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ANEXOS

ANEXO I

My Dear President,

It was good to meet you in Kuala Lumpur and hear of the progress you are making with your political and economic reform program. I have followed with particular interest the development of your plans for elections next year and am pleased that our Electoral Commission has recently been in Indonesia discussing ways in which we can help you with them.

You have an enormous amount on your agenda and East Timor is just one of many pressing issues. But I hope that, recognising our goodwill towards you personally and towards Indonesia, you will permit me to make some suggestions about the East Timor situation.

Your offer of autonomy for East Timor was a bold and clear-sighted step that has opened a window of opportunity both to achieve a peaceful settlement in East Timor and to resolve an issue that has long caused Indonesia difficulties in the international community. A settlement would enable you to put the issue behind you. It would make a substantial difference to Indonesia's standing in the world, with the benefits that could bring.

I want to emphasise that Australia's support for Indonesia's sovereignty is unchanged. It has been a longstanding Australian position that the interests of Australia, Indonesia and East Timor are best served by East Timor remaining part of Indonesia. We would of course welcome any peaceful settlement that had the support of both Indonesians and East Timorese and met the interests and aspirations of both.

Observing the developments since your offer of autonomy, however, I fear that the boldness of your offer has not been matched with the degree of progress in negotiations which might have been expected. My concerns are that the UN process is not producing the desired results quickly enough, and that, with heightened expectations, attitudes in East Timor are hardening. It would be a real tragedy if the

opening you have created is not taken advantage of and the situation worsens in East Timor.

In our view, one reason for the difficulties is that negotiations with the Portuguese do not give an adequate role for the East Timorese themselves. In the end, the issue can be resolved only through direct negotiations between Indonesia and East Timorese leaders. If you can reach agreement directly with the East Timorese, then the international dimensions would take care of themselves, or at least be much easier to deal with.

I would urge you to take this course, and to focus on winning acceptance for your offer from the East Timorese themselves. The best way of achieving this may be for you to enter into direct negotiations with representative leaders from East Timor, including the two East Timorese bishops and Xanana Gusmao.

On the substance of the negotiations, the advice I am receiving is that a decisive element of East Timorese opinion is insisting on an act of self-determination. If anything, their position – with a fair degree of international support – seems to be strengthening on this.

It might be worth considering, therefore, a means of addressing the East Timorese desire for an act of self-determination in a manner that avoids an early and final decision on the future status of the province. One way of doing this would be to build into the autonomy package a review mechanism along the lines of the Matignon Accords in New Caledonia. The Matignon Accords have enabled a compromise political solution to be implemented while deferring a referendum on the final status of New Caledonia for many years.

The successful implementation of an autonomy package with a built-in review mechanism would allow time to convince the East Timorese of the benefits of autonomy within the Indonesian Republic.

I take the liberty of making these suggestions, knowing the matter is complex and not pretending to have the solutions. I hope, however, that some of these outside perspectives might be useful to you in your efforts to reach a settlement.

Australia wants very much to see a just and lasting solution to the problem. We believe that a solution is within your grasp if the visionary lead you have given can be followed up effectively and directly with the East Timorese.

If you see any merit in these thoughts I would be happy to talk with you directly about them or have some one discuss them discreetly with you. We are very willing to do what we can to help.

John Howard

Fonte: FISCHER, Tim. *Seven days in East Timor*. Sideney, Allen & Unwin, 2000, pp. 10-13.

ANEXO II**UNITED
NATIONS****Security Council**Distr.
GENERALS/RES/1264 (1999)
15 September 1999

RESOLUTION 1264 (1999)

Adopted by the Security Council at its 4045th meeting,
on 15 September 1999The Security Council.Recalling its previous resolutions and the statements of its President on the situation in East Timor,Recalling also the Agreement between Indonesia and Portugal on the question of East Timor of 5 May 1999 and the Agreements between the United Nations and the Governments of Indonesia and Portugal of the same date regarding the modalities for the popular consultation of the East Timorese through a direct ballot and security arrangements (S/1999/513, Annexes 1 to III),Reiterating its welcome for the successful conduct of the popular consultation of the East Timorese people of 30 August 1999 and taking note of its outcome, which it regards as an accurate reflection of the views of the East Timorese people,Deeply concerned by the deterioration in the security situation in East Timor, and in particular by the continuing violence against and large-scale displacement and relocation of East Timorese civilians,Deeply concerned also at the attacks on the staff and premises of the United Nations Mission in East Timor (UNAMET), on other officials and on international and national humanitarian personnel,Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel adopted on 9 December 1994,Appalled by the worsening humanitarian situation in East Timor, particularly as it affects women, children and other vulnerable groups,Reaffirming the right of refugees and displaced persons to return in safety and security to their homes,

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S/RES/1264 (1999)

Endorsing the report of the Security Council Mission to Jakarta and Dili (S/1999/976)

Welcoming the statement by the President of Indonesia on 12 September 1999 in which he expressed the readiness of Indonesia to accept an international peacekeeping force through the United Nations in East Timor,

Welcoming the letter from the Minister for Foreign Affairs of Australia to the Secretary-General of 14 September 1999 (S/1999/975)

Reaffirming respect for the sovereignty and territorial integrity of Indonesia,

Expressing its concern at reports indicating that systematic, widespread and flagrant violations of international humanitarian and human rights law have been committed in East Timor, and stressing that persons committing such violations bear individual responsibility,

Determining that the present situation in East Timor constitutes a threat to peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. Condemns all acts of violence in East Timor, calls for their immediate end and demands that those responsible for such acts be brought to justice;

2. Emphasizes the urgent need for coordinated humanitarian assistance and the importance of allowing full, safe and unimpeded access by humanitarian organizations and calls upon all parties to cooperate with such organizations so as to ensure the protection of civilians at risk, the safe return of refugees and displaced persons and the effective delivery of humanitarian aid;

3. Authorizes the establishment of a multinational force under a unified command structure, pursuant to the request of the Government of Indonesia conveyed to the Secretary-General on 12 September 1999, with the following tasks: to restore peace and security in East Timor, to protect and support UNAMET in carrying out its tasks and, within force capabilities, to facilitate humanitarian assistance operations, and authorizes the States participating in the multinational force to take all necessary measures to fulfil this mandate;

4. Welcomes the expressed commitment of the Government of Indonesia to cooperate with the multinational force in all aspects of the implementation of its mandate and looks forward to close coordination between the multinational force and the Government of Indonesia;

5. Underlines the Government of Indonesia's continuing responsibility under the Agreements of 5 May 1999, taking into account the mandate of the multinational force set out in paragraph 3 above, to maintain peace and security in East Timor in the interim phase between the conclusion of the popular consultation and the start of the implementation of its result and to guarantee the security of the personnel and premises of UNAMET;

S/HES/1264 (1999)

6. Welcomes the offers by Member States to organize, lead and contribute to the multinational force in East Timor, calls for Member States to make further contributions of personnel, equipment and other resources and invites Member States in a position to contribute to inform the leadership of the multinational force and the Secretary-General;

7. Stresses that it is the responsibility of the Indonesian authorities to take immediate and effective measures to ensure the safe return of refugees to East Timor;

8. Notes that Article 6 of the Agreement of 5 May 1999 states that the Governments of Indonesia and Portugal and the Secretary-General shall agree on arrangements for a peaceful and orderly transfer of authority in East Timor to the United Nations, and requests the leadership of the multinational force to cooperate closely with the United Nations to assist and support those arrangements;

9. Stresses that the expenses for the force will be borne by the participating Member States concerned and requests the Secretary-General to establish a trust fund through which contributions could be channelled to the States or operations concerned;

10. Agrees that the multinational force should collectively be deployed in East Timor until replaced as soon as possible by a United Nations peacekeeping operation, and invites the Secretary-General to make prompt recommendations on a peacekeeping operation to the Security Council;

11. Invites the Secretary-General to plan and prepare for a United Nations transitional administration in East Timor, incorporating a United Nations peacekeeping operation, to be deployed in the implementation phase of the popular consultation (phase III) and to make recommendations as soon as possible to the Security Council;

12. Requests the leadership of the multinational force to provide periodic reports on progress towards the implementation of its mandate through the Secretary-General to the Council, the first such report to be made within 14 days of the adoption of this resolution;

13. Decides to remain actively seized of the matter

ANEXO III



