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Question of East Timor

Report of the Secretary-General

1. The Security Council will be aware of the efforts which, since 1983, the Governments of Indonesia and Portugal have undertaken through my good offices to find a just, comprehensive and internationally acceptable solution to the question of East Timor. These efforts have culminated with the signature, on 5 May 1999, of an overall Agreement, attached herewith (annex I), between the two Governments entrusting me with the organization and conduct of a popular consultation for the purpose of ascertaining whether the East Timorese people, both inside and outside the Territory, accept or reject a proposed constitutional framework providing for a special autonomy for East Timor within the unitary Republic of Indonesia, which is appended to the Agreement. The Agreement requests me to establish immediately a United Nations mission in East Timor for the purpose of conducting the popular consultation.

2. The Council will note that, under article 5 of the Agreement, in the event of the popular consultation resulting in the approval of the proposed special autonomy by a majority of the East Timorese people, the Government of Indonesia would initiate the constitutional measures required for the implementation of the autonomy framework, and the Government of Portugal would initiate within the United Nations the procedures necessary for the removal of East Timor from the list of Non-Self-Governing Territories of the General Assembly and the deletion of the question of East Timor from the agendas of the Security Council and the General Assembly. Article 6 of the Agreement provides in parallel that, should the popular consultation result in a majority of the East Timorese people rejecting the proposed special autonomy, the Government of Indonesia would take the constitutional steps necessary to terminate Indonesia's links with East Timor, thus restoring under Indonesian law the status that East Timor held prior to 17 July 1976, and that the Governments of Indonesia and Portugal would agree with the Secretary-General on arrangements for a peaceful and orderly transfer

of authority in East Timor to the United Nations, which would then initiate a process enabling East Timor to begin a transition towards independence.

3. I should further point out that, under article 7 of the Agreement, it is foreseen that the United Nations will maintain an adequate presence in East Timor during the interim period between the conclusion of the popular consultation and the start of the implementation of either the special autonomy or the assumption of authority by the United Nations. Also, in the event that the East Timorese people approve the special autonomy framework, I am authorized under article 56 of the framework to establish in East Timor such offices as I may deem necessary in order to carry out my responsibility to monitor and verify compliance with its provisions.

4. The Governments of Indonesia and Portugal have also signed, on 5 May 1999, the two attached supplementary agreements, on the modalities for the popular consultation of the East Timorese through a direct ballot (annex II) and on security arrangements (annex III), which, *inter alia*, stipulate that 8 August 1999 will be the date for the ballot to take place, both inside and outside East Timor, that a secure environment devoid of violence or other forms of intimidation is a prerequisite for the holding of a free and fair popular consultation, that the appropriate Indonesian authorities have the responsibility to ensure such an environment as well as for the maintenance of law and order, and that the United Nations will ascertain whether the necessary security exists for the peaceful implementation of the consultation process.

5. Under the terms of the supplementary agreements, I have been requested by the two parties to deploy, immediately upon signature, United Nations personnel adequate for the execution of the various phases of the consultation process. I have also been requested, in paragraph 4 of the Agreement regarding security, to 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.

6. I do not wish to minimize the logistical and other problems that the United Nations will face in carrying out the consultation in such a short time-frame. The Security Council will be aware of the high level of tension and serious incidents of political violence that have recently occurred coupled with the reported opposition to the proposed consultation by some political elements in East Timor. I have emphasized to the parties the main elements that will need to be in place in order to enable me to determine that the necessary security conditions exist for the start of the operational phases of the consultation process. These include the bringing of armed civilian groups under strict control and the prompt arrest and prosecution of those who incite or threaten to use violence, a ban on rallies by armed groups while ensuring the freedom of association and expression of all political forces and tendencies, the redeployment of Indonesian military forces and the immediate institution of a process of laying down of arms by all armed groups to be completed well in advance of the holding of the ballot. I intend to report to the Security Council periodically on the evolution of the situation, the status of the United Nations presence and other matters regarding the implementation of the Agreements.

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7. Given the limited period of time between the signature of these Agreements and the date of the ballot, I have opened a trust fund to which Member States may channel voluntary contributions, which would enable me, without waiting for the assessed budgetary process, to proceed as soon as possible with the establishment of a United Nations presence in East Timor.

8. Once the logistical and personnel requirements of the mission have been identified, I shall report them to the Security Council and to the General Assembly. I shall also be presenting to the Council, for its approval, my recommendations regarding the deployment of civilian police personnel.