Country/entity	East Timor
Region	Asia and Pacific
Agreement name	East Timor Popular Consultation Agreement Regarding Security
Date	5 May 1999
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/intrastate conflict

East Timor Conflict (1975 - 1999)

Following the Portugal's decolonization of East Timor in 1975, the state briefly declared independence before it was occupied by Indonesia a month later. Insurgent movements including the Revolutionary Front for an Independent East Timor (FRETILIN) fighting the Portuguese, continued their fight against the Indonesian Army. Human rights abuses and massacres were committed by both sides. By the early 1990s, as armed resistance decreased and the communist threat dissipated, the central Indonesian government issued a number of policies to open East Timor economically and politically. As a result, a resistance movements became more outspoken and demonstrations increased. Violence intensified after November 1991, when the Indonesian Army opened fire on protesters. International condemnation of the Suharto's regime was widespread, but due to the fear of destabilizing Indonesia's unity, it was not until the fall of Suharto in 1998 after the 1997 Asian Financial Crisis that East Timor's secession became a possibility.

In 1999, an independence referendum was held with 78% rejecting East Timor's positions as an autonomous territory within Indonesia. Violence broke out following the results and after a delay a UN-backed Australian peacekeeping force was deployed. The Indonesian Government accepted the result in October of that year and as a result the laws legalizing East Timor's annexation were repealed, leading to East Timor's independence in 2002.
Close
East Timor Conflict (1975 - 1999)

Stage	Pre-negotiation/process
Conflict nature	Government/territory
Peace process	East Timor-Indonesia peace process

Parties	For the Government of Portugal /s/ Jaime Gama Minister for Foreign Affairs Portugal For the United Nations /s/ Kofi A. Annan Secretary-General United Nations For the Government of Indonesia /s/ Minister for Foreign Affairs Indonesia
Third parties	-
Description	It was agreed that a peaceful environment was pre-requisite for holding of ballot with responsibility resting with the Indonesian security authorities. Provision was made for the drafting of a code of conduct for the parties by the Commission on Peace and Stability and for the UN Secretary-General to ascertain if the necessary security situation existed for ballot to take place peacefully. Provides for Indonesian military provision of a secure environment free of violence and intimidation for the popular ballot. Agreement is the third annex of the East Timor popular consultation.

Agreement document	TL_990505_Annex III-East Timor Popular Consultation Agreement Regarding Security.pdf (opens in new tab) | Download PDF

Groups

Children/youth	No specific mention.
Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ethnic/ national group	No specific mention.
Religious groups	No specific mention.
Indigenous people	No specific mention.
Other groups	No specific mention.
Refugees/displaced persons	No specific mention.
Social class	No specific mention.

Gender

Women, girls and gender	No specific mention.
Men and boys	No specific mention.
LGBTI	No specific mention.
Family	No specific mention.

State definition

Nature of state (general)	No specific mention.
State configuration	No specific mention.

Self determination	No specific mention.
Referendum	Page 1, Annex III: East Timor Popular Consultation The Governments of Indonesia and Portugal and the Secretary-General of the United Nations. Agree as follows: 1. A secure environment devoid of violence or other forms of intimidation is a prerequisite for the holding of a free and fair ballot in East Timor. Responsibility to ensure such an environment as well as for the general maintenance of law and order rests with the appropriate Indonesian security authorities. The absolute neutrality of the TNI (Indonesian Armed Forces) and the Indonesian Police is essential in this regard. ... 3. Prior to the start of the registration, the Secretary-General shall ascertain, based on the objective evaluation of the UN mission, that the necessary security situation exists for the peaceful implementation of the consultation process.
State symbols	No specific mention.
Independence/ secession	No specific mention.
Accession/ unification	No specific mention.
Border delimitation	No specific mention.
Cross-border provision	No specific mention.

Governance

Political institutions (new or reformed)	No specific mention.
Elections	No specific mention.
Electoral commission	No specific mention.
Political parties reform	No specific mention.
Civil society	No specific mention.
Traditional/ religious leaders	No specific mention.

Public administration	Page 1, 2. The Commission on Peace and Stability established in Dili on 21 April 1999 should become operational without delay. The Commission, in cooperation with the United Nations, will elaborate a code of conduct, by which all parties should abide, for the period prior to and following the consultation, ensure the laying down of arms and take the necessary steps to achieve disarmament.
Constitution	No specific mention.

Power sharing

Political power sharing	No specific mention.
Territorial power sharing	No specific mention.
Economic power sharing	No specific mention.
Military power sharing	No specific mention.

Human rights and equality

Human rights/RoL general	No specific mention.
Bill of rights/similar	No specific mention.
Treaty incorporation	No specific mention.
Civil and political rights	No specific mention.
Socio-economic rights	No specific mention.

Rights related issues

Citizenship	No specific mention.
Democracy	No specific mention.
Detention procedures	No specific mention.

Media and communication	No specific mention.
Mobility/access	No specific mention.
Protection measures	No specific mention.
Other	No specific mention.

Rights institutions

NHRI	No specific mention.
Regional or international human rights institutions	No specific mention.

Justice sector reform

Criminal justice and emergency law	No specific mention.
State of emergency provisions	No specific mention.
Judiciary and courts	No specific mention.
Prisons and detention	No specific mention.
Traditional Laws	No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction	No specific mention.
National economic plan	No specific mention.
Natural resources	No specific mention.

International funds	No specific mention.
Business	No specific mention.
Taxation	No specific mention.
Banks	No specific mention.

Land, property and environment

Land reform/rights	No specific mention.
Pastoralist/ nomadism rights	No specific mention.
Cultural heritage	No specific mention.
Environment	No specific mention.
Water or riparian rights or access	No specific mention.

Security sector

Security Guarantees	Page 1, Annex III: East Timor Popular Consultation The Governments of Indonesia and Portugal and the Secretary-General of the United Nations. Agree as follows: ... 2. The Commission on Peace and Stability established in Dili on 21 April 1999 should become operational without delay. The Commission, in cooperation with the United Nations, will elaborate a code of conduct, by which all parties should abide, for the period prior to and following the consultation, ensure the laying down of arms and take the necessary steps to achieve disarmament.
Ceasefire	No specific mention.

Police	Page 1, Page 1, 1. A secure environment devoid of violence or other forms of intimidation is a prerequisite for the holding of a free and fair ballot in East Timor. Responsibility to ensure such an environment as well as for the general maintenance of law and order rests with the appropriate Indonesian security authorities. The absolute neutrality of the TNI (Indonesian Armed Forces) and the Indonesian Police is essential in this regard. ... 4. The police will be solely responsible for the maintenance of law and order. The Secretary-General, after obtaining the necessary mandate, will make available a number of civilian police officers to act as advisers to the Indonesian Police in the discharge of their duties and, at the time of the consultation, to supervise the escort of ballot papers and boxes to and from the polling sites.
Armed forces	Page 1, 1. A secure environment devoid of violence or other forms of intimidation is a prerequisite for the holding of a free and fair ballot in East Timor. Responsibility to ensure such an environment as well as for the general maintenance of law and order rests with the appropriate Indonesian security authorities. The absolute neutrality of the TNI (Indonesian Armed Forces) and the Indonesian Police is essential in this regard.
DDR	Security sector→DDR→Demilitarisation provisions Page 1, 2. The Commission on Peace and Stability established in Dili on 21 April 1999 should become operational without delay. The Commission, in cooperation with the United Nations, will elaborate a code of conduct, by which all parties should abide, for the period prior to and following the consultation, ensure the laying down of arms and take the necessary steps to achieve disarmament.
Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	No specific mention.
Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
Crime/organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice general	No specific mention.
Amnesty/pardon	No specific mention.
Courts	No specific mention.
Mechanism	No specific mention.
Prisoner release	No specific mention.
Vetting	No specific mention.
Victims	No specific mention.
Missing persons	No specific mention.
Reparations	No specific mention.
Reconciliation	No specific mention.

Implementation

UN signatory	[Signature] For the United Nations /s/ Kofi A. Annan Secretary-General United Nations [Summary] Immediately following the conclusion of the agreement the Secretary-General will, subject to the appropriate legislative mandate, begin preparations for the popular consultation by deploying in East Timor such personnel as will be adequate for the purpose of executing the various phases of the consultation process. The United Nations logo will appear on the ballot papers.The United Nations will disseminate and explain the content of the main Agreement and the autonomy document in an impartial and factual manner inside and outside East Timor; The Secretary-General will seek the approval of the Security Council for the operation in order to ensure assessed budgetary funding. Voluntary contributions will be channeled through a Trust Fund established for this purpose.
Other international signatory	No specific mention.
Referendum for agreement	No specific mention.

International mission/force/ similar	No specific mention.
Enforcement mechanism	Page 1, 2. Commission on Peace and Security established in the Dili Agreement to become operational without delay and to cooperate with the UN on a code of conduct for all parties; 3.objective evaluation by UN that the necessary security situation prevails prior to the start of registration; 4. Indonesian Police to be solely responsible for the maintenance of law and order (no. of UN civilian police officers to act as advisers).