

106TH CONGRESS  
1ST SESSION

# H. CON. RES. 97

Urging the prohibition on military assistance and arms transfers to the Government of Indonesia until the President certifies that the Government of Indonesia is no longer arming, financing, or supporting paramilitary units in East Timor and has taken certain other actions relating to East Timor, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 5, 1999

Mr. KENNEDY of Rhode Island (for himself, Mrs. LOWEY, Mr. LANTOS, Ms. MCKINNEY, Mr. EVANS, and Mr. HALL of Ohio) submitted the following concurrent resolution; which was referred to the Committee on International Relations

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## CONCURRENT RESOLUTION

Urging the prohibition on military assistance and arms transfers to the Government of Indonesia until the President certifies that the Government of Indonesia is no longer arming, financing, or supporting paramilitary units in East Timor and has taken certain other actions relating to East Timor, and for other purposes.

1       *Resolved by the House of Representatives (the Senate*  
2       *concurring),*

### 3   **SECTION 1. SHORT TITLE.**

4       This concurrent resolution may be cited as the “East  
5   Timor Paramilitary Accountability Resolution”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds the following:

3 (1)(A) Paramilitary violence in East Timor has  
4 escalated significantly beginning in November 1998.

5 (B) Since then, some 10,000 civilians have fled  
6 from the countryside to seek refuge in churches,  
7 schools and private homes.

8 (C) Incidents of rape, beatings, torture and dis-  
9 appearance have been reported frequently.

10 (2) Indonesia invaded East Timor on December  
11 7, 1975, and has illegally occupied that nation for  
12 more than 23 years.

13 (3) The Indonesian occupation has claimed the  
14 lives of over 200,000 East Timorese—fully a third  
15 of the population—in massacres, by torture, and  
16 through forced starvation.

17 (4) The Indonesian military (ABRI) and elite  
18 units like the Kopassus special forces have carried  
19 out a systematic reign of terror in East Timor, num-  
20 bering over 21,000 troops according to ABRI docu-  
21 ments from September 1998.

22 (5) East Timorese Bishop Carlos Ximenes Belo  
23 and diplomat Jose Ramos-Horta were jointly award-  
24 ed the Nobel Peace Prize in 1996 for their acts of  
25 courage on behalf of their people.

1           (6)(A) On May 21, 1998, 33 years after he  
2 seized power in a bloody coup, Indonesian dictator  
3 Suharto was forced to resign in the wake of mass  
4 pro-democracy protests and a severe economic crisis.

5           (B) His handpicked successor, B.J. Habibie, as-  
6 sumed the presidency.

7           (7) In June 1998, Indonesian President  
8 Habibie, in a striking change of policy, introduced a  
9 plan for autonomy for East Timor, but excluded  
10 East Timorese control over the military, foreign pol-  
11 icy and currency, and a referendum on self-deter-  
12 mination.

13           (8)(A) In July 1998, the United States Senate  
14 unanimously adopted a resolution supporting East  
15 Timor's right to a referendum on self-determination.

16           (B) In October 1998, the United States Con-  
17 gress went on record as supporting self-determina-  
18 tion for East Timor in a provision included in the  
19 Omnibus Consolidated and Emergency Supplemental  
20 Appropriations Act, 1999.

21           (9) On January 27, 1999, Indonesian President  
22 Habibie offered that Indonesia would consider Indo-  
23 nesian withdrawal from East Timor as a "second  
24 option" for East Timor if the majority of its people  
25 were to reject his autonomy plan.

1           (10) In February 1999, jailed East Timorese  
2           resistance leader Xanana Gusmao was moved from  
3           prison to house arrest.

4           (11)(A) Also in February 1999, Secretary of  
5           State Madeleine Albright met with Gusmao, as well  
6           as Indonesian officials, during a visit to Jakarta.

7           (B) Afterward she praised Gusmao's character,  
8           and expressed United States support for several of  
9           the steps necessary for a peaceful transition in East  
10          Timor including an international monitoring pres-  
11          ence and the disarming of Indonesian-backed para-  
12          military units as soon as possible.

13          (12)(A) The United Nations, under Secretary  
14          General Kofi Annan, has sponsored a series of talks  
15          between Portugal and Indonesia on East Timor's po-  
16          litical status.

17          (B) In February 1999 these talks yielded a ten-  
18          tative agreement to hold a United Nations-sponsored  
19          ballot in East Timor to determine East Timor's re-  
20          jection or acceptance of an Indonesian autonomy  
21          plan.

22          (13)(A) On April 6, 1999, over 25 internally  
23          displaced persons were attacked and killed by ma-  
24          chete-wielding members of the paramilitary unit Besi

1       Merah Putih, while members of the Indonesian mili-  
2       tary (ABRI) assisted.

3           (B) The number injured is still unknown, but  
4       the Indonesian Government has apparently ob-  
5       structed attempts to deliver international humani-  
6       tarian assistance.

7           (14) The United States Congress has placed  
8       high hopes in the beginnings of a democratic process  
9       in Indonesia, especially the June 7, 1998, elections,  
10      and has issued support and funding to assist in that  
11      process.

12          (15) If parliamentary elections, widely perceived  
13      as completely illegitimate in East Timor, are allowed  
14      to proceed in the occupied territory, and if para-  
15      military units are not disbanded, violence in East  
16      Timor is likely to further destabilize the overall envi-  
17      ronment in Indonesia and diminish the likelihood of  
18      genuine democratic reform.

19          (16) Despite the April 21, 1999, signing of an  
20      agreement on a ceasefire by East Timorese resist-  
21      ance representatives, paramilitary leaders, and the  
22      Indonesian military (ABRI) commander in East  
23      Timor, paramilitary violence has not lessened.

1           (17) Another brutal attack was waged against  
2           civilians in the area of Suai on April 22, 1999, and  
3           more than 8 individuals were killed.

4           (18) On April 23, 1999, United Nations talks  
5           yielded a tentative agreement that is expected to be  
6           signed on May 5, 1999, in New York.

7           (19) Any such agreement must be followed with  
8           a free and fair vote, United Nations and other inter-  
9           national monitors, and the disarming and disbanding  
10          of the paramilitary units.

11   **SEC. 3. DECLARATION OF POLICY.**

12          The Congress declares that the United States will no  
13          longer accept, condone, finance, or supply the Indonesian  
14          military occupiers, nor their proxies, the paramilitary civil-  
15          ian militia units, in East Timor.

16   **SEC. 4. SENSE OF THE CONGRESS RELATING TO VIOLA-**  
17                           **TIONS OF HUMAN RIGHTS IN EAST TIMOR.**

18          It is the sense of the Congress that the Secretary of  
19          State and the Secretary of Defense should take an active  
20          and visible role in urging the Government of Indonesia and  
21          the Indonesian military—

22                (1) to permit an international investigation of  
23          the massacre at Liquica; and

1           (2) to bring to justice those individuals respon-  
2       sible for gross violations of internationally recog-  
3       nized human rights in East Timor.

4 **SEC. 5. SENSE OF THE CONGRESS RELATING TO PROHIBI-**  
5 **TION ON UNITED STATES MILITARY ASSIST-**  
6 **ANCE AND ARMS TRANSFERS TO THE GOV-**  
7 **ERNMENT OF INDONESIA.**

8       (a) PROHIBITION.—It is the sense of the Congress  
9       that United States military assistance and arms transfers  
10      should not be provided to the Government of Indonesia  
11      unless the President certifies to the Congress that the  
12      Government of Indonesia—

13           (1) is no longer arming, financing, or sup-  
14      porting paramilitary units in East Timor, and ceases  
15      its own military attacks on civilians, separate from  
16      and together with these paramilitary units;

17           (2) has assisted in the successful disarming and  
18      disbanding of the paramilitary units in East Timor;

19           (3) allows free and open access to East Timor  
20      to a continuing United Nations presence, inter-  
21      national human rights and relief and development  
22      organizations, and the press; and

23           (4) has reduced substantially the Indonesian  
24      military (ABRI) troop presence in East Timor, as

1 the beginning of a United Nations-monitored with-  
2 drawal;

3 (b) UNITED STATES MILITARY ASSISTANCE AND  
4 ARMS TRANSFERS.—In this section, the term “United  
5 States military assistance and arms transfers” means—

6 (1) assistance under chapter 2 of part II of the  
7 Foreign Assistance Act of 1961 (relating to military  
8 assistance), including the transfer of excess defense  
9 articles under section 516 of that Act;

10 (2) assistance under chapter 5 of part II of the  
11 Foreign Assistance Act of 1961 (relating to inter-  
12 national military education and training or  
13 “IMET”), including military education and training  
14 for civilian personnel under section 541 of such Act  
15 (commonly referred to as “Expanded IMET”); or

16 (3) assistance under the “Foreign Military Fi-  
17 nancing” Program under section 23 of the Arms Ex-  
18 port Control Act (22 U.S.C. 2763) and the transfer  
19 of defense articles, defense services, design and con-  
20 struction services, or any other defense-related train-  
21 ing under that Act (22 U.S.C. 2751 et seq.).

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