



## Recommendation 1421 (1999)<sup>1</sup>

### Situation in East Timor

#### Parliamentary Assembly

1. Following an Indonesian military invasion in late 1975, the territory of East Timor was annexed by Indonesia on 17 July 1976 in defiance of the rules of international law and the rights and obligations of Portugal, which had been recognised by the United Nations as the governing power. The annexation, which has never been accepted by the international community, was accompanied by human rights violations and a policy of forced assimilation of the population.
2. The Assembly recalls [Resolution 966 \(1991\)](#) on East Timor, in which it condemned Indonesia's annexation of East Timor and the human rights violations and affirmed the right of the East Timorese people to decide their own political destiny and preserve, develop and assert their cultural, linguistic and religious identity.
3. The Assembly also recalls Portugal's many endeavours since 1975 to ensure respect for the Timorese people's right to self-determination and independence.
4. The Assembly pays tribute to the diplomatic efforts of the United Nations following the political changes in Indonesia in 1998, which culminated on 5 May 1999 in the signing of an agreement between the United Nations, Indonesia and Portugal on the future of East Timor. The agreement comprised three documents: a proposal for autonomous status for East Timor, to be approved or rejected by referendum, security arrangements and arrangements for the referendum to take place by ballot on 30 August 1999. Indonesia undertook to accept that East Timor would become independent if the autonomy proposal was rejected.
5. The Assembly notes that, under United Nations Security Council [Resolution 1246](#), a United Nations mission to East Timor (Unamet) was established on 11 June 1999 mandated to organise and conduct this referendum.
6. The Assembly deplores the fact that the campaign for the referendum on 30 August was accompanied by a wave of violence.
7. The Assembly welcomes the fact that the overwhelming majority of the East Timor population nevertheless turned out for the poll organised under the auspices of the United Nations, and notes that on 4 September the United Nations announced the victory of the supporters of the independence movement, having obtained 78.6% of the votes. The Indonesian Parliament will have to incorporate into domestic law the result of the referendum in favour of independence.
8. The Assembly firmly condemns the massacres and acts of violence and terror committed by the pro-Indonesian militias following this democratic referendum held in a territory which is still, from the angle of international law, under the administration of a member country of the Council of Europe, as well as the passivity and complicity of the Indonesian armed forces deployed in East Timor. It demands that the violence cease immediately and that those responsible be brought to justice.
9. The Assembly also condemns the other violations of human rights in East Timor, notably the attempt to destroy the people and their identity.

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1. Assembly debate on 21 September 1999 (27th Sitting) (see [Doc. 8534](#), report of the Political Affairs Committee, rapporteur: Mr de Puig). Text adopted by the Assembly on 21 September 1999 (27th Sitting).



10. The Assembly is profoundly concerned by the humanitarian tragedy caused by the anti-independence militias and the Indonesian armed forces. Hundreds of thousands of inhabitants of East Timor have fled the atrocities perpetrated by these forces, seeking refuge in the mountains, on other islands or abroad, and thousands of others have been deported to West Timor, simply for having taken part in a democratic act of self-determination. Thousands of displaced persons are faced with starvation.
11. The Assembly deplores the fact that the headquarters of the United Nations in Dili, East Timor, in which some one thousand persons had taken refuge, was besieged by the pro-Indonesian militia and then plundered and set on fire after its evacuation, as was the residence of the winner of the Nobel Peace Prize, Monsignor Carlos Belo.
12. The Assembly deeply regrets that despite the many warnings, and the tragic evidence of the handling of the Kosovo crisis, the international community failed to take the necessary steps to prevent this tragedy.
13. The Assembly demands that Indonesia apply in their entirety the agreements of 5 May 1999 between the United Nations, Portugal and Indonesia and respect the population's choice of independence.
14. The Assembly recalls that the right of self-determination and independence is recognised for Timor by the Charter of the United Nations and the resolutions of the United Nations Security Council and General Assembly.
15. The Assembly supports the appeal of the United Nations High Commissioner for Human Rights, Mrs Mary Robinson, to create an investigatory mission to ascertain the facts and the responsibilities with regard to the human rights violations committed in East Timor.
16. It also backs the setting up of an international tribunal to judge these human rights violations.
17. The Assembly welcomes the adoption by the United Nations Security Council of [Resolution 1264](#) of 15 September 1999 authorising the deployment of a multinational force in East Timor, in accordance with the request transmitted by the Indonesian Government on 12 September 1999, with a view to restoring peace and security in East Timor, protecting and assisting Unamet in carrying out its mission and, as far as its resources allow it, facilitating the humanitarian aid operations.
18. It notes that this multinational force should be replaced as soon as possible with a United Nations peace-keeping operation.
19. The Assembly welcomes the Declaration on East Timor issued by the Committee of Ministers on 15 September 1999.
20. The Assembly urges the Indonesian Government:
  - 20.1. to propose that Parliament incorporate into domestic law the result of the independence vote by the population of East Timor;
  - 20.2. to take all the necessary steps to ensure that the Indonesian forces cease all violation of international rules guaranteeing respect for human rights and the rights of peoples to self-determination and independence;
  - 20.3. to ensure the dissolution of the militias and their immediate disarmament;
  - 20.4. to co-operate with the international force in place in all aspects of implementing its mandate;
  - 20.5. to authorise access as soon as possible by international humanitarian organisations and institutions to East Timor and to the refugee and deportee camps located in Indonesian territory;
  - 20.6. to guarantee the safe return of displaced persons to East Timor;
  - 20.7. to guarantee the security of Unamet personnel and premises;
  - 20.8. to respect in their entirety the 5 May 1999 agreements stipulating that the Indonesian Government must agree with the Portuguese Government and the Secretary General of the United Nations on the arrangements for the peaceful and orderly transfer of authority to the United Nations in East Timor;
21. The Assembly recommends that the Committee of Ministers call upon the member states of the Council of Europe:
  - 21.1. to recognise Timor Lorosae - the name chosen by the population - as an independent state following the results of the internationally organised referendum;

- 21.2. to support the deployment of the multinational force in East Timor, and to contribute to it;
- 21.3. to support actively the preparation of the United Nations Provisional Administration in East Timor;
- 21.4. to contribute to the humanitarian aid to the population of East Timor;
- 21.5. to exert pressure on Indonesia, inter alia by economic means, to ensure that it ceases all human rights violations and all appropriation of the wealth and natural resources of East Timor;
- 21.6. to suspend arms sales to Indonesia;
- 21.7. to examine urgently in the light of the human and economic disaster which followed the referendum vote, what lessons are to be learned for the future concerning preventive humanitarian intervention.