Fifteenth special session

LETTER DATED 23 JUNE 1988 FROM THE CHARGE D'AFFAIRES A.I. OF THE
PERMANENT MISSION OF PORTUGAL TO THE UNITED NATIONS ADDRESSED TO
THE PRESIDENT OF THE GENERAL ASSEMBLY

I have the honour to refer to the letter sent to you, on 8 June 1988, by the
Permanent Representative of Indonesia to the United Nations, in which some comments
were made regarding the statement made by His Excellency Mr. Mário Soares,
President of the Republic of Portugal, and specially the allusion to the question
of East Timor contained therein.

Allow me to make some remarks on what is said in the above-mentioned letter:

1. On 7 December 1975, on the grounds of Portugal's inability to restore law and
order in neighbouring East Timor, a non-self-governing territory under Portuguese
administration, Indonesia launched a military attack leading to its occupation
since that time. Just over one month before, on 3 November 1975, in a meeting
between the Indonesian and Portuguese Foreign Ministers, it had been recognized
that Portugal represented the legitimate authority in East Timor and, being
fundamentally responsible for its decolonization, was bound to make "all efforts
towards a speedy and orderly implementation of the act of self-determination by the
people of Portuguese Timor".

2. The United Nations Security Council and the General Assembly adopted several
resolutions from 1975 to 1981 deplores the intervention by Indonesia's armed
forces and asking Jakarta to withdraw all of them from the territory without
delay. Indonesia has never complied with these resolutions and proclaims that the
process of decolonization of East Timor has been achieved, since its people have
already exercised their right to self-determination by "opting" for integration
with Indonesia. As a base for this claim they argue that a Timorese "popular
assembly" (composed of 37 hand-picked members) on 17 July 1976 presented a
"petition" to the Indonesian authorities asking for East Timor to be integrated
within the Republic.
3. This "act of free choice", however, was never recognized by the United Nations, which took no part in the process (refusing an invitation to be present at the meetings of the "popular assembly") and has reaffirmed the rights of the Timorese people to self-determination, in accordance with resolutions 1514 (XXV) and 1541 (XXV). On the other hand, Portugal is the administering Power, with formal responsibility over the territory, the latter remaining included in the list of non-self-governing territories approved by the General Assembly to which Chapter XI of the Charter of the United Nations is still applicable, as well as the relevant resolutions of the Assembly such as those referred to above.

4. The incorporation of East Timor by force met with armed resistance that has been continuing for more than 12 years. Together with famine and disease it has been responsible for at least 100,000 deaths, out of a population of less than 700,000 inhabitants, according to the conservative estimate of the Indonesian-appointed Governor of East Timor himself. World public opinion, the mass media, parliamentary, international and non-governmental organizations have on many occasions denounced human rights abuses in East Timor. The most recent meetings of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (August 1987) and of the Commission on Human Rights (February–March 1988) clearly reflected that broad concern.

5. The Indonesian authorities, though arguing that East Timor is opened to outside observers, impose severe restrictions on access to the territory, virtually closing it to the outside world, except for escorted visitors, carefully cleared by them. Even international humanitarian organizations are not permitted to accede freely to the territory, thereby reducing their capacity to carry out their activities.

6. Portugal has no claims whatsoever to sovereignty over the territory, but it is committed to the safeguard of the right to self-determination, of the human rights and fundamental freedoms and of the specific identity of the East Timorese people. Our sole aim is to bring about the decolonization process of East Timor in observance of the universal principles and rules applicable to all non-self-governing territories, however small and remote.

7. We will undertake all possible diplomatic efforts in order to find a solution that will take into consideration the real aims and interests of the population of East Timor and, at the same time, will be acceptable to the United Nations.

8. With this in view, Portugal fully supports the mandate entrusted to the Secretary-General by General Assembly resolution 37/30, requesting him to initiate consultations with all parties concerned, aiming at exploring avenues for achieving a comprehensive settlement of the problem. This led to the talks that have been going on at the United Nations since November 1984, under the auspices of the Secretary-General, between representatives of Indonesia and Portugal.

9. Portugal reiterates its commitment to seek, in a constructive and flexible spirit of co-operation with the Secretary-General and all parties concerned, an internationally acceptable formula to settle this question, provided that it will
take duey into account the paramount interests and wishes of the East Timorese, thus leading to the long-awaited peace and to the much-needed development of their land.

I would appreciate that this letter be given the same distribution as that of the Permanent Representative of Indonesia (A/S-15/38) and be circulated as an official document of the fifteenth special session of the General Assembly.

(Signed) José Caetano DA COSTA PEREIRA
Chargé d'affaires a.i.