

BALANCE

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Witnessing East Timor

Alice Springs practitioner Pam Ditton answered an advertisement in the July edition of *Balance* seeking expressions of interest from individuals wishing to contribute to the conduct of a free and fair vote in East Timor. She volunteered and spent 24 August to 2 September in East Timor.

Volunteers needed to be fluent in Indonesian or Portuguese, have expertise in electoral processes, work in a neutral and impartial manner, be medically fit and able to fund themselves.

"I had all of those things and a substantial interest in the area that has spanned 30 years," she said.

The Australian East Timor International Volunteer Project accepted her application. The next month was spent acquiring the necessary UN Accreditation as an International Observer and the requisite Indonesian visa. The tripartite agreement between the UN, Indonesia and Portugal for the Popular Consultation on autonomy provided for accredited Government, Domestic and International Observers to have access to the registration, voting and counting procedures, somewhat analogous to the vote of a scrutineer in an NT election.

On arrival in the capital Dili Ms Ditton joined ANFREL, the Asian Network For Free and Fair Elections, ANFREL is a project of Asia Forum, a Bangkok-based Asian regional human rights organisation. Its mandate and objective is to support the democratisation of the Asian region by monitoring elections. It is well respected, having already monitored elections in Cambodia, the Philippines and Indonesia.

ANFREL sent its 40 team members into each of the regional centres in East Timor prior to voting day. Ms Ditton was deployed with Stephen Beeby, an Australian living in Bangkok and Shigetsugu Komine, a Japanese man living in Rwanda, to Manatuto about 65 kilometres east of Dili.



Pam Ditton, centre, with Shigetsugu Komine on her left with the family she stayed with in Manatuto, about 65 kilometres east of Dili. Ms Ditton is unaware of the fate of this family at the time of publication and holds great fears for their safety.*

Ms Ditton not only observed the electoral process but also had some direct experience of the intimidation felt by East Timorese voters. On the night before the poll a band of militia, in company with police, threatened the home of the East Timorese family hosting the three international observers.

"The militia came trying to smash in the door. We got up silently and in the dark, put our back packs on and were preparing to flee, led by a East Timorese youth, into the bush," she said.

"The family were concerned, both for themselves and for us. They knew the risk they were taking having international observers in their house but most East Timorese believed that the presence international community gave

them some protection. They welcomed the UNIMET staff, responsible journalists and observers. It was very moving to feel that the family was prepared to risk their own lives by giving us accomodation." she said.

"On that occasion the militia chose to move on. We heard a similar banging and shouting occur minutes later to another house down the road," she said. With communication lines down, Ms Ditton does not know of the whereabouts or the fate of her East Timorese hosts - a mother with four young children. She holds grave fears for their safety.

As has been widely reported there was very little violence and intimidation while the vote was taking place. Ms Ditton's team visited four polling centres during the day, two in Manatuto, one in a coastal village and one in a mountain village. The election procedures were generally well followed by UNIMET staff, both local and international.

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Ferae naturae by Maria Ceresa, Executive Officer



Maria Ceresa

NT Lawyers, like horses, have a birthday each year. For you lot it is 1 October. That is the date your current practising certificates expire.

Now there are those among you who have planned ahead and got your applications forms in. In fact Geoff James was first. This assists the four person secretariat to process more than 400 applications and get your practising certificates to you in time.

A special thanks to the early birds and a reminder to the stragglers to get their applications to the Law Society.

On another note members will be pleased

to know we are investigating a better process for lodging proxies for the Law Society's Annual General Meeting. This year was well attended in person by about 50 practitioners holding 163 proxies. While the president Jon Tippett was elected unopposed (see page 10 for more details), I would like to pass on a sincere thank you to two outgoing members of council who have provided valuable service to the council for many years.

First to Max Horton of Alice Springs whose dry wit, substantial experience and sense of history will be sorely missed and to Richard Coates whose measured,

insightful and inspired advice has been sought constantly by the secretariat and many in the profession.

Oh yeah and thanks most of all to Steve Southwood. A tireless, dynamic President who has put the Law Society squarely on the map and built a solid foundation for its future. Cheers!

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They started early observing the unsealing of the empty ballot boxes and continued until the close of the poll, and the transfer of the ballot boxes under armed guard to the UNAMET headquarters.

Ms Ditton says, "I will never forget the courage and the determination of the 98.6% of registered voters who came out to vote - most were in line by 6am. I even saw one mother with a one hour old baby. The voters had been suffering intimidation for months, if not years, right up to the moment of the vote. In some areas there were deaths from shootings just prior to the vote and people fled to the hills, but still they returned to vote."

The morning after voting day the vehicle Ms Ditton was travelling in back to Dili was pulled off the road by heavily armed militia with army standing in the background. The passengers, comprising an East Timorese driver and international observers from the Phillipines, Indonesia, Hongkong, Thailand, Japan and Finland as well as Australia were placed under the "total control of the militia - but possibly influenced by the Phillipino observer in the front seat being a nun wearing a habit the militia let us through without incident."

As soon as all the ANFREL teams got back to Dili there were report back sessions, press conferences and monitoring the checking and counting procedures for the votes brought back to Dili by helicopter from regional centres.

While travelling round Dili during the days after the vote as part of the ANFREL

mission Ms Ditton watched the security situation deteriorate, the militia taking ever greater control of the streets. "We all slept fully dressed and had discussed the possibility of militia attack on the Boy Scout Hall where we were staying." Ms Ditton had the personal good fortune to leave East Timor just before the outrageous and genocidal actions of the police and military backed militias immediately after the declaration of the



Stephen B'eeby, Shigetsugu Komine and Pam Ditton, ANFREL.

results of the vote. Despite those frightening experiences Ms Ditton said she was prepared to work with ANFREL as an election observer again. After witnessing the courage of the East Timorese on voting day, and watching the ensuing events with total horror, she is considering what personal contribution she can make in the near future in East Timor. Ms Ditton called on the Northern Ter-

ritory legal profession to support the East Timorese people.

"As Territorians we have had long and close ties with East Timor. We have a continuing responsibility of a special nature, which individuals may fulfill in different ways. Some may assist by giving money to aid projects such as Caritas, others may respond more directly by providing their professional skills to the East Timorese people in the coming days and months." The minimal infrastructure Ms Ditton observed during her short stay has now been destroyed.

Volunteers for East Timor

NSW Supreme Court Justice John Dowd has approached the NT Law Society to be the liaison point for legal practitioners volunteering to assist the International Commission of Jurists in that taking of statements for a war crimes tribunal. Justice Dowd said the ICJ was modelling the procedures to the stringent standards and requirements met by trials in Rwanda and the former Yugoslavia. President Jon Tippett said the Law Society would do all it could to assist the East Timorese and the ICJ. Volunteers should contact the NT Law Society for the essential criteria and further information.

* Images of the East Timorese people have been pixellated for their protection.