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Cabinet Submission JH00/0253 - Reference copy of East Timor - Post-Independence scenarios - Decision  
JH00/0253/NS



NATIONAL ARCHIVES OF AUSTRALIA

STATEMENT OF REASONS FOR DECISION UNDER SECTION 40(5)  
OF THE ARCHIVES ACT 1983

<b>Series</b>	A14370
<b>Control Symbol</b>	JH20000/253
<b>Barcode</b>	202981829
<b>Title</b>	Cabinet Submission JH00/0253 - Reference copy of East Timor - Post-Independence scenarios - Decision JH00/0253/NS
<b>Decision Maker</b>	Kate Roberts
<b>Designation</b>	Assistant Director
<b>Date</b>	1 January 2021

In accordance with requirements of subsection 8(1) of the *Archives Act 1983* (Cth) (Archives Act), I am a person authorised by the Director-General, pursuant to an Instrument of Delegation, to make a decision in relation to access to the requested item.

**Basis for decision**

In making my decision, I considered:

- the content of the item requested
- the relevant provisions of the *Archives Act 1983*
- policy and guidelines of National Archives of Australia that relate to the access examination of Commonwealth records
- information provided by Commonwealth agencies which I have relied upon in formulating my decision

**Decision**

After examining this item I have decided that this item is open with exception under 33(1)(a) the Archives Act for the reasons set out below.

Folios 1 and 3-11 have been partially exempted from public access.

**The findings of facts**

Section 33(1)(a) of the Archives Act provides that:

a record is exempt from public access if it contains information or matter the disclosure of which under this Act could reasonably be expected to cause damage to the security, defence or international relations of the Commonwealth.

This item contains:

- Details which if disclosed could affect the Commonwealth's relations with the current government of a foreign country.

### **Reasons for decision**

International relations are dependent upon the adequate flow of information between one country and another. If sensitive information was disclosed, it could lessen the confidence of a foreign government in the Australian Government and thus damage international relations.

### **Review of decision**

The National Archives of Australia (the Archives) carefully examines items before deciding to exempt any part of them. As part of that process we may consult with other agencies which have expertise on specific national and international matters.

If you do not agree with the decision, you can formally appeal within 28 days of receiving a decision:

1. by first applying to the Archives for an internal reconsideration of my decision; and
2. if you still do not agree with the decision, you can apply to the Administrative Appeals Tribunal for a review.

For more information please see *What to do if we refuse you access* (<https://www.naa.gov.au/help-your-research/using-collection/access-records-under-archives-act/what-do-if-we-refuse-you-access>).

# SECRET AUSTEO

JH00/0253/NS  
29 August 2000

## CABINET MINUTE NATIONAL SECURITY COMMITTEE

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**Submission JH00/0253      EAST TIMOR: POST-INDEPENDENCE  
SCENARIOS**

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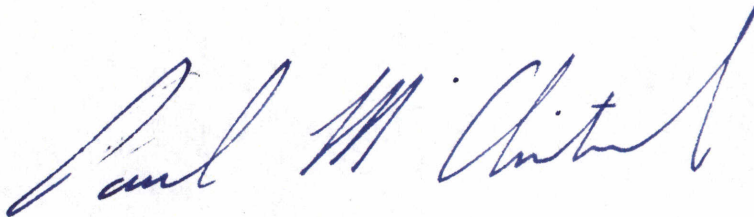
1. The Committee agreed that:
  - (a) Australia's objectives for the post-independence period include a secure and stable East Timor, the prompt withdrawal of Australian Defence Force (ADF) peacekeepers, and a security environment between East Timor and Indonesia [REDACTED]
  - (b) it would not be in Australia's best interests for a post-independence security presence to comprise ADF personnel without other international participation;
  - (c) [REDACTED]
  - (d) Australia continue working to promote a benign security environment by engaging Indonesia and key international players, including multilateral agencies, in order to alleviate border tensions, including by the closure of refugee camps in West Timor, active Indonesian efforts to reduce the militia threat, supporting the early establishment of an appropriate East Timorese security force, encouraging cooperative relations between East Timor and Indonesia, and encouraging development and stability in East Timor;
  - (e) Australia's interests will be served by supporting the early establishment of an appropriate East Timorese security force;

JH00/0253/NS

# SECRET AUSTEO

**SECRET AUSTEO**

- (f) if some form of international security presence is required in East Timor following independence, Australia should work towards ensuring that such a presence is established under a United Nations mandate; and
- (g) Australia should consult with key international players regarding reasonable models for a post-independence security presence, preferably on a smaller scale than the United Nations Transitional Administration in East Timor Peacekeeping Operation, but in doing so, signal Australia's clear preference to withdraw the ADF peacekeeping presence from East Timor on independence.



Secretary to Cabinet

JH00/0253/NS

**SECRET AUSTEO**

Copy No. 014

CABINET SUBMISSION

JH00/0253

**EAST TIMOR: POST-INDEPENDENCE SCENARIOS**

**MINISTER(S):** THE HON ALEXANDER DOWNER MP, MINISTER FOR FOREIGN AFFAIRS

**MINISTER'S EXECUTIVE SUMMARY**

**PURPOSE:**

To outline the likely state of East Timor at independence, possible scenarios for a post-independence international security presence, and the potential implications for Australia.

**KEY ISSUES:**

Australia's overriding objectives for East Timor after independence include a benign security environment along the border region and the withdrawal of ADF peacekeepers from East Timor as quickly as possible.

Government planning had been premised on the ADF peacekeeping commitment ending with the withdrawal of the UNTAET PKO on independence. However, some form of international security presence may be required in East Timor after independence.

Australian participation, if any, in such a presence would be determined by factors such as cost, pressure on the bilateral relationship with Indonesia, our relations with East Timor, and domestic public expectations.

It would not be in Australia's best interests for a post-independence security presence to comprise ADF personnel without other international participation, [REDACTED]

**CONSULTATION:**

PM&C, Defence, Attorney-General's, ONA, Treasury

**FINANCIAL IMPLICATIONS:** No financial implications at this stage.

	Fiscal balance (\$m)	Underlying cash balance (\$m)	Operating balance / Net assets (\$m)
2000/01	0	0	0
2001/02	0	0	0
2002/03	0	0	0
2003/04	0	0	0

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RECOMMENDATIONS

1. I recommend that Cabinet:

- (a) **agree** that Australia's objectives for the post-independence period include a secure and stable East Timor, the prompt withdrawal of ADF peacekeepers, [REDACTED]
- (b) **agree** that it would not be in Australia's best interests for a post-independence security presence to comprise ADF personnel without other international participation;
- (c) [REDACTED]
- (d) **agree** that Australia continue working to promote a benign security environment by engaging Indonesia and key international players, including multilateral agencies, in order to alleviate border tensions, including by the closure of refugee camps in west Timor, active Indonesian efforts to reduce the militia threat, supporting the early establishment of an appropriate East Timorese security force, encouraging cooperative relations between East Timor and Indonesia and encouraging ongoing development and stability in East Timor;
- (e) **agree** that Australia's interests will be served by supporting the early establishment of an appropriate East Timorese security force;
- (f) **agree** that if some form of international security presence is required in East Timor following independence, Australia should work towards ensuring that such a presence is established under a UN mandate; and
- (g) **agree** that Australia should consult with key international players regarding reasonable models for a post-independence security presence, preferably on a smaller scale than the UNTAET PKO, but in so doing, signal Australia's clear preference to withdraw the ADF peacekeeping presence from East Timor on independence.

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## BACKGROUND

### I. LIKELY SITUATION IN EAST TIMOR AT INDEPENDENCE

East Timor was a **desperately poor** province of Indonesia before September 1999 and this will not change before independence. Even with sustained and rapid economic growth of around 5 per cent per annum, it will take East Timor 10 or more years to catch up to Indonesia's current income level. Other social indicators - life expectancy, maternal and child mortality, illiteracy and primary school enrolment, access to safe water - are all markedly inferior to those applying in the rest of the East Asia-Pacific region.

By late 2001, good progress should have been made with donor-funded repair and reconstruction of **infrastructure**. Most schools and community facilities should be rebuilt and operating. Water supply and sanitation services should be functioning in major towns. The few main hospitals will be functioning with extensive foreign support. But work to repair some large-scale infrastructure (for example, a telephone exchange) and major public buildings will probably still be incomplete. The future administration will continue to struggle to keep roads and bridges serviceable, and all areas of the country accessible. In rural areas, the delivery of basic services will continue to be very patchy.

Progress with **reconciliation** at the local level is likely to remain slow

Unless the situation of the refugee camps in west Timor has been resolved, the refugee problem will continue to hamper the re-building and normalisation of communities.

The framework for a small, competent **civil service** will be in place by independence, but large gaps in the experience and skills of local staff will necessitate a heavy, continuing involvement by international (including UN) advisers. Skills shortages in areas such as secondary teachers, health professionals, skilled tradespeople and small business will take years to overcome.

More positively, generally robust systems of **financial management** should be in place, and key East Timorese decision-makers should have a realistic understanding of the capacity of the national budget to fund public sector programs. Domestic revenue from taxes and user charges will not match essential public expenditure needs, but medium-term budgetary and development planning will be sound, and well-advanced. While international aid levels will have peaked, a core of international aid donors (notably the World Bank and Asian Development Bank, Japan, Australia, Portugal and the EC) will be engaged longer-term.

Uncertainty remains about the exact **date of East Timor's independence**, but a consensus is emerging in favour of some time in the last quarter of 2001. Elections for an East Timorese Constituent Assembly could occur as early as 30 August 2001, with independence following a few months later. The UN Transitional Administration in East Timor (UNTAET) has established a Cabinet of the Transitional Government, comprised of equal numbers of East Timorese and international "cabinet members". By 2001, this should have provided the future government elite with a real opportunity to prepare themselves for effectively governing an independent East Timor. However, it is by no means certain that UNTAET's groundwork will result in an eventual government of national unity post-independence. East Timor is at a

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very early stage of political evolution, and the likely shape of the political landscape is undefined. For example, it remains unclear whether the August CNRT Congress will lead to a fracturing of the political landscape or in CNRT's rebadging as East Timor's pre-eminent political organisation. UNTAET's consultations on a draft Constitution, expected to commence in September 2000, will help focus the attention of political groupings on the path to elections and independence.

UNTAET's current mandate expires on 31 January 2001, but the Security Council is expected to roll-over the mandate until the date of independence. While yet to be formally discussed by the Security Council, or indeed within the UN/UNTAET itself, a general expectation exists of a **continuing UN civilian presence post-independence**, although its form remains unclear. The various UN development agencies, principally UNDP, will likely maintain an ongoing significant presence. A continuing UN presence could also take the form of some kind of assistance mission, with UN "advisers" to key ministries. Given the high priority we attach to international burden-sharing, a continuing (albeit pared down) UN civilian presence would serve Australia's interests.

## II. AN INTERNATIONAL SECURITY PRESENCE POST-INDEPENDENCE

Australia's objectives for the post-independence period include a security environment between East Timor and Indonesia [REDACTED] and the prompt withdrawal of ADF peacekeepers from East Timor. Security in East Timor has been provided by UNTAET's military component, the peacekeeping force (PKO). Our assumption has been that the ADF troop commitment would conclude with the PKO's withdrawal at the end of UNTAET's mandate.

However, an expectation is emerging of an **ongoing UN security component post-independence** (for example, the report of the King's College team, commissioned by UNTAET to study options for a future East Timorese security force, refers to the possibility of a continuing PKO presence after independence). The Special Representative of the Secretary-General, Vieira De Mello, has yet to give the matter detailed consideration, but his personal view is that some form of continued international security presence would be required after independence.

It is still too early to be definitive about the need for a post-independence international security presence in East Timor. Ultimately, this will be determined by a number of variables:

**The security landscape at independence.** The security environment will probably remain stable overall. However, a continuation of low-level militia infiltration in the border region is likely to test the capacity and resolve of the post-independence security arrangements. Security will depend on the will [REDACTED] of the Indonesian Government and TNI to end militia activity in west Timor, the level of support the militia attract within west Timor [REDACTED] and the effectiveness of the East Timorese security force. Some hard-core militia elements may have ambitions to conduct a long-running guerrilla-style campaign.

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**East Timor's relations with Indonesia.** The East Timorese must realise that their future security will depend in large measure on good relations with all of its neighbours, particularly Indonesia. Relations between Xanana Gusmao and President Wahid are good overall. UNTAET has made progress in efforts to put in place effective consultative mechanisms with Indonesia, and has secured Indonesian agreement to establish a joint border commission. The ultimate success of these processes will require both sides acting quickly to implement such arrangements.

**The capacity of the new East Timorese state to assume responsibility for its own security.** Whatever form the future East Timorese security force takes, it will most likely lack sufficient capacity to meet the main external threat – low-level militia activity in the border region with west Timor – at least for the first years after independence. Despite a robust PKO presence, low-level militia activity has continued in the border areas.

**East Timorese attitudes.** The political landscape at independence will affect East Timorese attitudes to, and lobbying for, a continuing international security presence. Some East Timorese leaders (eg. Jose Ramos-Horta) have indicated a desire for a continuing international security presence, but the issue has yet to be formally considered by the East Timorese leadership.

**Progress with development, particularly in the border areas.** Progress with development in the border regions will be particularly difficult. A failure to develop basic services and to restore economic activity in these areas because of concerns about security may well lead to their populations becoming more open to militia influence.

**The attitude of the international community.** Any international security presence post-independence should operate under a UN mandate, which would require Security Council authorisation. Security Council members are concerned about mounting peacekeeping costs in general, and are reluctant to see open-ended UN operations. But the Security Council may still be prepared to authorise a post-independence UN security component in East Timor.

In late August/early September, ONA will produce a National Assessment on conditions along the East Timor/Indonesia border.

### III. POSSIBLE OUTCOMES

Given the variables involved and our ability to influence them, it is too early to be definitive about the likely security environment at independence and the need for a continuing international security presence. While we can take steps now to reduce the need for an international security presence post-independence (see A below), we will need to be prepared to respond in the event that other outcomes (B or C below) eventuate.

#### A. Obviating the need for an international security presence

The ideal outcome for Australia would be a relatively benign security environment at independence, particularly in the border region, which would obviate the need for an ongoing international security presence. Australia should continue working to promote a benign security environment by engaging Indonesia and key international players, including multilateral agencies, in order to alleviate border tensions, including through:

- . **Closure of the refugee camps in west Timor.** Indonesia's proposal for an accelerated closure of the camps is a step in the right direction, and we are exploring with the UN and the broader international community the practical steps needed for its implementation. This will require a coordinated international effort. Indonesia must provide effective security to end militia activity, separate militia from genuine refugees, ensure unimpeded UNHCR access, allow a credible registration process, and ensure refugees can make decisions on resettlement or repatriation [REDACTED]
- . **Active Indonesian Government efforts to disarm and disband the militia in west Timor and reduce the threat posed by militia elements.** This includes action to dismantle militia groups, to ensure an end to cross-border incursions into East Timor, and efforts to bring to justice those militia members who have committed crimes.
- . **Encouraging cooperative relations between East Timor and Indonesia.** Effective long-term solutions for managing the border will be primarily political in nature. The establishment of an effective joint border commission would be a positive step. Whatever the political arrangements, good communications between Indonesia and East Timor at the operational level will be essential to both limit cross-border militia activity and to minimise the possibility for accidental cross-border clashes between TNI and an East Timorese force.
- . **Supporting the establishment of an appropriate East Timorese security force.** International assistance for the creation of an indigenous security force should occur under UNTAET's umbrella and take as a starting point the King's College study recommendations. As noted above, however, it is likely to be some time before the security force will have the capacity to maintain security effectively. Australia's interests will be served by assisting with the early establishment of an appropriate East Timorese security force. Following agreement by Ministers in May, we have indicated to the East Timorese and to key players our in-principle willingness to assist with a defence cooperation program on the understanding that the structure of the force is one with which Australia is comfortable. Australian assistance with the development of a force through any defence cooperation program would be developed by the Minister for

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Defence, in consultation with the Minister for Foreign Affairs, and then considered by NSC.

Achieving a relatively benign security environment in East Timor at independence would obviate any need for an international (and ADF) security presence. [REDACTED]

[REDACTED] At the same time, we need to guard against promoting an overly optimistic view of East Timor's likely security environment at independence. This could result in the international community disengaging to the extent that it ignores the potential security challenges East Timor may face at independence, thereby precluding consideration on its merits of an international security presence post-independence. At worst, such an outcome risks leaving Australia alone to respond to future East Timorese appeals for assistance with security. We should do everything possible to avoid such a scenario.

### B. An international security presence mandated by the UN

A more likely outcome is that some form of international security presence will probably be required in East Timor following independence. Such a presence should be established under a UN mandate. The Security Council resolution would define the parameters of such a presence, including its size, composition, objective, powers (under Chapter VI or Chapter VII of the UN Charter) and end-point. It could take a number of different forms: troops, military observers or military advisers, stationed throughout the territory or limited to the border region with west Timor. Any international security presence must have a clear exit date to provide operational certainty, thus encouraging participation by troop-contributing nations.

An important factor in determining the need for an international security component would be the impact of such a decision on the ground: deploying an international security component along the west Timor border could create the impression of a far greater militia capacity [REDACTED]

Australian involvement in an international security presence could take a number of forms:

- **No ADF participation**, with a security presence comprised exclusively of other troop-contributing nations. Such a scenario would result in the maintenance of security at no cost to Australia, [REDACTED] Other countries are less likely to contribute troops to an operation that did not include an ADF deployment.
- **A minimal ADF presence to meet the expectation of ongoing Australian participation.** While Australia would be seen as assisting the nascent East Timorese nation, [REDACTED] There is likely to be domestic public support for some ADF involvement in an international security presence.

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ADF troops remaining stationed on the border with west Timor, in concert with other troop-contributing nations. While this would be expensive for Australia [REDACTED] it probably provides the best prospects for maintaining effective security along the border, would meet domestic public expectations of Australian involvement, and would help cement ties [REDACTED] with East Timor's security/defence apparatus.

Australia should consult with key international players to examine the possible models for a post-independence international security presence. This should preferably be on a much smaller scale than the existing PKO. In these discussions, we should indicate that Australia's clear preference is to withdraw our peacekeeping presence from East Timor on independence.

### C. Australian-only security component

It would not be in Australia's interests for a post-independence security presence to comprise ADF personnel without other international participation [REDACTED]. It is possible that the idea of Australia alone providing a post-independence security presence could arise as a result of a bilateral request for assistance from East Timor, coupled with an expectation within the international community of Australia assuming such a role, in the absence of any other alternatives. ADF deployment could take place solely on the basis of a bilateral agreement, or coupled with a UN mandate. Australian interests would not be served by an ADF presence in an independent East Timor in the absence of other international participation - and certainly not by any ADF presence lacking appropriate UN cover. [REDACTED]

## IV. A BILATERAL SECURITY GUARANTEE

Australia's future bilateral security relationship with an East Timorese state will remain an over-arching issue. Our long-term interests in East Timor's security and territorial integrity require careful consideration of how we can best promote these interests. In this respect, any

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scenario involving ongoing Australian participation in maintaining East Timor's security beyond independence - even as part of a larger UN presence - raises the possible expectation of an ongoing bilateral security relationship (including the idea of a bilateral security guarantee) with East Timor. This is an issue which will [REDACTED] [REDACTED] require careful management and will need to be factored into any final consideration of options for dealing with East Timor's future security needs. [REDACTED]

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COORDINATION COMMENTS

The Department of the Prime Minister and Cabinet supports the recommendations of this Cabinet Submission.

The Department of Defence has worked with the Department of Foreign Affairs and Trade in the preparation of this Submission and agrees with its overall direction and recommendations.

ONA has no further comment on the Submission.

The Attorney-General's Department supports the recommendations made in the Submission.

Treasury notes that the Submission has no financial implications at this stage.