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1864th MEETING

Held in New York on Monday, 15 December 1975, at 3 p.m.

President: Mr. Ivor RICHARD (United Kingdom of Great Britain and Northern Ireland).

Present: The representatives of the following States: Byelorussian Soviet Socialist Republic, China, Costa Rica, France, Guyana, Iraq, Italy, Japan, Mauritania, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania and United States of America.

Provisional agenda (S/Agenda/1864)

1. Adoption of the agenda
2. The situation in Timor:
Letter dated 7 December 1975 from the Permanent Representative of Portugal to the United Nations addressed to the President of the Security Council (S/11899)

The meeting was called to order at 3.40 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Timor:

Letter dated 7 December 1975 from the Permanent Representative of Portugal to the United Nations addressed to the President of the Security Council (S/11899)

1. The PRESIDENT: In his letter dated 7 December requesting the convening of this meeting, the representative of Portugal asked to be invited to participate in the present discussion. In accordance with the usual practice, I propose to extend an invitation to him to participate in the discussion, without the right to vote, in accordance with Article 31 of the Charter and rule 37 of the provisional rules of procedure.

At the invitation of the President, Mr. Galvão Teles (Portugal) took a place at the Council table.

2. The PRESIDENT: I have also received a letter, dated 12 December, from the representative of Indonesia, requesting that he be invited to participate in the present discussion, in accordance with Article 31 of the Charter and rule 37 of the provisional rules of procedure. Accordingly, if there is no objection, I propose to invite the representative of Indonesia

to participate in the discussion, without the right to vote.

At the invitation of the President, Mr. Anwar Sani (Indonesia) took a place at the Council table.

3. The PRESIDENT: Other representatives have also expressed their intention of addressing the Council on the item now under consideration. I have received letters from the representatives of Malaysia and Australia requesting that they be invited to participate in the discussion, pursuant to Article 31 of the Charter and rule 37 of the provisional rules of procedure. Accordingly, I shall, in the absence of objection, invite the representatives of Malaysia and Australia to participate in the discussion, without the right to vote. In view of the limited number of seats available around the Council table, I shall ask them to take the places reserved for them at the side of the Council chamber, on the usual understanding that they will be invited to take a place at the Council table whenever they wish to address the Council.

At the invitation of the President, Mr. Johari (Malaysia) and Mr. Campbell (Australia) took the places reserved for them at the side of the Council chamber.

4. The PRESIDENT: I should like also to inform the members of the Security Council that I have received two letters containing requests that the Council extend invitations under rule 39 of its provisional rules of procedure. The first letter [S/11911], which is dated 12 December and signed by the representative of Guinea-Bissau, requests that an invitation be extended to Mr. José Ramos Horta, Minister for Foreign Affairs and Information of the Democratic Republic of East Timor. The second letter, [S/11912], which bears today's date and is signed by the representative of Indonesia, requests that an invitation be extended to Mr. Guilherme Maria Gonçalves, member of the presidium of APODETI [Associação Popular Democrática Timorese], to Mr. Mario Carrascalão, member of the Central Committee of UDT [União Democrática de Timor] and to Mr. José Martins, President of KOTA [Klibur Oan Timor Aswain]. If no member of the Council raises any objection, I shall take it that the Council agrees to extend those invitations to the persons named in those letters, under rule 39 of the provisional rules of procedure, and at the appropriate moment, therefore, I shall

invite them to come to the Council table and make their statements.

It was so decided.

5. The PRESIDENT: The Security Council has included in its agenda the question concerning the situation in Timor pursuant to the request contained in the letter which the representative of Portugal addressed to me on 7 December [S/11899]. I have also received a letter from the Secretary-General informing the Council that the General Assembly, at its 2439th meeting, on 12 December, adopted resolution 3485 (XXX) on this same subject. The Security Council has that letter before it [S/11909].

6. The first speaker is the representative of Portugal, on whom I now call.

7. Mr. GALVÃO TELES (Portugal) (*interpretation from French*): Mr. President, on behalf of the Portuguese Government and of my delegation, I should like to thank you and the other members of the Council for being kind enough to meet in order to consider the present situation in Portuguese Timor and to take the necessary measures to put an end to Indonesia's military aggression and to restore conditions permitting the resumption of the ongoing process of decolonization. I wish also to thank the Council for giving me this opportunity to speak before it in order to set forth my Government's position on this matter.

8. I sincerely believe that no one can deny Portugal's firm intention, beginning on 25 April 1974, to bring about the decolonization of its colonial Territories while scrupulously respecting the principle of the free exercise of the right of peoples to self-determination and independence, in accordance with the Charter and the resolutions of the General Assembly. However, the colonial situations inherited from the former dictatorial Portuguese régime differed substantially one from the other not only with respect to the degree of implantation and experience of the respective liberation movements but above all with respect to the balance of power existing within the regional political framework of each country concerned. Consequently, the decolonization of each of the Territories under Portuguese administration, while based on the same general principles, has perforce taken place under different conditions.

9. The culmination of the decolonization process of five Territories—Guinea-Bissau, Mozambique, Cape Verde, Sao Tome and Principe, and Angola—and the way that process is being carried out in the last country still under Portuguese administration, Timor, enables us to draw one certain conclusion, that is, that the internal difficulties encountered by each of the people of these Territories in the formation and expression of their free will have always been the result in varying degrees of the influence, claims and plans of foreign Powers, particularly neighbouring countries.

10. Thus we note that in the case of the aforementioned Territories, where the neighbouring countries—with the exception, in one case, of South Africa—had no claim to hegemony, decolonization could be completed peacefully by recognizing the liberation movements, the legitimate representatives of the peoples of each of these Territories.

11. However, in Angola just as in Timor, decolonization has taken place—or, rather, is taking place—in spurts and in the face of serious difficulties, and in both cases the ambitions of foreign countries regarding these Territories are evident to all. In view of their intensity and their extent, these ambitions have made it possible to interfere in the internal life of the colonized peoples, making it difficult, if not impossible, to ensure the proper expression of the will of the peoples. That is the cause of the tragedy in Angola, where the interests of neighbouring countries and the claims to hegemony of the great Powers have prevented the Portuguese from fully handing over Angola to the Angolans and where these same interests and claims may well prevent Angola from fully belonging to the Angolans. Unfortunately, Timor also is the victim of similar expansionist claims. That is why Portugal has encountered successive difficulties which have prevented the practical application of the principle of the right to self-determination and independence there. Indeed, my Government planned to establish as soon as possible a timetable for the decolonization of Timor, through direct negotiations with the three political parties that had emerged after 25 April 1974: APODETI, which advocated Timor's integration into the Republic of Indonesia, and FRETILIN, [*Frente Revolucionária de Timor Leste Independente*] and UDT, which called for the Territory's independence.

12. It must be stressed, however, that none of those parties had yet been recognized either by any regional organization or by the United Nations, and that there had been no liberation movement fighting against colonial domination in Timor before 25 April.

13. In conformity with the principles of the Charter, with General Assembly resolution 1514 (XV) and with other relevant United Nations resolutions, my Government planned to put into effect in Timor the principle of the exercise by the people of that Territory of the right to self-determination, by means of a referendum enabling that people freely to choose the Territory's future political status. There, as elsewhere, Portugal feels that, since it is exercising only provisional political power in its capacity as administering Power, it is forbidden to impose any predetermined direction for the exercise of that right to self-determination.

14. In that spirit the Governor of Timor took the initiative, towards the end of 1974, of bringing the Territory's political parties into the management of the Territory's affairs. He proposed to them that an Advisory Government Council be established in which

the three parties would be represented. But, under various pretexts, FRETILIN and APODETI refused that offer. Thus, the main goal sought—that is, to enable the political forces representing the people of the Territory to participate in the establishment and implementation of a specific plan for decolonization—was not achieved.

15. The Government of Portugal, moreover, aware that the process of the decolonization of Timor must take into account the maintenance of peace and security in the region, has constantly engaged in very close contacts with the Governments of the principal neighbours of Timor: Indonesia and Australia. Thus, before he came to the General Assembly during the twenty-ninth session to set forth my Government's plan to hold a referendum in Timor, Portugal's Minister for Interterritorial Co-ordination visited those two neighbouring countries and had talks with the respective authorities on the Territory's future.

16. Meanwhile, the political parties in Timor were trying to increase their activities and their hold on the Territory and to establish international contacts. In January 1975 a FRETILIN-UDT coalition was announced, and it envisaged negotiations with Portugal for the formation of a transitional government and then the independence of the Territory. APODETI was criticized by those two parties for advocating integration with Indonesia. The Portuguese authorities, for their part, continued to favour the participation of all the parties in the government of the Territory, and a new Governor tried—not without difficulty—to co-operate with those parties and to ensure respect for their legitimate political activities.

17. It was against that background that there was help at Lisbon in June 1975 a series of meetings of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples during which, among other questions, the question of the decolonization of the Portuguese Territories was taken up. Speaking to the Special Committee on that point, the Minister for Interterritorial Co-ordination announced that the Government of Portugal, concerned with establishing as quickly as possible a timetable for the decolonization of Timor, had reached an agreement with the political parties that a conference should be held at Macau in mid-June but that in the meantime FRETILIN, following a rupture with UDT, had expressed the most formal opposition to the participation of APODETI in the conference and therefore refused to take part in it. The Minister added that, if it turned out that these negotiations with the political parties were impossible, Portugal would unilaterally establish the methods for the process of the decolonization of Timor—without, of course, prejudicing the principle that the choice of the Territory's future political status had to be made by the inhabitants of the Territory, and by them alone.

18. For its part, the Special Committee stated the following in paragraph 7 of the consensus adopted on 14 June 1975 on the question of the Territories under Portuguese administration:

“With regard to Timor and its dependencies, the Special Committee expresses the hope that the necessary steps will be taken, as appropriate, to enable to people of that Territory to attain the goals set forth in the Charter of the United Nations and the Declaration.”¹

19. At the end of that month a meeting took place at Macau between a Portuguese delegation and the representatives of APODETI and UDT—as I said a moment ago, FRETILIN refused to participate in the talks—during which, among others, the principle was laid down that elections would be held for a People's Assembly that would have the powers of a constituent assembly and would represent the will of the majority of the people of Timor.

20. Following that meeting, the Government of Portugal adopted Law No. 7/75, issued on 17 July 1975. That law, while it was based on the principles laid down at Macau, stressed that since no agreement had been reached among the three political parties and Portugal, because of the absence of FRETILIN, Portugal was forced to define the decolonization process by means of a constitutional law which, at the same time, would establish machinery for the exercise of political power until Portugal ceased to have responsibility for the administration of the Territory.

21. That law laid down that a People's Assembly would be elected in October 1976 by means of a secret ballot in which everyone would participate, and that that Assembly would determine the future political and administrative status of Timor. It was envisaged that in October 1978 Portugal's responsibilities would end and would be formally assumed by the President of that Assembly. During the transitional period Timor would be administered by a High Commissioner, designated by the President of the Republic of Portugal, a Government and an Advisory Council in which the recognized political parties would be represented if they so desired. The Government of Portugal hoped that that law would ensure that Timor's decolonization would take place in an orderly way. On the one hand, it took account of the geopolitical balance of the region; on the other, it contained measures likely to restrain possible neo-colonialist ambitions.

22. Unfortunately, it was never possible to put that law into effect. A few weeks after it was issued, that is, on 11 August, following a visit to Jakarta by the leaders of UDT—which, in the meantime, had decided to support Indonesia—elements of armed forces from the island favouring that political party staged a military uprising which brought a rapid reaction from FRETILIN. The fight between UDT and APODETI, on the one hand, and FRETILIN, on the

other, spread rapidly throughout the country, causing serious damage and leaving a large number of victims and forcing thousands of inhabitants to seek refuge in Indonesian Timor.

23. Thus, Portugal was confronted by a serious political, military and humanitarian problem. Its garrison in the Territory, greatly diminished in size, was made up principally of soldiers from the island, who deserted, taking their weapons with them, and joined the fight at the side of one or the other of the factions. The great distance between Timor and Portugal made it extremely difficult to carry out an effective military intervention likely to bring an end to a situation of general civil war. The Governor and several dozen soldiers and civilians had to leave Dili and seek refuge in the island of Atauro, a few miles from the coast, while others were taken prisoner by the combatant factions. As a result of the fight, FRETILIN established its control on the largest part of the Territory.

24. For humanitarian reasons Portugal immediately appealed to the neighbouring countries, Indonesia and Australia, and to the International Committee of the Red Cross. Shortly after that, in response to the appeals, the withdrawal of Portuguese and foreigners from the island began, not without great risk and much difficulty.

25. In August and September 1975 a Portuguese delegation headed by a personal representative of the head of State came to Timor with the expectation of negotiating with the parties to the dispute and finding a peaceful solution to the conflict. That delegation also held conversations at Jakarta and at Canberra with the Indonesian and Australian Governments concerning the situation in Timor and the possibility of restoring peace and order so that there might be a resumption of humanitarian operations and an accelerated implementation of the process of decolonization. But despite all the efforts undertaken by the Governor and by the delegation to start negotiations with the political movements for the purpose of achieving a political solution capable of guaranteeing respect for the will of the people of Timor, that objective was not attained.

26. In Portugal, the National Decolonization Commission, in a communiqué issued on 23 September which is before the General Assembly at the present session, stated that "the problem can only be resolved through political means, that is, through talks with all the political parties together or separately".² Reaffirming that "negotiations exclusively with one of these groups or any solution that does not meet with the wishes of the people of Timor are out of the question", the Committee asked the political parties to give up their demand for purely bilateral negotiations, and it concluded by reiterating the desire of the Portuguese Government "to continue to honour the historical and moral responsibilities of the Portuguese people for the people of Timor, as long as possibi-

ties for leading the Territory's decolonization process on the basis of political solutions are ensured".

27. Portugal of course could not, and cannot, allow the situation created by combat in the Territory to prejudice the fundamental principle of respect for the will of the majority of the people of Timor. This situation, for which the Portuguese Government cannot be held responsible, cannot legitimize the unilateral transfer of power to any one of the parties concerned. The Government of Portugal at that time was, and continues to be, the only legitimate authority in the Territory, and has undertaken all possible efforts, limited though these must be, to resume the process of decolonization, while safeguarding the free exercise of the right of the people of Timor to self-determination.

28. Once again, at the beginning of October, Portugal urged the leaders of the three political parties of Timor to agree that conversations should be held at Macau, aboard a Portuguese warship outside the territorial waters of Timor, or in Portugal itself, the determination of the date depending only on the time necessary for the preparation of such a meeting.

29. I wish to recall here that throughout the period I have just described, Portugal carefully saw to it that the United Nations was constantly kept abreast of the developments in the situation. Thus, in addition to the information furnished in accordance with Article 73 *e* of the Charter and the detailed submission of its position to the Special Committee at Lisbon, the Portuguese Government, in mid-August, in letters the texts of which appear in official documents of the Council [S/11813] and the General Assembly,³ alerted the Secretary-General to the dangers inherent in the situation in Timor and requested him to use his good offices should international action prove to be necessary. However, the development of the situation, and our desire to do nothing that might jeopardize the free exercise by the people of Timor of their right to self-determination, persuaded us to make no formal appeal for international action of that kind.

30. At that time, Mr. Almeida Santos, the special emissary of the President of the Portuguese Republic, came to United Nations Headquarters to inform the Secretary-General and the Chairman of the Special Committee of the situation in Timor and the likely political consequences. The possibility of sending a special mission of the Special Committee to visit Timor and the neighbouring countries for the purpose of gathering information and suggestions on measures to be taken was brought up in the course of these conversations. But it was the prevailing impression that, under the existing circumstances, a visit of this type would hardly be practical. It was for this reason alone that Portugal refrained from submitting a formal request to that end. Subsequently, the text of the telegrams exchanged at the beginning of October between Portugal and the leaders of the political parties of

Timor, containing the appeal for negotiations that I mentioned a moment ago, was also submitted to the Secretary-General.

31. On 9 October 1975, addressing the General Assembly during its present session, the Foreign Minister of my country, Mr. Melo Antunes, referred to the problem of Timor in these terms:

“As regards Timor, the situation is an extremely serious one. Portugal has proposed to the political parties of Timor, APODETI, FRETILIN and UDT, that talks be held with a view to finding a peaceful solution with regard to the political future of the Territory. We are ready to accept a wide range of political formulas which would really cater to the interests of the peoples of Timor, without failing to take into account the legitimate interests in that geopolitical area, namely those of Indonesia, and which could be worked out by agreement with the representative parties of Timor. On the other hand, Portugal, as of now, declares itself ready to hold talks with Indonesia, at the appropriate level, with a view to opening the way to a rapid and negotiated solution of the conflicts existing at present and to the determination of the political future of the Territory, always with the agreement of the three parties.”⁴

32. The Foreign Ministers of Portugal and Indonesia held a meeting at Rome at the beginning of November in which the problem of the decolonization of Portuguese Timor was examined. The communiqué issued at the conclusion of that meeting stated the following:

“The two Ministers expressed their continued adherence to the principles of decolonization as enunciated in the pertinent resolutions of the United Nations and to the scrupulous safeguarding of the principle of respect of the will of the people of Portuguese Timor.”⁵

They recognized also

“that the fundamental responsibility for the decolonization of Portuguese Timor lies with Portugal and that Portugal, as the legitimate authority in that Territory, engages itself to undertake all efforts towards the speedy and orderly implementation of the act of self-determination by the people of Portuguese Timor.”;

and

“the two Ministers concurred on the necessity to convene, at the earliest possible time, a meeting between the representatives of Portugal and the representatives of all the political parties in Timor in order to put an end to the armed struggle and ensure, peacefully and methodically, the decolonization of Portuguese Timor.”

33. Shortly after that meeting, the National Decolonization Commission sent telegrams to the Chairmen of FRETILIN, UDT—which in the meantime had become associated with the Anti-Communist Movement (MAC)—and APODETI, suggesting once again that between 15 and 20 November conversations should be held at Darwin with a Portuguese delegation headed by the Minister for Interterritorial Co-ordination, since the Australian Government had kindly offered its territory for the holding of the meeting. The Portuguese authorities were awaiting the agreement of the parties on the date and place of the meeting and on the inscription of the following points on its agenda: the establishment and maintenance of a cease-fire; the establishment of machinery for the transition of Timor to a state of independence; and the return of the refugees from Indonesian Timor. The text of these telegrams was also transmitted to the Secretary-General. The latter effort resulted in an agreement of principle to hold this conference. FRETILIN accepted the Portuguese proposals, but UDT (MAC) and APODETI raised difficulties with respect to the time and venue of the meeting.

34. On 28 November the Portuguese Government learned that FRETILIN had issued a unilateral proclamation of independence for the Territory. It justified this attitude by alleging that the Territory had been the victim of an aggression on the part of Indonesia and that conversations between Portugal and the three parties had been deferred; it attributed to the Portuguese Government the responsibility for this postponement.

35. On the morrow of this unilateral proclamation of independence by FRETILIN—that is, on 29 November—the Chargé d'affaires a.i. of the Permanent Mission of my country submitted a letter [S/11887] to the Secretary-General. The Portuguese Government mentioned in this letter the efforts that it had just undertaken with the three political parties in order to achieve a meeting or conference which would make it possible to solve peacefully the dispute between those parties and to carry forward the process of the decolonization of the Territory on the basis of self-determination. It also stressed that the unilateral action undertaken by FRETILIN would make continuation of those efforts particularly difficult, and, in view of the lack of means available to Portugal for normalizing the situation, it brought those facts to the attention of the United Nations, whose effective co-operation was becoming more and more indispensable each day to the achievement of a peaceful, negotiated solution of the problem of decolonizing Timor while respecting the wishes of the people of that Territory.

36. The following day, in a further letter [S/11890], in the annex to which there was a communiqué issued by the National Decolonization Commission on 29 November, my Government announced that MAC and APODETI had in turn issued a unilateral declaration, the aim of which, this time, was the integration

of Timor with Indonesia. Refusing to accept those declarations, Portugal expressed "the greatest astonishment and concern" about such assertions. It recalled that the agreement in principle reached with FRETILIN to hold a conference at Darwin from 15 to 20 November had not been implemented as a result of the attitude of APODETI and MAC—two parties closely linked to Indonesia—which had raised difficulties regarding the proposed date and venue. Portugal also drew the attention of the Organization to the intensification of the armed struggle and the growing use of powerful military means.

37. Allow me, in this connexion, to quote from that communiqué:

"Portugal also cannot fail strongly to repudiate and condemn any military intervention in the Territory of East Timor, calling attention to the grave consequences that may arise from that, not only with respect to the violation of the right of the people of Timor freely to exercise their right to self-determination, but also with respect to the threat to international peace and security.

"Faced with the gravity of the situation and in order to safeguard the lives and rights of the people of Timor and international peace and security, Portugal will be obliged to resort to the competent international bodies in the hope that a peaceful solution of the conflict can be reached and that conclusion of the decolonization process can be achieved in harmony with the principles defined by the United Nations." [*Ibid.*, annex, paras. 7 and 8.]

38. On 2 December my delegation spoke on the question of Timor before the Fourth Committee of the General Assembly.⁶ It recalled the actions taken by my Government within the framework of the process of decolonization, and it reiterated our refusal to accept the unilateral declarations issued by the political parties and our condemnation of any armed intervention in Timor. My delegation at that time emphasized the constructive role that the General Assembly was still in a position to play in the process of decolonization and the importance of sending a visiting mission to that Territory.

39. Speaking once again in the Fourth Committee, on 5 December, my delegation reaffirmed that the "free choice [of the people of Timor] could not be replaced by the imposition of a solution by force, by any of those political parties or by a foreign Power".⁷

40. In the meantime, on 4 December, the Indonesian Minister for Information issued on behalf of his Government a declaration which began as follows: "Concerning the events which are taking place at present in Portuguese Timor, the Indonesian Government wishes to reaffirm that it firmly supports the policy of decolonization of the Portuguese Govern-

ment, which should be pursued unhindered, in order and in peace". Paragraph 4 of that declaration added: "So long as the process of decolonization lasts, the Indonesian Government will respect the rights and obligations of the Portuguese Government as the sole authority over the Territory".

41. It should be pointed out that the Indonesian Government highlighted the acts of force committed, according to that Government, by FRETILIN and declared that it was "firmly resolved to exercise its legitimate right to defend its territorial integrity and sovereignty, and its right to actively ensure the security and safety of its nationals and their property". That assertion must undoubtedly be read in conjunction with paragraph 9 of the declaration, which refers to violations and provocations allegedly committed by FRETILIN against the Indonesian people, located on the other side of the border.

42. I should like also to draw the attention of the Council to the fact that the Indonesian Government asserts that "it profoundly regrets" the unilateral declaration of FRETILIN, while adding that "it can fully understand and consider as normal" the unilateral declaration of integration with Indonesia issued by the other parties. However, what it does not explain is how it arrived at the conclusion that respect for the exercise, in order and in peace, of the right of the people of Timor to self-determination permits the Government of Indonesia to reserve a privileged status, as it were, for one of those two declarations.

43. On the following day, 5 December, the Portuguese Minister for Interterritorial Co-ordination received the Ambassador of Indonesia at Lisbon and reminded him that:

"In conformity with the broad lines of the decolonization process under way, Portugal is pursuing its action with a view to finding a peaceful and negotiated solution to the present crisis in Timor, and that in this it has the clear and unequivocal support of the Indonesian Government in conformity with decisions adopted during the Rome talks."

The Minister added that Portugal could not accept affirmations of independence or integration with third States "made in violation of the fundamental principle of respect for the forms chosen by peoples for the exercise of their right to self-determination, with all its consequences, including independence".

44. The support of the Indonesian Government did not take long to make itself felt. But it assumed a form hardly compatible with the proclaimed aim of the search for a peaceful and negotiated settlement of the problem. Indonesia decided, purely and simply, to invade and occupy by force the Territory of Timor, a small, defenceless area with only 650,000 inhabitants. This was the best manner conceived by the Government of Jakarta to manifest its clear and unequivocal support of our efforts.

45. Messages received in Lisbon directly from the Territory indicate that in the early hours of 7 December Indonesian naval and air forces launched an offensive against the Territory of Timor having as its primary objective the capital, Dili. Five units of the Indonesian navy shelled the city, and then landed troops. Hundreds of paratroopers were also dropped over the city, and battles were fought with forces favourable to FRETILIN. The Australian radio announced that the inhabitants had begun to evacuate the city and to seek shelter in the neighbouring mountains. The FRETILIN leaders were also considering the possibility of falling back towards the mountains, but their present location is unknown. According to the most recent information, the invaders are in the process of consolidating their domination over the Territory after having conquered its capital.

46. Following those events, the Portuguese Government addressed an appeal to the International Red Cross to take all possible humanitarian action called for by the circumstances. In this connexion I should like to stress the fact that the Red Cross, which was forced to leave Dili when the Indonesian forces attacked the capital, is ready to return to the city at any time in order to aid the civilian population, and has spared no effort to obtain the authorization of the Indonesian Government for that purpose. Regrettably, the latter does not appear to have responded to that request.

47. The Foreign Minister of Indonesia has acknowledged that his country invaded Timor. He has asserted that the troops will be withdrawn "as soon as peace and order are restored", and added that that military action had been taken "at the request of the União Democrática de Timor". A few hours earlier the Indonesian delegation to the General Assembly at its current session had become a sponsor of a draft resolution submitted to the Fourth Committee on the question of Timor, the fifth preambular paragraph of which read as follows:

*"Reaffirming that any attempt aimed at the partial or total destruction of the national unity and territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations,"*⁸

48. The Indonesian armed aggression against Portuguese Timor constitutes a blatant, undeniable violation of the Charter of the United Nations, in particular of Article 2, paragraphs 3 and 4, which state that international disputes shall be settled by peaceful means in such a manner that international peace and security, and justice, are not endangered, and that Member States shall refrain from the 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.

49. Indonesia, which acknowledged the invasion—as I said earlier, both through its Foreign Minister and

through its representative to the United Nations—in the Fourth Committee of the General Assembly, claims that it has intervened solely "to restore peace and order" in the Territory. Portugal cannot fail to denounce, and no doubt the Security Council also will denounce, the inadmissible action of the Indonesian Government which is tantamount to substituting itself for the Security Council and deciding unilaterally that a given situation endangers international peace and security, so as to intervene militarily in a Territory over which it has no sovereignty and for which it is in no way responsible.

50. If the Indonesian Government considers that the situation in Timor represents a threat to the peace and security of its country, we fail to see why it has not drawn the attention of this Council to such a threat, as it is entitled to do under Article 35 of the Charter. It has preferred to act by force against a small, defenceless Territory, with 650,000 inhabitants, totally incapable of undertaking against its neighbour the least armed action or endangering in any way the slightest piece of Indonesian territory. If incidents of the kind described in the communiqué of 4 December of the Ministry of Information of Indonesia really occurred on the border, why was not Indonesia, a country of 130 million inhabitants and with powerful armed forces, able to patrol and watch over the border areas in order to prevent a recurrence of such events? It preferred to assault the territory of Timor, conquer the capital and, according to the international press, cause hundreds of deaths—to say nothing of the wounded, those who have disappeared and lost their homes, the victims of the naval artillery of the Indonesian forces. This is a very strange way of "restoring peace and order" to a foreign Territory which falls under Chapter XI of the Charter, which is included in the list of Non-Self-Governing Territories, and in respect of which the Organization and the international community therefore have special responsibilities and obligations.

51. Those responsibilities and obligations are incumbent especially on Indonesia itself, a member of the Special Committee, that is to say, a body established by the General Assembly to supervise and promote decolonization with respect for the principles enshrined in the Declaration contained in resolution 1514 (XV). And if Indonesia truly felt that the situation in Timor could endanger peace and security, then my Government fails to understand why the Indonesian Government did not resort to one of the peaceful means provided for in Article 33 of the Charter, all the more since the communiqué issued after the Rome meeting of the Foreign Ministers of Portugal and Indonesia states that: "The two Governments will maintain close co-operation and continue their consultation on all aspects and throughout all the stages of the process of decolonization of Portuguese Timor".

52. Speaking last Monday in the Fourth Committee of the General Assembly, the representative of Indo-

nesia,⁹ in response to an accusation by my delegation concerning the events of the last few days, spoke of the "criminal negligence" of Portugal in the conduct of the process of decolonization in Timor. As was so rightly pointed out by the representative of the United Republic of Tanzania, it is, to say the least, odd that Indonesia on 3 December should have co-sponsored a draft resolution on Timor, the fifth preambular paragraph of which was drafted as follows:

*"Taking note of the positive attitude of the administering Power in making every effort to find a solution by peaceful means through talks between the Government of Portugal and the political parties representing the people of Portuguese Timor."*¹⁰

53. As can be seen, the opinion of the Indonesian Government has changed radically in the space of four days. Allow me to recall in this connexion that the Foreign Minister of Indonesia had agreed that—and these are the very words of the communiqué of 2 November, which I quote once again:

"Given the events that have recently taken place in Portuguese Timor, the two Ministers felt that it was desirable urgently to restore peace and order in the Territory, in order to enable its population to decide its future freely.

*"To that end, the two Ministers concurred on the necessity to convene, at the earliest possible time, a meeting between the representatives of Portugal and the representatives of all the political parties in Timor in order to put an end to the armed struggle and ensure, peacefully and methodically, the decolonization of Portuguese Timor."*⁵

54. And yet we see that Indonesia, in order to restore peace and order to the Territory, chooses not the path of negotiation but that of armed invasion. One can now readily understand why it was precisely the pro-Indonesian political parties, UDT and APODETI, which at the 11th hour raised difficulties about the initiation of talks that the Portuguese Government was insisting should be held, when even the place and date—that is to say, Darwin, from 15 to 20 November—had already been proposed.

55. Must one conclude from this that the Government of Indonesia, determined to solve a problem which was already of concern to it, was unable to persuade parties to sit down at the conference table? That is not very likely. Let us recall rather the facility with which the Indonesian troops have already installed at Dili a so-called Provisional Government of Timor, composed of the two parties.

56. I believe it is unnecessary to dwell further on these events to show that the armed action of Indonesia against the Territory of Timor represents a violation of the fundamental rules of international law and international morality, as well as the provisions

of the Charter of the United Nations, and that, in the opinion of my Government, it constitutes an act of aggression falling under the provisions of Article 39 of the Charter.

57. As the Council knows, the Fourth Committee has only recently considered item 88 of the agenda of the current session of the General Assembly on the question of Territories under Portuguese administration. Not only was the veracity of the accusations formulated by Portugal against Indonesia clearly demonstrated, but the majority of the countries taking part in the debate categorically denounced the act of aggression committed by a country enjoying considerable prestige among the overwhelming majority of Members of the United Nations, especially countries of the third world. Despite efforts by some not to condemn Indonesia openly—by submitting various amendments, which were rejected in the Fourth Committee—the General Assembly, in its resolution 3485 (XXX), has declared itself:

"Deeply concerned at the critical situation resulting from the military intervention of the armed forces of Indonesia in Portuguese Timor"

—intervention which it "strongly deplores"—and

"Calls upon the Government of Indonesia to desist from further violation of the territorial integrity of Portuguese Timor and to withdraw without delay its armed forces from the Territory, in order to enable the people of the Territory freely to exercise their right to self-determination and independence."

It

"Draws the attention of the Security Council, in conformity with Article 11, paragraph 3, of the Charter, to the critical situation in the Territory of Portuguese Timor and—recommends that it take urgent action to protect the territorial integrity of Portuguese Timor and the inalienable right of its people to self-determination."

58. However, in those circumstances, and although the General Assembly has already pronounced itself in those terms on the question of Timor, with which the Council is dealing today, and because the thirtieth session of the General Assembly is on the point of concluding, the role that the Security Council can be called upon to play in the solution of the difficult problem of Portuguese Timor assumes a special significance. I do not believe that the Council can, by adopting a restrictive interpretation of its powers, confine itself to taking measures designed to put an end to Indonesia's military intervention in the Territory of Timor. A mere cease-fire and the simple withdrawal of the troops of the aggressor country, measures which in any event are urgent and indispensable, would not in themselves constitute sufficient action to

solve the problems of Timor, even in regard to international peace and security. Indeed, as can be readily observed, it is not by chance or by whim that Indonesia, invaded the Territory of Timor and so easily envisages its withdrawal. In any case, it is obvious that it was always the intention of the Government of Indonesia to effect that strategic withdrawal as soon as its mission had been accomplished.

59. What mission would that be? Undoubtedly, it would be, on the one hand, that of destroying FRETILIN by force and, if necessary, destroying its leaders; of organizing and strengthening, on the other hand, parties favourable to the integration of Timor with Indonesia; of placing those parties at the head of the administrative machinery; and of frightening the people in order to show them where the force lies and giving them a glimpse of the inevitable consequences of their refusal to accept that fact. Thus, as soon as the conditions necessary for the destruction of the freedom and the manipulation of the wishes of the people were created, Indonesia would hasten to agree to the withdrawal of its troops and even, I am certain, to propose to Portugal that the latter should continue to fulfil its obligations as the administering Power in order that, through a referendum, which would be greatly vitiated, it could achieve the so-called legal integration of Timor into Indonesia. In short, that country clearly does not seek to conquer Timor militarily but rather to impose by force conditions that would necessarily lead to the merger of the two Territories, thus preventing the people from freely exercising their right to self-determination and independence. Portugal denounces such manoeuvres.

60. The mere withdrawal of Indonesian troops from the Territory of Timor, without any fundamental change in a situation created by force, would be tantamount to maintaining the vitiated rules of the game and preventing the people of Timor from freely exercising their inalienable right to self-determination. The people of Timor are poor but dignified, weak but brave. They will undoubtedly fight to maintain their rights. That is why peace and security will not return to Timor until conditions are created that enable the people freely to exercise their right to self-determination. Portugal, as the administering Power will do everything it can to ensure the creation of such conditions. That is its duty. But a similar duty is incumbent on the United Nations also. Let us hope that both will be worthy of their responsibilities.

61. In the light of the facts that I have mentioned there can be no doubt that the military action undertaken on 7 December constitutes an aggression by Indonesia against Portuguese Timor. That action not only violates the fundamental principles of the Charter that I have mentioned but also seriously threatens the right of the people of Timor to self-determination and independence, for it is obvious that the people will be unable to make a free choice, in full awareness of the future political status of their country, unless

conditions prevail which guarantee absolute freedom of action.

62. Portugal believes that such a course is still possible, without peace and security in the region being endangered, while ensuring respect for the interests, customs and aspirations of the local population. But, in order that such a course may be pursued, conditions must be created which would allow for a conference between the Government of Portugal and the political parties representing the people of Timor, with a view to reaching an agreement on a mechanism for the accession of Timor to self-determination and independence while at the same time effectively ensuring scrupulous respect for the agreement by all the parties concerned.

63. That is the task which falls to my country at this historic moment. But it also falls to a very large degree within the obligations of the United Nations to help the administering Power to do its duty, not only by making every effort in order that the conference may be held—under the auspices of the United Nations, for example—but also by verifying and controlling the ways and means of application of the agreement to be reached at the conference. As to the extent to which principles and interests of great importance are at stake, we believe that the Security Council must act firmly and unequivocally and in a well-oriented manner in order effectively to redress the consequences of aggression.

64. In these circumstances, we believe that, pursuant to General Assembly resolution 3485 (XXX), the Security Council must forthwith: first, condemn Indonesia for the aggression it has committed; secondly, demand the immediate cessation of all acts of violence and intimidation against the people of Portuguese Timor; thirdly, demand the withdrawal of all occupation forces from the Territory of Timor; and fourthly, attempt to restore, through adequate processes and machinery—and, in particular, by resorting to the good offices of the Secretary-General—conditions which would allow free accession by the people of Timor to self-determination and independence, a right that is undeniably theirs and which is an indispensable factor for the restoration and maintenance of peace.

65. The PRESIDENT: I call next on the representative of Indonesia.

66. Mr. ANWAR SANI (Indonesia): Mr. President, allow me, first of all, to express the great satisfaction of my delegation at seeing you, Sir, in the Chair when the Council is discussing this question of Portuguese Timor. I had the privilege of being associated with you in the work of the Council during Indonesia's last months as a member of this august body. I am convinced that under your competent guidance the Council will be able to make a constructive contribution to the solution of the question before it.

67. This meeting of the Security Council has been convened at the urgent request of the representative of Portugal, Sunday night a week ago, on behalf of his Government. The sense of urgency of that request has become somewhat diluted by postponement of the time of the meeting from day to day, without the representative of Portugal maintaining his insistence. My delegation cannot escape the impression that Portugal is interested really and in the first place not in what is happening in Timor, but rather in the opportunity to make the most of the situation in order to whitewash itself by blaming Indonesia for the tragedy in Timor, which, in fact, Portugal itself has created. Moreover, to top it all, it even went as far as accusing Indonesia of aggression against the Territory.

68. Furthermore, apparently the Portuguese delegation would like to come to the Council armed with a resolution from the General Assembly to be used against Indonesia; hence, apparently, the delaying tactics. However, although a resolution has been adopted by the Assembly, there were a large number of abstentions. Moreover, from the statements made in the debate in the Fourth Committee¹¹ and in the plenary meeting of the Assembly,¹² my delegation is gratified to note that many countries, including many of those which voted for the resolution, have shown understanding of the Indonesian position and a deep awareness of the difficulties Indonesia has had to face following the tragic events in Portuguese Timor, undeniably created by Portugal itself.

69. Let me first explain why Indonesia is so vitally interested in what happens in Portuguese Timor. Portuguese Timor is part of the island of Timor; the other part is Indonesian territory, Timor is one of the islands of the Indonesian archipelago, which is made up of thousands of islands. The population of Portuguese Timor, a little more than 600,000, is of the same ethnic origin as the population in the Indonesian part. The 450 years of division because of colonial domination have not diminished the close ties of blood and culture between the population of the Territory and that of Indonesian Timor. This geographical proximity, and the ethnic and cultural kinship, are important reasons why Indonesia is so vitally concerned about peace and stability in East Timor, first of all in the interest of the local population, but also in Indonesia's national interest, as well as in the interest of the entire region of South-East Asia. A chaotic situation there would, before long, as we have seen elsewhere—Angola being a vivid example, and I hope our African brothers will not fail to take due note of this—attract foreign intervention.

70. When the former dictatorial régime in Portugal made way for the new revolutionary Government some 18 months ago, three political groupings or parties—APODETI, FRETILIN and UDT—emerged in Portuguese Timor, each claiming to represent the

majority of the population. APODETI desired integration with Indonesia; FRETILIN had complete independence in its programme; while UDT wished to continue some form of relationship with Portugal. Unlike the liberation movements in the former Portuguese Territories in Africa, none of them had waged an armed struggle—as has been pointed out by the representative of Portugal—against the colonial Powers. None of them possessed arms.

71. Indonesia's reaction to the wish for complete integration as represented by APODETI was that it would welcome such a decision if it were to be the outcome of a free and democratic exercise of the right of self-determination by the entire people of Portuguese Timor in accordance with General Assembly resolutions 1514 (XV) and 1541 (XV). Indonesia emphasized that it had no claim on Portuguese Timor, but that if the people of the Territory decided freely and democratically to become independent through integration with the unitary State of Indonesia, Indonesia would welcome it. It was thus up to APODETI to rally the support of the majority of the people for its stand.

72. Can this be interpreted as an indication of neo-colonialistic ambitions or hegemonic pretensions? I do not think so. It is perhaps well to mention that the leaders of APODETI are men who have earned their spurs in opposing Portuguese colonialism. Some of them have had the experience of being imprisoned by the former colonial administration because of their opposition to conditions in the colony. The leaders of APODETI for that reason certainly qualify as authentic opponents of colonial domination.

73. Portugal formulated a plan for decolonization aimed at the exercise of the right to self-determination by the people in Portuguese Timor by 1978. The intervening years could be used by the parties to rally support of the people for its respective stands. Indonesia welcomed that Portuguese plan, as it would guarantee an orderly process of decolonization in the Territory.

74. A conference was organized by Portugal with the three parties of Portuguese Timor in Macau from 26 to 28 June 1975. However, only APODETI and UDT were present at that meeting; FRETILIN refused to attend it, which gave an indication of its attitude in the months to come. The Portuguese Government subsequently announced in Macau that a constituent assembly and a provisional government would be formed by 1976 for the preparation of the exercise of the right of self-determination in 1978. Indonesia again welcomed that Portuguese decision, as the new scheme, in its view, would lead to an orderly process of implementation of resolutions 1514 (XV) and 1541 (XV) in an atmosphere of peace and tranquillity.

75. We who have taken the right of self-determination into our own hands and have defended it with our lives and blood have certainly no intention of denying it to others. We who have strongly affirmed that right during the 1955 Asian-African Conference (Bandung Conference) and have promoted it at every forum and supported its implementation not only by words but also by deeds cannot deny that right to our next-door kinsmen, as some countries have accused us of doing in the General Assembly debate.

76. On 11 August this year, however, Indonesia was taken completely by surprise by reports that fighting had broken out in Dili as a result of a coup and a counter-coup staged by UDT and FRETILIN. In this matter, the Portuguese colonial administration cannot be absolved of blame; in fact, the whole thing appeared to have been arranged with the connivance, if not upon the instigation, of elements—and I say "elements"—in the colonial administration itself, with the aim, which only now has become evident, of creating conditions to facilitate a FRETILIN takeover.

77. Prior to the coup and counter-coup, the Governor apparently was quite aware of what was going on, particularly that FRETILIN elements were going to raid the arsenals of the Portuguese colonial army. The Governor, however, while insisting that Portugal was responsible for the maintenance of law and order, took no action whatsoever; thus large quantities of the colonial army's weapons fell into the hands of FRETILIN. Developments in Timor might have taken a completely different turn had elements of the colonial administration not acted in connivance with FRETILIN, or had the Governor taken the necessary action. What followed is now well known.

78. Bloody fighting broke out. It spread quickly to other parts of the territory and the population became the victims. Metropolitan Portuguese and foreign nationals were evacuated by sea and air. On 25 August the Governor and the remaining members of his staff left for Atauro Island 20 to 25 miles off the coast from Dili. He issued appeals to the neighbouring countries to extend humanitarian assistance to Portuguese Timor. Indonesia responded immediately by sending ships with 10,000 tons of rice and other relief goods. However, the goods could not be unloaded and distributed because there was no longer any administrative apparatus in Dili. The Indonesian Consul remained in Dili as long as he could after the Governor and his staff had left for Atauro, and I am proud to say that the only time a cease-fire could be arranged between the fighting parties was when an Indonesian ship sailed into Dili harbour to evacuate the Indonesian Consul and a number of refugees.

79. Afterwards, Indonesia was in continuous contact with the Portuguese authorities and offered its co-operation for the re-establishing of peace and

order in the Territory in order to give the people the opportunity to exercise their inalienable right of self-determination, freely and democratically, in an atmosphere of peace. The Portuguese Government, however, turned down the offer.

80. The indigenous population, caught in the bloody fighting, fled in great numbers to Indonesian territory. In their flight they were harassed by FRETILIN gangs, and hundreds of them perished before reaching safety in Indonesian Timor. The number swelled to some 50,000. These refugees created a problem for Indonesia. A large-scale relief aid campaign had quickly to be mounted. Shelter, food, clothing and medical care were provided on an emergency basis, putting a severe strain on Indonesia's finances. Moreover, the socio-economic conditions in Indonesian Timor were disrupted as local resources, meagre as they were, had to be shared with this large number of refugees as a matter of priority.

81. Meanwhile, UDT and two other parties, KOTA and Trabalhista, joined APODETI in declaring themselves in favour of complete integration with Indonesia. The decision was announced by the four parties in a petition issued in Batugade—Portuguese Timor—on 7 September 1975. Indonesia's position remained the same: it was for the parties themselves to rally the support of the people for their cause and their struggle. My Government continued to insist that such a decision must be the outcome of the free and democratic exercise of the right of self-determination in conditions of peace and order. If Indonesia indeed had the intention to annex East Timor, that was the best time to act. After UDT, KOTA and Trabalhista joined APODETI, it could be concluded that the representatives of the majority had indeed decided for integration with Indonesia. However, Indonesia insists that the exercise of the right of self-determination by the people should be respected.

82. As a result of the bloody fighting in Portuguese Timor, Indonesia was, as I said before, confronted with extremely serious difficulties. Let me explain briefly some of them. First, as I mentioned earlier, there was the presence of tens of thousands of refugees who had to be sheltered, fed and cared for. Those refugees wanted to go home to their villages, but demanded that Indonesia should guarantee their safety. Secondly, the practice of FRETILIN of terrorizing the people, brutalizing and even murdering them, because they opted for integration with Indonesia, created a strong reaction within Indonesia. The Government was under increasing pressure to take action to protect those people. What is more, those people themselves, after having made their choice, considered themselves to be Indonesian nationals and therefore entitled to Indonesia's protection. Thirdly, incursions by armed bands into Indonesian territory to rustle cattle and to steal food and property belonging to the people of the border areas, and occasional mortar fire from the other side of the border, made it

imperative for Indonesia to take appropriate action to put an end to the continued violations of its territory and the harassment of its people.

83. Indonesia exercised the utmost restraint in the face of strong pressures and provocations. We remained in communication with the Portuguese and continued our efforts to find ways and means to stop the fighting and to find a way out of the situation which threatened to become a vicious circle of violence and more violence.

84. The Indonesian Minister for Foreign Affairs met the Portuguese Minister for Foreign Affairs, Mr. Soares, here in New York during last year's General Assembly session. This resulted in the establishment of diplomatic relations. The Indonesian Government sent missions to Lisbon. Then another meeting was arranged in London. Views were exchanged on how to proceed with the process of peaceful and orderly decolonization of the Territory, on the basis of resolutions 1514 (XV) and 1541 (XV).

85. After the events of last August at Dili, diplomatic contacts were intensified. Mr. Santos, the then Minister for Interterritorial Co-ordination, visited Jakarta and Canberra in an effort to stop the fighting and to find a peaceful solution. While in Australia he had contacts with some FRETILIN leaders. However, when in Indonesia he refused to go to the border area to see the refugees and to meet the leaders of APODETI and UDT. Indonesia offered to make a plane available to fly him to Timor, but Mr. Santos declined. His argument was that he could not meet with APODETI and UDT leaders as long as 23 members of the Portuguese military personnel were being detained by them. Indonesia was of the view that he could have achieved the release of those men if he had been prepared to discuss it directly with those who detained them. Mr. Santos could have had apprehensions, however, knowing that UDT, the closest party to Portugal in fact, had become deeply disappointed with the Portuguese role in the whole affair.

86. During the first days of November a meeting was arranged at Rome between the Indonesian Foreign Minister and his Portuguese colleague to discuss modalities for restoring peaceful conditions in Timor, in order to safeguard the free exercise of the right of self-determination by all groups of people of East Timor. At the Rome meeting the responsibility of Portugal as the administering Power with regard to an orderly exercise of the right of self-determination by the people of Portuguese Timor was reaffirmed and emphasized. Both sides agreed on the necessity for Portugal to hold talks with all the parties representing the people of the Territory, in order to end the fighting and to find a peaceful solution. Indonesia, for its part, would persuade the pro-integration parties to participate in those talks.

87. It was the impression of my Government that the idea of having talks was acceptable to all the political

parties in Portuguese Timor. The difficulty seemed to be the question of the venue, a problem which we thought would not be so difficult to solve given a reasonable degree of goodwill and imagination. In fact, the Portuguese Chargé d'affaires at Jakarta suggested Bangkok as an alternative. Other matters regarding the talks could, in our view, have been subject to further discussion once the idea of holding the talks had been accepted by all concerned. It had been our sincere hope that the talks would materialize as planned by the Portuguese Government. However, the sudden and unexpected unilateral declaration of independence by FRETILIN on 28 November dashed all hopes for any compromise. It foreclosed all possibilities for the other four parties to exercise their right of self-determination.

88. Indonesia deeply regrets this unilateral action because by taking it FRETILIN, one of the parties, clearly denied to the people of East Timor the exercise of their right of self-determination. FRETILIN definitely, by the same token, pre-empted the possibility of a peaceful solution through talks between the parties and Portugal as the administering Power. The other four political parties favouring integration with Indonesia—APODETI, UDT, KOTA and Trabalhista—responded immediately to the unilateral act by FRETILIN by declaring, on 29 November, that the Territory of East Timor had become an integrated part of Indonesia and they themselves *ipso facto* nationals of Indonesia. This declaration was followed by a joint solemn proclamation on 30 November, issued at Balibo in Portuguese Timor, which embodied the decision of integration with Indonesia. The text of that proclamation was sent by the leaders of APODETI, UDT, KOTA and Trabalhista to the Secretary-General, the Chairman of the Special Committee and the President of the Security Council.

89. These four parties represent the majority of the people of Portuguese Timor. I wish to point out two facts which should be borne in mind by the Council in dealing with this question. First, it was FRETILIN which attempted to deny the proper exercise of the right to self-determination by the majority of the people of Portuguese Timor. Secondly, the four other parties' proclamation was a reaction—in fact, the only logical reaction—to that blatant act of putting the people of Portuguese Timor and the world before a fait accompli, as acknowledged by the Chargé d'affaires a.i. of the Permanent Mission of Portugal in his letter to the Secretary-General of 28 November, in which he stated:

"The fait accompli that FRETILIN intends to establish with this declaration, aside from foreseeably aggravating the conflict between the political parties, has made difficult, if not impossible, the establishment of an agreement between the above-mentioned parties that would make possible the development of the decolonization process of Timor in harmony with the principles defined by the

United Nations and accepted by Portugal" [S/11887].

90. The Portuguese Government had in the meantime publicly admitted its inability to do anything under these circumstances, as evident again from the same letter in which the Chargé d'affaires stated that "under the circumstances, the Portuguese authorities do not have the means to assure normalization of the situation in Timor". In view of this statement of impotence, of abdication of responsibility, the Indonesian Government had to reconsider its position. It could not remain indifferent in the face of the prospect of the chaos in East Timor developing into a second Angola. The proclamation by APODETI, UDT, KOTA and Trabalhista was in the meantime received with deep emotion by the Indonesian people. Hundreds of volunteers responded to their call for help against the FRETILIN régime of terror and joined them in their fight against the FRETILIN forces. A few days ago the pro-integration forces entered Dili, the capital of East Timor. A large number of FRETILIN forces surrendered and virtually the entire territory is reported to be now under the control of the APODETI-UDT-KOTA-Trabalhista coalition.

91. The Acting Portuguese Governor has, according to press reports, left Atauro, the island to which he and his staff had fled before, thus abandoning the last semblance of Portuguese authority in the Territory. Such is the situation in East Timor today. In the light of this behaviour on the part of Portugal, it does not behove them to speak of aggression on Indonesia's part.

92. Just imagine that a fire breaks out in the apartment next door to you. The fireman whose duty it is to put it out says bluntly that he has no means to do so. The people in the apartment—your own relatives—request your help to stop the fire. Would you answer: "Wait. Let us telephone the fire station"—which you know is half way on the other side of the world, and let the apartment burn down, with the possibility that the fire will spread to your own place? Or would you act and stop the fire from spreading? I think that you would rather act than wait. That was exactly what happened in Portuguese Timor. The Indonesian people reacted in order to put out the fire started deliberately by FRETILIN. The combined forces managed to occupy Dili, the capital of East Timor, and to gain control of practically the entire territory with the co-operation of the people. Those who have sown the wind shall reap the whirlwind. A temporary local government has now been established at Dili by the four parties in order to take care of the administration of the Territory.

93. It is in this context that Indonesia totally and emphatically rejects the sanctimonious contention of Portugal implied in the letter of 7 December 1975 from its representative to the President of the Security Council [S/11899] that Indonesia has committed a

military aggression in Timor. It is Portugal that should be charged with criminal negligence—as I said before—of its responsibilities towards the people of East Timor. It is highly cynical for Portugal, after having admitted its impotence to restore normalcy to the Territory, to try now to blame Indonesia for wanting to put out the fire in the Territory which Portugal itself started by its irresponsible scheming. What the Indonesian people did was to respond to the request of the majority of the people of East Timor, which can certainly not be termed an act of aggression.

94. In conclusion, I should like to say in all sincerity that Indonesia wishes more than anything else to see conditions of peace and stability re-established in Portuguese Timor as soon as possible, so that the people can live and work for its progress and well-being and contribute to the development of the region. Indonesia is vitally interested in peace and stability in Timor; it is deeply concerned that the occurrence of developments in the Territory such as those occurring in Angola would affect not only its own peace and security but also that of the region of South-East Asia. Indonesia will continue to 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. The future political status of East Timor must be based on the outcome of such an exercise of the right to self-determination by the entire people. Indonesia is prepared to co-operate with the United Nations and countries of the region to achieve that purpose. Indonesia, finally, rejects any notion of aggression being attached to the action of its people to assist the majority of the people of East Timor upon its own request against a minority which wishes to impose its will by force of arms and deny the people the exercise of its inalienable right to self-determination in accordance with General Assembly resolutions 1514 (XV) and 1541 (XV).

95. The PRESIDENT: I have received an indication from the representative of Malaysia that he would wish to address the Council this afternoon. I also understand from him however, that he would prefer to be the final speaker this afternoon. In the circumstances, I would now call on Mr. José Ramos Horta, in accordance with the decision that the Council took at the opening of its meeting this afternoon. I therefore invite Mr. Horta to take a place at the Council table and to address the Council.

96. Mr. HORTA: While we are in this house talking about East Timor, thousands of people have been killed by Javanese troops. Criminal action is taking place in East Timor. We are hopeful that from this house the honourable members of the Security Council will stop the war of aggression against the people of East Timor.

97. Mr. President, may I, on behalf of the Central Committee of FRETILIN, the Revolutionary Front for

the independence of East Timor, and of the Government of the Democratic Republic of East Timor, express our utmost respect to you and to all the members of this Council. Allow me to express our gratitude for the opportunity given to us to report on the just struggle of the people of East Timor for national liberation. We place great confidence in the United Nations and we believe that the noble ideals that inspired the founding of the Organization still prevail among peace-loving countries.

98. We learned with happiness and hope of the resolutions of the General Assembly on the situation in East Timor, resolutions calling upon all States to respect the right of the people of East Timor to self-determination, freedom and independence; strongly deploring the military intervention of the armed forces of Indonesia in East Timor; and calling upon all States to respect the unity and territorial integrity of East Timor.

99. The people of East Timor have been living under foreign domination for 500 years, five centuries of cruel exploitation and oppression, five centuries of struggle against Portuguese colonialism. The heroic people of East Timor always fought against foreign domination, and the spirit of independence was at all times the driving force of the history of our country. Many thousands paid with their lives the high price of independence and freedom. After the fall of the Fascist régime in Portugal, new historical conditions were created to enable the people of East Timor to enjoy freedom and independence through peaceful means; at this very moment, however, the entire people of East Timor, after 500 years of colonialism, war and oppression, is engaged in another war—a war of resistance against a war of aggression by Indonesia.

100. The collapse of the Portuguese colonial empire was basically a consequence of the heroic struggle of the peoples of Guinea-Bissau, Cape Verde, Mozambique, Angola, Sao Tome and Principe, and East Timor—peoples of different geographical locations but united by centuries of suffering, struggle and victory against a common enemy. The fall of the Portuguese colonial Fascist régime made way for decolonization. With that new historical situation, East Timor nationalists, who in the past had been engaged in anti-colonial underground activities, openly initiated a national front for all patriots of Timor. Yet the programme of decolonization started with deep contradictions when the Portuguese Administration encouraged and legalized the formation of puppet groups—UDT, which interpreted General António Spínola's theory of a "federation of Portuguese-speaking countries"; and APODETI, which had been an Indonesian inspiration denying the rights of the people of East Timor to independence and freedom. It is relevant to draw the attention of the Council to the facts that can help it to understand the just struggle of the people of East Timor for national liberation and independence.

101. UDT was born at a time when a "federalist movement" was inspired by General Spínola in his book *Portugal and the Future*, in which he proposed what was an obvious neo-colonial "solution" for the colonies. Puppet groups were created in Angola, Mozambique, Guinea-Bissau, Sao Tome and Principe, and East Timor. These groups attempted to oppose the vanguards of the great masses of the people: FRELIMO [*Frente de Libertação de Moçambique*], MPLA [*Movimento Popular de Libertação de Angola*], PAIGC [*Partido Africano da Independência da Guiné e Cabo Verde*], MLSTP [*Movimento de Libertação de Sao Tome et Principe*], FRETILIN. The "federalist movement" failed. Then UDT announced a new programme: independence for East Timor.

102. APODETI, inspired by Indonesia to serve Indonesia's interest, was also created. This puppet group did not hesitate to declare East Timor part of Indonesia. Radio Kupang, a State radio station based in Indonesian Timor, has for the past 18 months been referring to East Timor as the 27th province of Indonesia. APODETI, financed by Indonesia from the very beginning of its existence, has never enjoyed the sympathy of the people of East Timor, who have always considered the leaders as traitors to and sellers of the nation. Campaigns of intimidation in the name of the Indonesian army and campaigns of corruption in the name of Pertamina have been part of the APODETI programme.

103. Even after the fall of the Fascist régime in Portugal, FRETILIN leaders experienced serious difficulties, persecution and arrest, torture and murder. Former Fascist officials, prominent leaders of the *Ação Nacional Popular*, who made up the leadership of UDT, were able to use the repressive machine against FRETILIN. In October 1974 eight FRETILIN leaders were arrested and tortured. Despite these vicious manoeuvres of the neo-Fascists and neo-colonialists, FRETILIN carried on the programme of political consciousness-raising throughout the country.

104. In a period of one year, up to 200 schools were set up by FRETILIN in a strenuous effort to eliminate the high rate of illiteracy—up to 96 per cent of our people cannot read and write. Co-operatives for production, distribution and consumption were organized. Several People's Shops are now functioning in the villages. In order to struggle against disease and premature death, medical centres were set up to teach hygiene and first aid.

105. Those activities won for FRETILIN popular support throughout the country. In view of that reality UDT agreed to form a coalition in January 1974. That coalition aimed at, first, defending the independence of East Timor and, secondly, opposing annexation of East Timor by Indonesia. The coalition of FRETILIN and UDT was a historic step towards independence. The Indonesian Government saw the

prospect of integration of East Timor with Indonesia slipping through its hands. Then Indonesian officials began a vicious campaign to corrupt UDT leaders. In April this year two separate delegations of UDT and FRETILIN were invited to visit Indonesia. On their return to East Timor the UDT leaders said how impressed they had been with Indonesian hospitality, even confessing that they had been promised high positions in Jakarta if they broke their alliance with FRETILIN and supported integration with Indonesia.

106. In early May UDT broke the coalition unilaterally. Despite that naive action, FRETILIN leaders approached UDT and warned it of the Indonesian manoeuvres to undermine the nationalist movement. On 26 June the Portuguese Government called for a conference in Macau to work out a programme of decolonization. FRETILIN refused to accept such a conference, in which the right of the people of East Timor to independence was to be negotiable. FRETILIN, in accordance with the Charter of the United Nations, has always made it clear that the right of the people of East Timor to be independent and free is not negotiable. It is a right. It is not surprising that on 11 August UDT staged a coup against the Portuguese Government, breaking the agreement it had entered into at Macau.

107. It is necessary again to draw the Council's attention to Indonesian involvement in the attempted coup d'état by UDT. Two weeks prior to the coup two UDT leaders visited Jakarta. Four days later the President of UDT, Lopez Cruz, was urgently called to Jakarta. On 7 August the three UDT leaders—Lopez Cruz, Juan Carrascalao and Domingos Oliveira—returned to East Timor.

108. In the early morning of 11 August East Timor was shaken by UDT action. FRETILIN leaders, their lives endangered, retreated to the mountains. On the same day, FRETILIN leaders requested the Portuguese Administration to force UDT to lay down its arms and hold peace talks. The Portuguese Government took no action, while UDT carried on the campaign of persecution and murder of FRETILIN militants. Up to 50 students who were carrying on literacy work in the villages were murdered. Many hundreds of persons were massacred. Faced with that criminal action of UDT, the FRETILIN Central Committee called for general armed resistance. The result was an immediate response from the army and the people. In a quick operation, UDT was defeated and driven out of East Timor, to seek refuge in Indonesian territory.

109. The question must be asked: "Why did the Indonesians encourage the UDT coup d'état?" Was it because Indonesia would accept an independent East Timor under UDT? The answer was provided by Michael Richardson, the South-East Asian correspondent of the *Australian Age*, when he wrote that "the Indonesian veto applied not only to an East

Timor under the control of the radical nationalist movement FRETILIN, but also to an East Timor run by the conservative UDT party". He said also that "as long ago as last October Indonesia was talking about the possibility of using force to secure its objective. This objective was the incorporation of East Timor as advocated by the APODETI party, which, by every account except its own and Indonesia's, was, and still is, by far the weakest of the three parties recognized by the Portuguese colonial administration as being the main contenders for political power in the Territory".

110. But, by giving tacit support to the UDT coup, Indonesian strategists were forecasting that the outcome of this would be a long period of bloodshed. FRETILIN and UDT would exhaust their forces and run out of ammunition, and it would then be the right time for the Indonesians to step in as liberators. The Indonesian military strategy experts failed in two assumptions. First, they underestimated the organizational capacity of FRETILIN, its popular support and the backing of the Timor Army; secondly, they were misinformed about the stock of weapons and ammunition in the Portuguese arsenal. Jakarta experts were surprised at the FRETILIN forces' quick defeat of UDT.

111. The situation in East Timor after the defeat of UDT can be summarized as follows. FRETILIN had established political and military control over the whole of the territory of East Timor; the entire Portuguese administration had withdrawn to the island of Atauro; a provisional administration had been established by FRETILIN to reorganize the economic, social and political affairs of East Timor; and in Indonesian Timor, thousands of political prisoners had been kept in concentration camps and designated as refugees as part of the campaign against FRETILIN, and no foreign observers or press or aid officials were allowed to visit them.

112. In normal circumstances, after defeating the enemy of our country and exercising full control over the whole Territory, with the full support of the people, FRETILIN would be recognized by every Government of the world as the *de jure* government of East Timor. But FRETILIN continued to recognize Portuguese sovereignty over the Territory and to call on the Portuguese Government for round-table talks in order to carry on the process of decolonization. Unfortunately, our continuing efforts to arrange talks with the decolonizing Power were not answered. Once again it was Indonesia that was thwarting the talks through its influencing of UDT and APODETI.

113. In the meantime, conflict along the border between Indonesian and FRETILIN forces had begun. As early as September the first infiltration of Indonesian troops into East Timor had occurred. A unit of 90 red-beret marines belonging to the 315th Battalion stationed in Java was sent to East Timor. It was

divided into three groups each with 30 men. Since then, many weapons, automatic rifles, mortars, bazookas and grenades used by the Indonesian Army have been captured by FRETILIN forces and identified by foreign observers.

114. Some Indonesian soldiers were captured by FRETILIN forces. One of the prisoners, Corporal Welli, described his own and his comrades' experiences in guerrilla and counter-guerrilla activities in several places, including Kalimantan, North Sumatra and West Irian.

115. In order to avoid conflict along the border, FRETILIN proposed, in a cable sent to the Indonesian Minister for Foreign Affairs, Mr. Adam Malik, on 16 September, that a joint peace force of FRETILIN and Indonesians should jointly patrol the border. Indonesia rejected this proposal through the newspapers. Indonesian aggression against East Timor intensified alarmingly when warships and heavy artillery shelled the tiny village of Batugade, which fell into Indonesian hands. Balibo and Maliana were the next to fall, after heavy bombardment by nine Indonesian warships and heavy artillery stationed in Indonesian territory. Hundreds of paratroopers were dropped in those places. In Balibo, five foreign newsmen, three Australian and two British, reporting for Australian television, were shot in cowardly fashion by the Javanese paratroopers. A Portuguese television crew just managed to escape.

116. The Central Committee of FRETILIN denounced this Indonesian aggression and called upon Governments to persuade Indonesia to stop violating the territorial integrity of East Timor. The Portuguese Government was informed daily of the situation in East Timor, but no action was taken by Lisbon to prevent and to stop Indonesian aggression. We now welcome the Portuguese decision publicly to denounce Indonesian aggression.

117. Since September FRETILIN has been the *de facto* government of East Timor, and since September the people of East Timor, under the leadership of FRETILIN, have fought a war of resistance against Indonesian military aggression. During this entire period the Portuguese Government, whose sovereignty over East Timor was still recognized by FRETILIN, did not take action to neutralize the expansionist activities of Indonesia. Lisbon, unfortunately, has always—naively—tried not to antagonize Jakarta while the people of East Timor were suffering from a criminal war of aggression initiated by Indonesia.

118. Under these circumstances, the Central Committee of FRETILIN, interpreting the profoundest desires of the people of East Timor, declared, on 28 November, the birth of the youngest State in the world, the Democratic Republic of East Timor. The unilateral declaration of the independence of East Timor by FRETILIN was merely a formal act to legal-

ize, in juridical and international terms, a *de facto* situation that had already existed for three months. This was a heroic act of self-determination by a small country against the expansionist aims of Indonesia.

119. The following day the puppets of Indonesia that had formed their so-called Anti-Communist Movement (MAC) also declared the integration of East Timor with Indonesia. It is necessary to draw attention to the following points: that such a declaration was made in Indonesian territory; and that most of the leaders of that movement were either in gaol at Dili under FRETILIN or in self-exile in Australia, or had been killed during the conflict. Only three leaders were alive in Indonesian territory.

120. On 7 December Indonesia launched an all-out invasion against Dili. Thirteen warships and 11 aircraft bombarded and bombed the capital. Three thousand paratroopers and marines assaulted Dili in the early hours of the morning. FRETILIN forces resisted the assault. After a strategic retreat to the surrounding mountains, the Government forces counter-attacked and reoccupied two thirds of the city. As many as 2,000 Javanese soldiers were killed. Up to 500 women, children and Government troops died in the first confrontation. Also, on the southern coast an Indonesian naval force attempted to land marines at the village of Suai. The beach had been mined by Government troops. Several hundred Indonesian marines were killed and the attack was repulsed.

121. We are aware that there are many States Members of the United Nations which have a profound knowledge of the just struggle of our people. Unfortunately, the difficulties we have experienced have not enabled us to publicize the true story. Because of this and because of the viciousness that has been developed by Indonesia for some time, many Member States have been cautious about committing themselves to our just struggle.

122. We would like to draw the Council's attention to the following argument so frequently used by Indonesia to conceal its expansionist aims. It concerns the common cultural and ethnic origins of the peoples of East Timor and Indonesia. As the fundamental thesis of a common culture and ethnic origin has been presented by Indonesia, many people have been led to believe that integration of East Timor into Indonesia is a natural necessity. Thus, the struggle for independence would be an artificial and a human caprice. May I draw the Council's attention to the lack of any real foundation for this thesis. We would not deny the existence of a certain common cultural and ethnic origin, but this is not sufficient reason for arguing for integration into Indonesia. It is necessary to distinguish between the cultural origin of a people and the stage or level of culture of a people at a given time in history. Arguing about a common past that is many centuries remote from the present

is to forget reality. It is to deny reality. We affirm that the people of East Timor as compared with the people of Indonesia, including those of Indonesian Timor, are at a different social, political and cultural stage as a result of a different and independent development.

123. We will not discuss the "*bineka tunggal ika*" motto of the Republic of Indonesia, which means "unity in diversity". We will speak only about the cultural movements which have developed in the ex-Portuguese colony of East Timor and in the Republic of Indonesia before and since the advent of Dutch and Portuguese colonialism. During the period prior to colonialism, the main islands of Indonesia felt the influence of Indians, Arabs and Indo-Chinese. In East Timor, such influences did not exist. With the advent of colonialism the differences became more marked.

124. The isolation between the two peoples and the lack of cultural and social interchange between peoples, each of which was under a different type of colonialism, contributed seriously to the accentuation of the divisions and barriers. Besides, there are other aspects. The language of Indonesia is Bahasa, Indonesian, which is totally unknown to the people of East Timor. The people of East Timor speak a different language—Tetum.

125. It seems that there are people in the world who want to turn back the clock of history, but such attempts are doomed to failure, as it is not possible to stop the historic law of social dynamism. With this brief explanation, we ought to conclude that only the social and cultural realities of the present can be the basis for defining any political option in East Timor. The integration of East Timor into Indonesia, besides being economic and political colonialism, would be cultural colonialism. Thus, the only avenue for the true and complete liberation of the people of East Timor—and this liberation must be a cultural liberation also in order to achieve an over-all development—should be national independence.

126. Regarding the 1959 affair, Indonesian and pro-Indonesian factions claim that the purpose of an uprising that occurred in 1959 in East Timor was to integrate that ex-Portuguese colony into the Republic of Indonesia. Such a claim is false. Indeed, in June 1959 an uprising against the Portuguese administration took place at Viqueque and the surrounding villages, Vato-Lari and Vato-Carabao. The Portuguese colonialists successfully put down the movement, and over 1,000 people were massacred.

127. In 1950, on 25 April, a movement in the South Moluccas declared the independence of those islands from Java. A bitter struggle followed the declaration of independence. By 1958 a group of political refugees of the self-declared government of South Moluccas reached the ex-colony of East Timor and sought

political asylum with the Portuguese authorities. This group of experienced officers soon became involved with the Timor nationalists. Thus, they gave their most active assistance to the 1959 uprising. It is obvious that the South Moluccan refugees would not support a movement that favoured integration into the Republic of Indonesia.

128. Despite the fact that Indonesia itself struggled for its own independence 30 years ago, the leaders at Jakarta have decided that the people of East Timor have no right to be free and independent. Integration of East Timor into Indonesia will bring long and hard suffering to the people of East Timor. It is necessary for the world to learn about the contradictions of Indonesian attitudes towards East Timor. While the people of East Timor were suffering exploitation and oppression by the colonial Fascist régime, the Government at Jakarta, particularly after 1965, never spoke out in support of the rights of the people of East Timor.

129. The people of East Timor are well aware of Indonesian criminal collaboration with the former colonial rulers from Portugal who ruled our country for so long. Many East Timorese patriots sought political asylum under the Fascist régime with the Indonesian diplomats at Dili. As recently as two years ago, before the fall of the Fascist régime of Lisbon, a group of Timor patriots, founding members of FRETILIN, approached the Indonesian Government for support of their underground movement. Not only were their requests not met, but their names were later given to the Portuguese Fascist police. How can Indonesia expect sympathy from the national leaders of East Timor? How can Indonesia now speak about liberating the people of East Timor when Indonesia has always collaborated with the former Portuguese colonial régime in suppressing the will of the people of East Timor to be free?

130. While East Timor was a Portuguese colony and the people were under cruel oppression, the leaders of Jakarta did not consider East Timor to be a threat to the stability of the area. But now that the people of East Timor have liberated themselves and have declared the Democratic Republic of East Timor under the leadership of FRETILIN, Indonesian generals mount a massive criminal aggression to suppress the newly-independent State.

131. How can East Timor, a small country of 650,000 people, be a threat to Indonesia with over 100 million people and a well-equipped army of 1 million soldiers? Indonesia itself has caused war and instability in East Timor. Indonesia has set fire to East Timor over the past 18 months. Now Indonesia claims that it is necessary to extinguish the fire, but instead it has added fire. FRETILIN leaders and the Government of the independent Republic of East Timor are more than willing to

establish normal relations with Indonesia, friendship and co-operation. My Government believes that regional co-operation with the countries of ASEAN [*Association of South-East Asian Nations*] and Australia, New Zealand, Papua New Guinea and Fiji will be of great benefit for the whole region. Therefore, my Government hopes that the neighbouring nation will accept my country as a friendly and helpful neighbour. My Government is well aware of Indonesia's national interests and we have great admiration for the Indonesian people.

132. But Indonesia, wonderful Indonesia; Indonesia of yesterday; Indonesia that inspired the Bandung Conference, Indonesia that struggled against colonialism and imperialism; Indonesia that burned the fires of liberation in South-East Asia. Where is Indonesia now? How is it possible to betray a glorious past, the principles of the Bandung Conference? How is it possible to betray the principles proclaimed at the first conference of the non-aligned countries? Indonesia of yesterday; Indonesia of today: what a difference.

133. The peace in which the people of East Timor were living under the Government of the young Democratic Republic of East Timor has been violated by Indonesian aggression. Peace in the whole region is in danger. The continuation of the presence and the activities of Indonesia in our territory is developing another Viet-Nam in that part of the world. We all have in mind the tragedy of Indo-China. We must join our efforts to prevent another Viet-Nam. Indonesian warships, submarines, aircraft, helicopters and tanks are attacking our territory and our people.

134. We call on the Security Council to realize the gravity of the situation in our part of the world. The Security Council must strongly condemn Indonesian aggression against the young Democratic Republic of East Timor that has been, and is being, recognized by an ever-increasing number of countries that are Members of the United Nations; call for the immediate and complete withdrawal of Indonesian forces from the national territory of East Timor; send urgently a fact-finding mission to assess the situation in East Timor and enforce the decisions of the United Nations—and I want to take this opportunity to invite representatives of any country in the world to visit the Democratic Republic of East Timor at the earliest opportunity; and call on all States to respect the territorial integrity and sovereignty of the Democratic Republic of East Timor.

135. May I call the attention of the Security Council to a report in today's edition of *The New York Times* according to which Indonesia has formally annexed the enclave of Ocussi, which has been for 500 years part of East Timor. Such action by Indonesia must be viewed as a provocation of the United Nations in the light of the strong resolutions adopted by the Assembly 48 hours ago. The annexation of Ocussi

also gives the lie to Indonesian protests that it has no territorial ambitions.

136. The Government of the Democratic Republic of East Timor will be willing to commence talks immediately with the Government of Indonesia to open a new chapter in our relationship for the sake of peace, security and social progress in our two countries.

137. The points that we have presented are vital to the guaranteeing of peace and security in accordance with the purposes and principles of the United Nations. We must bear in mind the lessons of Indo-China, the lessons of the heroic people of Mozambique, Guinea-Bissau, Cape Verde, and Sao Tome and Principe. The waves of national liberation will go forward and the people of East Timor will win.

138. The PRESIDENT: I now invite the representative of Malaysia to take a place at the Council table and to make his statement.

139. Mr. JOHARI (Malaysia): Mr. President, first of all I would like to express the sincere thanks of my delegation to you and the members of the Security Council for enabling our delegation to participate in the deliberations of the Council on the question of Timor.

140. To begin with, it is perhaps worth recounting the circumstances that led to the convening of the meeting of the Council. On 28 November the Portuguese Government, through its Chargé d'affaires a.i. at the United Nations [*see S/11887*], informed the Secretary-General that FRETILIN had on that day made a declaration through which it intended unilaterally to proclaim the independence of Timor. The other political parties, UDT, APODETI, KOTA and Trabalhista, followed this unilateral declaration of independence by FRETILIN with their own declaration of independence and integration of Portuguese Timor into Indonesia. They urged Indonesia to restore law and order in the Territory. When the Government of Indonesia, acting upon the request of the parties concerned, entered Portuguese Timor, the Portuguese Government requested the convening of the Council.

141. To understand these events it is, however, necessary to examine the developments in Portuguese Timor since 25 April 1974, the role of the Portuguese Government as the administering Power in that Territory, and the motivations of the Indonesian Government in undertaking the present course of action.

142. The situation prevailing in Portuguese Timor prior to 25 April 1974 was in marked contrast to the situation prevailing in other Portuguese colonies in Africa, where the liberation movements were already waging a heroic and relentless struggle for complete independence and freedom. They were rewarded in their valiant efforts by becoming inde-

pendent soon after the change of government in Portugal. Consequently we have welcomed the presence of Mozambique, Guinea-Bissau, Cape Verde, and Sao Tome and Principe in our midst as full and equal Members of the United Nations. In Portuguese Timor political activity started only after April 1974, with the formation of FRETILIN and UDT and, a little later, of APODETI and the other political parties.

143. These parties, instead of fighting to oust the colonial Power, unfortunately began to fight among themselves. FRETILIN stood for the complete independence of Portuguese Timor, while APODETI and UDT, as it later developed, wanted a different solution through integration into Indonesia. All those parties were unable to reconcile their objectives and goals, and they began to fight for supremacy. What followed was a blood-bath and the breakdown of law and order and the flight of thousands of refugees into Indonesian Timor.

144. The political parties in Timor did not in fact have to fight the colonial Power, because the colonial Power backed out and left in the early stages of the fighting. In evacuating almost all of the Portuguese administrative and military personnel at the very early signs of trouble in Portuguese Timor, the colonial Power abdicated the solemn responsibilities it had assumed as the administering Power under the Charter of the United Nations and the Declaration on the Granting of Independence to Colonial Countries and Peoples. Furthermore, having removed itself physically from the Territory, the Portuguese Government also lost any leverage it might have had for influencing the course of events in Portuguese Timor. The situation there turned from bad to worse, and bloody fighting continued. The situation was serious enough to warrant the concern of the Secretary-General, who on 2 November 1975 expressed his concern at the deteriorating situation, requested urgent humanitarian assistance and called upon the parties in Portuguese Timor to cease hostilities.

145. The Portuguese authorities made some efforts to bring the parties together and set up a timetable under which the people of Portuguese Timor could decide their own future. However, they did not find it possible to do so because of non-co-operation by one party or the other at various times. The Portuguese Government even stated that if no agreement between the parties proved possible it would unilaterally fix the schedule for the decolonization process in Portuguese Timor. There was also talk of holding a referendum to determine the will of the people of the Territory. All this ended in failure.

146. The Portuguese Government also sent its envoy to the region, to Dili, to Jakarta and to Canberra in the hope that some solution might be found for ending the hostilities in Portuguese Timor. The envoy also visited the United Nations and met

the Secretary-General. Those efforts, again, were fruitless.

147. Finally, the Portuguese Government published Law No. 7/75, under which a People's Assembly was to be elected through a direct, secret and universal ballot in October 1976. It was expected that the assembly would be able to consider the Territory's future. However, the Law could not be implemented because of subsequent developments, with which the Council is now familiar.

148. It can be seen, therefore, that the Portuguese Government had neither the ability nor the means to restore peace and order in the Territory and assist its people in the process of decolonization. In fact, the Portuguese Government, in its letter to the Secretary-General of 28 November, admitted as much when it stated that it did not have the means to ensure normalization of the situation in Timor.

149. While the Portuguese continued their search for a solution to the problems in Portuguese Timor, the situation there worsened. The Indonesian Government watched the developments in a neighbouring Territory with grave and understandable concern. It exercised restraint, by not moving into that Territory. However, it was apparent that with the breakdown of law and order in Portuguese Timor the situation might get out of hand, for it had in it the seeds of foreign intervention.

150. Up to the time that Indonesia moved into Timor, its stated policy had been declared in its letter of 11 November, circulated to the then President of the Security Council and the Chairman of the Special Committee. It was that:

"Indonesia is of the view that the process of decolonization in Portuguese Timor should be conducted through the implementation of the right of self-determination in which the entire people of Portuguese Timor would be given the opportunity to determine their own future freely and democratically in an atmosphere of peace and order."

It was also stated that:

"Indonesia will respect the outcome of the exercise of the right of self-determination."

151. It must be noted also that the Portuguese Government has always recognized the legitimate interest of the Indonesian Government in the developments in Portuguese Timor. That recognition was clearly reflected in the communiqué issued at the end of the talks held between the Foreign Ministers of Indonesia and Portugal at Rome early in November. The communiqué stated that:

"The two Ministers shared the view that in the implementation of decolonization of Portuguese

Timor it would be essential also to safeguard the legitimate interests of the countries of the region, particularly the interests of Indonesia as the closest neighbouring country.”⁵

152. That view was repeated by the representative of Portugal in the debate in the Fourth Committee on 2 December,⁶ when he stated that the process of decolonization in Timor should take into account the peace and security of the geographical region in which it was located. Indonesian intervention in Portuguese Timor must therefore be viewed in that context. This action occurred after nearly four months of lawlessness and bloody fighting, and after the futile attempts that the administering Power had made for over a year to find a solution to the problem in Timor. It occurred after the declaration of independence through integration into Indonesia by the four political parties, APODETI, UDT, KOTA and Trabalhista, parties which had urged the Indonesian Government and people to protect the lives of the people who regarded themselves as Indonesians.

153. Recently, during the debate on the question of Timor in the Fourth Committee, the Indonesian representative stated that Indonesia did not have any territorial ambitions in Timor and that its sole desire was to see the creation of an atmosphere of calm and tranquillity, in which the people could exercise their right of self-determination. In other words, it may be taken that Indonesia is not seeking to impose a solution in Portuguese Timor, and that it is still committed to its policy of self-determination for the people of the Territory.

154. Malaysia has always championed the cause of freedom and independence for subject peoples. We have always upheld the principle of the right to self-determination for peoples under colonial domination and oppression, principles enshrined in the Charter and in United Nations resolutions. Our record over the years shows our consistent support for the application of this principle in colonial Territories.

155. The situation as it exists now in Portuguese Timor is not conducive to allowing the people there to decide their future freely. The two rival groups have not shown any flexibility or willingness to compromise; they continue to have divergent goals and objectives for the Territory's future; each has resorted to armed means to achieve its ends. The

declarations of independence of the rival groups are a complete denial of the right of the people to decide their future for themselves. We sincerely hope that once peace and order have been restored in Timor it will be possible to ascertain the wishes of the people.

156. The Malaysian Government is of the view that any action which the Security Council, in all its wisdom, may take with respect to the future status of Portuguese Timor should be based on the following considerations:

—First, the Portuguese Government should be held responsible for the existing situation in Portuguese Timor, and it should seek the assistance of the countries in the region to discharge its responsibilities as the administering Power;

—Secondly, the United Nations should dispatch a visiting mission to the Territory to assess the situation and to make appropriate recommendations, bearing in mind the ultimate objective of allowing the people of Portuguese Timor to exercise their right to self-determination;

—Thirdly, the people of Portuguese Timor must be allowed to exercise their right to self-determination freely, in an atmosphere of peace and order.

157. Since time is of the essence, the Malaysian Government sincerely hopes that the Council will act speedily and effectively so that we can bring to an end another saga of colonialism in our part of the world.

The meeting rose at 6.05 p.m.

Notes

¹ See A/AC.109/L.1027.

² A/10277, annex.

³ A/10208.

⁴ See *Official Records of the General Assembly, Thirtieth Session, Plenary Meetings*, 2382nd meeting.

⁵ See A/C.4/802, annex.

⁶ See *Official Records of the General Assembly, Thirtieth Session, Fourth Committee*, 2178th meeting.

⁷ *Ibid.*, 2184th meeting, para. 48.

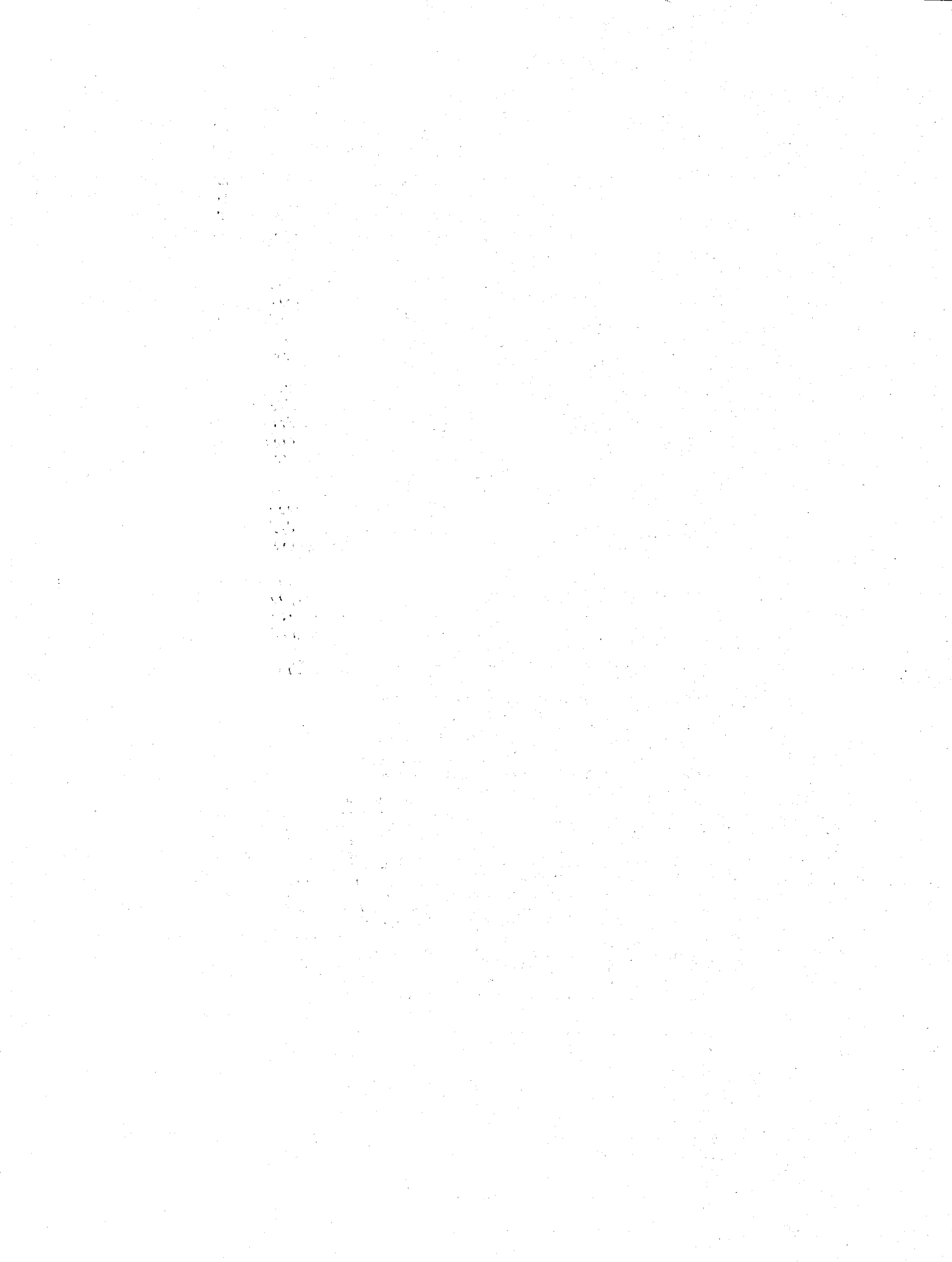
⁸ *Ibid.*, *Thirtieth Session, Annexes*, agenda item 88, document A/10426, para. 10.

⁹ *Ibid.*, *Thirtieth Session, Fourth Committee*, 2185th meeting, para. 32.

¹⁰ *Ibid.*, *Thirtieth Session, Annexes*, agenda item 88, document A/10426, para. 8.

¹¹ *Ibid.*, *Thirtieth Session, Fourth Committee*, 2178th, 2180th, 2184th-2189th meetings.

¹² *Ibid.*, *Thirtieth Session, Plenary Meetings*, 2349th meeting.



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