

Peace Agreement Access Tool PA-X <https://pax.peaceagreements.org/>

Country/ entity	East Timor
Region	Asia and Pacific
Agreement name	East Timor Popular Consultation Agreement Regarding Security
Date	5 May 1999
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Intrastate/intrastate conflict (East Timor Conflict (1975 - 1999))
Stage	Pre-negotiation/process
Conflict nature	Government/territory
Peace process	East Timor-Indonesia peace process
Parties	For the Government of Portugal /s/ Jaime Gama Minister for Foreign Affairs Portugal For the United Nations /s/ Kofi A. Annan Secretary-General United Nations For the Government of Indonesia /s/ Minister for Foreign Affairs Indonesia
Third parties	-
Description	It was agreed that a peaceful environment was pre-requisite for holding of ballot with responsibility resting with the Indonesian security authorities. Provision was made for the drafting of a code of conduct for the parties by the Commission on Peace and Stability and for the UN Secretary-General to ascertain if the necessary security situation existed for ballot to take place peacefully. Provides for Indonesian military provision of a secure environment free of violence and intimidation for the popular ballot. Agreement is the third annex of the East Timor popular consultation.

Agreement
document

[TL_990505_Annex III-East Timor Popular Consultation Agreement Regarding Security.pdf](#)  |
[Download PDF](#)

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	<p>Page 1, Annex III: East Timor Popular Consultation The Governments of Indonesia and Portugal and the Secretary-General of the United Nations. Agree as follows:</p> <p>1. A secure environment devoid of violence or other forms of intimidation is a prerequisite for the holding of a free and fair ballot in East Timor. Responsibility to ensure such an environment as well as for the general maintenance of law and order rests with the appropriate Indonesian security authorities. The absolute neutrality of the TNI (Indonesian Armed Forces) and the Indonesian Police is essential in this regard.</p> <p>... 3. Prior to the start of the registration, the Secretary-General shall ascertain, based on the objective evaluation of the UN mission, that the necessary security situation exists for the peaceful implementation of the consultation process.</p>

State symbols No specific mention.

Independence/secession No specific mention.

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 No specific mention.

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society No specific mention.

Traditional/religious leaders No specific mention.

Public administration Page 1, 2. The Commission on Peace and Stability established in Dili on 21 April 1999 should become operational without delay. The Commission, in cooperation with the United Nations, will elaborate a code of conduct, by which all parties should abide, for the period prior to and following the consultation, ensure the laying down of arms and take the necessary steps to achieve disarmament.

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 No specific mention.

Mobility/access No specific mention.

Protection measures No specific mention.

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	<p>Page 1, Annex III: East Timor Popular Consultation</p> <p>The Governments of Indonesia and Portugal and the Secretary-General of the United Nations.</p> <p>Agree as follows:</p> <p>... 2. The Commission on Peace and Stability established in Dili on 21 April 1999 should become operational without delay. The Commission, in cooperation with the United Nations, will elaborate a code of conduct, by which all parties should abide, for the period prior to and following the consultation, ensure the laying down of arms and take the necessary steps to achieve disarmament.</p>
Ceasefire	<p>No specific mention.</p>
Police	<p>Page 1, Page 1, 1. A secure environment devoid of violence or other forms of intimidation is a prerequisite for the holding of a free and fair ballot in East Timor. Responsibility to ensure such an environment as well as for the general maintenance of law and order rests with the appropriate Indonesian security authorities. The absolute neutrality of the TNI (Indonesian Armed Forces) and the Indonesian Police is essential in this regard.</p> <p>... 4. The police will be solely responsible for the maintenance of law and order. The Secretary-General, after obtaining the necessary mandate, will 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.</p>
Armed forces	<p>Page 1, 1. A secure environment devoid of violence or other forms of intimidation is a prerequisite for the holding of a free and fair ballot in East Timor. Responsibility to ensure such an environment as well as for the general maintenance of law and order rests with the appropriate Indonesian security authorities. The absolute neutrality of the TNI (Indonesian Armed Forces) and the Indonesian Police is essential in this regard.</p>
DDR	<p>Security sector→DDR→Demilitarisation provisions</p> <p>Page 1, 2. The Commission on Peace and Stability established in Dili on 21 April 1999 should become operational without delay. The Commission, in cooperation with the United Nations, will elaborate a code of conduct, by which all parties should abide, for the period prior to and following the consultation, ensure the laying down of arms and take the necessary steps to achieve disarmament.</p>
Intelligence services	<p>No specific mention.</p>

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 No specific mention.

Implementation

UN [Signature] For the United Nations
signatory /s/ Kofi A. Annan Secretary-General United Nations

[Summary] Immediately following the conclusion of the agreement the Secretary-General will, subject to the appropriate legislative mandate, begin preparations for the popular consultation by deploying in East Timor such personnel as will be adequate for the purpose of executing the various phases of the consultation process. The United Nations logo will appear on the ballot papers. The United Nations will disseminate and explain the content of the main Agreement and the autonomy document in an impartial and factual manner inside and outside East Timor; The Secretary-General will seek the approval of the Security Council for the operation in order to ensure assessed budgetary funding. Voluntary contributions will be channeled through a Trust Fund established for this purpose.

Other No specific mention.
international
signatory

Referendum No specific mention.
for
agreement

International No specific mention.
mission/
force/similar

Enforcement mechanism Page 1, 2. Commission on Peace and Security established in the Dili Agreement to become operational without delay and to cooperate with the UN on a code of conduct for all parties; 3.objective evaluation by UN that the necessary security situation prevails prior to the start of registration; 4. Indonesian Police to be solely responsible for the maintenance of law and order (no. of UN civilian police officers to act as advisers).

Related cases No specific mention.

Source Etan.org; <http://etan.org/etun/popularc.htm>
