

Calendar No. 401107TH CONGRESS
2^D SESSION**S. CON. RES. 109**

Commemorating the independence of East Timor and expressing the sense of Congress that the President should establish diplomatic relations with East Timor, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 9, 2002

Mr. CHAFEE (for himself, Mr. FEINGOLD, and Mr. REED) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations

MAY 23, 2002

Reported by Mr. BIDEN, with an amendment, an amendment to the preamble, and an amendment to the title

[Strike out the preamble and all after the resolving clause and insert the part printed in *italic*]

CONCURRENT RESOLUTION

Commemorating the independence of East Timor and expressing the sense of Congress that the President should establish diplomatic relations with East Timor, and for other purposes.

Whereas on ~~May 20, 2002~~, East Timor will become the first new country of the millennium;

Whereas the perseverance and strength of the East Timorese people in the face of daunting challenges has inspired the people of the United States and around the world;

Whereas in 1974 Portugal acknowledged the right of its colonies, including East Timor, to self-determination, including independence;

Whereas East Timor has been under United Nations administration since October, 1999, during which time international peace-keeping forces, supplemented by forces of the United States Group for East Timor (USGET), have worked to stabilize East Timor and provide for its national security;

Whereas the people of East Timor exercised their long-sought right of self-determination on August 30, 1999, when 98.6 percent of the eligible population voted, and 78.5 percent chose independence, in a United Nations-administered popular consultation, despite systematic terror and intimidation;

Whereas a constitution for East Timor was adopted in March, 2002;

Whereas East Timor is emerging from more than 400 years of colonization and occupation;

Whereas the East Timorese people again demonstrated their strong commitment to democracy when 91.3 percent of eligible voters peacefully participated in East Timor's first democratic, multiparty election for a Constituent Assembly on August 30, 2001, and when 86.3 percent of those eligible participated in the first presidential election on April 14, 2002, electing Xanana Gusamo as their first President;

Whereas, as the people of East Timor move proudly toward independence, many still struggle to recover from the scars of the military occupation and 1999 anti-independence violence that resulted in displacement which, according to United Nations and other independent reports, exceed 500,000 in number, and widespread death, rape and other mistreatment of women, family separation, large refugee populations, and the destruction of 70 percent of the country's infrastructure;

Whereas efforts are ongoing by East Timorese officials and others to seek justice for the crimes against humanity and war crimes that have been perpetrated in recent years, efforts that include the work of the Serious Crimes Investigation Unit of the United Nations and the East Timorese Commission for Reception, Truth, and Reconciliation to document and assess responsibility;

Whereas Indonesian National Human Rights Commission and United Nations Security Council recommendations to investigate and prosecute senior Indonesian military and civilian officials for their roles in promoting the 1999 anti-independence violence in East Timor have not yet been fully implemented;

Whereas, although the people of East Timor are working toward a plan for vigorous economic growth and development, the Government of East Timor will face a substantial shortfall in its recurrent and development budgets over the first 3 years of independence, and is seeking to fill the gap entirely with grants from donor countries; and

Whereas a large percentage of the population of East Timor lives below the poverty line, with inadequate access to health care and education, the unemployment rate is esti-

~~mated at 80 percent, and the life expectancy is only 57 years. Now, therefore, be it~~

Whereas on May 20, 2002, East Timor became the first new country of the millennium;

Whereas the perseverance and strength of the East Timorese people in the face of daunting challenges has inspired the people of the United States and around the world;

Whereas in 1974 Portugal acknowledged the right of its colonies, including East Timor, to self-determination, including independence;

Whereas East Timor was under United Nations administration from October 1999 through May 19, 2002, during which time international peace-keeping forces, supplemented by forces of the United States Group for East Timor (USGET), have worked to stabilize East Timor and provide for its national security;

Whereas the people of East Timor exercised their long-sought right of self-determination on August 30, 1999, when 98.6 percent of the eligible population voted, and 78.5 percent chose independence, in a United Nations-administered popular consultation, despite systematic terror and intimidation;

Whereas a constitution for East Timor was adopted in March, 2002;

Whereas East Timor is emerging from more than 400 years of colonization and occupation;

Whereas the East Timorese people again demonstrated their strong commitment to democracy when 91.3 percent of eligible voters peacefully participated in East Timor's first democratic, multiparty election for a Constituent Assembly on August 30, 2001, and when 86.3 percent of those eligi-

ble participated in the first presidential election on April 14, 2002, electing Xanana Gusamo as their first President;

Whereas, as the people of East Timor move proudly toward independence, many still struggle to recover from the scars of the military occupation and 1999 anti-independence violence that resulted in displacement which, according to United Nations and other independent reports, exceed 500,000 in number, and widespread death, rape and other mistreatment of women, family separation, large refugee populations, and the destruction of 70 percent of the country's infrastructure;

Whereas efforts are ongoing by East Timorese officials and others to seek justice for the crimes against humanity and war crimes that have been perpetrated in recent years, efforts that include the work of the Serious Crimes Investigation Unit of the United Nations and the East Timorese Commission for Reception, Truth, and Reconciliation to document and assess responsibility;

Whereas Indonesian National Human Rights Commission and United Nations Security Council recommendations to investigate and prosecute senior Indonesian military and civilian officials for their roles in promoting the 1999 anti-independence violence in East Timor have not yet been fully implemented;

Whereas, although the people of East Timor are working toward a plan for vigorous economic growth and development, the Government of East Timor will face a substantial shortfall in its recurrent and development budgets over the first 3 years of independence, and is seeking to fill the gap entirely with grants from donor countries; and

Whereas a large percentage of the population of East Timor lives below the poverty line, with inadequate access to health care and education, the unemployment rate is estimated at 80 percent, and the life expectancy is only 57 years: Now, therefore, be it

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

3 That (a) Congress—

4 (1) congratulates and honors the courageous
5 people of East Timor and their leaders;

6 (2) welcomes East Timor into the community of
7 nations as a sovereign state and looks forward to
8 working with East Timor as an equal partner;

9 (3) supports United Nations and other multilat-
10 eral efforts to support reconstruction and develop-
11 ment in East Timor, and United Nations and other
12 multilateral peacekeeping forces to safeguard East
13 Timor's security, including continuing the periodic
14 visits by United States military forces;

15 (4) remains committed to working toward a
16 debt-free start to East Timor and just, sustainable,
17 and secure development programs as well as ade-
18 quate resources for the judicial system for East
19 Timor for the foreseeable future beyond independ-
20 ence;

1 (5) expresses continued concern over deplorable
2 humanitarian conditions and an environment of in-
3 timidation among the East Timorese refugees living
4 in West Timor;

5 (6) strongly supports the prompt, safe, and vol-
6 untary repatriation and reintegration of East Timor-
7 ese refugees, in particular those East Timorese still
8 held in militia-controlled refugee camps in West
9 Timor, especially children separated from their par-
10 ents through coercion or force;

11 (7) expresses a commitment to maintaining ap-
12 propriate restrictions and prohibitions in law on
13 military assistance, training, relations, and technical
14 support to the Indonesian Armed Forces; and

15 (8) acknowledges that a United Nations Inter-
16 national Commission of Inquiry found in January
17 2000 that justice is “fundamental for the future so-
18 cial and political stability of East Timor”, and re-
19 mains deeply concerned about the lack of justice in
20 the region.

21 (b) It is the sense of Congress that the President
22 should—

23 (1) immediately extend to East Timor the dip-
24 lomatic relations afforded to other sovereign nations;

1 including the establishment of an embassy in East
2 Timor;

3 ~~(2)~~ maintain a robust level of United States as-
4 sistance for East Timor commensurate with the
5 challenges this new nation faces after independence;

6 ~~(3)~~ work to fund in a generous and responsible
7 way East Timor's financing gap in its recurrent and
8 development budgets, and coordinate with other do-
9 nors to ensure the budget gap is addressed;

10 ~~(4)~~ focus bilateral assistance on the areas of
11 employment creation, job training, rural reconstruc-
12 tion, micro-enterprise, environmental protection,
13 health care, education, refugee resettlement, rec-
14 onciliation and conflict resolution, and strengthening
15 the role of women in society;

16 ~~(5)~~ strongly urge the Government of Indonesia
17 to step up efforts to disarm and disband all militia,
18 hold them accountable to the rule of law, ensure sta-
19 bility along the border, and promptly reunite East
20 Timorese children separated from their parents
21 through coercion or force; and

22 ~~(6)~~ review thoroughly information from the
23 East Timorese Commission for Reception, Truth,
24 and Reconciliation, and use all diplomatic resources
25 at the disposal of the President to ensure that—

1 (A) those officials responsible for crimes
2 against humanity and war crimes against the
3 East Timorese people are held accountable; and

4 (B) the Government of Indonesia fully co-
5 operates with the East Timorese judicial sys-
6 tem.

7 *That (a) Congress—*

8 (1) *congratulates and honors the courageous peo-*
9 *ple of East Timor and their leaders;*

10 (2) *welcomes East Timor into the community of*
11 *nations as a sovereign state and looks forward to*
12 *working with East Timor as an equal partner;*

13 (3) *supports United Nations and other multilat-*
14 *eral efforts to support reconstruction and development*
15 *in East Timor, and United Nations and other multi-*
16 *lateral peacekeeping forces to safeguard East Timor's*
17 *security, including continuing the periodic visits by*
18 *United States military forces;*

19 (4) *remains committed to working toward a*
20 *debt-free start to East Timor and just, sustainable,*
21 *and secure development programs as well as adequate*
22 *resources for the judicial system for East Timor for*
23 *the foreseeable future beyond independence;*

24 (5) *expresses continued concern over deplorable*
25 *humanitarian conditions and an environment of in-*

1 *timidation among the East Timorese refugees living*
2 *in West Timor;*

3 *(6) strongly supports the prompt, safe, and vol-*
4 *untary repatriation and reintegration of East Timor-*
5 *ese refugees, in particular those East Timorese still*
6 *held in militia-controlled refugee camps in West*
7 *Timor, especially children separated from their par-*
8 *ents through coercion or force; and*

9 *(7) acknowledges that a United Nations Inter-*
10 *national Commission of Inquiry found in January*
11 *2000 that justice is “fundamental for the future social*
12 *and political stability of East Timor”, and remains*
13 *deeply concerned about the need to address those find-*
14 *ings.*

15 *(b) It is the sense of Congress that the President*
16 *should—*

17 *(1) maintain an appropriate level of United*
18 *States assistance for East Timor commensurate with*
19 *the challenges this new nation faces after independ-*
20 *ence;*

21 *(2) work to fund in a generous and responsible*
22 *way East Timor’s financing gap in its recurrent and*
23 *development budgets, and coordinate with other do-*
24 *nors to ensure the budget gap is addressed;*

1 (3) *focus bilateral assistance on the areas of em-*
2 *ployment creation, job training, rural reconstruction,*
3 *micro-enterprise, environmental protection, health*
4 *care, education, refugee resettlement, reconciliation*
5 *and conflict resolution, and strengthening the role of*
6 *women in society;*

7 (4) *strongly urge the Government of Indonesia to*
8 *step up efforts to disarm and disband all militia, hold*
9 *them accountable to the rule of law, ensure stability*
10 *along the border, and promptly reunite East Timorese*
11 *children separated from their parents through coer-*
12 *cion or force; and*

13 (5) *review thoroughly information from the East*
14 *Timorese Commission for Reception, Truth, and Rec-*
15 *onciliation, and use all diplomatic resources at the*
16 *disposal of the President to ensure that—*

17 (A) *those officials responsible for crimes*
18 *against humanity and war crimes against the*
19 *East Timorese people are held accountable; and*

20 (B) *the Government of Indonesia fully co-*
21 *operates with the East Timorese judicial system.*

22 Amend the title so as to read: “Concurrent resolution
23 commemorating the independence of East Timor, and for
24 other purposes.”.

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