



UNITED NATIONS HIGH COMMISSIONER  
FOR REFUGEES

**SUMMARY REPORT OF THE INQUIRY  
INTO THE DEATHS OF THREE UNHCR STAFF MEMBERS  
IN ATAMBUA, INDONESIA, ON 6 SEPTEMBER 2000**

Inspector General's Office  
8 December 2000

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ANNEX : Abbreviations and map

## **1. INTRODUCTION**

1. Three UNHCR staff members - Mr Samson Aregahegn (Supply Officer), Mr Carlos Caceres-Collazo (Protection Officer), and Mr Pero Simundza (Telecommunications Operator) - were killed in Atambua, Belu District, Nusa Tenggara Timor (NTT) Province, Indonesia when the UNHCR office there was attacked on 6 September, 2000.

2. The terms of reference for an internal inquiry were promulgated on 28 September. The inquiry was to: establish the sequence of events; establish the context in which events unfolded, how this was interpreted, what actions and decisions were taken and with what consequences; and draw conclusions and make recommendations accordingly. The focus of the inquiry was to be the actions and responses of UNHCR. Identifying the perpetrators of the crime was outside its scope. The Inspector General was to conduct the inquiry and to decide the composition of a team to assist him. A summary of the report to the High Commissioner was to be prepared: this is that summary.

3. In addition to Mr Nicholas Morris, the UNHCR Inspector General, the inquiry team comprised Mr Luc Stevens from his office and Ms May Bagasao and Mr Pierre Obuchowicz. Ms Bagasao is one of the founders of the Manila-based NGO Community and Family Services International (CFSI). Mr Obuchowicz is an independent consultant, who worked for ICRC for 13 years.

4. The inquiry team visited Jakarta, Denpasar, Dili, and Manila between 14 October and 2 November, and worked in Geneva thereafter. The team did not visit West Timor, which was in security phase 5 (evacuation), but met officials from West Timor in Denpasar. In the course of the inquiry, the team interviewed over 110 colleagues and staff of other UN organizations and NGOs, as well as members of the diplomatic community in Jakarta. Over 100 of these interviews were face-to-face, a few were by telephone, and some information was obtained through e-mail exchanges.

5. With the exception of those killed, who are identified by their given names herein (i.e., as Carlos, Pero and Samson), colleagues are identified by their functional title. Where appropriate because of frequent references, this is abbreviated for convenience after the first usage. A key to abbreviations is provided at Annex, with a map. In references to interviews, "Team" is used for one or more members of the inquiry team. All members participated in some key interviews; others were conducted by one or more of the team. The term "militia" is used to describe East Timorese who used violence against refugees and others (in interviews with the team, those who attacked the UNHCR office were described as "militia"). All dates are in the year 2000 unless otherwise indicated. Times are in the 24-hour, four figure format.

## **2. BACKGROUND**

6. In September 1999, over 250,000 persons were deported or fled from East Timor, the great majority to West Timor. The Government of the Republic of Indonesia (henceforth, "the Government") invited UNHCR to conduct humanitarian activities in response to this crisis and a memorandum of understanding (MOU) between the Government and UNHCR was signed on 14 October 1999. Its provisions included commitments by the Government to ensure: "free and unimpeded access along with security arrangements" to the displaced East Timorese for UN staff and partners; "the civilian character of all the displaced people's settlements"; and "that the displaced

people can, on the basis of a well-informed decision, choose free from any form of intimidation or threat, to either voluntarily return to East Timor or to remain temporarily or permanently in Indonesia”.

7. In cooperation with the Government, UNHCR was to organize the safe and voluntary repatriation of those who so chose. The Government was to take the necessary measures “for the safety and security of the repatriating displaced persons”. For those who wished to remain in Indonesia, UNHCR was to “provide assistance programmes in order to facilitate their swift integration and to support receiving communities.” In cooperation with the Government as well as with other UN agencies and international and national NGOs, UNHCR was to launch an emergency care and maintenance programme. The MOU noted that, in “the context of independently ascertaining the free choice of all the displaced people ... and with a view to facilitating their return and reintegration in East Timor, UNHCR intends to undertake a registration / verification programme.”

8. UNHCR established a sub-office in Kupang, the capital of West Timor, and a field office in Atambua and later opened offices in Betun and Kefa. UNHCR operations in both East and West Timor were the responsibility of the UNHCR Regional Representative in Jakarta (RR) until the end of 1999, when the operation in East Timor became independent, with the Chief of Mission reporting directly to the Regional Director at Headquarters.

9. By the end of 1999, over 125,000 persons had repatriated to East Timor from West Timor. By September 2000, the number of repatriates exceeded 165,000, the great majority of whom had returned with the assistance of UNHCR and its partners. Some 120,000 were thought to remain in West Timor, and it was understood that the majority of them would wish to repatriate if conditions allowed.

10. While the MOU in theory provided the necessary framework for resolution of the problem, the reality in West Timor was very different. Militia groups had been directly responsible for the violence and intimidation in East Timor leading up to and immediately after the vote for independence (“Popular Consultation”) on 30 August 1999, whose result was announced on 4 September 1999, and for the large-scale deportations thereafter. The militia groups maintained links with the security forces and authorities in West Timor, and exercised significant control over the East Timorese refugees in camps there. They, like the umbrella political group UNTAS, rejected the results of the popular consultation and were more or less violently opposed to repatriation, and thus to a key UNHCR objective: free and informed choice. They saw UNHCR not as an impartial humanitarian organization but as indistinguishable from the UN and the international military force (INTERFET) perceived as having stolen East Timor from Indonesia.

11. From the start of UNHCR’s engagement in West Timor, this hostility was manifested in serious security incidents affecting both international and national staff and refugees who wished to repatriate. The reaction to these incidents showed that the authorities did not ensure security and respect of the provisions of the MOU. The Indonesian army (TNI) was seen as more likely to provide security than the police, but there were many incidents where it appeared that the militias were dictating the outcome.

12. In these circumstances, the repatriation of over 125,000 persons in the last quarter of 1999 was a very considerable achievement, and one that involved significant risks. It also helped confirm a perception that UNHCR attached much higher priority to repatriation than to the welfare of those who might not elect to return. As a result, UNHCR's partners in West Timor increasingly came to view close association with UNHCR as a liability for their own security and programmes. Those who were delivering assistance in the camps but who were not linked to UNHCR and repatriation had fewer problems with access and insecurity than UNHCR. While UNHCR has experience of operating in conflict situations where the parties each perceive UNHCR as helping their opponent(s), UNHCR has had little experience of operating in situations where it is itself a significant source of insecurity for its partners.

13. Within the management of the operation, there was increasing acknowledgement that the future of the operation in West Timor needed critical review. Following a mission by the Director of the Regional Bureau for Asia and the Pacific (DRB), on 25 July the RR wrote a letter to the Government that made continuation of UNHCR activities in West Timor conditional on the adoption by the Government of appropriate measures in the areas of: security for humanitarian personnel and the refugees in camps; action against those who perpetrated violence against them; unimpeded access to the refugees; registration/verification; and the separation of refugees from non-refugees. The letter noted that in "the absence of such measures and an attendant improvement in the situation by October, UNHCR will be reluctantly forced to re-assess its presence and its activities in West Timor".

14. On 31 July, the Government announced that the refugee camps in West Timor would be closed and on 3 August officials briefed the UN community in Jakarta on a proposal to resolve the refugee problem through a combination of voluntary repatriation, camp closure (starting with border camps) and the settlement of those who wished to remain away from the border. In the following weeks, UNHCR and its partners, including UNTAET (UN Transitional Administration for East Timor), had to focus considerable attention on this proposal. Meetings were held in Geneva, Jakarta and Dili; on 30-31 August, the implications were reviewed at an inter-agency meeting in Denpasar, Bali.

### **3. SEQUENCE OF KEY EVENTS**

15. In order to provide an overview and a quick reference to important events, these are set out in tabular form below.

17/06/00	HOK is mobbed during visit to Noelbaki camp with Indonesian civilian, TNI and police officials. Militia leader Eurico Guterres resolves the situation. UNHCR assistance interrupted from 18 to 30 June.
30/06/00	Initial agreement on Integrated Security Task Force for Kupang area with Governor's office, TNI and police.
11/07/00	Betun incident: militia in certain key camps disrupt registration operation. Postponement of registration and subsequently closure of Betun office.
23/07/00	Militia attack on UNTAET patrol in East Timor. A New Zealand soldier is killed.
24/07/00	First session of the tribunal in Kupang considering case against Eurico Guterres. Some 1,000 militia in town. Kupang office closed.
25/07/00	RR sends letter to Government effectively setting conditions for continuing UNHCR operations and an October deadline.

- 26/07/00 Second session of Kupang tribunal. Demonstration at the Attorney General's Office. Kupang office temporarily evacuated.
- 31/07/00 Government announces intention to close refugee camps in West Timor.
- 01/08/00 UNHCR and IOM agree to suspend all repatriation activities in West Timor until 5 September, following an escalation in the number of serious security-related incidents involving refugee repatriation.
- 06/08/00 Militia attack on UNTAET patrol in East Timor. A Nepalese soldier is killed.
- 07/08/00 Meeting in Kupang between HOK and Atambua staff to discuss security in their area of operation.
- 11/08/00 Demonstrations in Atambua outside UNHCR and IOM offices by Aitarak militia. Militia reportedly threatened to attack the UNHCR Atambua office the following day.  
SMT meeting in Jakarta (HOK participated) agrees to recommend security phase 4 in Belu District.
- 12/08/00 Atambua Office closed for one day in response to planned major demonstration against arms seizures by militias from Betun area, all but two international staff evacuated to Kupang.
- 17/08/00 *Indonesian Independence Day* - UNHCR staff attend official ceremonies in Atambua and Kupang.
- 22/08/00 Attack on 3 UNHCR staff in Naen camp, Kefa.
- 23/08/00 Decision taken to suspend UNHCR operation in West Timor.
- 24/08/00 RR, AHOK and HOA announce suspension in Jakarta, Kupang and Atambua.
- 24/08/00 Security phase 4 for Belu district announced by UNSECOORD.
- 27//8/00 *25<sup>th</sup> anniversary of Portuguese withdrawal from East Timor*
- 29/08/00 Decision to resume UNHCR operations in West Timor.
- 30/08/00 *First anniversary of Popular Consultation in East Timor ("Condolence Day")*  
UNHCR sitrep 17-30 August: "At the time of writing this report, UNHCR received a report that the militia demonstrations will continue until 5 September, and will increase in their vigour..."
- 04/09/00 *First anniversary of announcement of results of Popular Consultation in East Timor* - UN Kupang staff temporarily relocated to the Kristal Hotel there in view of expected demonstration.
- 05/09/00 *First anniversary of a massacre by Laksaur militias in Suai, East Timor*  
1930 - HOA hears that Laksaur militia leader Olivio Mendonça has been murdered near Besikama (Betun area). UNHCR Field Officer calls CFSI and requests NGO to cancel a visit the following day to Betun and to several refugee camps.
- 06/09/00 1219 - Attack on UNHCR office in Atambua.

#### 4. ANALYSIS OF KEY ELEMENTS

##### Three central questions

16. Against the wider background set out above, three questions appear of central importance:

- (1) why was UNHCR operating in West Timor;
- (2) why were so many staff in Atambua in early September; and
- (3) why were so many staff in the office compound at the time of the attack?

These three questions are used as the frame for the analysis and assessments below that underpin the conclusions of the inquiry. Summary conclusions are highlighted in bold italics.

(1) **UNHCR's presence in West Timor**

17. Many of the potential problems and dangers were already known in September 1999. The first question therefore is whether UNHCR had a realistic option not to engage in West Timor in the first place. The team does not believe such an option existed. On the one hand, this was a refugee problem for which UNHCR had a mandated responsibility. On the other hand, its timely and satisfactory resolution was of critical importance to the unique action being undertaken by the UN to bring a new state, East Timor, into existence and to sustainable independence.

18. The level of security risks was, however, very high in the initial months of the operation, and in a sense became the benchmark reference thereafter. At a meeting in Kupang in October 1999 attended by the RR the risks were discussed. It was recognized that these were high, but so were the humanitarian imperatives. Many refugees were very frightened and anxious to return to East Timor as soon as possible: they made their own voluntary repatriation registration lists for UNHCR, sent messages through the church and came to the UNHCR office in Atambua begging for help to repatriate.

19. With UNHCR's initial engagement in any event a reality, the question becomes whether by September 2000 this engagement was still justified. By then, the nature of the risks and the realities behind the promises of security were starkly apparent. In July, force and threats had resulted in the cancellation of the major registration operation that UNHCR saw as a key to ensuring both a free choice for the refugees on their future and a proper distribution of assistance. Many saw this as an important defeat that emboldened those opposed to UNHCR and its objectives. The Betun office had to be closed prematurely. Some of UNHCR's partners, for example the churches, were for the first time directly threatened as a result of their identification with the registration, and thus with UNHCR. At a meeting on 1 August in Atambua between UNHCR and the International Organization for Migration (IOM), the Head of the UNHCR office in Kupang (HOK - who was absent on leave from mid-August) decided to suspend repatriation until early September, and that UNHCR should generally adopt a low profile in West Timor.

**Conclusions on question (1)**

20. However, given UNHCR's mandate and short of a serious security incident that would have justified withdrawal, ***it seems unlikely that UNHCR would have been able to take and sustain a decision to withdraw completely.*** The Government's camp closure plan had put a new dynamic in play, and could have created a situation in which the need for a UNHCR presence would be greatly increased, with major potential protection problems.

21. These and other key questions should have been under constant review by UNHCR as the situation evolved. ***There was however a major weakness*** in UNHCR's ability to ensure this was done. Responsibility was divided between the RR in Jakarta and the Chief of Mission for East Timor in Dili. While the DRB had overall responsibility and made frequent missions to the region, he had many other responsibilities. ***There was no single senior UNHCR staff member within the region with sole and full-time responsibility for decisions affecting both East and West Timor;*** yet the inter-linkages were evident to all. None of the measures to compensate for this critical failing was satisfactory, and it left UNHCR without an experienced field manager with single clear vision of an operation that was as complex politically as it was dangerous operationally.

***Such a manager would probably have recommended maintaining UNHCR's presence in West Timor, but he or she would have been expected to keep the size and nature of that presence under close review.***

**(2) UNHCR's presence in Atambua**

22. It should first be noted that in the days before the murder of a militia leader on 5 September, observers generally considered the security risks greater in Kupang than in Atambua. The justification for a continuing presence in Atambua had been discussed within West Timor on a number of occasions since the cancellation of registration and the closure of the Betun office in mid-July and the 1 August decision to suspend the promotion of repatriation and adopt a low profile in West Timor until early September. It has been reviewed by the HOK in Kupang on 7 August at a meeting also attended by Atambua staff and the Head of IOM, Kupang. Two events in August put this question into sharper focus. On 11 August a largely peaceful protest in front of the UNHCR office in Atambua turned more threatening at the IOM office (which had been warned of impending trouble by UNHCR). While the protest was contained, there were reports of an unrelated demonstration planned for 12 August by some 1,500 militia from the Betun area in protest against the confiscation of weapons (apparently linked to the murder of an UNTAET soldier). The UNHCR FSA on mission from Dili (FSAD) recommended temporary evacuation of all staff bar himself and Pero, who spent the day in the TNI sector compound. When the Head of the UNHCR Atambua office (HOA) returned from leave on 16 August he thus found most of his international staff in Kupang.

23. At a UN Security Management Team (SMT) meeting in Jakarta on 11 August, the Area Security Coordinator in West Timor (who, since February, was the HOK) proposed moving the security phase from 3 to 4 in Belu district and informing the Government that all non-essential staff would be pulled out. This proposal was accepted by the SMT. On 24 August, UNSECOORD advised all agencies that phase 4 was in immediate effect for Belu district, with Kupang remaining in phase 2 and the rest of West Timor in phase 3 (the recommendation was apparently only sent by the DO on 24 August).

24. On 22 August, the Head of the UNHCR Kefa office and two of his national colleagues were attacked in Naen camp near Kefa (the Kefa office reported to Atambua some 80 km by road to the north-east). The circumstances of the attack suggest that it was pre-planned, though it is not clear whether this was an isolated incident linked only to the perpetrators, or part of something more sinister. There was, however, general agreement within UNHCR in West Timor that it appeared to cross a line between what had hitherto been limited to serious, sometimes violent, intimidation and actual bodily harm to international staff. The FSA from Kupang (FSAK) was by chance on route to Kefa and was able to provide a swift and full debriefing and account of the incident, which was immediately reported to Kupang, Jakarta and Geneva, as well as to colleagues in East Timor.

*Suspension of UNHCR operations*

25. The following day, 23 August, a decision was taken by the Assistant High Commissioner in Geneva to suspend "aid operations for East Timorese refugees in Indonesia's West Timor province", to quote the UNHCR press release of that date. UNHCR intended the suspension to be a clear message to the Indonesian authorities that staff safety could not be compromised.



26. The decision was not discussed with the acting Head of the UNHCR office in Kupang (AHOK - the Senior Protection Officer had this responsibility from mid-August, during the absence on leave of the Head) or with the HOA, who learnt of it from the international media, as did UNHCR's implementing partners. Both the decision and the manner in which it was taken brought strong protests from UNHCR's UN and NGO partners. All felt that there should have been prior consultation, and some felt that the decision itself was hasty, not necessarily justified, and could jeopardize their own security and relations with the refugees in the camps. While all direct partners in the field agreed to support an initial suspension, several made it clear that they planned to resume their own activities in West Timor on Monday 28 August.

*How others viewed UNHCR's approach to security*

27. In general, it appears that at this time UNHCR's partners viewed UNHCR in West Timor as taking security concerns seriously, and appreciated the practical support - for example with communications - they received from UNHCR. Some partners felt that UNHCR was prone to over-react. This was not so much because these partners did not see the risks as because these risks were greater for UNHCR. The security incidents that led to increased security controls by UNHCR were largely linked to the hostility towards UNHCR, and many of the partners were able to work more or less normally in the camps. The controls introduced by UNHCR in Atambua (and Kupang) that required notification of all partners' planned movements to the camps the previous afternoon (UNHCR thereafter informed the TNI and police), and that limited working hours in the camps to 0900-1500, were seen as unnecessarily strict by some of UNHCR's partners, and as inhibiting the delivery of humanitarian assistance and services. Several of the partners also noted that UNHCR's approach appeared to be reactive and inconsistent.

*After the suspension*

28. With the suspension of aid operations announced on 23 August, relatively little in fact changed for UNHCR's own activities: repatriation was already suspended, visits to the camps were already limited, and no food distribution was anyway planned for the following week. At both the Kupang and Jakarta levels, the UNHCR follow up to the suspension was in part focused on damage limitation with our partners.

29. At the RR's suggestion, several members of the diplomatic corps met on 25 August in order to discuss recent developments in East and West Timor and for UNHCR to brief participants on the decision to suspend UNHCR activities in West Timor. It is relevant that on 11 August a similar meeting (with representatives of some 12 countries present) had been convened, at which the HOK had described the deteriorating security environment in West Timor. On 11 August participants had expressed support for the conditional approach set out in UNHCR's 25 July letter to the Government.

30. At the meeting on 25 August, the RR indicated that UNHCR would like the suspension to be short. One diplomat argued forcefully that UNHCR should only resume once the militias had been disarmed and separated from the camps, and legal proceedings taken against the perpetrators of the violence, and suggested that UNHCR should withdraw its staff, as their continued presence in West Timor could lead to a hostage-like situation. There was general support for the decision by UNHCR to suspend the activities in West Timor. There was a general feeling that UNHCR should only resume when concrete assurances for greater staff security were obtained; some participants encouraged UNHCR's withdrawal while others cautioned against such a

move. This was one of a number of meetings, including internal UNHCR meetings, in which participants made observations to the effect that sooner or later an aid worker would be killed (see paragraph 47).

#### *Resumption of UNHCR operations*

31. UNHCR lifted the suspension on 29 August. In its media briefing guidance that day, UNHCR stated that it was satisfied with the way the Indonesian authorities had dealt with the incident, noting a thorough investigation, the arrest of two persons, a strong condemnation by the Government of acts of violence, and an increased presence of the security forces in and around the camps. The guidance also recalled the conditions in UNHCR's 25 July letter, and concluded "UNHCR has stressed concrete steps must be taken by the Indonesian Government to comply with these benchmarks, which will be reviewed in October". Diplomatic representatives who had supported the decision to suspend were critical of the decision to resume. Several told the team that they felt strongly that the security concerns should have been over-riding, and that nothing had changed to allay these.

32. The decision to resume was taken by the DRB in Geneva, on the advice of the RR (the DRB had returned early from leave on 28 August). Staff in West Timor were not consulted on the resumption, though - as already noted - it was expected and would make little immediate difference to UNHCR activities. It was however an important consideration in the return of staff to Atambua.

#### *Staff presence in West Timor*

33. As a result of the low profile being adopted for UNHCR activities in West Timor in light of the lack of progress with repatriation, the cancellation of registration, and specific security incidents, staff in West Timor were encouraged to take an authorized break (VARI), leave, or language courses in Java. The anniversaries on 17 and 30 August and 4 September (see paragraph 15) were seen as critical dates, which if passed peacefully would, it was hoped, allow a progressive resumption of UNHCR's activities in the camps, including repatriation.

34. On 15 August, the HOA arrived in Kupang from home leave. He proceeded to Atambua on 16 August. On 23 August, the day after the Kefa incident, the FSAK travelled to Atambua to review his security concerns with the recently returned HOA and the UNSECOORD Field Safety Officer based there (FSOA), who himself had just returned. The FSAK recommended keeping only the minimum necessary presence in Atambua. The same day, before the decision on suspension, the HOA advised Kupang that the remaining staff due to return to Atambua that day should not do so until a further assessment of the situation had been made. Atambua staff felt uncomfortable sitting idle in Kupang and, though a few individuals might not have been keen to go back immediately, the group discussed on several occasions their wish to return to Atambua.

35. The FSAD had been on mission in West Timor from 1-21 August to cover Atambua during the leave of the FSOA. His assessment at the end of that mission was that non-essential staff should not be in Atambua until after 5 September. After 24 hours back in Dili, the FSAD returned to Kupang to act as the senior of the two FSAs there and provide additional support in the aftermath of the Kefa incident and over the critical first anniversaries.

36. The FSAK was on mission from Kupang to Atambua again from 29-31 August. He was among those who felt that with the Kefa attack on 22 August a line had been crossed. The FSAK was concerned by the situation he found in Atambua, and in particular by indications that the militia were monitoring the arrivals and identifying the residences of international staff. Another serious concern of the HOA and FSAK was the markedly increased tension as a result of the authorities referring urban refugees to UNHCR for food. The provision of food to refugees and other East Timorese in the urban areas was the responsibility of the Government, which had rice in stock for this purpose. However, on 28 August the Governor's office in Kupang informed all district administrations that henceforth this was UNHCR's responsibility. There was no prior consultation with UNHCR, and no question of UNHCR being either willing or able to take this over. In early September, this issue was the main security concern of the HOA and FSOA in Atambua.

37. On 30 August, the FSAK called the office in Kupang and advised that no more international staff should come back to Atambua. The FSAK was thus surprised when more international staff arrived back in Atambua on 31 August, and called Kupang to find out why. The explanation appeared to be that this was their choice, they had nothing to do in Kupang and their residence and possessions were in Atambua. For his part, the HOA told the FSAK that in the circumstances he had felt that he could not stop the return. He told the team that his colleagues argued that if they had to wait they preferred to wait in Atambua, and that he had approved their return in the understanding that everyone would in any event be keeping a very low profile, at least until early September.

38. Carlos and the Atambua Protection Officer participated in the Bali meeting on 30-31 August. After that meeting, the Protection Officer went back to Atambua and Carlos returned to Kupang from where he went to Atambua on 5 September to collect some of his personal belongings prior to his planned departure on 7 September for a 3 week language course. With the arrival of Carlos and three international staff by then on leave, there were 10 international staff in Atambua.

#### *Threats and problems in Kupang*

39. By 30 August, tensions had risen sharply in Kupang, with specific threats against, and hunger strikers outside, the UNTAET office, which was close to UNHCR's. In a demonstration that day organized by the Aitarak Militia, some 3,000 persons paraded past the UNHCR office and demonstrated in front of the UNTAET office, before proceeding across the street to the government offices, where they did superficial damage. The RR, who had arrived in Kupang from Jakarta on 27 August and made a brief visit to Dili on 29 August, had met an Aitarak leader on the evening of 29 August. The same leader led the demonstration on 30 August and was seen keeping demonstrators away from the UNHCR office.

40. The demonstrations against UNTAET Kupang continued, with a threat to destroy the UNTAET office on 4 September. While demonstrators on 3 September carried banners including (in English) "White scum must leave West Timor", the organisers said that their quarrel was with UNTAET, not UNHCR. On 3 September, the UNTAET Chief of Staff arrived from Dili and met with the demonstrators; the situation began to be defused. In a meeting that evening at which the AHOK was also present, the FSAK recommended, and the acting Area Security Coordinator (WHO) accepted, that all non-

essential staff of the UN (and NGOs) should nevertheless assemble at the relocation point, the Kristal Hotel in Kupang on 4 September. Some UN and NGO staff resisted this as unnecessary in the circumstances, and several non-essential staff remained at the UNHCR office.

#### *Precautions taken for Atambua*

41. A number of other organizations had reacted to security concerns in the last weeks of August, and taken precautions around the sensitive anniversaries. There had been concerns at reports of militia visiting houses in Kupang as well as Atambua. The CARE international staff member from Atambua had attended the inter-agency meeting in Bali on 30-31 August and stayed until after 4 September as a precaution. He flew back to Kupang on 6 September and was in the UNHCR office there to get a briefing before proceeding to Atambua when he heard of the attack. The CRS international staff member from Atambua was on route from Dili via Kupang to Atambua on 6 September when he heard in Kupang of the rising tensions in Atambua that morning.

42. ICRC had ceased their international presence in Atambua at the end of August, as they considered it was no longer warranted by the workload. Atambua was to be covered from Jakarta thereafter; a delegate from Jakarta arrived in Kupang on 6 September, intending to proceed to Atambua on 7 September for the first such visit. IOM had not had an international presence in Atambua since the demonstration at their office on 11 August, but had planned to re-establish an international presence in Atambua on 6 September. ARC, CFSI, IRC and Oxfam had international staff members in Atambua on 6 September. The WFP international staff member normally based in Atambua was standing in for the Head of Office in Kupang, but WFP was planning to send another international staff member to Atambua to assess warehouse capacity. UNICEF decided to keep a very low profile in Atambua during the week of 4 September and, accordingly, the single international staff member based there scheduled a mission to Ambon and had left the previous week.

43. While in Atambua at the end of August, the FSAK recommended further strengthening the defences of the office, organized a second ladder for the escape route over the back wall, and conducted a rehearsal of the use of that route. The office defences were later reinforced with barbed wire collected from the UNHCR field office in Batugade, East Timor, on 3 September by the FSOA and Pero.

#### *Approaches to security*

44. An inter-agency coordination committee (IACC) meeting was held in Jakarta on 4 September, chaired by the UN Resident Coordinator, who was also the DO for security. Security in West Timor was discussed at this meeting, the discussion beginning with the information that all UN staff in Kupang were being regrouped at the Kristal Hotel that day for security reasons. The RR suggested that looking at the situation entirely from a security point of view was not the right approach. After his 27-30 August mission to Kupang he had recommended a new approach and engagement with UNTAS, other pro-integration leaders in the camps and the refugees, and he outlined his thinking in light of his mission.

45. The Jakarta-based UN FSO on the DO's staff, who had returned from Kupang on 31 August, noted the responsibility of the Government to ensure the safety of the aid workers. He commented that it might be possible to involve UNTAS in an improvement

of security and access, but that there could be a political price. The RR repeated that he did not believe in a militarised approach to ensuring staff security, but acknowledged that some activities put the security of staff at risk.

46. The DO explained to the meeting that he had been considering raising the security level throughout West Timor in line with the UNHCR suspension of operations (which the RR had told the meeting had meanwhile been lifted), and the IACC agreed that the current security phases should remain unchanged. It is not clear what impact the new approach advocated by the RR had on return to Atambua.

#### *Threat assessments*

47. None of those interviewed by the team expected a deliberate murderous direct attack on a UNHCR office. Had any government had advance information of such an attack or of specific threats, and had they shared it with either the RR in Jakarta, UNHCR headquarters, or UNSECOORD in New York, it is likely that directives would have been given to significantly reduce the exposure of the UN, and UNHCR in particular, in West Timor. It appears that the diplomats most concerned by the security aspects of the decision to lift the suspension believed that the risks were rather in the camps or at roadblocks or to individuals outside the offices. UNHCR colleagues also shared this assessment of the likely risk.

#### **Conclusions on question (2)**

48. Against this background, ***the presence of so many UNHCR staff in Atambua at the start of the week of 4 September was not justified***. With very little actual work possible in Atambua, few staff were really essential in this period. While the movement of staff to Atambua the previous week can be understood in the context of a natural wish to return to their homes, and while the immediate security risks may have been higher in Kupang, these were not the only options. ***Non-essential staff should have been temporarily withdrawn from West Timor***. However, this was not the subject of a clear management decision but rather largely left to the discretion of the staff concerned. The manner in which the decisions to suspend and resume operations were taken was not satisfactory, and ***the decision to resume may have encouraged return to Atambua***.

49. There were many important distractions over this period. Preparations were underway for the inter-agency meeting in Bali on 30 and 31 August which itself was attended by key players from East and West Timor and Jakarta. Either the Deputy Regional Representative or the RR were in Kupang each day from 26-30 August, with a series of important meetings with not only UNHCR staff but the Governor, Vice-Governor, UN agencies, NGOs, militia, political leaders and others. Intensive meetings continued thereafter and several required written follow-up. An unprecedented written apology for the Kefa incident was received as promised from the Governor on 30 August, but his staff and others continued to criticize strongly UNHCR's response to the incident even after the decision to resume was announced to them. The threats to UNTAET were a major preoccupation, while the pressures on UNHCR with regard to food for urban dwellers increased in both Kupang and Atambua. The AHOK was summoned to the Governor's office at 1130 on 4 September for a meeting on this subject. At the same time, UNHCR was seeking to build on recent discussions with UNTAS regarding local integration: there were meetings on this subject in Kupang with UNTAS at 1300 on 4 September and with government officials on 5 September.

50. What was seen as a successful meeting had been organized in Atambua by the police chief on 2 September with representatives of the local authorities and population, refugees, militia and UNHCR and its partners. In this meeting the HOA had explained in detail UNHCR's approach and, it was felt, cleared a number of misunderstandings. Taking this and the peaceful passage there of the anniversaries, by 5 September some colleagues in Atambua felt that the situation would soon start to improve, and that they would again have real work to do.

### **(3) UNHCR's presence in the office in Atambua on 6 September**

#### *Critical event*

51. In the afternoon of 5 September, the leader of the Laksaur militia, Olivio Mendonça "Moruk" (OMM), was murdered in his home village some 60 km south of Atambua (close to Betun). News of this, and the fact that his body had been mutilated and that his head was missing (of particular significance in the culture), quickly reached Atambua. The HOA heard it around 1930 that evening. There was a rumour that UNHCR had paid large sums for the murder. The team found no evidence that anyone in UNHCR was aware of this rumour, or of the reports that a "UN" white vehicle had been seen near OMM's home before the murder, until after the attack on the UNHCR office. By early the following morning it was known that OMM's followers were coming in procession to Atambua with the body, which it was understood would be presented to the local peoples' assembly (the DPR). The convoy was reported to number about 3,000 persons.

#### *The response*

52. Since 5 September, the attention of the FSOA, who worked from the UNHCR office in Atambua, had been largely focused on a group of people who had threatened both CARE and CRS while demanding food, and on the prospect of demonstrations in Atambua on 6 September if these demands were not met. Before going to the UNHCR office on 6 September, he went to CRS to follow up on this problem. At that time, neither he nor CRS was aware of the murder of OMM. The FSOA arrived at UNHCR before 0830 and was briefed by the HOA on the murder and asked to go to the TNI sector compound and take the advice of the Commander of the Border Security Forces, on what should be UNHCR's response. The FSOA discussed this through an interpreter. The FSOA clearly recalls being assured by the Border Commander that the demonstration would be a peaceful protest against the authorities, and that TNI troops would limit the number of demonstrators allowed into town. From the Border Commander's office, the FSOA used his VHF handset to recommend to the HOA that all UN and NGO vehicles outside Atambua should be recalled, that UNHCR should reduce to minimum essential staff in the office, and that UNHCR cars should be moved to the TNI compound for safety. This advice was accepted by the HOA, and the FSOA then heard Pero on the UNHCR radio calling vehicles back, and an acknowledgement from the IRC international staff member. The FSOA said that this was the only such recall he was aware of in the nine months he was based in Atambua.

53. The HOA instructed a national staff member to monitor developments in the town, using his motorcycle and reporting on VHF. From him and from other sources, the HOA, FSOA and other colleagues in the office received reports of a build up of militia in town, some carrying empty bottles and weapons. It was not clear to the HOA and FSOA whether this build up was linked to the possible demonstrations over food or to the

convoy on route from Betun. Government offices, shops and schools were closing and people leaving for their homes. Parts of the town were becoming unusually quiet and traffic free. From mid-morning, colleagues in the office were also following the progress of the convoy from the Betun area on a local amateur radio frequency: persons on the convoy were in communication with persons in Atambua. Some time after 1100, Pero left the office briefly for his residence nearby to collect a radio that could better monitor this frequency. From these exchanges it was learnt that persons on the convoy had “sticks” and bottles and kerosene. In such a context, the Indonesian word for sticks was a well-known euphemism for weapons.

54. The office was guarded by four policemen and six auxiliary police (some of whom were originally from East Timor). Memories differ as to whether the four policemen were armed. There was also one UNHCR-funded guard, who fetched the second in the course of the morning but who himself left before the attack. The policemen were also monitoring the progress of the convoy on a radio.

55. Recollections of the timing of some key events that morning are not fully clear or consistent, but at around 1000 a warning to evacuate the UNHCR office was passed through the police on the gate. On hearing of the warning, the HOA tried to call the Border Commander but could not reach him. He then called the Belu District Police Chief, but was told he was not available and to call back later. He then called and spoke in Indonesian to the TNI Belu District Commander. The HOA told him that UNHCR had been informed by the police of a large demonstration on route for Atambua and advised to leave the office, and asked for advice. The HOA clearly recalls being told by the Belu District Commander that UNHCR did not have to worry; UNHCR was not the target, the demonstration would go to the DPR and that the organizers had promised it would be peaceful.

56. The HOA then called back the Belu District Police Chief and asked him the same question, noting that the recommendation to leave the office had come from the police chief's own officers at UNHCR. The HOA recalls the reply clearly: the police chief said that evacuation would not be necessary, the demonstration would be in front of the DPR, not UNHCR, and the police would try and make it peaceful. The next direct contact between UNHCR and the police station appears to have been just before the attack. The phone rang in the radio room and was answered by the national colleague who was there interpreting the exchanges on the amateur radio frequency for Pero. The call was from the Atambua police station, and the colleague recalls instructions to the effect of “tell all staff to leave the compound immediately if possible”. He replied that he would pass this message to the HOA. As he went to do so, the attack began.

57. Between 0930 and 1000, the HOA advised non-essential staff, both international and national, to return to their residences or hotels. This was an advice, not an order: at least one national colleague who was advised to leave remained in the office. Pero and Samson were both considered essential. Carlos, who had earlier been interviewing refugees, was advised by the HOA to go home but chose to stay. His house was in an area some distance from the office and considered less secure (it was ransacked after the attack on the office by persons who were looking for him).

58. Around 1000-1015, the HOA gave instructions to transfer all vehicles except two to the police station. Normally cars would have been sent to either the Police or the TNI compound for safe keeping, but that day the HOA decided on the police compound in

view of its proximity to the office, in case the vehicles were needed in a hurry. When the drivers arrived at the police station, they were told by the police that the five vehicles were too visible and four were moved to the TNI compound. One white UNHCR vehicle and one grey OCHA vehicle (FSOA's) were kept at the UNHCR compound.

59. During the course of the morning the question of whether to stay or leave the office was clearly in the minds of many colleagues, but only two national colleagues left after the initial departures that took place as a result of the first advice of the HOA. At about 1100, the HOA came to the table around which a number of international and national colleagues were seated (some were monitoring the amateur radio exchanges), and asked them whether they wanted to stay or leave.

#### *The reaction in Kupang*

60. The FSAD learnt of the murder of OMM on arrival at the Kupang office at about 0830, and soon thereafter had a long call from the HOA, who said he felt that things in Atambua would be all right. The FSAD spoke to the FSAK, who felt that there would be trouble. The FSAD called the FSOA at about 0930, who said things still appeared peaceful and briefed him on the meeting with the Border Commander. The FSOA called the FSAD at about 1030, reporting that it appeared things might not remain peaceful. He mentioned persons in Atambua with knives and bottles, but said that he still felt things should be all right. The FSAD advised him to reduce to minimum essential staff, and expressed concern about the two cars still at the UNHCR compound. The AHOK had tried to call the HOA before leaving for a meeting at the Governor's office in follow up to the Kefa attack.

61. When the AHOK returned to the Kupang office sometime after 1100, he heard of the size of the convoy on route for Atambua, and immediately spoke to the FSOA there, who confirmed the scale of the planned demonstration, and also that some persons with broken bottles had already been seen in town. The AHOK asked what the staff in the Atambua office would do if surrounded, and whether relocation to the TNI compound had been considered. The FSOA said that he still felt relocation might not be necessary. There was discussion of the possibility of evacuating from Atambua, but the FSOA said that the only way out would be by helicopter. The AHOK then spoke to the HOA and asked him if he himself had spoken to the TNI Border Commander, and was told that the Commander was not available. The HOA briefed the AHOK on his telephone conversations with the TNI Belu District Commander and the Belu District Police Chief, and confirmed that he felt that they would probably be all right in the office.

62. Both the AHOK and FSAD were increasingly concerned by what they heard from Atambua. The AHOK asked a colleague to telephone the overall TNI commander (Commander IX MAC, a major general) at his headquarters in Denpasar, Bali. The general agreed that the UNHCR staff should go to the TNI compound if there was a problem. After being briefed on this call, the AHOK informed the RR in Jakarta of his concerns and of the call to the general. The AHOK asked the FSAD whether there was anything more they could do from Kupang. The FSAD advised him that there was nothing more they could do: by that time, he felt second-guessing those on the spot could itself be dangerous.



### *The attack and evacuation*

63. Three local staff had fetched lunch boxes for those in the office. During lunch, which started around 1120-1130, staff had heard over the amateur radio frequency that some 30 minutes later the convoy would arrive in town. They had therefore, at the request of the HOA, moved to the back of the office in case evacuation would be required. The HOA requested the FSOA to monitor the front of the office from behind the window in the office. The Protection Officer and Field Officer were also inside as they had been putting up plywood on the windows. Pero was at the radio, Carlos was on the e-mail computer and Samson was on the phone. Shortly before the attack began, a group of motorcycles from the front of the convoy stopped outside the office.

64. The attack began at about 1219, the time recorded by the radio operator in Kupang who was then in communication with Pero on HF. When it began there were eight international and some ten local staff present in the UNHCR compound. When the militia entered the compound, the Protection Officer was in the office. As he saw the militia through the window, he shouted "they are here" and ran to the back of the office. As he passed the radio room he noticed that Pero was talking on the radio. The Protection Officer saw Carlos running out the conference room, shouting that the office was being attacked. He thinks that Carlos must have run back to the conference room.

65. The FSOA told the colleagues inside the office to evacuate as soon as he saw the militia starting to throw stones. Watching the gate from the generator house, the HOA could see one attacker already in the compound and others climbing over the gate. The HOA instructed those in the compound to evacuate. Colleagues from inside the office were already running to the ladders. From interviews with the Atambua colleagues, it is clear that the violent assault on the compound came as a surprise to all those present.

### *Further attacks*

66. There seems broad agreement that the attacks came in three waves. A witness who saw part of the first attack said that as the militia started throwing stones at the office, others who had been in front of the DPR office joined them. After this first attack, militia burned the UNHCR flag outside the office and ran with the Indonesian flag back to the DPR office (it was flown at the office alongside the UNHCR flag). Around this time, the witness was informed that Pero had been killed. (Kupang lost radio contact with Pero shortly after 1219, just after he was heard to say "we are being stoned", or perhaps "stormed".) The HOA heard some automatic gunfire in the compound immediately after he had climbed the wall and hid in the kitchen of a house behind the office.

67. Some 5 minutes later, militiamen came back to the office and launched a second attack. This was confirmed by the HOA, who heard it from his hiding place close by. Another witness saw Samson coming out of the building and go towards the crowd. He thought Samson was trying to pacify them; he heard him say "calm down, let's talk". He saw one person suddenly emerge from the crowd and stab Samson in the stomach with what appeared to be a sword. None of those interviewed by the team was aware of the circumstances of Carlos's death; he was last heard on the radio at around 1300. Some thirty minutes after the second attack, there was a third. It was then that the bodies of the three colleagues were reportedly taken out of the office and burned. Office furniture and the UNHCR car were also burned in front of the office. One witness estimated that the attacks took place over some 45 minutes to one hour.

68. The staff who managed to flee the office ran to different locations for hiding. Some stayed for more than two hours in houses close to the UNHCR office. All confirmed that the militia were looking for UNHCR international and national staff, even hours after the attack, when small groups of militia were still roving around town, searching hotels and threatening to burn private houses if there were UNHCR staff inside. During the attack itself there was clear indication that the militia were looking for UNHCR staff with murderous intent. In front of the office people were heard shouting “where are they, burn the office, kill them all”. One witness informed the team that militias in trucks and on motorcycles who were driving around town told people not to be afraid as they were only looking for white people. Colleagues in hiding heard people shouting “where are those people from UNHCR” and “finish them”. On 7 September, militia visited the houses of national staff and threatened their families.

### *Warnings*

69. In examining the circumstances that led to so many staff being in the office at the time of the attack, it is necessary to review the question of warnings. In a meeting in Kupang on the evening of 6 September, the NTT Police Chief said that the police had escorted some ten persons to safety from the UNHCR office and had warned the three who were killed to leave but they had refused. The Government gave similar information to the Security Council on 19 and 29 September.

70. On 26 October, the NTT police authorities gave the team a copy of an English-language summary of an internal police investigation. As recorded in the summary, the statements of the UNHCR guards (both of whom were interviewed by the team), police at the office and two policemen who had direct contact with the office are all broadly consistent with other information given to the team. It is not clear whether the police at the gate passed on two separate warnings, or whether one was a transmission or follow up of the other. The policeman in charge stated that he continued to try and persuade UNHCR staff to leave the office after the initial warning was given.

71. According to this summary, in their contacts with the HOA and FSOA, the Border Commander and the Belu Police Chief had suggested that UNHCR should not work that day and should leave the office. The Belu Police Chief’s statement says that he recommended an immediate move to his police station for protection. The conclusion of the summary, on the basis of the statements of the witnesses and a discussion section, is that if UNHCR had followed the suggestions of the police there would not have been any victims among the UNHCR staff, and that the Chief of Police and his staff had tried to do their best to avoid something that had not been expected, but could not do anything in the face of so many demonstrators.

### *Conclusions on warnings*

72. If, notwithstanding the recollections of the HOA and FSOA, any clear and direct warnings were indeed given to either the HOA or the FSOA by senior officers of the TNI and police in Atambua, this would be of critical importance. The team has given long and exhaustive consideration to this question, which was identified as critical at the start of the inquiry. The team has concluded that ***no clear warnings were understood by either the HOA or the FSOA and nor was any clear and timely indication given to them of the potential gravity of the situation by those with overall responsibility for their safety.***

### *Options and assessments*

73. Well before 6 September, the first emergency evacuation choice, by road to East Timor, was foreclosed because of the militia roadblocks on the route. The first stretch of the road to Kefa and Kupang, the second choice, is the same as the road to Betun, up which the convoy was advancing, and there was a known militia stronghold at the junction. This route was an increasingly risky option in a short window of opportunity. The airport was close to known militia strongholds, and neither a fixed-wing nor a helicopter pre-emptive evacuation was a realistic option. While the majority of international staff probably believed that morning that the office was safer than their residences, there seems to have been general agreement that the TNI compound - the third evacuation choice identified in the plan - was relatively the safest place in Atambua.

74. A key assessment was whether or not the demonstration was likely to be peaceful. The FSOA appears not to have understood that there was information from the amateur radio exchanges that persons on the convoy were armed. He told the team that had he realized that the demonstration would probably not be peaceful, he would have recommended full evacuation to the TNI compound. The HOA told the team that he only realized that there were arms in the convoy late in the morning. Until the actual attack was launched, he still expected that any demonstration would be largely peaceful, and had been considering in his own mind the possibility of going out to reason with the leaders if they tried to force the gate. Since the arrival of the East Timorese, it was also not unusual for sudden rumours to sweep Atambua, and offices, schools and shops to close.

75. However, while there were national staff of both UNHCR and other humanitarian organizations who did not expect trouble, there were others who felt serious trouble was inevitable from the moment that they heard of the death and mutilation of OMM's body and of the planned demonstration. On the information that should have been known at the time, there was a clear balance of probability that the demonstration would be hostile, and that UNHCR, as in the past, would be a likely focus of that hostility.

76. There are clear indications that as time passed, and both the likelihood of trouble mounted and the risks that would be run in leaving the office for the TNI compound increased, the HOA and FSOA were preparing for a possible attack on the office. Windows were boarded, curtains drawn, the ladders at the back wall readied and, finally, staff positioned near them. It appears that most staff expected stone-throwing and material damage at worst: a fright, not flight for their lives. This, the team believes, was the expectation of Carlos as he sent his e-mails that morning. The FSOA told the team that Carlos was typing when he told him to run. Carlos replied he was just finishing. Unlike others with much of the same core text, the last e-mail Carlos sent ended "I need to go now, I hear screaming outside".

### **Conclusions on question (3)**

77. The team has reviewed at length why so many colleagues, some of whom were concerned for their security, stayed until it was too late, and long after they had substantive work to do in the office. Samson probably stayed out of a sense of duty and because he too did not anticipate what might happen: colleagues close to him said that he was an experienced field person, and not one to take unnecessary or foolhardy risks. The FSOA says that Samson replied, "you go" when told to get out, and it is probable that he realized that he could not make it over the wall because a health problem had restricted

his mobility. Pero would have been expected and wished to remain at his post as long as the whole office was not evacuated.

78. The Atambua international staff saw themselves as a close-knit team, one that worked more on consensus than through direction. Even some who may well have preferred to leave the office told the team that it was a collective decision to stay, which they supported. Both the HOA and the FSOA were reacting to and following what they understood was the advice of their closest counterparts, not acting to anticipate events. While they should have been left in no doubt by their closest counterparts, the team considers that this was a situation in which the adage “when in doubt, evacuate” was clearly applicable. The TNI was the obvious destination for all the international staff, including those who had left the office when requested to or when given the option. With the benefit of hindsight, the TNI compound was also the best location for national staff, but that was less obvious at the time.

79. In the team’s opinion, ***faced with a very difficult situation, the HOA and FSOA made a serious error of judgement in not insisting on evacuation to the TNI compound*** before the convoy arrived in Atambua. While even that location would not necessarily have been safe, it was the safest in Atambua. Warnings from the authorities were not a necessary condition for a decision to evacuate. ***But it was reasonable to expect both a much clearer indication of the danger from the most senior TNI and police officers present and action by these officers to ensure that all staff had left the office before the attack***

## 5. SUMMARY OF CONCLUSIONS

80. The team believes that while UNHCR had a commitment to be present in West Timor, there were clear indications that the number of international staff there from mid-August was too high. Specifically, there was no justification for as many international staff to have been in Atambua in the first week of September. A consensual rather than disciplined approach to staff movements and security at a critical time was a key factor in allowing this to happen, largely by default, as it was in the failure to evacuate the office in Atambua before it was attacked. One mechanism that would have been an important element in ensuring a coherent strategic and overall view of the UNHCR operation was not in place. There was no single dedicated operational manager for the Timor operation, such as would also have provided what should have been a “fail safe” oversight on staff security. Another mechanism that was theoretically “fail safe”, the SMT system, itself failed, though it is a premise of this inquiry that UNHCR should first and foremost rely on the proper discharge of its own operational responsibilities for the security of its staff.

## 6. RECOMMENDATIONS

81. The recommendations that follow are predicated on the assumption that in the discharge of its mandate UNHCR will continue to be called upon to operate in insecure environments. UNHCR must therefore take every possible measure to assess and reduce the risks to its staff and partners. The recommendations are not West Timor specific. Some are common to this and the Guinea inquiry reports. In view of the concurrent work of the task force on security, they are high-level, not detailed, and not intended to be comprehensive.

(1) Decisions on starting such operations must be based on a thorough assessment of the risks, the degree to which running these risks may be warranted by humanitarian imperatives, and the political context. This assessment should be formally recorded. The nature of the risks should be explicitly identified: particular caution should be exercised in situations where, as in West Timor, UNHCR is viewed with hostility by those who may cause staff harm or who are themselves responsible for ensuring law and order and security, and in environments where sudden and violent brutal acts are known to occur. Consideration should be given to formally categorizing such situations.

(2) Field operations should not be started until the necessary security measures, including mobile and fixed communications, staff, including security staff, with the right training and experience and properly briefed on the security environment, and the necessary staff support are all in place. (This was not the case at the start of the West Timor operation, and for a number of staff who did have relevant experience, West - and East - Timor followed several consecutive high risk and stressful assignments or missions.)

(3) Security-based decisions on suspension and resumption of operations should be subject to proper analysis and consultation, and the reasons for the decision taken should be recorded at the time. Communications with respect to such decisions should be carefully managed.

(4) Complex operations in an insecure environment should be managed by a single senior manager with no other responsibilities, based within the region. Ensuring ongoing review of the security situation in its wider political context should be an explicit responsibility of this manager. In larger operations, the manager should be supported by human resource management professional(s) with responsibility for supporting staff and for monitoring their ability to handle insecurity and stress and their continued suitability for work in stressful environments (as distinct from personnel administration responsibilities). Staff should always be in a position to share concerns about their personal security with the management. Staff who reasonably feel themselves to be in a situation of danger and who ask to leave should be temporarily relocated.

(5) At each management level within an insecure environment, developments, information and intelligence affecting staff security should be monitored and analysed on a regular and where necessary day-to-day basis. Information gathering should draw on those with the best understanding of the local situation both within and outside UNHCR. Particular attention should be paid to situations, like West Timor, where UNHCR's access to the refugees is limited and where association with UNHCR may be, or be perceived to be, a liability for its partners.

(6) Discipline and accountability with regard to security should be markedly increased. The responsibility, authority and ability of the Heads of all offices to take timely action in the face of security threats must be reinforced, including through training. The role of UNHCR security staff should be adapted to the situation. Where necessary, they should make formal recommendations to the Head of office concerned. That Head of office should retain the option not to follow the recommendations, but in such circumstances should formally record his or her reasons.

## 7. CONCLUDING OBSERVATIONS

82. This report has perforce focused on what went wrong within UNHCR, and what UNHCR could and should have done that might have prevented the tragedy. Many things went right. The repatriation of so many persons to East Timor was a remarkable and necessary achievement in the face of, at times, almost insurmountable odds. Many sound security measures were in place, and even reinforced in the days before the tragedy. The great majority of those interviewed, from outside and inside UNHCR, believe that UNHCR in West Timor took their security, and that of their partners, very seriously.

83. That UNHCR should have taken further measures does not, of course, alter the fact that the tragedy was not of UNHCR's making. Responsibility lies with the perpetrators and instigators of the attack, and with the Government, which demonstrably failed to discharge its primary responsibility for the safety and security of UN personnel.

84. The inquiry highlighted for the team acts of considerable bravery by UNHCR staff and by the local population, some of whom risked their own lives to save those of UNHCR and other humanitarian workers. Recommendations are being made outside the framework of this report to ensure that where possible due recognition is given by UNHCR to those concerned.

85. While outside the immediate scope of the inquiry, the team considers that the instinctive decisions to evacuate all who so wished were commendable, as was the handling of the immediate post-evacuation period, and the support given to the international colleagues most affected by the events. Initial support to national colleagues so affected was good. There appears, however, to be a need for standardized procedures, and where necessary contingency plans, to ensure administrative support for all staff where evacuations are prolonged. As staff may become dispersed and responsibility fragmented otherwise, a single person should have overall responsibility for this support throughout the period of evacuation.

86. Each of the inquiry team, from our different perspectives, began work with an incomplete understanding of the context and events, but a feeling that there probably had to have been evident and basic failures on UNHCR's part for three colleagues to lose their lives in the circumstances as we then understood them. We finished our work with, we believe, a good understanding of a context that was highly complex, and of what happened and the circumstances. We now see that why it happened was less obvious, and less the result of simple failures, than we expected. Given the time available and the constraints, ours is not the complete account. It is, we believe, as fair an account as was possible.

**ABBREVIATIONS**

AHOK	Acting Head of the UNHCR Sub Office in Kupang
ARC	American Refugee Committee
CFSI	Community and Family Services International
CRS	Catholic Relief Services
DO	Designated Official for UN Security
DPR	Dewan Perwakilan Rakyat (Belu District People's Assembly)
DRB	Director of the UNHCR Regional Bureau for Asia and the Pacific
FSAD	UNHCR Field Safety Adviser on mission to West Timor from Dili
FSAK	UNHCR Field Safety Adviser in Kupang
FSOA	UNSECOORD Field Safety Officer in Atambua
HOA	Head of the UNHCR Field Office in Atambua
HOK	Head of the UNHCR Sub Office in Kupang
IACC	Inter-Agency Coordination Committee
ICRC	International Committee of the Red Cross
IOM	International Organisation for Migration
IRC	International Rescue Committee
MOU	Memorandum of Understanding
NGO	Non Governmental Organisation
NTT	Nusa Tenggara Timor province
OCHA	Office for the Coordination of Humanitarian Affairs
OMM	Olivio Mendonça "Moruk"
RR	UNHCR Regional Representative based in Jakarta
SMT	Security Management Team of the UN
SRSG	Special Representative of the Secretary General for East Timor
TNI	Indonesian Army
UNSECOORD	UN Security Coordinator
UNTAET	UN Transitional Administration for East Timor
UNTAS	Uni Timor Aswain (Association of Timorese Knights)

