

Mr. PELL. I thank the Chair.

RECENT RIOTS IN INDONESIA

Mr. PELL. Mr. President, I know we all have been saddened in recent days by reports of rioting and violence in Indonesia. Last weekend, the government cracked down on a political opposition group in Jakarta. Supporters of that group took to the street in protest and as a result, several people have been killed and over 200 arrested. The crack-down has reportedly been widened to include other known political activists including Muchtar Pakpahan, the head of the Indonesian Labor Welfare Union.

We also read this week that the military commander in Jakarta ordered his troops to "shoot on the spot" any protestors who are seen to be threatening the peace, a particularly disturbing development. I would urge the government in Jakarta to seek to negotiate and to work with the opposition forces in a peaceful manner, rather than calling on the military to quell any protests. This is the same approach I suggest in the report of my visit to Indonesia 2 months ago.

The root of the current problems is, I believe, the lack of an open political system in Indonesia. Two token legal opposition parties are allowed to exist, but they have little influence over policy. They cannot seriously challenge the ruling Golkar party. The current political and electoral systems are designed such that Golkar is assured of retaining power. But in the most recent parliamentary elections in 1992, Golkar unexpectedly lost a percentage of the parliamentary seats. Hoping for a trend, the two opposition parties were beginning to talk of making greater gains in the parliamentary elections scheduled for next year, although observers never thought either was likely to take the majority. This talk upset the government. Even though retaining ultimate political control was never in question, the government has reacted to even a slight loss in that control by calling on the military.

The government is centering its efforts on the Indonesian Democracy Party—or PDI—led by Megawati Sukarnoputri, the daughter of Indonesia's first president, Sukarno. Megawati had begun a very visible campaign in preparation for the parliamentary elections next year and indicated that she might challenge President Suharto in the presidential elections in 1998, a first for Suharto who has always been unopposed. In what appears to be a nervous reaction, the government allegedly orchestrated a coup within the PDI to force Megawati out of her leadership position. Her supporters took over the PDI headquarters and refused to leave until the military took over the headquarters this past weekend.

President Suharto has done much that is good for his country. Indonesia's population control program, for

example, is a model for the developing world. The country's economic development has been admirable and many U.S. companies benefit from their investments throughout the archipelago. But as the country has grown and developed economically, it comes as no surprise that certain elements of Indonesian society now want their country to grow and develop politically as well. The government's current approach to the threat of a serious political challenge—to arrange for Megawati's overthrow within her party, blame the riots on virtually extinct communist sympathizers, and threaten to shoot any protestors—I believe will both hamper Indonesia's continued economic development and cause great harm to our bilateral relationship. Internally, the Indonesian currency and stock market are beginning to fall.

For several months now the U.S. Government has considered selling F-16s to the Indonesian military. In light of the events in Jakarta, I urge the administration to rethink the wisdom of this sale. My own view is that we should not rush forward with a high-technology, glamorous weapon sale to a foreign military that is threatening to shoot peaceful protestors in the street. I am encouraged, Mr. President, by some signs that the administration is considering holding off on this sale.

Indonesia is poised to be one of the region's most important and influential countries. President Suharto has the chance now to accelerate that process by allowing for Indonesia's transition to modern political governance. He could follow the model of Taiwan, which transformed itself from a single-party, authoritarian regime to a thriving multi-party democracy without violence. Indonesia is more than ready to allow full-fledged, active opposition voices to publicly make their case to the people. I would urge the Indonesian Government to call back its military, deal peacefully with the opposition, and show the world it is indisputably ready for the 21st century.

RATIFICATION OF THE LAW OF THE SEA CONVENTION IS AN URGENT NECESSITY

Mr. PELL. Mr. President, the United States will shortly become one of the first and perhaps the first Nation to ratify the Straddling Fish Stocks Agreement. This agreement was approved by the Senate on June 27. I am very pleased that prompt Senate action on the Agreement enabled the United States to continue its leadership on international fisheries issues. The agreement will significantly advance our efforts to improve fisheries management. In effect, it endorses the U.S. approach to fisheries management and reflects the acceptance by other nations of the need to manage fisheries in a precautionary and sustainable manner.

That being said, Mr. President, in advising and consenting to ratification of

the Straddling Stocks Agreement, the Senate's work is only partially done. Having approved the Straddling Stocks Agreement, the next logical step for this body is to consider and pass the treaty which provides the foundation for the agreement, namely the United Nations Convention on the Law of the Sea. My purpose today is to highlight the connections between the two and to underscore the many benefits that will accrue to the United States if the Senate grants its advice and consent to ratification of the Law of the Sea Convention, a step that should have been taken long since, and I hope will come about shortly.

Prima facie evidence for the tight linkage between the Law of the Sea Convention and Straddling Stocks Agreement is found in the latter's title, the "Agreement for the Implementation of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to Fish Stocks." Clearly, the Agreement was negotiated on the foundation established in the Law of the Sea Convention. The connection between the two is made explicit in Article 4 of the agreement which stipulates that the agreement "shall be interpreted and applied in the context of and in a manner consistent with the Convention." Further, Part VIII of the agreement provides that disputes arising under the agreement be settled through the convention's dispute settlement provisions. Indeed, the Law of the Sea Convention establishes a framework to govern the use of the world's oceans that reflects almost entirely U.S. views on ocean policy.

Can the United States become a party to the agreement, but remain outside the Law of the Sea Convention? The answer is yes. The more important question is: Does this best serve U.S. interests? The answer to that question is no. Only by becoming a party to the Law of the Sea Convention can the United States maximize its potential gain from the agreement and protect its fisheries interests.

One way to do this is to ensure that U.S. views on fisheries management are represented on the Law the Sea Tribunal. That is the body which settles disputes arising under the agreement, and it is established in the Law of the Sea Convention. Not surprisingly, in order to nominate a judge to the tribunal, the United States must become a party to the Law of the Sea Convention.

A second way to ensure that U.S. gains are maximized is to ensure that our country's views on fisheries management are well represented in the convention processes themselves. To do this, we must be a party to the convention. The Straddling Stocks Agreement's provisions are to be applied in light of the convention. As the convention itself is an evolving, living document, the United States must be part of the dialogue that will affect not only the Straddling Stocks Agreement, but other oceans management policy.