should be pursuing the participation of a United Nations peacekeeping force in East Timor. A few weeks back, the current foreign affairs minister, Alexander Downer, stated on national television that between the government policy of diplomatic representation and a harder line on East Timor was only an act of war. I believe this is a nonsense. We have seen how economic sanctions can be very successful in the international arena, regarding apartheid in South Africa. I am sure there are other examples. We know that Indonesia is reliant on international aid and on institutional loans. It is a fact that in the past few weeks the International Monetary Fund and the World Bank have both warned Indonesia over the security situation in East Timor. The fine print of those warnings I am not privy to and do not have knowledge of. I believe the policy should be much harder than it is. It should be much more focused. I believe it is a failure for a policy making representative to say that we have made 120 representations to the Indonesian government over security in East Timor.

As I said, with a UN participation peacekeeping force people dying would be saved. As for foreign minister Alexander Downer's conclusion that Indonesia would not allow a peacekeeping force in East Timor, that is without pursuing avenues of economic sanctions, of withholding bilateral aid and of withholding institutional loans.

**Senator WEST**—One of our terms of reference is the prospects of a just and lasting settlement of the East Timor conflict. What do you think the prospects are?

**Mr Aubrey**—The fact is that the East Timorese people have been fighting for 24 years against remarkable odds and are still pursuing that struggle. The only conclusion that we can make is that a legitimate and genuine act of self-determination must determine the future of the East Timorese people. Although I have my own personal preference for how I would like to see East Timor politically, it is not for me to say whether they should be independent or whether they should be integrated with Indonesia. It is up to the East Timorese people to decide this and it is wonderful that we are going through this process.

I am optimistic long term that the East Timorese people will win their freedom. I am terribly pessimistic short term because we have 60,000 refugees. We have reports from medical people and from church sources saying that men, women and children are dying amongst these refugees each day from curable and treatable illness. We have had the reign of terror from the militia groups that is well known to be orchestrated by military authorities in East Timor. So yes, I am terribly pessimistic that more people will die between now and 30 August and after 30 August, unless there is a United Nations peacekeeping force in East Timor. I hope to God that Australians are not amongst these people. I am gladdened by the remarks of Foreign Minister Downer yesterday. In view of that fact, it would have been commendable if an Australian foreign affairs minister or prime minister had said this in 1975 with regard to the Balibo Five before they were killed.

**Senator WEST**—Do you have any comments about a statement that Jose Ramos Horta made on the *PM* program of 11 December 1995 about the approach of the Australian government at that stage? He said:

I have learned in the last few weeks of more discreet demarches done by Gareth Evans which are not of public knowledge . . . how, for instance, in New York for a long time (he) was very firm, was very critical on the situation and urged Boutros-Ghali to be more active and firm on the question of East Timor. That came to me, that information, from some diplomats in the European Union . . . they were all very commending of the Australian position. They told me, for instance, that the Australian Embassy in Jakarta is the most active on East Timor, always seeking out information, briefing Canberra on what happens, making representations to the Foreign Ministry. So to me, and I didn't expect that, that was a pleasant surprise and I was very happy.

Do you have any comments about that?

**Mr Aubrey**—Yes, I will make some comment about that. I would like to refer the honourable senator to my book which has a copy of the speech made by Jose Ramos Horta at the National Press Club in 1984, when he was not an international diplomat. You will get the full angst of an East Timorese person then. I regard Jose's comments as being, effectively, diplomatic. I cannot make similar comments regarding the efforts of Senator Evans at that time. It is like the recent 120 representations about Indonesian security: you can make diplomatic representations until the cows come home, but that is not going to

change anything. It is having effective policy that is going to do that. You need to change policy to do that.

However, the fact remains that, in the public arena and on record the then Senator Evans stated on numerous occasions that the fate of East Timor was irreversible. He said this to me personally, and he is on record as saying this in a number of interviews. It is really an ambiguous situation when you say you are doing the right thing in the international diplomatic arena but, at home or where it really counts, their fate is irreversible. At the same time, no Australian government—in light of the fact that the East Timorese have been subjected to an illegal invasion on occupation still not recognised by the United Nations—has withdrawn the repugnant recognition of Indonesian sovereignty over East Timor. So I do not wish to comment any further on Senator Evans's pedigree.

**CHAIR**—Thank you, Mr Aubrey, for your submission, your supplementary submission and the frankness of your evidence today. You have taken a couple of issues on notice that you are going to pursue for us, and we appreciate that. If you would resubmit those back through the secretariat, we would be pleased to look at them.

**Mr Aubrey**—Senators, may I say that, if you have any further questions or inquiries, I will make myself available for the hearing in Canberra.

**CHAIR**—If we have further inquiries, we will put questions on notice. It is not normal for us to keep calling witnesses back, Mr Aubrey.

**Mr Aubrey**—That is simpler for me.

**CHAIR**—It is purely and simply a matter of expediting the procedures of this inquiry.

**Proceedings suspended from 1.15 p.m. to 2.04 p.m.**

**ENSOR, Mr James, Advocacy Manager, Community Aid Abroad****KENT, Ms Lia, Policy Coordinator, Community Aid Abroad**

**CHAIR**—I welcome representatives from Community Aid Abroad. 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?

**Mr Ensor**—We have prepared a supplementary submission for the committee's consideration.

**CHAIR**—But there are no alterations to your already tendered submission?

**Mr Ensor**—No.

**CHAIR**—The committee has agreed to the publication of your original submission. We accept the supplementary submission that you have made and, subject to the normal scrutinies of the committee, we will at some later stage make it a public submission. For the purpose of obtaining an accurate record, would you remain behind at the end of proceedings so that the Hansard officer can check spellings and sources of information provided this afternoon. I now invite you to make an opening statement and then we will proceed to questions.

**Mr Ensor**—Community Aid Abroad would like to focus our presentation on two main areas today: firstly, to highlight the current situation on the ground in the period leading up to the ballot, based on information received from our consultants and partner organisations in East Timor at the moment; and, secondly, we would like to present some suggestions about long-term planning for East Timor, and suggestions in particular for the Australian government. That latter aspect of our presentation today is the basis of the supplementary submission that we have presented today.

To start with, I would like to give an outline of CAA's involvement in East Timor at present. We have been supporting organisations in East Timor since 1996 and we have three main partner organisations: Yayasan Hak, which is the human rights foundation of Dili; Fokupers, which is the East Timorese women's communications forum; and POSKO Dili, a communications centre and emergency relief organisation.

Yayasan Hak was CAA's first partner in East Timor and was founded in 1997 by a group of East Timorese NGO activists and church workers with the aim of promoting law, human rights and justice in East Timor. They operate effectively as a legal aid organisation, offering a wide variety of services, particularly to political detainees and other vulnerable groups. They also provide human rights training, monitoring and reporting.

Fokupers works with East Timorese women—women who have suffered greatly from the conflict in East Timor over the years but who remain marginalised. Fokupers supports

women who are survivors of torture and trauma, women who have been imprisoned, the wives and widows of men who have been imprisoned or killed. They have also carried out research and training in the areas of women's health and human rights.

Our third partner is POSKO Dili, which is a coalition of humanitarian relief organisations working with internally displaced people. It was formed in recognition of the fact that assistance to internally displaced people has been sporadic and uncoordinated until recently and in recognition of the need for some level of coordination.

Those three organisations are financially supported by Community Aid Abroad, who have at the present time a field consultant based in Dili. We also have an office in Kupang. To turn to the main points—

**CHAIR**—Could I interrupt you there—and I do not normally do this: is the office in Kupang to service East Timor or is it to service West Timor and other parts of the Indonesian archipelago?

**Mr Ensor**—It services other parts of the archipelago. We have programs throughout eastern Indonesia. The decision to establish a presence in Dili specifically was relatively recent.

To turn to the main points we would like to make in terms of the future agenda in East Timor, our supplementary submission makes a number of assumptions regarding the outcome of the ballot, being a vote for independence; that the results are accepted by the new Indonesian government and the people of East Timor. Based on that assumption, we have prepared, in consultation with our partner organisations—our staff in Melbourne operating with our partner organisations—what we call an agenda for action for the Australian government on East Timor.

To outline the agenda for action, just briefly, we are proposing that three principles should guide the Australian government's response to East Timor's future development. The first principle is that East Timor's development be determined by the wishes of the East Timorese themselves and not external donors and policy makers. We emphasise here that the right to self-determination does not finish with the finalisation of East Timor's political status. Following the ballot, it is the prerogative of the East Timorese to determine the nature and direction of their own development and to have meaningful input into the composition of that development.

The second principle is that East Timor's development should take place in the framework of the Magna Carta adopted by CNRT last year. This provides a guide to building a future independent East Timor and makes a formal commitment to the promotion and protection of human rights. The third principle is that East Timor's development should take into account the need to build amicable, long-term relations with Indonesia. Given the history of the relationship, this will be difficult, but we believe that it remains imperative.

There are a number of principles that we list specifically for guiding Australia's development assistance over the next period of time, given the assumptions that I outlined at the outset. They include, firstly, playing an active role in involvement in donor coordination

meetings. Australia is a major player and it is imperative that there be a coordinated approach from both multilateral agencies providing assistance to East Timor and individual bilateral donors.

Secondly, Australia should take a role in promoting East Timor's development priorities with multilateral and bilateral donor bodies such as the Asian Development Bank and the United Nations Development Program. We suggest opening an AusAID country program specifically for East Timor and that this program open for a minimum period of five years at the outset. We suggest that funding for that country program must be additional to the existing aid budget and that other countries should not have to sacrifice Australian development assistance in order for East Timor to receive assistance. In developing that country program, the Australian government should review its existing bilateral program to East Timor, which we believe is a good program, but is one that will need a change of emphasis, given the change in political status for East Timor.

**CHAIR**—Could I stop you there and seek clarification. In looking at the recommendation, there is an element of the current aid program to Indonesia which is earmarked for East Timor. How do you view that element, whilst it would not be necessarily sufficient? I do not know what the current aid to East Timor is worth as part of that program.

**Ms Kent**—I think what we are suggesting, as James outlined, is that we are assuming here that East Timor will become independent and therefore this is the assumption on which this submission is based.

**CHAIR**—I accept that.

**Ms Kent**—We therefore assume that we will need a separate country program for East Timor which will be different from the existing Indonesian program.

**CHAIR**—What about that part of the existing program that is there?

**Mr Ensor**—We are suggesting that the existing program be reviewed in light of the change in political status in East Timor.

**CHAIR**—So you are looking for an upgrade of that element.

**Mr Ensor**—We are looking for a review of that aspect of the program in light of changing political circumstance. Our analysis of that program is that the focus, given circumstances up to date, has been appropriate. It has a focus on agricultural development and extension. Whether or not that remains a key priority after the ballot for Australian aid should be reviewed.

**CHAIR**—Fair enough.

**Mr Ensor**—We suggest that the review of the aid program include a comprehensive assessment of the needs and priorities of East Timorese people and it should be informed by the current study being conducted by Colombia University into the needs of East Timorese.

That specific component of that assessment should address human rights and the needs of women, in particular. We also suggest that the review of the bilateral aid program address the role of the indigenous and foreign private sector in East Timor's development and the regulatory framework which will govern private sector investment.

The focus of an AusAID country program for East Timor will obviously depend on the outcome of a needs assessment. In general terms, our belief is that any future program should address basic needs, strengthen civil society, develop human resources within East Timor, safeguard human rights and assist with institution building. Large-scale infrastructure development is not satisfactory in itself in this scenario. There is an enormous amount of capacity building that needs to be done within East Timor.

The next point that we make is related to that in that the aid program should assist in capacity building for East Timor by providing training in management and in other key areas of relevance to East Timor's future development. We also suggest a number of possible initiatives which might assist in that capacity building, including perhaps establishing a scheme to assist expatriate East Timorese to return as volunteers or technical advisers or to migrate back to East Timor. The initiatives might encourage business, unions, the public sector, media, schools, universities and others—perhaps local government—to offer exchanges and work placements for East Timorese to gain skills and experience for use in a future East Timor.

These are practical measures that could be taken on the ground. We are also suggesting the establishment within an AusAID-East Timor country program of an NGO window to facilitate Australian NGO involvement in the program, particularly around the areas of capacity building which are a particular strength of NGO assistance.

We suggest that the Australian government facilitate Australian private sector involvement in East Timor which could be focused on particular industries. We suggest tourism as an example. Briefly, we propose a number of initiatives at both a civil society and an Australian government level around human rights and reconciliation. That includes support for a reconciliation process. We propose making human rights and reconciliation a focus of the aid program, the investigation of human rights abuses, and advocating the release of East Timorese prisoners, if that remains an issue. We also propose including a human rights expert within the Australian consulate, at least in the initial period. We make a number of recommendations in relation to security.

Finally, we encourage the Australian government to assist with the integration of East Timor into the regional and global governance processes and infrastructures, which may well be to facilitate any application by East Timor to join bodies such as the South Pacific Forum, the UN, the World Bank, the Asian Development Bank, APEC and others. There will be an upgrading of the Australian consulate to a full embassy, and encouragement of other key governments to upgrade their presence in East Timor.

That concludes the opening statement. I draw the committee's attention to the fact that Lia will be able to answer questions or update the committee on the current situation on the ground with our staff and consultants, if the committee would like to be updated.

**Senator WEST**—I would like an update on what the situation is there at present with regard to your staffers and consultants, if you can give us the latest, please?

**Ms Kent**—The very latest is that our executive director is currently in East Timor, and we had a phone call from him this morning. He is currently there to observe the ballot. From his latest perspective, the situation is very volatile and fluid. He is unsure yet whether he will be able to go outside of Dili in order to observe the ballot. But aside from that, we generally have a great deal of concern still about the humanitarian and security situation in East Timor, particularly the fact the militia still roam around with weapons and disarmament has not yet occurred. This violence, we believe, could well have impeded the chance of a genuine act of self-determination to occur on Monday.

One of our key concerns is the situation of internally displaced people. Our organisations on the ground estimate that we are talking about roughly 50,000 people internally displaced, although I have heard Jose Ramos Horta state on a previous occasion that the number could be as high as 80,000 people that are internally displaced. The main difficulty with internally displaced people is that humanitarian agencies are finding it incredibly difficult to access those people. The concern is not so much about the lack of food, or the lack of medical supplies; it is the fact that convoys of aid are unable to get through to internally displaced people where they are. The situation has been improving somewhat recently, since the attack on the convoy happened a few weeks ago. Things have improved since then, but access is still the main concern there.

To give you a little more detail on that, the IDPs are basically a political phenomenon. The very act of assisting internally displaced people is seen by the Indonesian military as a political act. IDPs are often viewed as independent supporters and they are often used as pawns in a political game to ensure that the vote goes for autonomy. So the inaccessibility of IDPs is also another problem. Many of them are living in areas which are controlled by the militia, or they are actually living in the bush, so they are hard to access. They are often also on the move, so they are not in large-scale camps that are easy to access by humanitarian agencies. They are on the move a lot of the time.

IDPs are mainly women and children from our analysis. Many of the men had actually gone into hiding, or they have been killed. Our organisations on the ground have documented an increase in cases of violence against women, including rape and sexual harassment, particularly amongst IDPs and women whose male members of the family have left to seek safety.

There are also health concerns, of course. IDPs are living in poor, crowded and unsanitary conditions, often with poor water supply and medical access is often minimal to non-existent. Generally, the health problems that we have been documenting include malnutrition, tuberculosis, malaria, diarrhoea and dysentery. There are also concerns in terms of IDPs being able to have access to the ballot as well.

**Senator WEST**—That was a question that I was wanting to follow up. Do you have any idea how easy it has been for the IDPs to actually register for the ballot? Will they be able to actually participate in the ballot because, if they have been moved on from another area, will they have to return to where they originally registered?

**Ms Kent**—That is one of the concerns that our organisations are documenting. I will hand in an additional document as well, which is from Yayasan Hak's committee on a free and fair ballot.

**CHAIR**—Can you identify that document by a title so that later we can recognise it?

**Ms Kent**—It is called committee report No. 2, *Violations in the registration of the ballot*, 26 July 1999. It is a little bit old now, but it does document a number of difficulties that have been faced particularly by IDPs wanting to register for the ballot. I will table that for the committee. In general, a lot of the IDPs have lost registration cards or, because they have moved on, they do not have the correct identity cards and their houses have often been destroyed as well. It is difficult for them to register. The security situation, of course, is creating difficulties for IDPs to vote.

I believe there is also increasing concern about IDPs returning from Dili to their original villages. There are a number of IDPs at the moment who are in Dili who have been told to go back to their villages to register. The problem is that often the villages they are going back to are not safe or secure. So there are concerns about whether or not they will be able to register in the villages when they return. I do not have the exact figures on the numbers of IDPs who have been unable to register at this stage.

**Senator WEST**—There were still a significant number of people who have managed to register though?

**Ms Kent**—Yes. The figure has been quite high and I believe that UNAMET has been working to overcome these difficulties and attempting to get out in the rural areas, particularly the western part of the country which is where most of the IDPs are and also where most of the militia are.

**Senator WEST**—If the outcome is independence, are you able to speculate what the result of that might be?

**Ms Kent**—In terms of security?

**Senator WEST**—Yes.

**Ms Kent**—I think everyone is speculating on this. The information that we are getting from our partner organisations is fairly pessimistic. There is a feeling that there could be a bloodbath after the result of the election is known, particularly as the militia are still roaming around freely with weapons. The military are still in East Timor and it is quite likely that the military will again be armed militia and the militia will be able to go on a rampage following the ballot. I believe there is no room for complacency in terms of providing adequate security measures and we welcome the UN's decision to boost the presence of military and security personnel in the province. I am not clear whether or not this is going to be enough to stop what is likely to be a rampage following the ballot. We believe basically that the UN needs to be prepared for every eventuality in terms of being prepared with a possible peacekeeping force, if necessary.

**Senator BROWNHILL**—You talk about people going outside, safety and that sort of thing. How can you have a fair ballot when even people from outside the country are frightened of going outside? In other words, do you think it is going to be a free, fair and open ballot?

**Ms Kent**—Again, that is a difficult question. Our partners are basically telling us at the moment that we are unlikely to have a free and fair campaign for the ballot, but we must insist that the actual process on the day is free and fair, that the actual ballot process is free and fair. That will depend on there being large numbers of UNAMET staff and foreign observers in the remote areas of the province to ensure that that takes place.

**Senator BROWNHILL**—Would you like to be up there now?

**Ms Kent**—Yes and no, I think.

**Senator BROWNHILL**—What about Mr Ensor?

**Mr Ensor**—No, I do not think anyone would like to be up there now, in reality. Our executive director arrived yesterday. In speaking to him this morning, his view was that between now and Monday and beyond Monday it could swing either way in terms of the security situation deteriorating extremely rapidly and effectively resulting in a bloodbath or, with renewed commitment from the Indonesian military, yesterday's events could be an aberration. But his view this morning was that he needed to take a fairly low profile. Our consultant who is with him in Dili who works with our partner organisations is similarly taking a fairly low profile at the moment.

**Senator BROWNHILL**—Using a 'what if' type analogy, if there had been a United Nations peacekeeping force in there with the Indonesian army, do you think it would have made a difference? Not that any country would like to have somebody else in to say that they cannot handle the law and order themselves, obviously.

**Mr Ensor**—At face value you would have to suggest it would have made a difference, yes.

**Senator BROWNHILL**—People have talked to us about a few areas—for example, education, human rights, health and food—post whatever result. If the country becomes independent, how can you change so quickly and dramatically a culture of people and educate them in a different way—for example, wives are being bought and that sort of thing—so it will be able to exist without heaps of aid from outside in the future?

**Mr Ensor**—I do not think it is up to donor agencies or governments to go about changing cultures per se. I think the crucial aspect is giving enough space for the East Timorese leadership, as it evolves, to have effective control over the sort of development assistance that is provided and how it is targeted. As a general rule, there is a need in post-conflict situations to focus explicitly on things such as reconciliation between previously hostile groups and to focus on basic areas such as education, primary health care, subsistence and agriculture. But in terms of changing cultures, we do not believe that is the role of development organisations or AusAID.

**Senator BROWNHILL**—No, but I am just trying to get your input.

**Mr Ensor**—I understand.

**CHAIR**—I do not know if you are interpreting Senator Brownhill's question correctly. I think I am on the same wavelength as Senator Brownhill. It is one of the issues that has come before us. I think you have addressed it in the first paragraph on page 2 of your supplementary submission when you talk about:

. . . East Timor's development should be determined by the wishes of the East Timorese people, not external donors and policy makers.

By inference there are maybe cultural problems within East Timor itself that our best desires, our best wishes and best intentions may not be able to resolve.

**Ms Kent**—In terms of a culture of violence, which I think is what you are talking about, the fact that there have been 24 years of a culture of fear, a culture of trauma and a culture of violence shows that it is a culture in which Australia has a role to play, particularly through the aid program, as James was suggesting, and the encouragement of peace building and reconciliation initiatives. There will be a number of initiatives, both at the civil society level by NGOs in East Timor wanting to work on reconciliation and from the transitional government, which will want to initiate such measures. I think that should be a priority for Australia to focus on. Through our Human Rights and Equal Opportunity Commission, for example, I believe we could play quite a strong role in supporting the development of such initiatives in East Timor.

**Senator BROWNHILL**—I am looking at our terms of reference at the 'prospects for a just and lasting settlement of the East Timor conflict'. The other area is 'Australia's humanitarian and development assistance in East Timor', which goes into the future. That is why I am getting quite interested in this inquiry. It is so vital to Australia to have stable countries around us. What about all the skilled East Timorese people who are in Australia? What part are they going to play in the next few months and years?

**Ms Kent**—At the moment, some organisations such as Australian Volunteers International are developing a register of skilled East Timorese people willing to go back and work in East Timor for a period of time. There are some initiatives like that happening at the moment to try to assist East Timorese here to go back to East Timor, to work and to make a contribution there. I agree that reconciliation is going to be one of the most difficult issues that are going to face East Timor. That is why we really need to be focusing on it now.

Until now, I think we have all been quite preoccupied with the issue of the ballot being a free and fair ballot, which is understandable, of course, because the situation is changing by the day, but I suppose the aim of our supplementary submission is to try to start thinking beyond the ballot into a more long-term development process. Once the ballot is finished, these issues are basically going to be in our faces. They are going to confront us rather quickly, so we really need to start planning for them now. We are not suggesting that this is the definitive response that Australia should make; it is really just to start the thinking and planning process.

**Senator BROWNHILL**—Regardless of any of the accusations that have been made about some of the Indonesian troops, for example, should there be a truth and reconciliation tribunal or a war crimes tribunal established in East Timor, or would it be a better process of reconciliation if the past were forgotten and we went on? Would those people still be there to cause subversive influences and problems in the future if it were not resolved in a very short period?

**Ms Kent**—I do not think we can talk about forgetting the past and going on. I do not think that is going to be possible. For any reconciliation process to occur, the first priority is that there needs to be an adequate investigation of all the human rights abuses that have occurred in the lead-up to the ballot. Unless there is an adequate investigation, people will not feel that they are able to reconcile. There need to be proper processes. People need to be appropriately trialled for their human rights abuses.

**Senator BROWNHILL**—That would be all sides?

**Ms Kent**—That would be all sides, of course. We are not talking here about one side or the other; we are talking about human rights principles, universal human rights standards which have been violated by both sides. Until those perpetrators are brought to justice, there can be no true reconciliation process. In terms of what sort of tribunal there should be, whether it is a truth commission—such as happened in South Africa, which I suppose is more about people speaking about their experiences rather than actual prosecution—as opposed to a war crimes tribunal, that will depend on the East Timorese themselves and what they believe is the most appropriate way of airing their concerns. I do not want to be too prescriptive, but I think we do need some means of bringing about reconciliation.

**Senator BROWNHILL**—Things like a common language? What would be the common language of East Timor?

**Ms Kent**—Again, I think the Timorese will have to decide this one for themselves. I have heard it said that Portuguese is being talked about as the official language for East Timor. I know the Australian Education Union have been having some discussions with the Timorese around developing education systems and language programs. We have not been directly involved in those discussions.

**Senator BROWNHILL**—If we look into the future—and we should be, because it is pretty close to decision time of what is going to happen in East Timor—what about the Timor Gap Treaty? What if it is not negotiated properly? According to some of our notes, I understand that Gareth Evans always said that, if there were any changes, the treaty should basically be renegotiated. Were those his very words?

**CHAIR**—I am not sure.

**Senator BROWNHILL**—And the benefits should basically go to—

**CHAIR**—No, I think Evans says that there is a law of succession.

**Senator BROWNHILL**—A law of succession.

**CHAIR**—It goes from Indonesia to East Timor.

**Senator BROWNHILL**—That is basically what I am saying, but you have said it much more nicely. East Timor will definitely have to have an economy. It is going to mean—and this comes back to my first question—that it is going to be viable in itself rather than having to have handouts from foreign countries for the next however long. I know it is an integral part of the terms of reference of our inquiry, but do you rate it high or low?

**Mr Ensor**—We do rate it highly. In our original submission, we have basically suggested a six-stage process for the Australian government around the Timor Gap Treaty, which would involve briefing the East Timorese leadership on the details of the existing arrangements and the various zones, on current exploration and production contracts and on expected production schedules, including cash flow and those sorts of details. Then we would move on to identifying the areas within the zone that the East Timorese believe they have a sovereign interest in and begin a negotiation process involving all the relevant parties to negotiate an outcome that is consistent with the desires of the East Timorese as much as possible. We see that as an integral aspect of what needs to follow a vote for independence.

**Senator BROWNHILL**—The human rights issues and accusations, which we have had evidence on already today, are supposedly quite horrific. Does Community Aid Abroad have any properly documented on-ground instances?

**Ms Kent**—Again, some of this information will be in the report from Yayasan Hak, which I am going to table. I am not here today to talk about specific instances of human rights abuses. I note only that they are occurring. We are getting a lot of information from our partners in East Timor, which we are passing on to the Australian government, about specific cases of human rights abuses, generally by the militia and often directed at internally displaced people.

**Senator BROWNHILL**—If that has been going on for, say, 10, 15 or 20 years, you cannot exorcise that out of a community just by the stroke of a pen at the ballot box.

**Ms Kent**—No.

**Senator BROWNHILL**—That is what concerns me.

**Ms Kent**—There need to be ways for the East Timorese to talk about these experiences. Some of our partner organisations such as Fokupers, which James mentioned earlier, work specifically with women. They are a human rights for women organisation. Some of the programs that they have been developing are things like workshops where they are getting women together in groups to talk about their experiences of human rights violations and to document them. Even the process of speaking out and documenting these violations gives women a feeling that they have a voice and that their stories are being heard, and they also develop an understanding of what human rights are and what human rights women are entitled to so that they can develop strategies for the future. So some of these processes and programs are occurring already, and I think we need to support that.

**CHAIR**—In respect of the Timor Gap, we had evidence from Woodside in Western Australia about the need for commercial stability in respect of the Timor Gap. We were told that the likely income from the Timor Gap, whether it be for Indonesia or East Timor, will be about \$100 million a year; and that if there is no commercial stability there, that will place that \$100 million in jeopardy. I do not think, by any stretch of the imagination, that they were saying this as a threat. Do you believe that the processes surrounding the Timor Gap treaty are sufficiently well understood amongst organisations such as yours and others who may well be giving advice, with the best of intentions, to East Timorese? Have you been briefed by any of the major gas or petroleum explorers in the area as to the need for stability in the Timor Gap treaty?

**Mr Ensor**—The answers to those questions are no and no.

**Senator BROWNHILL**—You would be very good at question time in the Senate!

**CHAIR**—You would. That is a good answer, though, because I do think that is an area that is going to be of crucial importance to the East Timorese should independence come about, and whilst we had Woodside in Western Australia and the secretary advises me that we will have Phillips Petroleum when the committee meets in Darwin, I am surprised that they have not sought out organisations such as yours, purely and simply, being so venal about it, because of the monetary consideration that is involved.

My concern there is that if the oil and gas companies see great instability they will say, 'Enough is enough, let's pack up and go somewhere else,' and a source of revenue which would be vital to an independent East Timor will just evaporate. You can say as much as you like about how much gas and how much oil is there. One of the things that these people tend to look for is a relatively stable commercial environment as well as political environment in which to work. I know the political environment is a little more difficult to deliver in terms of East Timor. That seems to be an important issue—or it is for me.

**Mr Ensor**—I agree exactly with what you are saying. But a point that needs to be made in relation to it is that the development of civil society and institutions that protect human rights, that create law and order, that enable participation in a real sense of East Timorese in their future, are a prerequisite to creating the sort of stability that is required for private sector investment. That is reflected in the emphasis in our supplementary submission on the sorts of initiatives that could be taken by Australia through its aid program that would contribute in a positive way to creating that social and political stability that would attract private sector investment. So there is actually a link between the provision of Australian public sector funds through the aid program and private sector investment, both from Australia and from other countries.

**CHAIR**—Given that there is not a bottomless pit of money in terms of aid funds or assistance that can be given, how does the Australian government prioritise what the aid should be directed towards? I note in your supplementary submission you refer to a period of the next five years. I would be highly surprised if five years—and I understand the sense in which you put this—is sufficient. I would think that the rehabilitation process of the East Timor economy and the East Timorese people is a greater time line than that—and that is another thing that I would like to discuss with you. You cannot ask any government to give

a blank cheque in terms of aid, so how do you prioritise what a government should do in terms of aid?

**Mr Ensor**—In terms of process, what we are suggesting is the Australian government go through a process of conducting a needs assessment for East Timorese—using other needs assessments, principally the one being done by Columbia University, as a reference point—to determine the sectoral priorities that our aid program should take. The other point to make in relation to that is that coordination with other bilateral and multilateral donors is imperative in efficiently using any aid dollars. That is why in our submission we highlight as key priorities for Australia's response, firstly, being a major player in donor coordination so that we can at least try and maximise the efficiency of donor dollars going into East Timor from Australia and other countries; and, secondly, giving a commitment to establishing a country program for East Timor but also doing a needs assessment right at the outset which would then inform a prioritisation process together with the coordination meetings that Australia should participate in. The outcome of those two processes should lead to Australia being able to prioritise what funds it does commit to East Timor.

**CHAIR**—Over what sort of time line do you see Australia being required to provide aid? You have given the five-year period. What is a more realistic time line? And are there things that should receive greater priority at the start, and then other things that, whilst they may well be a priority, could be pushed further out? Some of the things that have been said to us are about simple things such as roads. A road may make a great difference in terms of getting food and medical assistance to people. Whilst that might not be what some people would like to see as one of the highest priorities, nonetheless, it may well be a very important priority. Can you give us some assistance on that? We are not asking for a blueprint.

**Mr Ensor**—What we have said in the submission is for a public commitment for a minimum of five years at the outset. It is very difficult to judge how long. But, given the limited capacity of East Timor currently, one would expect that there would be development assistance required from Australia over the medium to long term, beyond the five-year period. The point we are making in the submission is that it would send an important message to the international community if Australia made that up-front commitment to substantial assistance for a minimum of the next five years. In terms of priorities, what we emphasise is a process that, as much as possible, enables the East Timorese themselves to set those priorities, rather than the priorities being set for them.

**CHAIR**—All right. Have they foreshadowed any priorities now, even in the current environment, that stand out above all others?

**Ms Kent**—This process is beginning at the moment. There was a conference in Melbourne in April, which you might have heard about, called 'A strategic planning conference for East Timor', which had a large number of East Timorese participants. That basically set a very broad agenda for the sorts of areas which the East Timorese believe are priorities over the short to medium term.

**CHAIR**—I do not want to cut you off, but I want to know if they have placed on your organisation something which they rate as being the highest priority for them now. Are they

saying to you, ‘Please send us medical aid,’ or, ‘Please give us access to fresh water,’ or, ‘Please give us a means of communication,’ or, ‘Please give us electricity’? I do not mind what they are—I am just trying to get some sort of feel for the demands they are placing on your organisation.

**Ms Kent**—The situation now and the situation after the ballot are two separate situations.

**CHAIR**—All right. If you could address both of them.

**Ms Kent**—At the moment we are concentrating on assisting internally displaced people—providing convoys of food, of rice, of medical supplies to reach internally displaced people, because they are the priority people in the lead-up to the ballot. At this stage we have not had a great deal of a chance to talk through with our partners what the priorities will be beyond the ballot. That is something that we will need to do. As I said earlier, people are rather preoccupied with the ballot process itself.

**CHAIR**—That is understood. I am just trying to get some sort of feel because it helps us if we can get from you some idea as to where you sense the demand will be immediately after. This committee’s hearings will be proceeding, and the better informed we can be the better we can, across the political spectrum, take recommendations back to our own political parties.

**Ms Kent**—In the very broadest terms, we believe there should be a focus on basic needs, on human rights, on reconciliation and on the strengthening of civil society, which at the moment is incredibly fragmented. They are the sorts of areas that we believe would be the priority.

**CHAIR**—All right. Thank you very much. We had better terminate there because I know some colleagues have commitments at the end of the day to get back to their home states, as I do. Thank you very much for the evidence that you have presented to us. We do appreciate that evidence and undoubtedly that will assist us in our deliberations. We wish you all the success in your endeavours post 31 August.

**Proceedings suspended from 3.00 p.m. to 3.10 p.m.**

**DEAKIN, Bishop Hilton Forrest, Chair, East Timor Human Rights Centre**

**NORONHA, Ms Ana, Executive Director, East Timor Human Rights Centre**

**CHAIR**—I welcome representatives from the East Timor Human Rights Centre. 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 which you would like to make to your submission at this stage?

**Ms Noronha**—No.

**CHAIR**—The committee has agreed to the 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 Noronha**—Honourable members of the Senate foreign affairs committee inquiry into East Timor, thank you for the opportunity to address you. It is a most historic and important time for the East Timorese people. The East Timor Human Rights Centre is an independent and non-political organisation which was established in 1995. Our major aim is to protect and promote human rights for all the East Timorese people through the collection, collation and assimilation of information identifying and documenting violations of human rights committed against East Timorese civilians, irrespective of whether the perpetrators are members of division security forces and its agents, or members of Falintil—the East Timorese national liberation army.

Since March this year, when we presented our submission to this Senate committee inquiry, we have released another report outlining violations of human rights in East Timor, covering the first six months of this year. However, it is not a comprehensive report of all the violations during this period because the security situation in East Timor prevents human rights non-government organisations from investigating the violations. Despite a number of independent and humanitarian personnel in East Timor, little is known of violations outside the areas to which the media and independent agencies are restricted.

The first half of 1999 has seen an alarming escalation of human rights violations in East Timor. Violations of human rights have vastly increased in frequency and severity compared with the figures for previous years. For example, the number of extra-judicial executions has risen from a total of 51 during 1998 to 215 for the period from January to June 1999. The figures for enforced disappearance have increased from 21 in 1998 to 68 for the first six months of this year. Overall, there has been a significant increase in the number of violations of the right to individual liberty, the right to integrity and security of the person, including torture and other inhumane treatment, rapes and property destruction.

Another alarming aspect is the increase in the number of internally displaced people living in life threatening conditions. The number of internally displaced people at the end of June was reported to be about 50,000 to 80,000 and most of them were beyond the reach of humanitarian assistance. This week, in south-western East Timor, pro-integration supporters have cut the water supply to more than 2,000 refugees who sought refuge in the church

grounds. Despite repeated demands from UNAMET, the local government official responsible for water supply to the area has refused to reconnect the water supply.

The vast majority of the violations have been at the hands of the pro-Indonesian militia groups which have been backed by the Indonesian army. This continues to take place with recent examples of pro-integration militia widespread campaigns of terror and intimidation last week at Viqueque, Ermera, Dili, Suai, Maliana, Manatuto, Bobonaro, Ainaro, and yesterday in Dili, which have resulted in many more deaths and wounded people. Indonesia has failed in its obligations to effectively carry out its responsibility for law and order and the protection of all civilians in the lead-up to the referendum as specified in the New York accords signed between Portugal and Indonesia on 5 May 1999.

The Indonesian army and other perpetrators of human rights violations in East Timor are still acting with impunity. The Indonesian army and the militias continue to escape criminal charges, even when they are known to be the organisers of systematic violations. The escalating violence in the lead-up to the referendum this Monday is impeding the chances of the East Timorese people to exercise the right to self-determination in an atmosphere free of violence and intimidation. The East Timor Human Rights Centre believes that a peaceful solution to the conflict in East Timor cannot be achieved without respect for human rights.

In June, the East Timor Human Rights Centre urged the international community to call on Indonesia to comply with the UN accords and to provide appropriate security to guarantee a free and fair vote in the August referendum. Indonesia has failed in its obligations to protect civilians. We also urge the international community to call on Indonesia to invite the UN to deploy a peacekeeping force in East Timor. Today we believe that that peacekeeping force is urgently needed in East Timor. Thank you.

**CHAIR**—Thank you very much. Bishop, do you need to say anything?

**Bishop Deakin**—No, I think she has done very well.

**CHAIR**—I realise that, but when there are two people at the table I try not to exclude anyone.

**Bishop Deakin**—I think a few things that I might say will come out as the conversation goes along. I have only just returned from East Timor; I go there every year. I have had about 12 visits there now, and I am fairly familiar with a lot of the problems, but they have not been specifically mentioned in here. Perhaps we could get onto them now.

**Senator BROWNHILL**—I might give you a bit of help to start with. As I understand it there are something like 96 political prisoners detained in East Timor. How many are detained in Indonesia that you know of? What is the chance of a fair and equitable vote without those people playing some part in it?

**Bishop Deakin**—I do not know the answer to how many there are in Indonesia but I can find out very easily. Part of the facilities we have in our organisation allows for just a phone call to get that information. I cannot give it to you; I did not know that you would ask me that question.

On a fair vote, it has to be put into a context, I think. Let me put it like this: I was not sure how the general election would go in Indonesia, but I think people of good mind are reasonably satisfied with what went on, that it was a reasonably fair and open vote. What is going on now? I was just talking to my friend back here about the way in which the resolution of presidential candidature is coming up. I think something similar might be said about East Timor when the time comes. I think I would go along with the Minister for Foreign Affairs, who said, after he had his first visit to East Timor and his last one to Indonesia, that he was more confident that there would be a fairly reasonable, equitable and relatively safe ballot. But I have to make the proviso that I believe the vital problem that is being faced as of now—as of this day when I was talking to somebody in Dili and as the human rights centre hears from day to day—is security. And it is getting worse. The question one has to ask is: how widespread is it and how deep does it go?

I am not sure that it is deep. I think that the group of people who are perpetrating all of this unrest are the paramilitaries, basically. I saw them in action when I was there. I did not see violence, I heard about violence. In the two weeks I was there I met something like 150 UNAMET personnel. I was given reports from various parts of East Timor about tensions that went on, and also reports about some personal attacks. They are sporadic. They are not all over the place and everywhere, but every one of them adds up.

**CHAIR**—How long ago were you there?

**Bishop Deakin**—I have been back about 10 days. The security, like the speaker in the last session said, has a certain aspect up until the 31st and after that there is going to be another one. One of the most common things that was talked about—and this is part of what happens in a situation like this—is gossip. That is of prime value. Some of the gossip is true, but you will never know until it is all over.

Everybody has views about things that are going to happen. Some people who are very well informed are saying things. I am a very close confidant of Bishop Belo. I also have very close contacts with a number of other people inside East Timor—and I am sorry this is a session where I cannot reveal them—and they are close to the truth of the matter. They are all deeply concerned about this question of security up until the time of the referendum. The gossip, and also the inside people, are saying that there are plans in place for a withdrawal, that the common view that is held inside East Timor—

**CHAIR**—Plans for a withdrawal by whom?

**Bishop Deakin**—Withdrawal by the Indonesian army eventually, and the Indonesian administration eventually. You have got to put in place what is going to happen in November at the National Assembly in Jakarta, who the president is going to be—

**CHAIR**—Is this phased or is it just—

**Bishop Deakin**—It will have to be phased because the whole lot is phased. If there is going to be a massive win for the independence vote, and this seems to be the view that is held right across East Timor—and very reliable sources tell me that this view is held also in Jakarta, that the independence vote is going to have a massive win—

**CHAIR**—Yes.

**Bishop Deakin**—The withdrawal that will be fairly immediate will be of the paramilitary, but they will apparently not go quietly. Already there has been an escalation. Ana has been receiving information at our office here in Melbourne that the paramilitary is stepping up its violation of human rights—belting people. Even in the 10 days that I was there I could see a slow build up of the paramilitary—there was running up and down in the street, demonstrations of 10, 20, 50 or 100, and flying the flag. There was more and more of it. But there was no confrontation, no violent contact. However, it has happened in the last few days. We don't know how many have been killed, or been disappeared, as they say. It will come out eventually.

**CHAIR**—You say there will be a paramilitary withdrawal.

**Bishop Deakin**—Yes.

**CHAIR**—I presume they are the militias, are they?

**Bishop Deakin**—Yes, the paramilitias.

**CHAIR**—Those are East Timorese people themselves?

**Bishop Deakin**—No, that is not accurate. Just for the record I say that.

**CHAIR**—I want you to expand on that.

**Bishop Deakin**—Do you want me to—

**CHAIR**—Just one moment. Answer that, but when you say the paramilitaries will withdraw, where will they withdraw to? You can answer that as part of the first question.

**Bishop Deakin**—I personally do not know, but this is what I am told. There will be a mass withdrawal across the border into West Timor. There are a couple of reasons for that, but that is where a lot of them will go. I have been reliably informed that all of the leaders—there may be one or two who are not in this—have already bought homes in Bali or Jakarta, ready to go there. Many of them have already sent their families out of East Timor. Joao Tavares, in Maliana, has already sent his whole family, which is an extended family, out of East Timor, fearing that there is going to be an awful violation when the ballot is had and the independence group—this is the theory, or what is said—win. This is this gossip thing. Even Bishop Belo tells me that the majority of the leaders who are pro-integrationist have already taken measures to move out of East Timor.

**CHAIR**—How many of those would be East Timorese, and what racial group are the others from?

**Bishop Deakin**—There are a number of East Timorese among them, there is no doubt about that. The figure I hear is around 40 or 50 per cent. I hear those figures but I have no idea how valuable they are. Nobody knows how many paramilitary there are. People talk

about 3,000, or maybe 4,000. There are a great number of West Timorese in the paramilitary. There are a number of Indonesians in the paramilitary. As for the others, I have no idea. It is a mishmash of people. The main leaders are East Timorese, and I do not think we have to explain that.

**Senator BROWNHILL**—The supporters of integration have threatened civil war but you are saying they are going to withdraw anyway.

**Bishop Deakin**—Yes.

**Senator BROWNHILL**—So there will not be a civil war.

**Bishop Deakin**—One has to see what the tactics are that are being played in this matter. For quite a while now there have been destabilising factors going on. I was in East Timor last October and I could see destabilisation going on, not in the major cities of Bacau and Dili but out in the countryside where the majority of the people are. The military—and the paramilitary were only beginning to appear there—were already in the process of surrounding villages, staying the night, raping a woman or two, belting up somebody and then moving on. That was going on right across the country. It was not happening in every village but you would get one in the east, one in the south, one in the west, and then they would move on one or two days later.

I used to travel extensively, and still do. I constantly came across groups of 10, 15 or 20 well-armed soldiers going through the countryside looking for Falintil and looking for people who they thought might be giving support to the resistance. All of this was destabilising. According to the people who live in East Timor, this was being built up and becoming more and more common. For instance, destabilising is brought on by misinformation as well. Around October it was said from Jakarta that there were 12,000 armed troops in East Timor. Then a document was found—it had fallen off the back of a truck and you have probably seen it—saying there were 19,000.

I was in Dili one day when 800 fully armed troops were put on a ship and moved out. It was blazoned in the press here in Australia and, I think, right around the world. However, two days later I saw twice as many coming into East Timor at Com, at the other end of the island, but that got mentioned nowhere. That is the sort of thing that is going on all of the time.

**Senator BROWNHILL**—Following on from that, would it be desirable and feasible to establish a truth and reconciliation tribunal, or an international tribunal, to investigate crimes against humanity in East Timor by the Indonesian armed forces?

**Bishop Deakin**—That is a question that has to be faced by the East Timorese authority when it becomes properly constituted. Let me say right now that I am not in the business of Indonesia bashing.

**Senator BROWNHILL**—I am not either, by the way.

**Bishop Deakin**—Exactly, but I think we ought to say it. I have too many nice Indonesian friends to regard that as being a universalism. It is talked about seriously at the top level of leadership among the East Timorese in the resistance and so on that something like this has to happen, as it happened in South Africa, to try and help build up some sort of honour about the past, the present and the future.

One of the greatest difficulties that the Indonesian strategists have had to face in East Timor is that for 24 years they have built up an extraordinary reservoir of terrible memories among the East Timorese people. It is unfortunate but whenever the word 'Indonesia' is mentioned, the East Timorese people think of this. They think of 200,000 to 250,000 people who have either been put to death or have been starved to death over the 24 years. There are some very horrific stories, and I am sure you are familiar with quite a few of them. Ana could give you some. Every family, I think, has been affected by this. That is going to require something of a truth and reconciliation commission, or something like that. People even talk about a war crimes commission.

**Senator BROWNHILL**—Would it be fair to say that there have been atrocities committed similar to South Africa, if you like—the apartheid regime, to give the analogy, against the blacks—

**Bishop Deakin**—You are quite right.

**Senator BROWNHILL**—There were a lot of blacks against blacks in South Africa. This tribunal would have to be everyone, wouldn't it?

**Bishop Deakin**—Yes, it would have to be. The Falintil have committed crimes, and other people have committed crimes as well. There has been, for instance, personal revenge against people that has nothing to do with anything except lineage—umilik and all these sorts of things. All of this has to be sorted out somehow or other. This is the terrible price that humanity always has to pay when it does things like this.

**Senator BROWNHILL**—You have made a comment that you think there will be a vote for independence—

**Bishop Deakin**—It is a quiet opinion, but it is an opinion.

**Senator BROWNHILL**—I am not wishing to put words into your mouth. What is your view of the reconciliation period to get East Timor really standing on its own feet, because you have the economic, humanitarian, health and food problems? How long?

**Bishop Deakin**—That is a multi-faceted question and it requires a multifaceted answer. Let me try. The East Timorese generally, and the leadership, whatever it may be—elected, non-elected and so on—are at the stage now of slowly but surely beginning to form a vision of what might be with a modern secular state in East Timor. They know that the Portuguese government has promised that it will provide finance for administration until there is a valid election. That might be 12 months or two years—who knows.

The United Nations has given, I understand, two guarantees that it will administer the territory—I thought for two years but Bishop Belo told me it was for four years—until something formal is done through the proper processes with the Indonesian parliament, international law and then elections in the territory. Reconciliation has to take note of that sort of framework that is going to develop. It also has to take note of whatever is put in place to meet health problems, economic problems and educational problems. All of these are going to have to be met with very quickly and quite substantially. The how of it, I do not know. I have heard all sorts of plans but the people who are the proper authority on this, I am sure, will bring this about.

There are two levels of this reconciliation, apart from taking into account that part of it. One is that I think that international law and its obligations have to be met in this regard. If there is going to be a truth and reconciliation investigation or a commission go on, some sort of law about atrocities has to measure the behaviour of people at that time.

But there is another sort of reconciliation, for instance, another organisation of which I am an active member by being chair of. Caritas Australia has helped this, the government of Australia, and also the local people in Bougainville, and that is a reconciliation process at another level. It is at the communal level, the familial level and that, in one way, I think, is probably the place where the success will have to be measured. So there are two levels of it.

**Senator WEST**—You said you understood from your discussions whilst you were there that there were plans for withdrawal of the paramilitaries and that the leaders had, for want of a better word, got themselves boltholes outside of the area, presumably because they could afford to. Do you think that all the paramilitaries are going to be able to afford to leave the country or in fact are you going to have some remnants that could be left behind?

**Bishop Deakin**—I could not say, but if you want me to give an educated guess I would say not too many of them can leave the country. The ones that are Timorese will want to stay in their own familial grounds, in their own territories. They know that by doing that they risk life and limb.

**Senator WEST**—That was my next question following on from that. What retribution do you think there is a risk of being wrought upon those who supported integration?

**Bishop Deakin**—I do not know. I fear the worst. I really do not know. I was up in the hills several weeks ago with people of the resistance, and they will broach no presence of anybody who betrayed them inside the country. Now I do not know that they are typical. I understand it because for 24 years they have been on the run and so many of them have been killed and tortured and so on. This is part of this reservoir of awful, horrific memories that is now coming out in this sort of social expression. A lot of other people are prepared to say, 'Give it a go; let us all try and be reconciled and sit down and work it out.' That has been talked about at a very high level in CNRT, for instance, that they will have no base for racial discrimination because they talk about Chinese Timorese as distinct from some of the others and so on. No, they do not want that. They also want to try and see if they can come to grips with reconciling people with diverse political viewpoints—pro-Indonesian, pro-integrationist, pro-Portuguese and all the rest of it.

Might I say that the two efforts by Bishop Belo at the DARE I and the DARE II and in Jakarta was basically all about that. He keeps on saying to me, 'I've almost got there.' The 'almost' can be, in fact, the tragic part of it. Who knows? But there are people of goodwill, I think, all over the place in East Timor wanting to be reconciled, but there is also this other wild card.

**Senator WEST**—What is the role of Indonesia in this? What role should they be playing? Presumably the integrationists, if Indonesia just walks away, are going to feel very bitter and neglected and lost as well. What is the role of Indonesia even now before things occur?

**Bishop Deakin**—That is a very complex sort of question because again I have spoken to a number of Indonesians about it and some military inside East Timor and so on. They are petrified about the unity of the nation.

**Senator WEST**—Of Indonesia?

**CHAIR**—You are talking about the whole archipelago, are you not?

**Bishop Deakin**—Exactly—it will fall apart. Now the question one then has to ask oneself is, 'Shouldn't it fall apart?' Is the unitary model, this sort of modern state, the viable one for here that can only be held together by Suharto muscle and all of those things, or can we move to a democratic model, or is it going to be a federation of states in some way with autonomy? Originally I think they hoped that East Timor would take it up but it does not want to—although I cannot say it does not want to because I cannot say what is going to happen with the ballot.

East Timor could start the ball rolling but, if I understand it correctly, for the Indonesian hegemony, it is Aceh that is the real problem. It was always there. It was always part of it. It is Islamic, and it is also very rich. There are a whole lot of things that make it a necessary part of the viability of the Indonesian state. This is not the case with East Timor. It was never part of it, and it still is not part of it. On the Indonesian side of it, there are a number of Indonesians who know what has gone on, are dreadfully upset about it all and have been all the way along. There are a number of people who have gone full pelt in producing all of these atrocities as well. There is also everything in between. What is the Indonesian reaction? It is as widespread as the people who either have become involved in it or understand what the point of it all is. I have met Indonesian bishops and asked them about East Timor. They say, 'East Timor, where's that?' What do you do?

**Senator WEST**—We did ask previous witnesses about the role of the Catholic Church in East Timor and in Indonesia and whether the two spoke to one another.

**Bishop Deakin**—Yes, we have the capacity to speak to one another and say nothing. It has been extremely difficult in one sense for both sides. From a distance, we can indulge being moralistic about all this. The Indonesian bishops are 100 per cent Indonesian—good luck to them. They are proud of their country, its achievements and all the rest of it. Suddenly, this happens over here. So they are going to look at it from a very strong Indonesian point of view. Initially, in 1975, they came out in a very strong condemnatory

manner over what the Indonesian ABRI was doing in East Timor, but they were sat on very quickly. Any conversation that has been held since then has been much quieter. There has been a deal of support, but it is not the sort of support that helps people who are being slaughtered at the rate of 250,000 in 24 years.

The East Timor side of it is different again. There was only one bishop there, so he ended up becoming, in a sense, the keeper of the flame because nobody else could talk publicly and get away with it. He was very solidly sat on, pushed and pressured by a great number of people in and out of the church to shut up and sit down. They said, 'Mind your own business. You shouldn't be interfering in politics,' and all that sort of thing. One looks back now on what he did and wonders how anybody could say anything like that. There are now two or maybe three bishops in East Timor. It is developing a hegemony, a leadership and an identity all of its own, and it will be that much more Timorese as a result. It is a long story, and I assure you the full story has not been told yet.

**Senator WEST**—What about the use of the language? What should be the language that is used in East Timor?

**Bishop Deakin**—Again, I suggest that the East Timorese are the people who should make that decision. At the conference here in Melbourne and also at the one in Portugal, they have already decided that the workaday language that the people will use generally is Tetum, which is a creole language. Might I say here as a plug that the Josephite Sisters in Sydney are the ones who are turning it into a formalised language, with the extraordinary language program they have of printing, writing and setting up schoolbooks that are already being used throughout East Timor.

I understand the official language of the nation will be Portuguese. Another language that will be used, although I think it will probably be used less and less, is Bahasa Indonesia. I have been a very strong advocate that East Timorese must learn English and plug themselves into everything that is going on in the world. So there are four languages. The thing to remember when we are talking about language is that East Timor is not like Australia. If you can speak English properly in Australia, you have achieved something. In East Timor, nearly everybody can speak two or three languages. Very many people can speak four anyway, so it is not problematic.

**CHAIR**—Ana, how have the East Timorese living in Australia been affected by the trauma that is taking place in East Timor currently? This is something we do not have evidence of before the committee.

**Ms Noronha**—Most of them have actually been through the trauma of war before they migrate to other countries. Most Timorese have lost members of their family during the war. Coming to other countries to start new lives is an issue which I believe most Timorese have never addressed. They have not addressed the issue of how to deal with losing a member of their family or looking at the trauma of being raped. Quite a few young women who seek refuge in Australia have been raped, but the issue has not been addressed.

**CHAIR**—So your organisation has not addressed any of those trauma issues with the East Timorese who are resident in Australia?

**Ms Noronha**—No, not really.

**CHAIR**—The reason I ask is that it raises the issue for me of the possible repatriation of these people to East Timor in an independent East Timor environment. Are they prepared to go back to East Timor or, because of the trauma that they have suffered, are they prepared only to remain in Australia? I will cite an example for you. I cannot say that this person was traumatised, but we had someone appear before the committee who came to Australia 20 years ago. We asked the person, ‘Would you go back?’ They said no. That person was not traumatised but had come over here as a refugee 20 years ago. They will not go back now because they have established quite firm roots in Australia in terms of extended family and so on. I can understand that. For the purpose of this inquiry, could we get some idea as to whether people who are recent refugees here and who may have suffered trauma would be prepared to go back. One of the issues that is being canvassed before the committee is that there are a large number of East Timorese in Australia and some of those are prepared to go back, but no-one seems to know the extent of that number.

**Ms Noronha**—I am sorry; I do not think I can give you a number. From my experience of dealing with them, it seems that there are quite a few refugees who would say, ‘We will go back as soon as we do not have that sort of threatening and intimidating environment.’ As for the others who came here a long time ago, perhaps 24 years ago, I am not quite sure. It is very much a personal decision of going back—yes or no—since they have lived in Australia for quite a while. I cannot give an answer for them.

**CHAIR**—Would you like to comment for me on how you see the relationship between Indonesia, East Timor and Australia developing in a post Indonesian occupation period of East Timor? It would seem to me that East Timor will be fairly reliant upon good relations with Indonesia as well as Australia, yet there has been this period of occupation and trauma. How does one develop good diplomatic relationships between East Timor and Indonesia when this period of violence occupies such a long period of the history of East Timor and Indonesian relations?

**Ms Noronha**—I believe that it will be in the hands of the government of the day to implement the right laws. I believe the Timorese leaders, if the result of the ballot is pro-independence, would then direct all their efforts to maintaining good relations with the two neighbours, Indonesia and Australia. It is very much at that level of government to adopt international law so that that sort of relationship can be established with neighbouring countries.

**CHAIR**—I would imagine there would be a certain amount of forgiveness required by East Timor in a sense to develop a relationship, albeit ultimately a reasonably good relationship. Is there the political will in the East Timorese leadership to develop that good relationship?

**Ms Noronha**—As a Timorese I will say yes. Not that long ago the previous Australian Minister for Foreign Affairs, Gareth Evans, was received by Xanana Gusmao who assured him at that time that an independent East Timor would maintain good relationships with its two neighbours. The will is there. As a Timorese I believe there is a will at that sort of level of the leadership.

**CHAIR**—If I could just tap into Bishop Deakin for a moment and use your expertise and knowledge of Indonesia, we saw the change under Habibie in respect of East Timor. It has been put to us that there have been changes in the attitude within the military to the position relating to East Timor. The position as you outlined it to us is quite clear: some military see it as a military threat if they lose East Timor and fear the breakup of the archipelago, but there are others whose attitudes seem to have shifted quite a substantial way from where they would have been in the Suharto period. What has been responsible in your view for the shift in those attitudes? These sorts of things just do not happen overnight. They take time. There must be something that influences the change. What has been the influence? If that influence can be identified, is it still a force that can move change further within the Indonesian psyche to improve relationships, regardless of whether it is pro-independence or an autonomous region within Indonesia?

**Bishop Deakin**—Let me give you just a couple of thoughts about it. The Indonesian armed forces are constituted rather differently from Australia's model, as you would know. They are there to protect the instruments of the state. They are supposedly meant also to be defending the rights of all citizenry. All of that is there. They also follow this *dwifungsi* policy which is that they make some contribution to the economic life of the country and through that contribution gain monetary rewards that help them equip themselves and provide them with what would be salaries in our situation. One finds in various parts—and I have seen it in many places in East Timor—the army building roads, bridges, halls, clinics and so on, doing what to me appears to be very good humanitarian work around the place.

One of the things that has happened is that that has collapsed as a part of the mega bust-up in the whole of South-East Asia so that the army has lost a lot of its franchises. In East Timor, for instance, the army held the control on the two sweet liquids that keep the place going, petrol and beer. They had the franchise out of Singapore on both of them. That got lost because people have not got any money to buy petrol, beer and so many other things.

A lot of the wives of Indonesian soldiers were running little businesses right throughout East Timor. That has almost disappeared. When I was down in Lospalos recently, I walked down the main street because I knew somebody in that street and used to visit them. I used to see something like 40 businesses. I counted five. The others had been wiped out. A lot of them were run by Chinese Timorese, but some of them were being run by Indonesian people who were in association in some way or other with the army. All have gone.

Going is one thing but no flow of money into the conduit which is the military pocket is another one. That is a major problem. Another major problem, as I hear it and read it, is that the army used to hold its head very high among the world armies. I do not know where it was on the list of one to 12, but it was up among the first dozen in discipline, organisation and so on. It is now in a most wretched position in world opinion. It is because of what happened, not just in East Timor, but also in Jakarta itself, where the army was used to killing a few people. Benny Murdani was the man who led it. Over in Aceh, Kalimantan, Ambon and Irian Jaya and so on, more and more evidence is coming out that atrocities are being committed by these heroes of the nation.

I have read a few articles on this. I cannot make up my mind about it but it strikes me as very sensible that the psychological core—the pride in self—has gone out of the army. How

you restore that I do not know. How you restore the economic base I do not know. There is even a move now to try and cut off the political power by getting them out of the national assembly, so the army is being curtailed left, right and centre.

There are forces inside the army—blocks of interest of various generals. Suharto's son-in-law headed one of them but he has been given the order of the boot and left the country, but they are still there trying to jockey for position. Whether Wiranto will make a go for vice-presidency or even for the presidency I do not know. These things are for political experts and analysts to look at.

If I can get back to East Timor, there are groups of the military who are honourable men and there are others who I reckon are thugs of the first order. They are both in there and this is part of the problem—not all the Indonesian army, but it is this swag that, I believe, is aiding and abetting the paramilitary, helping them and training them.

**CHAIR**—Are these the so-called rogue elements?

**Bishop Deakin**—In the army?

**CHAIR**—Yes, they have been referred to as rogue elements.

**Bishop Deakin**—You can call them rogue elements.

**CHAIR**—The leadership of the Indonesian military are just unable to control them for one reason or another. I am not justifying the position. Is that what we are talking about?

**Bishop Deakin**—I was taken by Bishop Belo to meet the commander of the armed forces in East Timor every time I visited there. I met one man who I thought was a criminal. You could not call him a rogue element. He was on the top of the pyramid there. He is retired now, but only a few months ago, Benny Murdani said, 'Give me three months, 50,000 well-trained men and I will solve the East Timor problem in three weeks. Shoot them all.' Is he a rogue element? He used to be the commander-in-chief, or the head of the army anyway.

I have always thought rogues were one among a whole herd where the rest of them were pretty good, but there is more than one in this. I cannot give you a number. Nobody can actually, but it is significant enough to characterise what is happening to the armed forces.

**Senator WEST**—I understand that in East Timor there is the Dili Diocesan Peace and Justice Commission and the Foundation for Human Rights and Justice. Have you got any assessment of the efficacy of these bodies?

**Bishop Deakin**—Yes, that is one of the things I do each time I go in. There is the Indonesian government National Commission of Human Rights, the Diocesan Justice Development and Peace, which has a human rights sector to it, and Yayasan Hak, which is independent. I understand there are a few others as well.

Senator Hogg was asking about women. There has been a very good study on women inside East Timor who have suffered trauma. That study was done by Miranda Sissons as an MA thesis in an American university. It is an excellent study of what women go through suffering trauma. Here it is post that I think.

**CHAIR**—Could we be provided with a copy of that?

**Bishop Deakin**—I think it would be a good resource.

**CHAIR**—Would you do that for us?

**Ms Noronha**—Yes.

**Bishop Deakin**—There are a host of these organisations. More and more of them are growing up as more and more people find they have to address specific problems. How are they working? Not very well. The Indonesian one was surprising. When it was first founded a few years ago, those of us who were activists in this thought it would not work because it was under the patronage of the federal government in Jakarta, but it turned out to develop its own spirit. It did one thing that we do not do. We do not do it because it is not in our charter. It looked at the human rights offences that are committed against, for instance, Muslims and Indonesian soldiers in East Timor and other places because human rights violations are committed against East Timorese in Java as well and in other places. We look at those as well, not just inside East Timor itself.

To answer you, it is a bitsy. But one has to remember that, if you follow the protocols of the United Nations Human Rights Commission thoroughly, as we try to do here, you cannot get anywhere in East Timor. For instance, I was down in Alas two weeks before there was a fight there and a number of people were killed. Bishop Belo and I were down there and two weeks later something went wrong. A couple of women got raped, then Falintil came in. There was one heck of a bungle and there were some deaths. You may recall an Australian military man was sent in by the government by helicopter. He said, 'I did not see anything wrong down there; I do not think there was anything at all.' God help us! The bodies were taken away. That is the problem that everybody gets. If we want to count bodies, the figures that we have here that Ana has given to you are not the full story at all. They are the ones that we can prove.

**CHAIR**—You raised another issue which we have not had raised in this inquiry so far; that is, the position of human rights violations against East Timorese who are within Indonesia but outside East Timor. Do you have evidence of those violations and, if so, can you present some of that evidence to this committee?

**Bishop Deakin**—We have evidence of some of them in some of our annual reports so we can get those to you, Senator.

**CHAIR**—Thanks very much.

**Senator WEST**—What about the violence of other minority groups, such as the Muslims and the Chinese, in East Timor? How much human rights abuse are they suffering?

**Bishop Deakin**—Do you want Ana or me to answer that?

**Senator WEST**—I do not mind who answers it.

**Ms Noronha**—If they are East Timorese, we actually reported them all, and we have the numbers in our report. If they are not Timorese, it is actually out of our mandate so we do not report them at all.

**Senator WEST**—Right.

**CHAIR**—So how are people who may be part of the Chinese population who have been resident there over a number of generations recorded?

**Ms Noronha**—If it is an East Timorese person, if it is a civilian, we report it.

**CHAIR**—If they are an East Timorese Chinese who has been there, they get reported the same as—

**Ms Noronha**—any other East Timorese there.

**CHAIR**—Thank you.

**Bishop Deakin**—We just call them East Timorese. We do not even use—

**CHAIR**—No, I understand that.

**Bishop Deakin**—I am only trying to make a point. By the way, you might like to know that in East Timor now there are very few people of Chinese descent. They have all gone.

**CHAIR**—Yes. We have figured that out.

**Bishop Deakin**—Most of them are here.

**CHAIR**—We figured that out.

**Bishop Deakin**—So it is a moot point.

**CHAIR**—Yes. Senator West, unless you have any further questions, we will have to draw these proceedings to a conclusion, otherwise some of us will miss our connections interstate. I thank you very much for your appearance before the committee this afternoon. We have appreciated the evidence that you have given to us and the frankness with which you have addressed this committee. We wish you all the success in your future work.

**Bishop Deakin**—Can we too say thank you both to you and to Paul for bearing with us. We hold this and work on this with a passion. Sometimes you never know what comes out, but we are deeply grateful for the effort that you are taking to listen to us, but particularly to the authentic voice—I am just a sideliners. Thank you very much.

**CHAIR**—Thank you.

**Committee adjourned at 4.07 p.m.**

