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Ballots and Bullets in East and West Timor

by Teresa Hutsebaut

INTRODUCTION

Small arms that linger in the aftermath of conflict have riddled the prospects for peace first in East Timor and now in West Timor. The International Committee of the Red Cross has reported that “the widespread availability of arms engenders a culture of violence, undermines the rule of law and threatens efforts at reconciliation among former warring parties.”¹ To this list, one could add that small arms enable the terrorizing and intimidation of internally displaced persons and those exiled in refugee camps.

The violence infecting West Timor is an aftereffect of the contagion of terror that swept through East Timor in 1999 following its August vote for self-determination. Despite the favorable outcome for the proindependence East Timorese on the ballot, an “overwhelming majority were brought to West Timor against their will, usually at gunpoint.”² Today, 100,000 of those East Timorese remain stranded in camps under the “protection” of armed and menacing pro-Jakarta militiamen hostile to East Timorese independence.³

It is clear that the removal of small arms from East Timor may have averted the current crisis in cross-border refugee camps. Needless to say, disarmament and the demobilization of militias should be accelerated as a necessary precursor to peace. Although the number of encounters with small arms are few in relation to past scenarios like Cambodia or the present one in Sierra Leone, it must be recognized that the Timorese are significantly traumatized, and small arms play a role. Countless news reports include statements by the UN territory’s administrator, Sergio Vieira de Mello, stressing that disarmament has not been taken seriously by the Indonesian government, the custodian of the process. After more than two decades of suffering, even one more incident is too many. As such, at the dawn of this newly independent state, it is necessary to embark on a comprehensive program of disarmament—otherwise, community peace will remain cursory and short-lived.⁴

There are precedents for such efforts. A program for small-arms reduction in Mali was a rare example of successful disarmament. In a 1997 report, the British American Security Information Council (BASIC) suggested that lessons can be extracted from the Malian disarmament experience that are applicable both on the African continent and beyond.

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While the circumstances and preconditions for peace differ somewhat from country to country, the general conceptual approach applied in Mali can provide lessons applicable to the current scenario in East Timor and the troubled camps on the western half of the island. This paper interchangeably reflects on experiences with small arms in East and West Timor. It is believed that the precursors of violence in one are the same as the other—small arms in the control of unfettered militias.

MALI'S SMALL-ARMS REDUCTION

A civil conflict in Mali smoldered for ten years between the autonomy-seeking Tuareg nomads and the Malian government until a peace accord was agreed upon in 1992. However, despite this proposed reconciliation, the flow of small arms was unremitting and civil conflict persisted. Ultimately, its inability to rein in the violence prompted the Malian government to seek the disarmament advice and assistance of the United Nations.⁵

The Mali mission was undertaken at the request of the government of Mali and with the cooperation of the opposing Tuareg group. It was a smooth operation because it slid nicely into the basic paradigm of peacekeeping, which urges the consent of parties and impartiality. In the end the majority of the rebels came forward to retire their weapons.

Mali's successes offer lessons for East Timor.

Of indisputable importance in Mali was the government's commitment to remedying the small-arms problem, demonstrated by its asking the United Nations to provide support to deter violence within Mali's sovereign domain.⁶ Secondly, Mali employed a "security first" method, urging general societal security with the police or the national guard firmly in place and prepared to defend the personal security of inhabitants.⁷ Lastly, while the government collected and destroyed the arms that littered the country, it also heralded the necessity of regional measures, which would halt the seeping of arms through porous borders.⁸

Mali's successes are attributed not only to arms reduction but also to efforts to reform and reintegrate soldiers capable of maintaining a secure environment. President Konare stated that it was integral to peace-building efforts for armed factions to be disarmed, demobilized, and given constructive roles in society.⁹ Once militias lost their weapons, it was important to disarm or dismantle their existing norms of behavior. The conceptual underpinning was that "disarmament and human development are linked."¹⁰

According to Conciliation Resources, "the agreement to disarm must be universal and the process supervised by a neutral body that is acceptable to all parties."¹¹ In the Mali case, not only was the supervisor of the process neutral, but also the entire population was encouraged to take a stake in and ownership of it.¹² In addition to the neutrality of the custodian of the process, there were three major components to the Malian success: 1) the participation of traditional community-based organizations,

which ensured confidence in the process; 2) the cooperation of surrounding states (Niger and Burkina Faso were engaged, ensuring that new cross-border shipments of arms were derailed); and 3) development initiatives that accompanied the removal of arms.¹³

The achievement is also due to the incorporation of a broad approach to conflict management, which tackled the root causes of strife, including poverty, development issues, and social disorder.¹⁴ The Brahimi Report on UN peacekeeping operations suggests that “demobilized fighters (who almost never fully disarm) will tend to return to a life of violence if they find no legitimate livelihood, that is if they are not reintegrated in to the local economy.”¹⁵ In Mali, reintegration efforts included personal economic security with funds made available to former militiamen to begin microenterprise projects.¹⁶

Three components identified by UNIDIR as integral to the establishment of stability in postconflict situations were present in the Mali small-arms reduction program:

- 1 the implementation of a comprehensive, systematic disarmament program as soon as the peace operation is set up;
- 2 the establishment of an arms-management program that continues into the postconflict reconstruction processes; and
- 3 the encouragement of close cooperation on weapons control and management programs between countries in the region where the peace program is being implemented.¹⁷

Rarely, if ever, were these elements present during the process of disarmament undertaken by Indonesia within West Timor and on its border with East Timor. Disarmament was not initiated successfully, nor were sufficient attempts made by Indonesia to engage the international community in its disarmament plans.

The successful comprehensive disarmament program undertaken in Mali provides an acceptable model for emulation in West Timor and in some areas in East Timor. While underscoring that circumstances are quite different—namely, cooperation was present at all levels in Mali—it remains that there are lessons to be learned from the model that Mali’s actions provided.

SMALL ARMS: EAST TIMOR

Portugal vacated East Timor shortly after a civil war raged out of control between independence and integration militias in 1974. In the power vacuum that ensued, Indonesia snatched East Timor through military intervention. Soon after, in 1976, East Timor was annexed against the will of its people and made a province of Indonesia.

Since that time, movements against the Indonesian government have pushed for independence. Under President Suharto, those initiatives were suppressed with force by Indonesia throughout the 1980s.¹⁸ Finally in 1999, after Suharto’s downfall,

Indonesia's interim president B.J. Habibie agreed to a referendum that would address the question of independence.

Prior to the August 1999 referendum, the prointegration factions—supported and controlled by elements of Indonesia's military—assaulted the population with complete impunity, pushing their corresponding political agenda and leaving a general atmosphere of insecurity.¹⁹ Considering the perilous climate before the vote, UN secretary-general Kofi Annan implored the Indonesian authorities to first remove weapons from militias and then allow a neutral international force to monitor the referendum.²⁰ His plea fell on deaf ears.

On August 30, 1999, East Timor held its referendum, with an overwhelming 78.5 percent of the population voting in favor of severing relations with Indonesia.²¹ Unfortunately, their celebration was short lived. From as early as two days to one week after the vote, the International Federation for East Timor (IFET) Observer Project reported that militia members armed with automatic weapons were terrorizing the population, with “extreme bursts of gunfire” and exploding hand grenades.²² Needless to say, the wishes of the East Timorese as expressed in the referendum were not respected. Quite the contrary: the prointegration factions demolished almost everything in sight after the referendum, including the immediate hope for a peaceful community. The magnitude of the disaster was captured in the UN secretary-general's report, wherein the situation in East Timor was referred to as a “humanitarian crisis of massive proportions.”²³ In the end, the systematic destruction by the pro-Jakarta militias left “three quarters of the population displaced, and three quarters of buildings burned or razed.”²⁴

How was it possible for this violence to spread like brushfire? Action in Solidarity with Indonesia and East Timor (ASIET) reported that “unwittingly the role of the maintenance of peace and security was delegated to Indonesia (consequently the Indonesian police and military) in a May 5 agreement signed by Indonesia and Portugal under UN auspices.”²⁵ It is important to underscore that, according to the United Nations, “large elements of Indonesian military and police” were behind the violent actions of the prointegration militias.²⁶ Unlike in Mali, the importance of security was not stressed enough in this potentially explosive situation. Indonesia's complicity and entanglement in militia violence left little room for the prospect of a secure environment.

One might conclude that since a situation of war was not present in early August 1999, security was a secondary notion. But Indonesia was well armed and could supply vast weaponry to prointegration militias. As such, it was somewhat predictable that a noxious situation would erupt after the vote for independence. It was known that guns were ever present in East Timor, and that the potential for destruction lurked prior to the vote. On August 17, 1999, IFET issued a statement that described “widespread reports of arms shipments entering the territory.”²⁷ However, in the fear of losing the long sought-after opportunity for a referendum, the United Nations and the international community accepted that Indonesia would be responsible for security.²⁸ Disarmament as a component of an overall security scheme appears to have been nudged to the side. In retrospect, the elements of a disaster were in place: a

prevalence of arms combined with an array of internal problems, including political grievances and inevitable tensions no matter what the outcome of the vote.

SMALL ARMS: WEST TIMOR

There has been a deluge of small arms in Indonesia throughout the past two decades. The danger, as Michael Renner has stated in general, is that "the easy availability of small arms has made recourse to violence more likely."²⁹ Acts of violent crime have been documented in West Timor for more than one year. Since militias moved from East to West, the problems of weaponry and violence simply shifted geography. Karen Orenstein of East Timor Action Network visited the camps in September 2000, noting that militias guilty of rape and mass murder "have access to modern weapons" and exist shoulder to shoulder with the East Timorese refugees.³⁰ The effects of small arms and militia activity on the civilian populations in West Timor camps call for a reexamination of the approach to cleaning up and controlling the weapons following the vote. Although East Timor has stayed out of the news in terms of reports of violence, the same militias, with the same guns, are wreaking havoc elsewhere on the island. As Secretary-General Annan said in a recent report on the protection of civilians in armed conflict, citing the example of West Timor, "failure to separate armed elements from civilians has led to devastating situations in and around camps."³¹

It is critical that security and then the humanitarian presence be restored.

The intimate relationship of guns to civilian harm was portrayed in the 1997 study by the International Committee of the Red Cross. Recalling the years of Indonesian rule, Medical Aid for East Timor notes that women were sexually abused, assaulted, and made sexual slaves by prointegration militiamen during Indonesia's twenty-five-year reign of terror. Understanding the context of their fear and following decades of such intimidation, it is easy to appreciate the concerns of the East Timorese in the camps. Lamentably, nearly one-eighth of the East Timorese population rests uneasily in a hostage-like situation across the border in West Timor, under the uncertain care of Indonesia. Their attempts to leave have been blocked by armed militiamen.

In a thorough examination of the situation in East and West Timor, Hainsworth and McCloskey list two priorities for the island: the disarming of militants followed by the assured safe return of refugees home to East Timor.³² The murder of UNHCR aid workers by pro-Jakarta armed forces was followed by the flight of 400 aid workers.³³ This led to a further deterioration in the security and health of the refugees in camps. Since humanitarian workers have left West Timor due to the precarious security situation, it is critical that security and then their presence be restored. The violence eroding the physical and also mental health of East Timorese makes a persuasive case for Indonesia and the international community to invest in a timely solution.

Recalling Mali, it is evident that the policing of the region with neutrality and persistence and the removal of small arms are inescapable priorities.

Complicating the control of weapons in the hands of militias and paramilitaries in places like West Timor is their legitimate presence under state law.³⁴ Restraining the flow of weapons from the military to paramilitaries and civilians must compete with a culture of tolerance for guns and their presence in everyday life. In East Timor, and now in West Timor, Indonesian authorities have not made a suitable effort to outlaw the holding of military-style weapons by rogue groups.³⁵ The former head of the Jesuit Refugee Service, Mark Raper, lamented that "there is no process of accountability for the perpetrators of violence."³⁶

COMPREHENSIVE MEASURES

Removing arms from the hands of the instigators of conflict is only one element of a vast, long-term, and intense project. On a superficial level, it seems that the munitions cause the atrocity. Yet the malice with which a weapon is fired is also an articulation of internal decay in society. The need for a comprehensive approach is apparent, as the issue of disarmament must address not just the presence of weapons in West Timor but also a lack of security systems and uncertain justice.

The idea of comprehensive disarmament was expressed by small-arms expert Edward J. Laurance of the Monterey Institute of International Studies, who highlighted that "solutions will require a broad scope of policy options involving such areas as development, human rights, refugees, judicial systems and police work."³⁷ Understanding this reality, "the root causes of conflict, issues of structural instability . . . need to be addressed concurrently to the small arms reduction process."³⁸ Herein lies the success of the Malian process.

Simply removing weapons without concurrent rehabilitation of warring societies is insufficient. Sergio Vieira de Mello urged that beyond retrieving the weapons, it is also vital to "dismantle the militias—otherwise it won't take long for them to reorganize and rearm."³⁹ Consequently, in the absence of meaningful livelihoods after conflict, former combatants aim their weapons toward criminal uses (theft) or for senseless civilian attacks. Pro-Jakarta militiamen, for example, have been making a living by looting shops, robbing locals, and redirecting the few humanitarian supplies to themselves as leaders.⁴⁰

Once militias are dismantled, the Indonesian authorities should be prepared to rehabilitate the bulk of soldiers, prosecute offenders, and reintroduce the others into society. Studies have shown that demobilization of thousands of soldiers, guerrillas, or police without adequate structures to occupy them and to provide them with a sustainable means to earn a living can cause immediate chaos and intensified crime.⁴¹

In September 2000, under the pressure of the UN Security Council, Indonesia undertook a half-hearted weapons collection program.⁴² At this point it has not moved beyond a sporadic collection of weapons. Participation in the gun buy-back program remains voluntary, and "Timor militiamen are unwilling to give up their guns . . . as the weapons come in handy to extort and bully East Timor refugees."⁴³

Apart from the monetary, there is no incentive for an important behavioral change. The program is not truly enforced with adequate incentives or the law. Militias dig in their heels and continue to tote weapons. Even the monetary incentives are not so great: although the weapons can be turned in for a one-time sum of money, the holders of the weapons can make more money in the long run by seizing goods from humanitarian sites or by looting stores on a regular basis.

Outlawing military-style weapons and enforcing the approach undertaken in Mali can pave the way for militia members to move on with their lives. Although the pro-Jakarta players are not compliant thus far, it can be said that the principles articulated by the Malian president—that armed factions must be disarmed, demobilized, and given constructive roles in society—still apply and should be sought after as an ideal.

LOOKING BACK, STEPPING FORWARD

Disarmament on the island is creeping forward at a slow pace. Well over a year ago, the Indonesian government issued an assurance that they would secure the environment for the East Timorese.⁴⁴ However, the intimidation of refugees continues in West Timor and the threat of violence looms.

There is no incentive for the militias to undertake an important behavioral change.

UNIDIR noted in the aforementioned study that “arms must be managed early in the mission.”⁴⁵ Such was the case in Mali. Conversely, “last year (in East Timor) they were armed with pipe guns and machetes and now they carry automatic rifles and hand grenades.”⁴⁶ Recalling the points in the UNIDIR study listed previously, it is essential first that a disarmament program be set up swiftly. Secondly, an arms management or reduction program must be continued into the reconstruction phase. In late September 2000, Indonesia’s security minister Yudhoyono said that the collection of firearms would soon be under way. Unfortunately, there was no mention of “disbanding militias, raised and trained by the Indonesian military during their 24 year occupation with East Timor.”⁴⁷ One should note that a “comprehensive” disarmament program never really lifted off. Besides collecting weapons, human rights abuses must be addressed, and the rule of law must be enforced.

Part of developing the community should be the establishment of immutable boundaries to acts of violence with weapons. In the Report of the Security Council Mission to Jakarta and Dili, it was noted that pro-Indonesian militias were undertaking atrocities and threatening the population with complete impunity.⁴⁸ The political push for punishment to counter the atrocities has not been implemented despite the reports of human rights abuses noted in several UN documents. Human rights violations continued for a year after the vote, and “2000 saw a steady decline in Indonesia’s willingness and or capability to achieve justice.”⁴⁹ Even Indonesian vice air marshal Graitto Usodo said in an interview that in order for disarmament to be successful, “the

disarmament process had to be seen as part of the framework of the rule of law in Indonesia.”⁵⁰

The last and essential point must be the encouragement of cooperation of countries in the region. In this case, because East/West Timor is an island, the responsible and most influential party is Indonesia. Yudhoyono acknowledged that “some military officers still feel kinship towards the militias”⁵¹—causing uncertainty in how to deal with them. Yet this is no excuse for allowing their behavior.

Suppliers of arms too have a responsibility to curb the infusion of arms to situations where human rights are not regarded. After all, “much of the supply and acquisition of small arms and light weapons is legitimate trade which occurs among governments or among legal entities authorized by governments.”⁵²

CONCLUSION

The pernicious effects of small arms first in East and then in West Timor beleaguer the process of building a safe and independent East Timor. The escalation of local crime following major conflict has been widely documented to be injurious to the reconstruction of any state.⁵³ Aside from the imperative to remove arms, the comprehensive concept of disarmament introduced by the United Nations and undertaken successfully in Mali should be implemented. There is no other case precisely like that of East and West Timor. However, as a point of departure, it should be noted that there are models of successful disarmament, as in Mali.

The occasion of the UN 2001 Conference on the Illicit Trade in Small Arms and Light Weapons in All its Aspects offers the opportunity to look at one fatal aspect of small arms—the illicit transit of weapons. Will it result in an answer to the problem of reluctant sovereign states entrusted with weapons removal? Will it tell us what to do now with existing weapons in places like West Timor?

The example of Mali offers some answers. As for the rest, it is up to the international community of small-arms activists (IANSA) and like-minded governments to put such issues onto the international agenda. States sharing responsibility for the outcome of the forthcoming conference should reflect on the East Timorese civilians still running from bullets long after having their say at the polls; and they might also consider why those who fled remain in the fragile security of a West Timor camp.



Notes

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2 K. Orenstein, “The refugee crisis and accountability: Observations and analysis of a fact-finding mission to the East Timorese refugee camps in West Timor,” 2000 (available: <http://www.etan.org/news/2000a/deleg3.htm>).

3 D. Farsetta, “West Timor Refugee Crisis Continues,” *The East Timor Estafeta*, vol. 7, no.2, Spring, 2001, p. 4. In total, 260,000 East Timorese were displaced to West Timor.

4 The UN resolution “Consolidation of Peace Through Practical Disarmament Measures” (A/RES/54/54, p.16) defines “comprehensive” as small-arms control with “confidence building measures, demobilization and

reintegration of former combatants.” For the purposes of this article, I include social reconstruction, economic development, human rights, and supply-side control under this umbrella.

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19 Report of the Security Council Mission to Jakarta and Dili, UN Doc. S/1999/976, September 14, 1999, para. 14.

20 Traub, “Inventing East Timor.”

21 For background information, see the United Nations Transitional Administration in East Timor (UNTAET) (available: <http://www.un.org/peace/etimor/UntaetB.htm>).

22 “Ominous Signs only Two Days After Historic East Timor Vote: Militia Roadblocks and Widespread threats Against Local Population, International Observers and UNAMET Personnel,” International Federation for East Timor Observer Project, IFET-OP Report #8, September 1, 1999 (available: <http://etan.org/ifet/report8.html>). See also “Media Alert. Militia Attacks in Dili” (available: <http://www.wetan.org/ifet/media12.html>) and “Militia Attacks in Dili” (available: <http://www.etan.org/ifet/media11.html>).

23 UN General Assembly, “Progress Report of the Secretary General: The Question of East Timor,” UN Doc. A/54/654, December 13, 1999, para 32.

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25 The agreements (between Indonesia and Portugal) signed in New York under UN authority on May 5, 1999, include “An Agreement Regarding Security,” which states that “the responsibility for ensuring a secure environment lies with the appropriate Indonesian security forces” (*Amnesty International Report*, 1999, p. 8). See also Action in Solidarity with Indonesia and East Timor (ASIET), Indonesia East Timor Watch, January 1–2, 1999 (available: <http://www.asiet.org.au/watch/watch299.htm>).

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