

The "régulo" of Atsabe, Guilherme Gonçalves, - a leading member of APODETI - was quoted as saying that 300 men in his district had been murdered by FRETILIN and their heads displayed on bamboo poles, and that there had been cases of rape committed by FRETILIN forces. 94/ Numerous instances of "popular uprisings" against "FRETILIN misrule" were reported. 95/ These allegations were supported by Mr. Rex Syddell, an Australian plantation-owner in East Timor who appeared before the Security Council in April 1976 at Indonesia's request. 96/ Having had an opportunity, he said, to observe FRETILIN behavior at first hand he stated that "even during my volunteer service in the Spanish Civil War or my mission to Kenya at the time of the Mau Mau uprising I never witnessed such atrocities, brutalities or inhumanity committed by one group of people against another. FRETILIN groups constantly used the threat of arrest, imprisonment and execution by decapitation to keep the people in line". 97/ Mr. Syddell appeared to have no doubts about the political orientation of FRETILIN, for as he told the Security Council, when confronted in his district with a "peremptory demand" by the local FRETILIN commander for tactical advice before the advancing Indonesian forces, he advised him to fly a white flag or "to put up the bloody hammer and sickle". 98/

Military situation

As reported above, outside observers who visited the Territory agree that by mid-September the civil war had ended in the colony. 99/ However shortly thereafter, reports began to circulate of armed clashes on the border between Portuguese and Indonesian Timor. These clashes became increasingly serious by mid-October when full-scale fighting took place on the border town of Batugade leading to FRETILIN's withdrawal from the town. FRETILIN charged that the UDT/APODETI forces operating from Indonesian Timor were

94/ Ibid., 1200 gmt, 10 November 1975 (SWB, Part 3, No. FE/5057, 12 November 1975).

95/ Antara in English 0945 gmt, 31 October 1975 (SWB, Part 3, No. FE/5048/B/7, 1 November 1975) and ibid. 0940 gmt, 17 November 1975 (SWB, Part 3, No. FE/5063, 19 November 1975).

96/ S/12049.

97/ S/PV. 1909, p.57.

98/ Ibid., p.58.

99/ See above pp.23-24 and statement by Mr. Fry in the Security Council (S/PV. 1909, p.38).

being assisted by Indonesian troops and that Indonesian air and naval craft were involved in the fighting. 100/ These claims were confirmed by the Australian observers who visited Timor during this period 101/ and appear to have been increasingly accepted as accurate by foreign news media as time wore on and armed clashes grew in intensity. 102/ The charges were, however, denied by Indonesian Government spokesmen and by Indonesian press reports which asserted that the fighting was limited to East Timorese forces. The acknowledged presence of Indonesian warships inside Portuguese Timor waters was justified as necessary to prevent "foreign intervention" in the conflict. 103/ On the other hand Indonesia charged frequent border violations and the shelling of towns inside Indonesian Timor by FRETILIN forces and threatened retaliation. 104/ On 13 October, Foreign Minister Malik told reporters that there was a limit to his country's patience and that Indonesia would take action if FRETILIN continued to provoke her. 105/

On 2 October the UDT President, Mr. Lopes da Cruz was quoted as having told Indonesian journalists that Indonesia was preparing to train a big force of refugees from Portuguese Timor to send back across the border to fight FRETILIN forces. 106/ This assertion was at first denied by Indonesia, but was later reported to have been confirmed in the Indonesian army newspaper "Berita Yudha". 107/

Since no foreign newsmen were allowed by the Indonesian Government to travel to the border with East Timor the international press was unable to verify at first hand the accuracy of these claims and counter-claims.

100/ Mr. J.S. Dunn affirms in his paper (op.cit. above) that he personally interviewed an Indonesian prisoner, Corporal Wali, captured by FRETILIN forces in East Timor in October 1975.

101/ See above footnote 81.

102/ See for instance reports in the The Christian Science Monitor, 23 September and 9 October 1975; The Times, 26 September 1975; The Guardian, 1 and 3 October 1975; Le Monde, 5 November 1975; The Manchester Guardian Weekly, 26 October and 9 November 1975.

103/ The Guardian, 23 September 1975.

104/ The Times, 27 September 1975; Jakarta home service 1200 gmt, 26 September 1975 (SWB, Part 3, No. FE/5019, 29 September 1975).

105/ Jakarta home service 0700 gmt, 13 October 1975 (SWB, Part 3, No. FE/5033, 15 October 1975).

106/ Melbourne in English for abroad 1200 gmt, 2 October 1975 (SWB, Part 3, No. FE/5025, 6 October 1975).

107/ Le Monde, 5 November 1975.

In mid-October five Australian television reporters who were accompanying FRETILIN forces were killed in the course of the fighting around Balibó. In a statement broadcast locally from Indonesian Timor the UDT President Lopes da Cruz is reported to have referred to the journalists as "communists helping FRETILIN" 108/, while an APODETI leader was quoted as saying that their death was the responsibility of the deceased themselves.109/ The journalists' death, for which responsibility has yet to be determined, provoked a wave of emotion throughout Australia and was a major factor in the decision by Australian dockers at the end of October to boycott Indonesian vessels.

Another issue in dispute was the extent of the territory in East Timor under UDT/APODETI control during this period. According to FRETILIN claims supported by outside observers 110/ the area controlled by the pro-Indonesian parties was limited to the Balibó/Maliana border districts. The anti-FRETILIN forces, as well as the Indonesian Government and media, claimed that the territory under UDT/APODETI control was much larger. 111/ No foreign observers were able to enter the UDT/APODETI areas to evaluate the validity of their claims.

FRETILIN's Unilateral Declaration of Independence

On 28 November 1975 the leadership of FRETILIN declared the Territory independent from Portugal as the "Democratic Republic of East Timor". According to the FRETILIN military commander, Rogério Lobato, Portugal's "constant stalling" on peace negotiations while the Indonesian military build-up continued had contributed to the independence decision.112/ FRETILIN leaders also stated that the attack on the town of Atabae, allegedly by Indonesian forces and with the support of Indonesian naval gunfire and aircraft - a report supported by Australian journalists on the spot 113/ - had persuaded them of Indonesia's determination to invade the territory and that Portugal would not or could not take the necessary action to deter Indonesia.

108/ ACFOA Report, October 1975.

109/ Jakarta home service, 1200 gmt, 23 October 1975 (SWB, Part 3, No.FE/5042, 25 October 1975).

110/ See above footnote 81.

111/ The Guardian, 15 October 1975.

112/ Reuters, 28 November 1975, quoted by The New York Times, The Times, and The Guardian of 29 November 1975.

113/ Michael Richardson of The Age (Melbourne) and Jill Jolliffe of AAP/Reuters. Reuters, Dili, 25 November 1975. See also Le Monde, 30 November/1 December 1975 and The Economist, 6 December 1975.

Mr. Francisco Xavier do Amaral, FRETILIN's President, was sworn in "President" of the new "Republic". Mr. Nicolau Lobato was appointed "Prime Minister"; his brother Rogério Lobato "Defence Minister" while FRETILIN's Secretary-General, José Ramos Horta, became "Foreign Minister".

Following FRETILIN's move it was reported that UDT, APODETI and their allies had declared the integration of Portuguese Timor into Indonesia. 114/

The Portuguese Government rejected both the FRETILIN proclamation of independence and the pro-Indonesian parties' declaration of integration with Indonesia. A communiqué issued by the National Decolonization Commission stated that Portugal still considered itself the administering Power and condemned military intervention in the Territory. The communiqué added that it appeared, according to reports received in Lisbon, that large-scale land, air and sea forces were now involved in the civil war in the colony. 115/

116/

The Indonesian Government in a statement issued on 4 December 1975 reiterated its respect for the rights and obligations of Portugal "as the sole authority in the Territory"; "deeply regretted" the unilateral action of FRETILIN ; declared its "profound understanding" of the declaration of integration with Indonesia by UDT, APODETI, KOTA and the Trabalhista Party and its respect for the right of the Indonesian people to sympathize with it; called upon all the parties concerned to undertake serious efforts for the attainment of the implementation of decolonization in Portuguese Timor in a "normal, orderly and peaceful manner", and expressed its determination to take the necessary measures "to ensure the safety of its national territory, to defend the sovereignty of the State and to protect the population from external harrassment". The statement went on to say that "the Indonesian Government and people have the moral obligation to protect the people in the Territory of Timor so that the process of decolonization can be realized in accordance with the aspirations and wishes of the entire people of Portuguese Timor".

114/ The declaration was reproduced in document A/C.4/808.

115/ The communiqué was reproduced in document A/10403 and S/11890.

116/ Reproduced in document A/C.4/808.

A few days earlier, on 1 December, Mr. Malik was reported to have told the leaders of the pro-Indonesia parties in Atambua, Indonesian Timor: "You face a tough struggle ahead. However you need not worry. We will give our full support, quietly or openly". 117/ He was also reported to have added that he would be in Dili by Christmas at their invitation. 118/

For its part the Australian Government announced on 29 November that it would not recognize FRETILIN's unilateral declaration of independence.

V - Intervention by Indonesia

On 7 December the Portuguese Government informed the President of the Security Council that early on that day, naval, air and land forces of the Republic of Indonesia, had launched an offensive action against the Territory of Portuguese Timor and particularly against the town of Dili, where naval bombardments had occurred and troops landed. Portugal termed Indonesia's intervention "an act of aggression" and called for an urgent meeting of the Security Council. 119/ On the same day Portugal broke diplomatic relations with Indonesia. A week later another operation, on a rather smaller scale was reportedly launched against Baucau.

There were reports that following the Indonesian attack against Dili, FRETILIN forces had retreated to the hills south of Dili with the purpose of organizing a guerrilla war against the Indonesian and pro-Indonesian forces. 120/

Indonesia has denied that Indonesian armed forces were involved in the attacks asserting that Dili and Baucau had been "liberated" by UDT/APODETI forces supported by Indonesian "volunteers" sent there at the request of the anti-FRETILIN coalition.

Shortly after these developments, a "Provisional Government of East Timor" was set up in Dili by UDT, APODETI, KOTA and the Partido Trabalhista 121/

117/ The Times, 2 December 1975.

118/ The Guardian, 3 December 1975.

119/ S/11899.

120/ The Times, 9 December 1975.

121/ A/31/42-S/11923.

headed by the leader of APODETI, Arnaldo dos Reis Araújo, who it will be recalled had been sentenced to a long period of imprisonment by the former Portuguese régime on charges of having collaborated with the Japanese during the latter's invasion of Timor during Second World War. 122/

Following reports of Indonesian military intervention in Timor the United Nations General Assembly and the Security Council passed resolutions on 12 and 22 December respectively "deploring" the Indonesian action and calling upon the Government of Indonesia to withdraw "without delay" all its forces from East Timor. 123/

However, on 25 December, there were reports in the international press, confirmed by the Government of Portugal 124/, that Indonesia had launched a new offensive against FRETILIN held coastal towns in the northern and southern coasts involving between 15,000 and 20,000 marines from Java. 125/

On 29 December, FRETILIN announced that Aileu, a FRETILIN stronghold south of Dili, had fallen to Indonesian troops. Thereafter, the "Government of the Democratic Republic of East Timor" claimed that it had established itself in the mountain town of Ainaro and that it controlled most of the interior of the Territory as well as some coastal areas which were reported to be under artillery bombardment.

On 13 December 1975 it was reported that the Portuguese enclave of Oecusse Ambeno in West Timor, which had never been under FRETILIN control had officially merged with Indonesia. The ceremony involving the 310 square mile enclave took place in Kupang, the capital of West Timor, at a special ceremony of the local legislative assembly when the Governor of Indonesian Timor accepted the merger and said he would report it to

122/ See footnote 33 above.

123/ General Assembly resolution 3485 (XXX) and Security Council resolution 384 (1975). The discussion of the question of East Timor at the United Nations is analysed below, pages 51-59.

124/ See document S/11934.

125/ National Times (Australia), 5-10 January 1976; The New York Times, 28 December 1975.

President Suharto. 126/ It was subsequently reported that a ceremony attended by the Indonesian Governor of West Timor, was held in Oecusse on 18 December at which the Portuguese flag was lowered and the Indonesian flag raised. 127/ However, the Indonesian Representative told the Security Council that the ultimate political future of Oecusse, like that of East Timor, would be based "upon the outcome of the free exercise of the right of self-determination by the entire people of East Timor in conditions of peace and order". 128/

On 30 December the small island of Ataúro was reportedly occupied by Indonesian-led troops. Portuguese officials, who had withdrawn there in August, had apparently been evacuated early in December. Portugal subsequently announced that it was sending a corvette to East Timor to maintain its presence there. 129/

VI - Military and political developments
January-June 1976

The military situation

It is impossible to give an accurate picture of the situation prevailing in East Timor after the Indonesian intervention, since no foreign observers other than the Secretary-General's representative have been allowed into East Timor since then. 130/ Representatives of the International Red Cross who were in East Timor prior to the events in December had not been allowed by the end of June 1976 to return. However it would seem that the Indonesian offensive which had apparently been geared to a quick consolidation of UDT and APODETI control over East Timor has encountered unforeseen resistance. On 8 January 1976, that is, a month after the attack on Dili, the official Indonesian press agency Antara reported that pro-Indonesian troops controlled only one-third of East Timor. 131/ At the same time, there were reports that FRETILIN was trying to secure control of the route Baucau-Dili, one of the main arteries of communication in the Territory.

126/ The New York Times, 15 December 1975.

127/ Jakarta home service, 1200 gmt, 18 December 1975 (SWB, Part 3, No. FE/5090, 20 December 1975).

128/ S/PV. 1868.

129/ The Financial Times, 30 December 1975.

130/ Except for the journalists who spent three hours in Dili on 31 May 1976 to attend the meeting of the "Popular Assembly". See below page 37.

131/ Quoted in Le Monde, 8 January 1976.

Since January 1976 there have been persistent reports from FRETILIN radio stations broadcasting from inside East Timor that fighting in the Territory continues and that FRETILIN is inflicting heavy losses to pro-Indonesian and Indonesian forces. On 14 January, Mr. Alarico Fernandes, a member of the FRETILIN Central Committee, said in a radio message monitored in Darwin that his party's forces had recaptured three northern coastal towns west of Dili: Liquiçá, Bazartete and Maubara. FRETILIN forces had also cut off the link between Baucau and the eastern tip of the island. Aileu, a mountain town, was also reported surrounded by FRETILIN forces. 132/ In a letter dated 19 April 1976 addressed to the United Nations Secretary-General, the President of FRETILIN, Francisco Xavier do Amaral, claimed that FRETILIN forces controlled more than 80 per cent of the territory of East Timor. 133/ This was disputed by Indonesia and by a representative of the "Provisional Government of East Timor" who told the Security Council in April 1976 that life had returned to normal in East Timor "except for a few disturbances caused by FRETILIN gangs in isolated locations". 134/

On the other hand the "Prime Minister of the Democratic Republic of East Timor", in a message read by Mr. Horta to the Council on 22 April, declared that fighting had recently intensified in several areas including Dili, Baucau and Viqueque. 135/

There have been reports since February from Indonesia and the East Timor "Provisional Government" of the withdrawal of some volunteers from East Timor. The representative of Indonesia told the Security Council in April that Indonesian "volunteers" had started to leave the Territory in February 1976. However he added that since the people of East Timor considered themselves already Indonesian and their territory an integral part of Indonesia in their view the Council's call for withdrawal was "unjust". 136/ The representative of the "Provisional Government" for his

132/ New China News Agency in English 2015 gmt, 16 January 1976 (SWB, Part 3, No. FE/5111, 19 January 1976).

133/ S/13055. See also statement by Mr. Horta in the Security Council, S/PV. 1909, p. 16.

134/ S/PV. 1908, p. 73.

135/ S/PV. 1915, p. 37.

136/ S/PV. 1909, p. 11.

part told the Council that at that very moment "thousands of Indonesian volunteers" were active in Timor but seemed to imply that they were mostly engaged in technical assistance projects. 137/

FRETILIN on the contrary stated as recently as 6 May 1976 that Indonesia had actually increased the number of its troops in East Timor 138/ and in the Security Council the representative of FRETILIN charged that new Indonesian reinforcements were arriving in East Timor. Mr. Ramos Horta put the total number of Indonesian forces in the Territory at 30,000. 139/

According to FRETILIN's radio Maubere broadcasts from inside Timor fierce fighting continued in all parts of East Timor in June and July 1976. Indonesian naval bombardment was reported to be continuing on both the north and south coast which if confirmed, would seem to indicate that FRETILIN forces were still active in, if not actually in control of, some coastal areas. The "Government of the Democratic Republic of East Timor" also reiterated its claim to control 80 per cent of the Territory.

Allegations of atrocities

Since August 1975 there have been reports of widespread killings and atrocities committed in Timor in the course of the fighting. In late January 1976 the Darwin daily newspaper printed excerpts of what it regarded as authentic letters sent via Kupang from two elderly Dili residents to their relations in Darwin. One letter reportedly stated that "more people were killed and more devastation caused in Dili itself than was done by the Japanese in the Second World War". It added that many families had been slaughtered and others were missing. 140/

In February 1976, Mr. Francisco Lopes da Cruz, the UDT leader and Deputy Executive of the "Provisional Government of East Timor", was widely reported to have said that more than 60,000 people - most of them women and children - had been killed since August 1975. He also admitted that there had been "reprisals" against FRETILIN supporters, often as revenge for alleged FRETILIN "cruelties" while in power. 141/ The figure

137/ S/PV. 1909, p. 42.

138/ Lisbon home service, 0001 gmt, 7 May 1976 (SWB, Part 3, No.FE/5208, 8 May 1976).

139/ S/PV. 1910, pp. 24-25 and S/PV. 1915, p.33.

140/ The Northern Territory News, 29 January 1976.

141/ The Age (Melbourne), 14 February 1976; Sydney Morning Herald, 14 February 1976.

caused widespread consternation particularly since the assessment of the ACFOA team in November 1975 had put the number of deaths since August at less than 3,000. 142/ However in a telegram addressed in March to the Secretary-General by Mr. Arnaldo dos Reis Araújo, the "Chief Executive" of the "Provisional Government" qualified Mr. Lopes da Cruz's statement to the effect that the figure of 60,000 was the total number of "victims", including the more than 40,000 refugees "who had fled FRETILIN's brutal persecution". 143/ Mr. Araújo also reported the recent discovery of "fresh, shallow mass graves" in areas where the population supported the anti-FRETILIN parties. FRETILIN has denied the charges pointing out that some of the alleged victims listed by the "Provisional Government" as dead or missing were reported to be still alive. 144/

Accusations by FRETILIN in the Security Council and elsewhere regarding the use of napalm and of biological weapons by Indonesian forces in East Timor 145/, have been denied by the representatives of Indonesia and of the "Provisional Government" of East Timor. 146/

In April 1976 Mr. José Martins, the Chairman of KOTA and a Member of the delegation of the "Provisional Government" appearing before the Security Council in December 1975, claimed, in a series of press conferences in New York and Australia, that the five Australian journalists who died in Balibó in October 1975 147/ had been killed because the Indonesian armed forces did not want any independent witnesses to their large-scale intervention in the East Timor civil war. 148/ He also announced that he had become disillusioned with Jakarta and was withdrawing KOTA from the coalition. 149/ In a letter dated 21 April 1976 Mr. Guilherme Gonçalves, on behalf of the "Provisional Government", informed the Secretary-General that Mr. Martins had been expelled from KOTA in mid-January 1976. 150/

142/ See above page 19.

143/ S/12041.

144/ S/PV. 1908 and S/PV. 1909.

145/ S/PV. 1908, p. 16.

146/ S/PV. 1908 and S/PV. 1909.

147/ See above page 28.

148/ The Age(Melbourne), 7 May 1976.

149/ Melbourne in English for abroad 0845 gmt, 22 and 23 April 1976 (SWB, Part III, No. FE/5192, 26 April 1976).

150/ S/12069.

The widespread concern felt in Australia concerning the journalists' death appears to have prompted the Australian Government to send a three-man diplomatic team to Balibó to investigate the deaths. 151/

Attempts by the Portuguese Government to obtain the release of the twenty-three Portuguese soldiers captured in August 1975 had proved fruitless by the end of June 1976. A proposal at the end of March made by Portugal to negotiate with Indonesia on all aspects of the situation in the colony was reportedly rejected by Indonesia which suggested that Portugal should enter into a dialogue with the "Provisional Government" of East Timor. Mr. Arnaldo Araújo in turn declared that his "government" would refuse to negotiate with Portugal since the Territory no longer belonged to Lisbon. 152/ The International Red Cross, which has not yet been allowed back into the Territory, was reported to have confirmed in Geneva at the end of April that attempts made through the Indonesian Red Cross to determine the fate of the 23 Portuguese officers and soldiers had been unsuccessful. 153/

In a cable addressed to the Secretary-General dated 13 February, Mr. Araújo, said that Indonesia had provided "extensive humanitarian assistance" to East Timor "reflecting the great sympathy and deep concern that Indonesia has felt for the suffering of its brothers in East Timor". 154/

Political developments

According to a statement by Mr. Guilherme Gonçalves in the Security Council 155/ "all political parties dissolved themselves" in East Timor on 31 January 1976 and a new unified party was created. A "Deliberative Council" was also established "to help the Provisional Government in reaching important decisions". This "Council", of which Mr. Gonçalves himself became "Chairman", was to perform the functions of a provisional assembly pending the establishment of a "People's Assembly".

151/ The Australian, 28 April 1976.

152/ Diario de Noticias (Lisbon), 31 March 1976.

153/ The Age (Melbourne), 30 April 1976.

154/ S/11986.

155/ S/PV.1908.

On 31 May it was announced that a 37-member "Popular Representative Assembly" of East Timor had at its first meeting unanimously approved a petition for the Territory's integration with Indonesia. The "Assembly" reportedly took less than two hours to discuss the bill. 156/ Twenty-four countries as well as the United Nations were invited to send observers to the meeting. In the event the meeting was reportedly witnessed by seven foreign diplomats 157/ and twenty foreign and Indonesian journalists who were flown in and out of the Territory for a three-hour visit. 158/ No United Nations organ accepted the invitation. 159/

Concerning the composition of the "Popular Assembly" an Act published by the "Provisional Government of East Timor" 160/ laid down inter alia that "the basic democratic right" to self-determination was to be implemented in accordance with "the traditions and identity of the people of East Timor, meaning a representative system by means of consensus and consent". 161/ Only in the capital, Dili, would the representatives to the "Assembly" be elected in accordance with the principle of one-man one-vote. 162/ According to article 9 a) "the Members of the Popular Assembly are elected from the people residing in the administrative postos/conselhos region concerned in accordance with the principles of consensus and consent and with consideration of the traditional and cultural values prevailing and developing in the area" and b) "the Regional Popular Assembly, besides being represented by prominent citizens of East Timor, is complemented by representatives from the conselhos, comprising two or three members, and should also include representatives of the tribal chiefs/kings and representatives of the religious groups".

156/ The Times, 1 June 1976; Washington Post, 1 June 1976.

157/ From India, Iran, Malaysia, New Zealand, Nigeria, Saudi Arabia and Thailand.

158/ The Times and Washington Post, 1 June 1976.

159/ See below page 64.

160/ S/12106.

161/ Article 2.

162/ Article 5.

The "Petition" of the "Popular Assembly" was submitted on 7 June to President Suharto by a 44-member delegation consisting of members of the "Popular Representative Assembly" and of the "Provisional Government of East Timor". 163/ In reply the President of Indonesia accepted the petition and added that before the integration of East Timor into the unitary State of the Republic of Indonesia became official... the Indonesian people requested to be allowed "once again to ascertain the wishes of the people of East Timor". Therefore "with the consent of our brothers in East Timor" Indonesia would like to send a mission for the purpose of making an on-the-spot assessment of the wishes of the people of East Timor in order that "a quick and firm decision" could be taken on the integration of East Timor. 164/

The Indonesian Government mission visited East Timor at the end of June 1976.

On 17 July a Bill unanimously passed by the Indonesian Parliament was signed by President Suharto officially incorporating the Territory as Indonesia's twenty-seventh province. 165/

163/ A/31/109-S/12097, annex II.

164/ Ibid., annex V.

165/ The New York Times, 18 July 1976.

PART TWO - THE QUESTION OF PORTUGUESE TIMOR IN THE INTERNATIONAL
ARENA

I - Developments prior to the fall of the Portuguese
dictatorship on 25 April 1974

A. Position of the Government of Portugal

The Salazar/Caetano régime consistently maintained that Portuguese Timor like its other overseas Territories was not a colonial Territory but an "overseas province" of Portugal and that therefore the provisions of Chapter XI of the Charter and of the Declaration on the Granting of Independence to Colonial Countries and Peoples ^{166/} did not apply to East Timor. An ammendment in 1951 to the Portuguese Constitution of 1933 abolished the Colonial Act of 1930 and incorporated its main provisions into the Constitution. The colonies were henceforth to be known as "overseas provinces". The de jure change in status of the Territories which was effected without consultation of the indigenous inhabitants, was not accompanied by de facto changes in their government and administration. Nevertheless the Portuguese régime persisted in declaring that Portugal was a pluri-continental state and refused in consequence to take any steps towards the self-determination and independence of its overseas territories.

B. Position of the Government of Indonesia

The official position of successive Indonesian Governments with regard to Portuguese Timor during the period under review was to support the right of the people of the Territory to self-determination and to disavow any territorial claims to the colony. In a series of statements before the General Assembly made between 1954 and 1962 in connexion with the West Irian dispute between Indonesia and the Netherlands, Indonesian representatives repeatedly emphasized that the national boundaries of Indonesia were those of the former Netherlands East Indies. In the words of the representative of

^{166/} Resolution 1514 (XV). For further information on the resolution and its implementation see Decolonization, Vol.II, No.6, December 1975.

Indonesia in the First Committee in 1954 "Indonesia was the national political name of the former Netherlands East Indies, including West Irian....The question whether West Irian had cultural links with other Indonesians was irrelevant... The boundaries of the State (of Indonesia) could only be the boundaries of the former Netherlands East Indies with whose freedom the national movement (for independence) had been concerned". 167/

In 1957 Australia and the Netherlands circulated a joint statement in connexion with the debate on the West Irian question setting forth the intention of both governments to coordinate their policies concerning the future of the Australian and Netherlands administered Territories in the island of New Guinea. 168/ This prompted the representative of Indonesia in the First Committee to declare that: "the attempt to link West Irian with East New Guinea simply because the two territories happened to form one island would create a very dangerous precedent, for example, in the case of the islands of Borneo and Timor. Indonesia had no claims on any territories which had not been part of the former Netherlands East Indies. No one should suggest otherwise or advance dangerous theories in that respect". 169/

Speaking in 1960 during the general debate at the General Assembly's fifteenth session, the then Foreign Minister of Indonesia, Mr. Subandrio, stated: "We are declaring (in relation to West Irian) the right of the Indonesian people to be sovereign and independent within all the territory formerly covered by the Netherlands East Indies. We do not make any claims to any other part of the Indonesian Archipelago. Indonesia explicitly does not make any claim at all to territory such as that in Borneo or Timor which lies within the Indonesian Archipelago but was not part of the Netherlands East Indies". 170/

During the debate preceding the adoption by the General Assembly of the Declaration on the Granting of Independence to Colonial Countries and Peoples the representative of Indonesia intervened to explain that: "when drafting this document my delegation was one of the sponsors of

167/ Official Records of the General Assembly, Ninth Session, First Committee, 726th meeting.

168/ Ibid., Twelfth Session, First Committee (A/C.1/PV. 907).

169/ Ibid., 912th meeting.

170/ Ibid., Fifteenth Session, Part I, Vol.1, Plenary Meetings, 888th meeting.

paragraph 6, 171/ and in bringing it into the draft resolution we had in mind that the continuation of Dutch colonialism in West Irian is a partial disruption of the national unity and the territorial integrity of our country". 172/ No such claim was made with regard to Portuguese Timor.

The Indonesian position was once more restated by Mr. Subandrio in 1961, again in connexion with the West Irian issue. Denying that racial affinities or differences could constitute the basis for the settlement of territorial claims he stated: "In regard to the large island of Borneo... whose northern part is British territory, and likewise as regards one-half of the island of Timor, which is Portuguese, we have no territorial claims at all; because what we consider to be Indonesian and Indonesian territory is nothing else but the entire territory of the former colony: the Netherlands East Indies". 173/

In 1962 the representative of Indonesia, in reply to criticism voiced by some African countries concerning the Indonesia - Netherlands Agreement on West Irian, said: "Not only have we never made any territorial claims to date, but we also categorically state that we have no intention of doing so in the future. We are not, for instance, laying claim to the other part of the island of Timor, which is now under Portuguese rule, despite the fact that the people of that territory belong to the same racial stock as we do". 174/

With the settlement of the West Irian dispute there were no further pronouncements by Indonesia in the United Nations regarding Portuguese Timor prior to 1974, whether in the course of the debates held in the Special Committee on Decolonization or in the General Assembly during the consideration of the question of the Territories under Portuguese Administration.

171/ Paragraph 6 of the Declaration reads: "Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations".

172/ Official Records of the General Assembly, Fifteenth Session, Part I, Vol. 2, Plenary Meetings, 947th meeting.

173/ Ibid., Sixteenth Session, Vol. II, Plenary Meetings, 1050th meeting.

174/ Statement by Mrs. Supeni, Ibid., Seventeenth Session, Vol. II Plenary Meetings, 1155th meeting.

C. The Question of Timor at the United Nations

During the period under review the situation in Portuguese Timor was discussed in the United Nations as part of the overall problem posed by the decolonization of the Territories under Portuguese administration.

In 1960 the General Assembly included Timor in the list of overseas territories of Portugal that were non-self-governing in respect of which an obligation existed on the part of the administering Power to transmit information. 175/

At its seventeenth session in 1962 the General Assembly discussed for the first time the question of Territories under Portuguese administration as a whole, and adopted the first of what became a series of annual resolutions upholding the right of the peoples of those Territories to self-determination and independence. 176/ In 1963 the Security Council, meeting at the request of African States, adopted a resolution, covering all Portuguese territories, which deprecated Portugal's repeated violations of the principles of the Charter and its continued refusal to implement the resolutions of the General Assembly and which urgently called on Portugal to recognize immediately the right of the peoples of the Territories under its administration to self-determination and independence. 177/

During this period the Special Committee on Decolonization considered information on the Territory compiled by the Secretariat as part of its annual review of the Territories under Portuguese administration. 178 /

175/ Resolution 1542 (XV).

176/ Resolution 1807 (XVII).

177/ Resolution 180 (1963).

178/ Official Records of the General Assembly, Eighteenth Session, Annexes, addendum to agenda item 23 (A/5446/Rev.1), chap.II; ibid., Nineteenth Session, Annexes, Annex No. 8 (Part I), (A/5800/Rev.1), chap.V; ibid., Twentieth Session, Annexes, addendum to agenda item 23 (A/6000/Rev.1), chap.V; ibid., Twenty-first Session, Annexes, addendum to agenda item 23 (A/6300/Rev.1), chap.V; ibid., Twenty-second Session, Annexes, addendum to agenda item 23 (Part II), (A/6700/Rev.1), chap.V; ibid., Twenty-third Session, Annexes, addendum to agenda item 23 (A/7200/Rev.1), chap.VIII; ibid., Twenty-fourth Session, Supplement No.23, vol.II (A/7623/Rev.1), chap.VIII; ibid., Twenty-fifth Session, Supplement No.23, vol.II (A/8023/Rev.1), chap.VII; ibid., Twenty-sixth Session, Supplement No.23, vol.II (A/8423/Rev.1), chap.VIII; ibid., Twenty-seventh Session, Supplement No.23, vol.III (A/8723/Rev.1), chap.X; ibid., Twenty-eighth Session, Supplement No.23, vol.III (A/9023/Rev.1), chap.IX

II - Developments following the change of régime in Portugal

A. New Overseas policy of the Government of Portugal

After the change of régime in Portugal on 25 April 1974, the new Portuguese Government accepted its international obligations with regard to its non-self-governing Territories under Chapter XI of the Charter and on 24 July 1974, the Council of State of Portugal approved a constitutional law ^{179/} abrogating the former territorial definition of the Republic of Portugal and acknowledged the right to self-determination, including independence, of the territories under its administration.

In a memorandum handed to the Secretary-General on 3 August 1974 ^{180/}, the Government of Portugal reaffirmed its obligations with regard to Chapter XI of the Charter and pledged full cooperation with the United Nations in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples. The Government of Portugal also reaffirmed its recognition "of the right of self-determination and independence for all overseas territories under its administration" and pledged full support for the territorial unity and integrity of each territory. This position was reaffirmed two months later by the Portuguese Foreign Minister, Mr. Mario Soares, in his statement during the General Assembly's general debate ^{181/} and by the Portuguese representative in the Fourth Committee who specifically declared that his government recognized the right of the people of Timor to self-determination and independence. ^{182/}

In a statement to the United Nations General Assembly on 3 December 1974, ^{183/} the Minister for Interterritorial Co-ordination of Portugal, Mr. Almeida Santos, said that apparently the majority of the people in East Timor desired the continuing presence of Portugal in the Territory but that his Government, in keeping with its policy of decolonization, would hold a referendum to determine the freely expressed will of the people of Timor

^{179/} Constitutional Law 7/74.

^{180/} Reproduced in A/9694 and S/11419.

^{181/} Official Records of the General Assembly, Twenty-ninth Session, Plenary Meetings, 2239th meeting.

^{182/} Ibid., Twenty-ninth Session, Fourth Committee, 2080th meeting.

^{183/} Ibid., Twenty-ninth Session, Plenary Meetings, 2305th meeting.

and would scrupulously abide by the results obtained. He added that he had been assured by the governments of Indonesia and Australia that neither of them had the slightest territorial ambition with respect to the Portuguese part of the island. It will be recalled that Mr. Almeida Santos had visited the area in October of that year. 184/

By the time the Special Committee on Decolonization met in Lisbon in June 1975 the UDT/FRETILIN coalition, as will be recalled, had split and attempts were being made by the Portuguese Government to open talks with the three political parties in Macau. During the general discussion of the question of the Territories under Portuguese administration, Mr. Almeida Santos, apparently alluding to one statement made in the Special Committee questioning the meaning of self-determination in the case of "divided" islands, declared that the right of peoples freely to choose their destiny allowed of no restrictions. 185/ To make an exception would amount to the violation or revocation of numerous United Nations resolutions laying the principle without reservations and without any apparent exceptions for islands divided into two. The people of Timor, and they alone, must therefore choose their destiny. After noting that Indonesia "renounces to all territorial ambitions with respect to the Territory of Timor - Dili", Mr. Santos said that Portugal wished the timetable and process of Timor's decolonization to be determined through direct talks with the three political associations in the island: APODETI, FRETILIN and UDT. Failing that, the Portuguese Government would pass a constitutional act providing for a free consultation of the people of Timor to determine the political status it preferred "whatever that may be". The consultation would probably take the form of an election by "direct, secret and universal suffrage, according to the rule one man one vote". 186/

Following the outbreak of civil war in Timor and the assumption of de facto control by FRETILIN, the Portuguese Government continued to insist on the necessity to hold talks with all the political parties in the Territory in order to arrive at a solution in keeping with the wishes of the population of East Timor while taking into account "the legitimate interests in that geopolitical area, namely those of Indonesia". 187/

184/ See above page 13.

185/ A/AC.109/PV. 1005.

186/ Ibid.

187/ See Communiqué by the Portuguese National Decolonization Commission (A/10277) and statement by Foreign Minister Melo Antunes before the thirtieth session of the General Assembly (A/PV.2382). See also pages 20-23 above.

This position was maintained after PRETILIN's declaration of independence and the four party declaration of integration with Indonesia, neither of which was recognized by Portugal. 188/ At the same time Portugal recognized that it lacked the means to assure "normalization" of the situation in Timor. 189/

After the armed intervention of Indonesia in the colony, the Council of Ministers of Portugal condemned the "military aggression" of Indonesia, decided to sever diplomatic relations with Jakarta and appealed to the United Nations and particularly to the Security Council to obtain an immediate cessation of the military intervention by Indonesia and a "peaceful and negotiated settlement of the conflict and of the decolonization process under the auspices of the United Nations". 190/

In his intervention in the Fourth Committee the Permanent Representative of Portugal proposed that the powers of the Special Committee on Decolonization be increased to enable the latter, in close collaboration with Portugal, to ensure the continuity of the process of decolonization. 191/

At the Security Council, called into session at Portugal's request, 192/ the Permanent Representative of Portugal stated that Portugal undertook to send to Portuguese Timor, and maintain there, naval units and military forces to ensure order and security in the Territory during the transitional period of preparation for self-determination on three conditions: first, withdrawal of Indonesian forces; secondly, a formal statement by Indonesia that it would not commit "any other act of aggression" and that it would abstain from intervening "in any form whatsoever" in the Territory's domestic affairs and thirdly, a guarantee by the countries of the region and particularly Australia, that they would provide Portugal with assistance and logistic facilities to enable her to maintain naval and military forces in Timor.

188/ See communiqué by the Portuguese National Decolonization Commission (A/10403-S/11890) and statement by the representative of Portugal in the Fourth Committee (A/C.4/SR.2178).

189/ See letter dated 28 November 1975 from the Chargé d'affaires a.i. of Portugal to the United Nations addressed to the Secretary-General (A/10402-S/11887).

190/ The full communiqué of the Council of Ministers was reproduced in extenso in Official Records of the General Assembly, Thirtieth Session, Fourth Committee, 2185th meeting.

191/ Ibid.

192/ S/11899.

Alternatively Portugal was ready to participate in a multinational force if the Security Council decided to set up such a force. 193/

Thereafter Portugal has continued to maintain that it is still the legal administering Power over East Timor and that it will only accept a solution that has been negotiated with all the political groups in East Timor and consistent with the right to self-determination of the people. In that connexion it suggested in April 1976 the convening of a conference "with the participation of all interested parties" under United Nations auspices. 194/

It was reported that talks were held in Bangkok from 6 to 10 July between representatives of Portugal and of the "Provisional Government of East Timor" on certain problems including the repatriation of the 23 Portuguese soldiers detained in the Territory.

B. Position of the Government of Indonesia

The change of régime in Lisbon and the consequent likelihood that the people of Portuguese Timor would be eventually asked to determine their own future did not immediately lead to a change in the previously stated position of the Government of Indonesia. No claims over East Timor were or have since been formally advanced by the Government of Indonesia.

Two months after the Lisbon coup, the Indonesian Foreign Minister, Adam Malik, appeared in fact to accept the possibility of an independent East Timor. The Indonesian press quoted him as saying: "We will support Portuguese Timor if its own people want to obtain their independence... Indonesia will give guarantees of not interfering in the determination of the future of Portuguese Timor". 195/ It was also at that time that Mr. Ramos Horta is reported to have received a letter from Mr. Malik explicitly accepting the people of East Timor's right to independence. 196/

193/ Official Records of Security Council, Thirtieth Year, 1867th meeting.

194/ See statement by Ambassador Galvão Teles in the Security Council in April 1976 (S/PV. 1908).

195/ Sinar Harapan (Jakarta), 17 June 1974 quoted by Hoadley op.cit.

196/ See above page 12.

However it would seem that the Indonesian position was gradually changing and that some thought at least was being given in the summer of 1974 to the possibility of annexing East Timor, for the issue was raised at the meeting in Townsville, Australia, between President Suharto of Indonesia and the then Australian Prime Minister, Mr. Gough Whitlam. Replying in Parliament to charges by the Minister for Foreign Affairs in the new Fraser administration, Mr. Andrew Peacock, that Mr. Whitlam had "either tacitly or avowedly" given support "to a degree of Indonesian expansionism", Mr. Whitlam, now leader of the Opposition, denied the allegations and declared that he had obtained from President Suharto an undertaking that Indonesia would not take Timor by force of arms. 197/

In September 1974 the Indonesian Governor of West Timor was quoted as telling APODETI leaders in the course of a meeting that the provincial government would assist "the struggle of APODETI". It was apparently from that time that the Indonesian newsmedia adopted a strongly anti-FRETILIN and pro-APODETI tone, identifying the former as "communist" and the latter as enjoying majority support in the Territory. 198/

In October 1974 in the course of the first debate in the Fourth Committee of the General Assembly concerning the question of Territories under Portuguese domination since the change of colonial policy had been announced by Lisbon, the representative of Indonesia stated: "Indonesia would like to see the people of Portuguese Timor exercise their right to self-determination in an orderly and peaceful manner in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples. If the people of Portuguese Timor decided to unite with the people of Indonesia after a period of 400 years of separation imposed upon them by colonial domination, Indonesia was prepared to collaborate with them to that end". In an apparent reference to those persons in the Territory who favoured East Timor becoming an autonomous unit within Indonesia, the Indonesian representative added that "it was the view of the Government of Indonesia that such an association should be in conformity with the 1945 Constitution of Indonesia which, inter alia, laid down that Indonesia was a unitary state". 199/

197/ The Australian and The Age (Melbourne), 30 April 1976.

198/ See above pages 12-13 and 15-16.

199/ Official Records of the General Assembly, Twenty-ninth Session, Fourth Committee, 2090th meeting.

Two months later, in December 1974, the official Indonesian news agency Antara quoted Mr. Malik as saying that there were only two choices opened to the Timorese: "remain under the Portuguese or combine under Indonesia". The Timorese were not strong enough to stand by themselves. "If they decide to remain under Portugal, that, besides adding to Portugal's burden, would also constitute a new form of colonialism". 200/

After the formation of the UDT/FRETILIN coalition Mr. Malik reportedly described the situation in the colony as "chaotic" and warned that Indonesia "would not tolerate that situation developing to a dangerous stage". 201/

At the meeting in Lisbon of the Special Committee on Decolonization, in June 1975, the Permanent Representative of Indonesia to the United Nations declared that Indonesia had on many occasions stated that it had no territorial ambitions with regard to Portuguese Timor, and that his country would continue to uphold and respect the United Nations Declaration on decolonization, "which in principle guarantees the right of every people to the free exercise of its right to self-determination", in respect of East Timor. He added that "it was a fact that there is a movement among the population of Portuguese Timor for integration with Indonesia". If the population of Portuguese Timor "in the free and democratic exercise of its right of self-determination, should decide that it wishes to become independent through integration with Indonesia", Indonesia would welcome that Territory "as an integral part of the Indonesian State with the same rights and obligations as the other parts in accordance with its Constitution".

Ambassador Anwar Sani went on to refer to the connexion that in the Indonesian view, existed between the decolonization of Timor and the need for stability in the area. After laying stress on Indonesia's concentration on national development, he noted that "one of the most important factors in the success of its (Indonesia's) efforts in national development and consequently in strengthening its national resilience is the existence of stability and security especially in the region of South East Asia and the Pacific to which Indonesia belongs" and added: "Indonesia cannot but view the process of decolonization in Portuguese Timor also from the point of view of these important considerations of regional stability and security". He ended by reaffirming that the population of the Territory should exercise its right of self-determination "through a referendum in peace and tranquillity, and in dignity, fully aware of the consequences of whatever decision it may take". 202/

200/ Official Records of the General Assembly, Thirtieth Session, Supplement No. 23 (A/10023/Rev.1), chap.VIII, annex, sect.B. See also page 14 above.

201/ The Press (Auckland), 4 March 1975.

202/ Special Committee records 1975, A/AC.109/PV.1001.

A month later in July 1975 President Suharto was reported as saying that Portuguese Timor could not be independent because it lacked economic potential and that the majority of Timorese favoured integration with Indonesia. 203/ Nevertheless, on the occasion of the installation of Indonesia's first Ambassador to Papua New Guinea in September while the civil war between UDT/FRETILIN was in progress, the Indonesian President reiterated that his country had no territorial designs on Portuguese Timor. 204/

Thereafter and up to the time of the Indonesian armed intervention in December the official Indonesian position was that East Timor was strictly Portugal's problem, but that Indonesia could not tolerate a situation under which FRETILIN enjoyed sole de facto control of the Territory nor would it accept an arrangement solely worked out between Portugal and FRETILIN. 205/ Increased emphasis, though, seems to have been laid in public pronouncements on the common ethnic origin of the population of Indonesian and Portuguese Timor and to the "close ties of blood and culture between the people of the Territory and their kin in Indonesian Timor" in spite of "450 years of division resulting from colonial domination". 206/

During the debate in the Fourth Committee on the day following its armed intervention in East Timor, Indonesia justified its presence in Timor as being "the result of a request from the parties which were in favour of integration with Indonesia" and which in Indonesia's view "represented the majority of the people of Timor". "Indonesia had to assist in re-establishing order since the authorities had acknowledged that they were powerless to oppose the wave of murders which had broken out in Timor in recent months and which threatened Indonesia's security. The Indonesian Government had to put an end to the fratricidal struggle among the

203/ The Age (Melbourne), 10 July 1975.

204/ Jakarta home service 0700 gmt, 10 September 1975 (SWB, Part 3, No.FE/5004, 11 September 1975.

205/ A/C.4/808, see above page 29.

206/ Speech by the Permanent Representative of Indonesia in the Fourth Committee on 3 December 1975 (A/C.4/SR.2180).

inhabitants of Timor". The Indonesian representative, however, assured the Committee that it was for the people of Timor to decide their future in accordance with resolution 1514 (XV) and that Indonesia "did not intend to create a fait accompli in Timor". 207/

In the Security Council the representative of Indonesia advanced a similar justification for his country's action in Timor. In the face of Portugal's "criminal negligence", hundreds of Indonesian "volunteers" had responded to the call of the anti-FRETILIN coalition "for help against the FRETILIN terror régime". Indonesia's "vital interest" in Portuguese Timor was based on geographic proximity and "on ties of blood and culture" between the people of the two sides of the island of Timor. 208/ He also reaffirmed that the political status of East Timor should be based "on the outcome of an exercise of the right of self-determination" by the people of the Territory. Indonesia would participate in every bona fide effort to restore peaceful conditions to the Territory "in order to enable the people freely and democratically to exercise its right to self-determination". 209/ This position, he stated, applied also to the enclave of Oecusse Ambeno notwithstanding the reported declaration of merger with Indonesia by the political leadership of the enclave. 210/

C. The Question of East Timor at the United Nations

As in previous years, at its twenty-ninth session the General Assembly dealt with the question of Timor as part of the Assembly's overall consideration of the question of Territories under Portuguese domination. In its resolution adopted in 1974, the General Assembly inter alia welcomed the acceptance by the new Government of Portugal "of the sacred principle of self-determination and independence and its unqualified applicability to all the peoples under Portuguese colonial domination". 211/ A similar procedure was followed by the Special Committee on Decolonization at its meeting in Lisbon in June 1975. In the consensus adopted at its 1004th meeting 212/ on the question of Territories under Portuguese administration

207/ Official Records of the General Assembly, Thirtieth Session, Fourth Committee, 2185th meeting. See also *ibid.*, 2187th meeting and Indonesia's statement in the Plenary (A/PV.2439).

208/ Official Records of the Security Council, Thirtieth Year, 1864th meeting.

209/ Ibid., 1864th meeting.

210/ Ibid., 1868th meeting. See above pages 31 and 32.

211/ Resolution 3294 (XXIX).

212/ A/AC.109/493.

the Special Committee included the following paragraph: "With regard to Timor and its dependencies, the Special Committee expresses the hope that the necessary steps will be taken, as appropriate, to enable the people of that Territory to attain the goals set forth in the Charter of the United Nations and the Declaration" [on the Granting of Independence to Colonial Countries and Peoples]. In a preceding paragraph the Special Committee had reiterated its affirmation of the inalienable right of the peoples of the Territories under Portuguese administration to self-determination and independence in accordance with General Assembly resolution 1514 (XV).

Discussion at the General Assembly

The thirtieth session of the General Assembly began its consideration of the question of the Territories under Portuguese administration on 2 December 1975. The tense situation prevailing in East Timor following the events of the previous months and the fact that the colony was the only remaining Portuguese Territory which had not yet exercised its right to self-determination led to a full debate of the question of Timor in the Assembly's Fourth Committee. 213/

Four days prior to the Indonesian armed intervention in the Territory a draft resolution 214/ was introduced in the Committee sponsored by Indonesia as well as by eight other countries. 215/ On 8 December a revised draft 216/ was circulated which inter alia deleted a reference in the original text to "the positive attitude of the administering Power in making every effort to find a solution by peaceful means" through talks with the political parties of Timor and included instead a new preambular

213/ Official Records of the General Assembly, Thirtieth Session, Fourth Committee, 2178th, 2180th, 2184th to 2189th meetings.

214/ A/C.4/L.1125.

215/ The other sponsors were: Australia, Fiji, Japan, Malaysia, New Zealand, Papua New Guinea, Philippines and Thailand.

216/ A/C.4/L. 1125/Rev.1

paragraph which reaffirmed that "any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations". 217/ The revised draft made no mention of the declaration of independence by FRETILIN nor of the declaration of integration with Indonesia by the other Timorese parties and omitted also any reference to a possible Indonesian role in the problem of Timor. It called upon all States "to respect the inalienable right of the people of Portuguese Timor to self-determination, freedom and independence", requested Portugal to continue to make every effort to find a solution by peaceful means through talks with the political parties of Timor, appealed to the latter to respond positively to efforts to find a peaceful solution, and requested the Special Committee to send as soon as possible a fact-finding mission to the Territory.

Following the armed intervention by Indonesia, the nine-power draft resolution was withdrawn and two others introduced: one sponsored by Algeria, Cuba, Guyana, Senegal, Sierra Leone and Trinidad and Tobago, 218/ the other sponsored by India, Iran, Japan, Malaysia, Philippines, Saudi Arabia and Thailand. 219/ The Algerian draft after recalling article 2 paragraph 4 of the Charter 220/ and expressing "deep concern at the critical situation resulting from the military intervention of the armed forces of Indonesia in Portuguese Timor", a) called upon all States to respect the inalienable right of the people of Portuguese Timor to self-determination, freedom and independence; b) called upon the administering Power to continue every effort to find a peaceful solution by means of talks with all the Territory's political parties and appealed to the latter to respond positively to efforts to find a peaceful solution; c) "strongly deplored" the military intervention of armed forces of Indonesia in Portuguese Timor and called upon Indonesia

217/ No explanation was given for this reference to paragraph 6 of resolution 1514 (XV). Concerning paragraph 6 see also pages 40-41 above.

218/ A/C.4/L.1131.

219/ A/C.4/L.1132.

220/ Article 2(4) reads: "All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations".