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By Geoffrey C. Gunn

For centuries a backwater of Portuguese colonialism at the eastern end of the Indonesian archipelago, East Timor should have won its independence on 28 November 1975 when the majority FRETILIN party declared independence. Days later, ahead of a Portuguese withdrawal, Indonesian forces advancing from Indonesian West Timor invaded and occupied the half-island nation. Declassified documents reveal that, fearful of the emergence of a "Southeast Asian Cuba," the US Ford Administration abetted the invasion, just as the US emerged as the largest arms supplier to the pro-Western government of General Suharto. Nevertheless, the United Nations never recognized the illegal Indonesian invasion and FRETILIN and supporters, including East Timor's former colonial overlord, Portugal, waged a successful diplomatic struggle to re-engage the decolonization/independence question.

Following a landmark meeting in New York in May 1999 between Indonesia, Portugal and the UN, agreement was reached to conduct a referendum whereupon East Timorese could vote for independence or merger with Indonesia. With 80 percent choosing independence at the 30 August 1999 ballot, the Indonesian military unleashed devastating militia violence bringing together rare consensus on the part of the Security Council for the insertion of an international peacekeeping force to restore security and offset a major humanitarian crisis. And so, following a quarter century under Indonesian occupation, and two and a half years under United Nations administration, the territory eventually achieved independence in May 2002 as the Democratic Republic of Timor-Leste (DRTL). Especially given the demographic loss at the hands of the invaders, now estimated to be between one quarter and one third of the population, the new nation continues to grapple with the historical legacy of invasion and war in a process that some have compared to South Africa's attempts to achieve reconciliation as a foundation for national unity. [1]

The *Report on International Actors* was originally commissioned by the UN-backed East Timor Reception, Truth and Reconciliation Commission or CAVR (as it is commonly known by its Portuguese acronym). Loosely based upon the South African model, the East Timor "Truth Commission" was the first established in the Asian region. Written exclusively by the author using the resources available in the Comarca headquarters of CAVR in Dili, the East Timor capital, between 4 June and 31 July 2003, final revisions were offered on 15 August 2003. Part of a national and international team of human rights investigators, the author's submission was intended for inclusion in a multi-volume investigation on crimes against humanity committed in East Timor from 1975 to 1999, following extensive discussion and editing by the CAVR commissioners. The section on Japan, which is reproduced here, took its place alongside lengthier analyses of the crucial US and Australian roles, especially relating to military assistance. Other sections relating to "international actors" included analysis of the role of the UN system, the Vatican, international media, foreign aid, and various solidarity organizations.

Coinciding with the completion of CAVR's mission in 31 October 2005, the final CAVR report dubbed *Chega* or *Enough* was presented to Timor-Leste President and former hero of the armed struggle of resistance, Jose "Xanana" Gusmão, for ratification prior to submission to parliament. The President was also required by law to submit the report to the UN Secretary-General, then to be referred to the Security Council, the General Assembly, the Special Committee on Decolonization, and the UN Commission on Human Rights. But, in presenting the report to the East Timor legislature on 28 November, the President described sections of the report relating to reparations from the countries that had supplied weapons and military training as "politically unrealistic." He also backed away from a recommendation to revive the UN-backed special crimes unit, also endorsed in June 2005 by a UN Commission of Experts report to the Security Council. The Timor-Leste President further recommended that the document not be made public, implying that it could be injurious to the national interest, a veiled reference to Indonesian displeasure at the revelations, although the concerned international actors might well likewise be embarrassed by the findings.

Notably absent from the author's submission is the role of the Indonesian armed forces inside East Timor (1975-1999), including the death toll and human rights abuses, which are well covered in CAVR investigations. My brief was to highlight the role of other international actors who either supported or contrived with the Indonesian armed forces. After all, this was a tragedy that could have been averted if the key international supporters of the Jakarta government had the political will to intervene on the side of international law, decolonization and social justice. More the pity that these international actors have so far eluded responsibility for their actions.

In August 2003, CAVR made public its intention to convene hearings in Washington, Canberra, Lisbon, and Jakarta on the role of international actors in the making of the East Timor tragedy, although in fact this did not transpire. This was of no small interest given such shifts in international legal norms as the

accomplice liability provisions of the Rome Statute of the International Criminal Court (ICC) adopted in July 1998. While the prospect of prosecution as an accomplice remains largely in theory, typically such hearings – sometimes dubbed "people's tribunals" – seek to send a strong message to state or even corporate suppliers of military, economic and other assistance in situations of breaches of international humanitarian law.

To date, only the 215 page executive summary of the entire 2,500 page official CAVR report has been released. As explained by Jeff Kingston in "Peace or Justice? East Timor's Troubled Road" (*Japan Focus*, December 21 2005), the summary *was* specific as to Japan's failure to use its considerable economic leverage with Indonesia. While the chapter headings of my submission were prescribed by CAVR, the writing, selection, and interpretation of facts are my own. In releasing this excerpt on the role of Japan, the author also seeks to activate public truth-seeking over the role of international actors in the East Timor tragedy, long veiled by official censorship, and now deflected by the search on the part of the United States and other nations for reliable allies in the war on terror. The version below is slightly edited for consistency only, with notes providing additional information.

Commissioned Report on International Actors: Japan's Reactive Diplomacy

Over long time Japan remained Indonesia's number one provider of Overseas Development Assistance (ODA) yet never exercised leverage over Indonesia on the East Timor question in any meaningful sense. Although Japan did not confer *de jure* recognition of Indonesia's occupation of East Timor and, unlike a number of Western countries, never directly supplied military hardware to Indonesia, it also never directly expressed support for East Timor's self-determination. As Joseph Nevins stated the matter, individual actions taken by Japan were never decisive in allowing Indonesia's invasion of East Timor to take place in 1975. Rather, along with some other countries, "it was the cumulative effect of Tokyo's policies and practices…" that served to legitimate Jakarta's illegal occupation. [2]

While in March 1996, the Japanese government had given $100,000 in support of the All-Inclusive East Timorese Dialogue (AIETD), a UN-supported peace initiative on East Timor, albeit without prejudice to Indonesia's political position, it steadfastly followed Western (specifically U.S.) leads on East Timor. As discussed below, Japan only joined the new consensus on international intervention in East Timor at the APEC meeting in Auckland in September 1999, once again highlighting Tokyo's reactive as opposed to active foreign policy making process. We do not ignore, however, the factthat civil society actions in Japan, including the Diet Members Forum on East Timor, church, independent media, and solidarity networks, did offer strong moral support for human rights redress and self-determination for East Timor, although within the bounds of Japan's well-known "iron triangle" of government, bureaucracy, and business.

World War II

Like Australia, Japan was never a disinterested party with respect to East Timor, facts of life relating to Australia's wartime pre-emptive incursion and Japan's invasion and occupation of the neutral territory. As well remembered in East Timor, Japan's wartime occupation along with Allied bombing led to a population loss of 40-60,000 and much post-war suffering before recovery. As Portugal was not a signatory to the 1951 San Francisco Conference governing Japan's postwar reparations obligation, its colony East Timor never received compensation for wartime losses. Although Japan went on to become East Timor's largest donor in the post-1999 period, successive governments in Tokyo held back from offering any apology for wartime actions such as had been done with respect to such former occupied countries as Korea and China. Neither has Japan officially answered the claims of East Timorese comfort women or forced laborers. [3]

At the United Nations

Japan 's record on the Indonesian invasion of East Timor is also reflected in its voting behavior at the UN. In fact Tokyo voted against General Assembly Resolution 3485 and the other seven General Assembly resolutions adopted in each subsequent year until 1982, all of them calling for a withdrawal of Indonesian occupation forces. Although Japan did vote in favor of Security Council Resolution 384 adopted unanimously on 22 December 1975, there was a sense that Japan understood that Jakarta's invasion could not be reversed. [4] And so, on 22 April 1976, Tokyo abstained in the Security Council vote on Resolution 389. According to political scientist Paulo Gorjão, as one of Jakarta's key political allies, Japan in 1976 "immediately attempted to diminish the international condemnation directed at Jakarta" **as a result of its invasion of East Timor.** But, Gorjão writes, Japan went beyond passive acquiescence of Indonesia's annexation of East Timor by emerging as one of Jakarta's most faithful political allies. East Timor simply disappeared from Japan's diplomatic priorities. [5] With the exception of small independent media (e.g. *Ampo* magazine), the press followed suit.

Response to the 1991 Dili Massacre

The internationally-condemned massacre in cold blood by the Indonesian armed forces of over 200 mourner-demonstrators at the Santa Cruz cemetery in Dili in November 1999 did not affect Japan's non-interference principle concerning Jakarta. In fact, when the Netherlands withdrew its support for the Inter-governmental Group on Indonesia in protest at Jakarta's actions, Japan stepped in with the revamped Consultative Group on Indonesia. the new institutional arrangement governing the coordination of multilateral aid to Indonesia. Where other countries reviewed their defense cooperation programs with Indonesia in direct response to the massacre, Japan's Defense Agency was unmoved and continued its, albeit small, training program. [6]

In 1991, under the Prime Ministership of Kaifu Toshiki, Japan elaborated a so-called ODA Charter, inter alia, pledging to withhold ODA to countries producing weapons of mass destruction, militarizing, or not moving towards democratization. In fact this linkage has been upheld with respect to China's and India's nuclear testing, to some distant African countries abusing human rights, and – under external pressure or *gaiatsu* – also applied to Myanmar. While the ODA Charter is but a memory in Japan today, Suharto's Indonesia never was subjected to linkage even when the Charter applied.

In other words, Japan was steadfast with its economic aid to Indonesia through the economic crisis, through the East Timor crisis of 1999, seemingly oblivious to waste and corruption, and ironically, only in 2001 exercised economic leverage over Indonesia (the Wahid administration) in line with the World Bank and IMF on the grounds of ineptness. With a strong participatory civil and political culture, tested through the 1960s and 1970s by the anti-U.S. bases

movement and opposition to the Vietnam War, it would not be surprising if support for East Timor self-determination emerged from the political left. Notably, the major opposition party in Japan during these decades, the Japan Socialist Party (currently the Social Democratic Party), long headed by Doi Takako, had earlier spearheaded opposition to Japanese ODA support to the Marcos dictatorship in the Philippines.

Diet Forum

In late 1986, an active Parliamentarians for East Timor (PET) group emerged in the Japanese Diet sensitized by global concerns over human rights abuses. But, as with other PETgroups around the world, the Diet Members Forum was galvanized into action five years later following the Dili massacre. The leading actor within the group was Eda Satsuki, a member of Shakai Minshu Rengo (Shaminren) or Coalition of Social Democrats.

In December 1991, in the wake of the Dili massacre, the Forum persuaded 262 Diet members to sign a petition calling for a review of Japanese aid to Indonesia. Even though Japan had recently introduced its ODA Charter, this initiative went nowhere. Triumphant in obtaining new aid pledges, visiting Indonesian foreign minister Ali Alatas felt sufficiently confident in Jakarta's ability to deflect criticism in Tokyo that he extended an invitation to the head of the Diet Members Forum, Eda Satsuki, to lead a delegation to East Timor. In the event this offer was delayed indefinitely owing to the “tense” situation in Dili following the massacre. [7]

Among other activities, in September 1992, 143 Diet members, together with counterparts in the U.S. Congress, petitioned the UN Secretary-General to be more active on the East Timor issue. In August 1994, five members of the Forum (including Okazaki Tomoko, Takemura Yasuko, Kaneta Seichi and Kaeda Banri, plus one Liberal Democratic Party member) visited Indonesia and East Timor to study the situation at first hand. On this visit they met with Ali Alatas in Jakarta, Major General Adnan Ruchiatna of the Udayana Command in Bali and, in Dili, as well as Bishop Carlos Ximenes Belo, Governor Abilio Soares, provincial legislators, and Father Domingo Soares, among others. They also visited the Santa Cruz cemetery, and the Wirahusada military hospital in Dili where some of the victims were recovering. In August 1999, Eda headed up a Diet member observer mission to East Timor.

In 1996, the now-67 memberDiet Forum group, petitioned Australian Prime Minister John Howard on the occasion of his visit to Tokyo in September that year, urging him to cooperate with Japan in finding a solution to the problem, a proposal that sounds as reasonable today as it did at the time.

As widely reported in the Japanese (and Indonesian) media, Nobel Laureate José Ramos-Horta, the international spokesman for the East Timor resistance, was virtually snubbed by Japanese government officials during his visit to Japan in January 1996. While Nobel laureates are customarily presented to government leaders, Prime Minister Hashimoto Ryutaro and Foreign Minister Ikeda Yukihiko, were obviously disingenuous in claiming to be too busy to meet the laureate.

Hashimoto was Primer Minister during the outbreak of the Asian economic crisis, eventually leading to the downfall of Suharto. But visiting Jakarta during the economic crisis on 9 January 1997, Hashimoto told the Indonesian President that: “In Japan, we say that a friend in need, is a friend indeed. This is truly the kind of relationship that we have with Indonesia and that I hope will keep growing.” [8] Japan never disappointed its Indonesian partners. East Timor was simply not on the agenda of serious discussion. Although private sector concerns in Japan were seething at corporate corruption in Indonesia, especially when they became the victims as with the Japanese automobile industry, no conditions were imposed upon Japanese ODA. Foreign Minister Ikeda had raised the issue of human rights abuses in East Timor at a meeting with his Indonesian counterpart at an ASEAN expanded counterpart meeting in Jakarta in July 1996. But Japan never stood up for East Timor at the annual meetings of the UN Human Rights Commission or in the UN General Assembly, or in donor organizations such as the World Bank and IMF that continued to underwrite Indonesia.

Japan at the Auckland APEC Summit (September 1999)

At the Auckland APEC summit in September 1999, inter alia attended by US President Bill Clinton, Australian Prime Minister John Howard, and an early convert to intervention, South Korean President Kim Dae-jung, Japan was obviously placed in a quandary. A day by day, even hour by hour, assessment would be in order to discern the slide in Tokyo's official position from 24-years of sycophancy with respectto Jakarta to conversion to humanitarian interventionism, as the revelation of crimes against humanity of an appalling nature could no longer be covered up. At that stage even commercial satellite photos revealed that all urban areas in East Timor had been torched, just as a third of East Timorese had been forced to evacuate to west Timor with the balance sent scavenging for food in the mountains As late as 12 September, Prime Minister Obuchi Keizo was reported as saying that in no way would he interrupt aid to Jakarta as that would have untoward effect on “Indonesian stability, its people and the Asian economy.” [9]

But, by this stage, even the U.S. and the World Bank thought otherwise. Through 1999, Japan was committed to funding Indonesia to the tune of $2 billion annually, 60 percent of Indonesia's total loans. While Obuchi also reportedly said that Indonesia should not feel ashamed to heed calls for international intervention, the Japanese prime minister also stated that the Tokyo government would only go as far as to provide “logistic support to a United Nations led force for East Timor.” On 13 September, however, finallyreacting to the new international consensus, Obuchi announced that his government would support the UN with financial contributions towards emergency humanitarian assistance, as well as assistance for rehabilitation and development in East Timor. [10]

Through 1999, if not beyond, as Nevins [11] reveals, the Foreign Ministry still propounded the “rogue element” school of militia actions, largely in line with elite sentiment in Jakarta, that is, it claimed that the Indonesian army’s quarter century of invasion and repression was the product of rogue elements in the Indonesian military. Acceptance of this view was tantamount to denying a coordinating role on the part of the Indonesian military in orchestrating violence in East Timor. At a policy level the United Nations fell into the same trap by accepting Indonesian stewardship over security for the historic 30 August 1999 ballot thatgave East Timorese the right to vote for independence or continued Indonesian rule. The result was to expose the East Timorese to crimes of humanity and mass murder. [12]

Undoubtedly with memories of Cambodia in mind, where Japanese Self Defense Force (SDF) personnel took casualties, Japan contributed only three civilian police to the UNAMET mission [the mission responsible for overseeing the ballot], and those confined to headquarters. Japan did not send a civilian police contribution to the Australian-led international force INTERFET [which restored security] or to the UN Transitional Administration (UNTAET). Japan's Peacekeeping Law, drafted in response to the Cambodia emergency, barred Japan from dispatching SDF troops to combat zones. Guided by this restriction, Japan's response to the humanitarian emergency following the September 1999 violence was to dispatch SDF aircraft to Surabaya in Indonesia to service the humanitarian need of displaced East Timorese in west Timor. Debate in the Japanese Diet over modifying the Peacekeeping law dragged on until “September 11” when, overriding strong opposition from defenders of Japan's war-renouncing constitution backed by the local East Timor solidarity movement, the government announced the dispatch of a 550-strong Japanese Engineering Group (JEG) which began to deploy in January 2002, that is only three months before East Timor’s independence. While claiming legitimacy from invitations extended by East Timorese leaders then serving in the East Timor Transitional Administration-UNTAET government, in fact the pressure to dispatch the SDF was driven by strong nationalist factions in Japan's ruling party, eager to restore Japan's “normal” country status.

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See the full “Report on International Actors” to the East Timor “Truth Commission” as presented to CAVR on October 31, 2005 available at www.geoffreycgunn.com/ . The full text of the entireCommission report is available from the National Security Archive.While the East Timor President, through the legislature is legally bound to make the final CAVR report public, thus far it has not been issued. This article was posted at Japan Focus on January 18, 2006.

Notes

1. The vexed question of reconciliation and national unity versus justice is addressed from a comparative international perspective in Reyko Huang and Geoffrey C. Gunn, "Reconciliation as State-building in East Timor," *Lusotopie, Médias, pouvoir et identitiés*, Bourdeaux: Sciences Po/Paris: Editions Karthala, 2004, pp.19-38.

2. Joseph Nevins, "The Making of 'Ground Zero' in East Timor in 1999: An Analysis of International Complicity in Indonesia's Crimes," *Asian Survey*, vol. XLII, no 4, July/August 2002, p. 633. Nevins has expanded upon this argument in his *A Not-So-Distant Horror: Mass Violence in East Timor*, Ithaca & London: Cornell University Press, 2005, pp.66-67.

3. Geoffrey C. Gunn, *Timor Loro Sae: 500 years*, Macau: Livros do Oriente, 1999, p.237.

4. Saito Shizuo, *Watashi no gunseiki: Indoneshia dokuritsu zenya* [My memories of military administration The eve of Indonesian independence] Tokyo: Jawa Gunseiki kankokai, 1977, pp. 10-16. As Japan's Ambassador to the UN during the initial UN vote on the invasion, Saito proudly recalled that he "vigorously lobbied in favor of Indonesia's invasion as a legitimate action." Saito was also a military administrator in Indonesia during the Japanese occupation and a postwar Ambassador to Jakarta (1964-66).

5. Paulo Gorjão, " Japan's Foreign Policy and East Timor," *Asian Survey*, vol.XLII, no. 5 September/October, 2002, pp.754-771.

6. Nevins, "The Making of Ground Zero," p. 633.

7. Geoffrey C. Gunn with Jefferson Lee, *A Critical View of Western Journalism and Scholarship in East Timor*, Manila: Journal of Contemporary Asia Press, 1994, p. 191.

8. Geoffrey C. Gunn, *New World Hegemony in the Malay World*, Trenton: N.J.: Red Sea Press, 2000, xvi.

9. Dow Jones, 12 September 1999 "Japan not studying change in aid toward Indonesia."

10. Japan's official position on political and economic support for Indonesia and its position on East Timor can be tracked in the "Diplomatic bluebook," a summary analysis of the Tokyo government's official position as expressed by Japan's Ministry of Foreign Affairs. <http://www.mofa.go.jp/policy/other/bluebook/index.html>

11. Nevins, "The Making of Ground Zero," p. 624.

12. The context of the military-militia violence surrounding the historic UN referendum of 30 August 1999 is explained in Richard Tanter, Mark Selden and Stephen R. Shalom, *Bitter Flowers, Sweet Flowers: East Timor, Indonesia, and the World Community*, Lanham, MA: Rowman & Littlefield, 2001. The question of ultimate responsibility for the violence of 1999 is explored in Richard Tanter, Desmond Ball and Gerry van Klinken, *Masters of Terror: Indonesia's Military and Violence in East Timor*, Lanham, MA: Rowman & Littlefield, 2005.