
AMNESTY INTERNATIONAL

NEWS SERVICE 169/99

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EXTERNAL

- **CHILE:** Press release embargoed until 11 September -- this will be sent to regional media.
- **EAST TIMOR:** Press release -- this was sent to all sections earlier and was distributed to international media.
- **EAST TIMOR:** Open letter to the UN Security Council -- this was sent to all sections earlier.

NOTE TO PRESS OFFICERS

EAST TIMOR: A Q&A is being prepared by the Crisis Team and will reach you tomorrow.

SOLOMON ISLANDS: following the media advisory sent out in NS168/99 here is a brief Q&A on the forthcoming mission should there be any media enquiries.

Will the Amnesty delegates arriving on 13 September be available for interviews in the Solomon Islands?

Schedule permitting, delegates may comment on the overall purpose and mandate of their mission, yet will not discuss their findings or conclusions while in the country.

[At least until Thursday, 16th Sept, we are staying at the Mendana Hotel, Ph +677 20071 Fax 23942]

With thousands of East Timorese dying, why send a mission to Solomon Islands now?

Thousands of Amnesty members around the world have stepped up our campaigning on East Timor; however, we can't ignore those who died or lost everything in 12 months of ethnic unrest in Solomon Islands.

[estimated 30 dead and 20,000 internally displaced in Solomons]

Commonwealth, ICRC and United Nations have twice sent missions to Guadalcanal, yet peace agreements have not stopped the violence. What does Amnesty believe it can achieve?

The UN, ICRC and Commonwealth Secretariat missions are seeking to bring peace and much-needed humanitarian relief - Amnesty's focus is on the human rights impact of the unrest.

PLANNED NEWS RELEASES

With an indication of the planned distribution -- subject to changes:

SEPTEMBER

- 2nd week – KOSOVO: Action on "disappearance" and missing -- international and regional (see Ns162, 164)
- 9 -- COLOMBIA: Press release on human rights catastrophe -- wires and Colombian media

- 9 -- GUATEMALA: Press release on open letter to presidential candidates -- regional
- Early September -- TURKEY -- Appeal Court ruling on case of Abdullah Öcalan
- 21-- USA: Report on police brutality (update on AI concerns) -- international
- 22 -- PAKISTAN: Report on honour killings -- international and regional
- 30 -- HUMAN RIGHTS EDUCATION: Siniko book -- international and regional
- Mid-September -- USA CAMPAIGN: Report on asylum seekers -- international
- RUSSIAN FEDERATION: Children (See NS 026/99)

OCTOBER

- 14 -- AFGHANISTAN -- Reports on various issues -- International and regional

NOVEMBER

- 16 -- Launch of AI's strategy on children -- International

CAMPAIGNS AND MAJOR INITIATIVES

EAST TIMOR - SEE NS 082/99, 097/99, 106/99, 118/99, 120/99, 128/99, 140/99, 142/99, 146/99, 150/99, 153/99, 162/99, 166/99, 162/99, 166/99, 167/99, 168/99

TOGO "CRISIS" - SEE NS 112/99, 114/99, 130/99, 134/99, 136/99, 142/99, 152/99, 159/99, 164/99, 165/99

KOSOVO CRISIS - SEE NS 110/98, 111/98, 113/98, 117/98, 119/98, 121/98, 122/98, 125/98, 128/98, 132/98, 142/98, 143/98, 145/98, 147/98, 148/98, 154/98, 156/98, 161/98, 162/98, 163/98, 170/98, 173/98, 175/98, 198/98, 199/98, 221/98, 056/99, 059/99, 060/99, 061/99, 063/99, 064/99, 067/99, 068/99, 069/99, 074/99, 082/99, 083/99, 086/99, 088/99, 092/99, 093/99, 094/99, 096/99, 097/99, 098/99, 100/99, 101/99, 102/99, 104/99, 105/99, 106/99, 107/99, 108/99, 109/99, 110/99, 113/99, 117/99, 118/99, 121/99, 122/99, 124/99, 125/99, 142/99, 149/99, 164/99

USA CAMPAIGN - 6 OCTOBER SEE NS 217/97, 175/98, 177/98, 178/98, 179/98, 180/98, 181/98, 182/98, 183/98, 184/98, 185/98, 186/98, 187/98, 190/98, 192/98, 193/98, 195/98, 197/98, 198/98, 199/98, 200/98, 203/98, 207/98, 209/98, 213/98, 214/98, 215/98, 219/98, 234/98, 240/98, 241/98, 244/98, 245/98, 249/98, 014/99, 020/99, 021/99, 023/99, 025/99, 029/99, 037/99, 038/99, 043/99, 090/99, 095/99, 099/99, 102/99, 103/99, 104/99, 106/99, 107/99, 110/99, 167/99

PINOCHET CASE - SEE NS 201/98, 205/98, 206/98, 209/98, 210/98, 211/98, 212/98, 213/98, 216/98, 218/98, 220/98, 221/98, 224/98, 225/98, 226/98, 227/98, 229/98, 230/98, 231/98, 233/98, 235/98, 240/98, 241/98, 242/98, 244/98, 246/98, 248/98, 250/98, 256/98, 010/99, 013/99, 014/99, 018/99, 021/99, 025/99, 030/99, 034/99, 037/99, 058/99, 062/99, 063/99, 064/99, 071/99, 147/99, 168/99

EVENTS AND MISSIONS

The details below are for your information only, and there may or may not be media work involved. Please do not publicize anything until further notice from the IS.

SECTION NEWS:

Please let us know about your section's media coverage of new reports and initiatives. Please e-mail: press@amnesty.org

AI Index: ASA 21/142/99
9 September 1999

EAST TIMOR

OPEN LETTER TO MEMBERS OF THE UNITED NATIONS SECURITY COUNCIL FROM AMNESTY INTERNATIONAL'S SECRETARY GENERAL, PIERRE SANÉ.

I am writing to you now in the light of the serious human rights crisis facing the people of East Timor today. The United Nations' (UN) responsibility for the well-being of the East Timorese people has a clear legal as well as moral basis. Amnesty International calls on you to immediately take steps to fulfil your responsibility.

Responsibility of the United Nations towards East Timor

The annexation of East Timor by Indonesia has never been recognized by the UN as clearly stated in a number of resolutions of the UN Security Council and the UN General Assembly. To this day, the Question of East Timor has remained on the agenda of the UN Special Committee on the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. East Timor is a Non-Self-Governing Territory as defined under Chapter XI of the UN Charter, and as the Administering Power the Government of Portugal has repeatedly stated that *Indonesia's illegal occupation of East Timor has deprived it from de facto exercising its responsibilities regarding the administration of the Non-Self-Governing Territory of East Timor.*

In its own resolution 384 of the 22 December 1975, the Security Council clearly underlined its direct responsibility for the territory by calling on "the Government of Portugal as administering power to cooperate fully with the UN so as to enable the people of East Timor to exercise freely their right to self-determination".

In furtherance of these responsibilities, the UN became one of three parties to the 5 May 1999 Agreements on the future of East Timor; the UN Security Council endorsed these Agreements in Resolution 1236 (1999). Under these Agreements, the UN, Indonesia and Portugal agreed to a process of popular consultation to be carried out by the UN to enable the East Timorese people to exercise their right of self-determination in accordance with the UN Charter and international law.

While the May Agreement requires the Indonesian authorities to respect the results of that popular consultation and to take steps in their legislative bodies to amend Indonesian laws with respect to the status of East Timor, these requirements did not in any way affect the status of East Timor under international law or the obligations by the UN to fulfil its responsibilities as the Transitional Authority under Article 6 of that Agreement.

In the popular consultation of 30 August 1999, the people of East Timor showed their confidence and faith in the process by participating in the ballot, despite widespread and systematic human rights violations by pro-autonomy militias. They voted overwhelmingly for independence from Indonesia. Since the results of the ballot were announced on 3 September 1999, armed pro-Indonesian militias, in concert with Indonesian (TNI) soldiers have wreaked havoc in the territory, threatening, shooting and killing at will. Among those killed have been UN staff, and the UN Assistance Mission to East Timor (UNAMET) has been largely withdrawn and disabled, leaving the East Timorese people completely isolated and silenced, living under martial law and at the mercy of Indonesian forces, who are mandated under 5 May 1999 Agreements to guarantee their security.

These killings and other attacks, committed with the tacit approval and in many cases the active participation of the Indonesian security forces, represent flagrant violations of the 5 May Agreements by the Indonesian authorities. *These violations by the party responsible under the Agreements for the security of the East Timorese people place a heavy burden of responsibility on other parties, in particular the UN.*

What should the Security Council do?

We believe it is essential that the Security Council take immediate and effective steps to uphold the fundamental rights of all the people of East Timor - most notably the right to life. Such action is essential if the foundations are to be laid for a peaceful and prosperous future in an independent East Timor.

The 5 May Agreements request that, during the interim period between the conclusion of the popular consultation and the start of the implementation of the people's chosen future, "the Secretary-General maintain an adequate UN presence in East Timor". In view of Indonesia's deliberate violations of the terms of the Agreements, it is the responsibility of the UN to implement its obligations to the East Timorese people as the Transitional Authority for East Timor by restoring law and order in the territory, ensuring that the rights of the East Timorese people are respected, protecting the progress made so far in implementing these Agreements, and ensuring a transition to the next phase, namely independence for the territory.

The UN Security Council should take the necessary steps to ensure that the UN indeed fulfils its obligations in this regard. In particular, the Security Council has a responsibility to ensure that any agreement for an international presence in East Timor, constituted under the auspices of the UN, whatever its form or composition, contain strong and effective guarantees to uphold the terms of the Agreements, an essential element of which is the protection of the human rights of all the people of East Timor, regardless of their political affiliations.

In this light, Amnesty International calls upon the Security Council to:

1. Ensure that the UN fulfils its responsibility towards East Timor as a Non-Self-Governing Territory and as the Transitional Authority under the 5 May Agreements by deploying an adequate presence to fulfil the task required, in particular ensuring the protection of the human rights of all East Timorese and the provision of assistance to them;
2. Place human rights protection as central to the mission of any UN peacekeeping force deployed to re-establish law and order and perform law enforcement functions. All personnel must apply and uphold human rights and international humanitarian law standards, including *relevant*

international standards of law enforcement and criminal justice. Establish a special mechanism within the peacekeeping presence to investigate and report on violations of human rights and humanitarian law by its personnel;

3. Ensure protection for the rights of the internally displaced and refugees. UN Agencies and humanitarian and human rights organizations should have full access to areas where the displaced have gathered, including West Timor;

4. Initiate a process of demobilization and disarmament of the militia groups, and implement an effective system of weapons *and firearms* registration and controls in order to create secure conditions for UNAMET to fulfil its mandate;

5. Ensure the security of UN and other associated personnel, and in this regard take special measures to protect local staff who are particularly vulnerable;

6. Call on all UN member states to prevent all supplies of military, security or police equipment, training and personnel, including related logistical and financial support, to Indonesia until it can reasonably be demonstrated that such transfers will not be used to commit human rights abuses by pro-Indonesian militia, the TNI or the police, through an effective end-user verification system;

7. Establish full and unimpeded access to the territory for independent monitors. The current isolation of East Timor means that human rights violations can occur with impunity. East Timorese non-governmental organizations, journalists and humanitarian workers should be able to return to their posts in safety;

8. *Take steps to end impunity for those responsible for human rights abuse, by ensuring that all incidents are effectively investigated, alleged perpetrators are identified for future prosecution and the rule of law is restored.* Appoint a Committee of Experts to gather evidence of widespread or systematic violations of human rights and humanitarian law in East Timor and to make recommendations with a view to establishing individual responsibility for international crimes and bringing the perpetrators to justice;

9. *Redeploy UNAMET throughout the territory once a sufficiently secure environment has been established and ensure that short-term as well as long term needs assessment missions are carried out in a coordinated way by the UN system and in full consultation with the East Timorese people, in order to ensure a coordinated and effective response from the international community to the needs of East Timor in its transition to independence.*