

Country/entity East Timor

Region Asia and Pacific

Agreement name UN Security Council Resolution 1246

Date 11 Jun 1999

Agreement status Unilateral document

Interim arrangement Yes

Agreement/conflict level Interstate/intrastate conflict(s)

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Government accepted the result in October of that year and as a result the laws legalizing East Timor's annexation were repealed, leading to East Timor's independence in 2002.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 Implementation/renegotiation

Conflict nature Government/territory

Peace process East Timor-Indonesia peace process

Parties United Nations Security Council

Third parties	-
Description	Decided to establish a UN Mission in East Timor (UNAMET) to organise ballot and authorised the deployment of 280 civilian police officers to act as advisers to the Indonesian police and to supervise transportation of ballot papers and of 50 military liaison officers to maintain contact with the Indonesian Armed Forces.

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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, Untitled Preamble, ... Recalling the Agreement between Indonesia and Portugal on the question of East Timor of 5 May 1999 (the General Agreement) and the Agreements between the United Nations and the Governments of Indonesia and Portugal of the same date regarding the modalities for the popular consultation of the East Timorese through a direct ballot and regarding security arrangements (the Security Agreement) (S/1999/513, annexes I-III),

Page 2, 1. Decides to establish until 31 August 1999 the United Nations Mission in East Timor (UNAMET) to organize and conduct a popular consultation, scheduled for 8 August 1999, on the basis of a direct, secret and universal ballot, in order to ascertain whether the East Timorese people accept the proposed constitutional framework providing for a special autonomy for East Timor within the unitary Republic of Indonesia or reject the proposed special autonomy for East Timor, leading to East Timor's separation from Indonesia, in accordance with the General Agreement and to enable the Secretary-General to discharge his responsibility under paragraph 3 of the Security Agreement;

Page 3, 8. Approves the modalities for the implementation of the popular consultation process scheduled for 8 August 1999 as set out in paragraphs 15 to 18 of the report of the Secretary-General of 22 May 1999;

Page 3, 9. Stresses once again the responsibility of the Government of Indonesia to maintain peace and security in East Timor, in particular in the present security situation referred to in the report of the Secretary-General, in order to ensure that the popular consultation is carried out in a fair and peaceful way and in an atmosphere free of intimidation, violence or interference from any side and to ensure the safety and security of United Nations and other international staff and observers in East Timor;

State symbols	No specific mention.
Independence/ secession	Page 2, 1. Decides to establish until 31 August 1999 the United Nations Mission in East Timor (UNAMET) to organize and conduct a popular consultation, scheduled for 8 August 1999, on the basis of a direct, secret and universal ballot, in order to ascertain whether the East Timorese people accept the proposed constitutional framework providing for a special autonomy for East Timor within the unitary Republic of Indonesia or reject the proposed special autonomy for East Timor, leading to East Timor's separation from Indonesia, in accordance with the General Agreement and to enable the Secretary-General to discharge his responsibility under paragraph 3 of the Security Agreement;
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 Page 2, 4. Endorses the Secretary-General's proposal that UNAMET should also incorporate the following components:
... (b) an electoral component responsible for all activities related to registration and voting,

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society Page 2, 4. Endorses the Secretary-General's proposal that UNAMET should also incorporate the following components:
(a) a political component responsible for monitoring the fairness of the political environment, for ensuring the freedom of all political and other non-governmental organizations to carry out their activities freely and for monitoring and advising the Special Representative on all matters with political implications,

Traditional/religious leaders No specific mention.

Public administration No specific mention.

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 Rights related issues→Media and communication→Media roles
Page 2, 4. Endorses the Secretary-General's proposal that UNAMET should also incorporate the following components:
... (c) an information component responsible for explaining to the East Timorese people, in an objective and impartial manner without prejudice to any position or outcome, the terms of the General Agreement and the proposed autonomy framework, for providing information on the process and procedure of the vote and for explaining the implications of a vote in favour or against the proposal;

Mobility/access Page 3, 7. Calls upon all parties to cooperate with UNAMET in the implementation of its mandate, and to ensure the security and freedom of movement of its staff in carrying out that mandate in all areas of East Timor;

Protection measures Rights related issues→Protection measures→Other
Page 3, 13. Urges that every effort be made to make the Commission on Peace and Stability operative, and in particular stresses the need for the Indonesian authorities to provide security and personal protection for members of the Commission in cooperation with UNAMET;

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, Untitled Preamble, ... Recalling the Agreement between Indonesia and Portugal on the question of East Timor of 5 May 1999 (the General Agreement) and the Agreements between the United Nations and the Governments of Indonesia and Portugal of the same date regarding the modalities for the popular consultation of the East Timorese through a direct ballot and regarding security arrangements (the Security Agreement) (S/1999/513, annexes I-III),

Page 1, Untitled Preamble, ... Noting with concern the assessment of the Secretary-General contained in that report that the security situation in East Timor remains "extremely tense and volatile", ...

Page 3, 9. Stresses once again the responsibility of the Government of Indonesia to maintain peace and security in East Timor, in particular in the present security situation referred to in the report of the Secretary-General, in order to ensure that the popular consultation is carried out in a fair and peaceful way and in an atmosphere free of intimidation, violence or interference from any side and to ensure the safety and security of United Nations and other international staff and observers in East Timor;

Page 3, 10. Welcomes in this regard the decision taken by the Government of Indonesia to establish a ministerial team to monitor and ensure the security of the popular consultation in accordance with Article 3 of the General Agreement and paragraph 1 of the Security Agreement;

Page 3, 13. Urges that every effort be made to make the Commission on Peace and Stability operative, and in particular stresses the need for the Indonesian authorities to provide security and personal protection for members of the Commission in cooperation with UNAMET;

Ceasefire No specific mention.

Police	Page 2, 2. Authorizes until 31 August 1999 the deployment within UNAMET of up to 280 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	<p>Page 1, Untitled Preamble, ... Welcoming the conclusion of consultations between the Government of Indonesia and the United Nations on the deployment of military liaison officers within the mission established by this resolution, ...</p> <p>Page 2, 3. Authorizes until 31 August 1999 the deployment within UNAMET of 50 military liaison officers to maintain contact with the Indonesian Armed Forces in order to allow the Secretary-General to discharge his responsibilities under the General Agreement and the Security Agreement;</p> <p>Page 3, 11. Condemns all acts of violence from whatever quarter and calls for an end to such acts and the laying down of arms by all armed groups in East Timor, for the necessary steps to achieve disarmament and for further steps in order to ensure a secure environment devoid of violence or other forms of intimidation, which is a prerequisite for the holding of a free and fair ballot in East Timor;</p>
DDR	No specific mention.
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	Page 1, Untitled Preamble, ... Taking note of the pressing need for reconciliation between the various competing factions within East Timor, ...

Implementation

UN signatory	1. Decides to establish a UN Mission in East Timor (UNAMET) to organise ballot and 2. authorised the deployment of 280 civilian police officers to act as advisers to the Indonesian police and to supervise transportation of ballot papers and 3. of 50 military liaison officers to maintain contact with the Indonesian Armed Forces.
Other international signatory	No specific mention.
Referendum for agreement	No specific mention.

International mission/force/similar

Page 2, 1. Decides to establish until 31 August 1999 the United Nations Mission in East Timor (UNAMET) to organize and conduct a popular consultation, scheduled for 8 August 1999, on the basis of a direct, secret and universal ballot, in order to ascertain whether the East Timorese people accept the proposed constitutional framework providing for a special autonomy for East Timor within the unitary Republic of Indonesia or reject the proposed special autonomy for East Timor, leading to East Timor's separation from Indonesia, in accordance with the General Agreement and to enable the Secretary-General to discharge his responsibility under paragraph 3 of the Security Agreement;

Page 2, 2. Authorizes until 31 August 1999 the deployment within UNAMET of up to 280 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;

Page 2, 3. Authorizes until 31 August 1999 the deployment within UNAMET of 50 military liaison officers to maintain contact with the Indonesian Armed Forces in order to allow the Secretary-General to discharge his responsibilities under the General Agreement and the Security Agreement;

Page 2, 4. [Summary] Outlines additional aspects of UNAMET.

Page 2, 5. Notes the intention of the Governments of Indonesia and Portugal to send an equal number of representatives to observe all the operational phases of the consultation process both inside and outside East Timor;

Page 3, 6. Welcomes the intention of the Secretary-General to conclude with the Government of Indonesia, as soon as possible, a status-of-mission agreement and urges the early conclusion of negotiations with a view to the full and timely deployment of UNAMET;

Page 3, 7. Calls upon all parties to cooperate with UNAMET in the implementation of its mandate, and to ensure the security and freedom of movement of its staff in carrying out that mandate in all areas of East Timor;

Page 3, 13. Urges that every effort be made to make the Commission on Peace and Stability operative, and in particular stresses the need for the Indonesian authorities to provide security and personal protection for members of the Commission in cooperation with UNAMET;

Enforcement mechanism

Page 2, 5. Notes the intention of the Governments of Indonesia and Portugal to send an equal number of representatives to observe all the operational phases of the consultation process both inside and outside East Timor;

Related cases

No specific mention.

Source

UNDP; <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N99/174/13/PDF/N9917413.pdf?OpenElement>