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EAST TIMOR: A NEW BEGINNING?

JOINT HEARING

BEFORE THE

SUBCOMMITTEE ON ASIA AND THE PACIFIC

OF THE

COMMITTEE ON INTERNATIONAL RELATIONS

HOUSE OF REPRESENTATIVES

AND THE

SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

OF THE

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EAST TIMOR: A NEW BEGINNING?

THURSDAY, FEBRUARY 10, 2000

U.S. HOUSE OF REPRESENTATIVES, COMMITTEE ON INTERNATIONAL RELATIONS, SUBCOMMITTEE ON ASIA AND THE PACIFIC, JOINT WITH THE U.S. SENATE, COMMITTEE ON FOREIGN RELATIONS, SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS,

Washington, DC.

The Subcommittees met jointly, pursuant to notice, at 1:30 p.m., in room 2123, Rayburn House Office Building, Hon. Doug Bereuter [Chairman of the House Subcommittee on Asia and the Pacific] presiding.

Mr. BEREUTER. The Subcommittee on Asia and the Pacific meets today in session, jointly with the Senate Foreign Relations Subcommittee counterpart, to receive testimony on the political and economic future of East Timor in the aftermath of a string of historic events. It is uncommon for the House and Senate Asia-Pacific Subcommittees, or their equivalent names, to meet jointly, but these have been very uncommon times in East Timor, to say the least. That has resulted in our second joint hearing on the subject in just 5 months. I certainly want to warmly welcome Chairman Craig Thomas and other Senate colleagues who may join us.

I also want to thank the Commerce Committee, particularly Chairman Bliley and his staff, for making this hearing room available to us, since our major hearing room is under reconstruction at this moment.

I also want to indicate that the House Subcommittee on Asia and the Pacific will be holding a separate hearing entitled "Indonesia: Confronting the Political and Economic Crisis," next Wednesday afternoon at 1:30 in Room 2200 of the Rayburn Building. This back-to-back pair of hearings will allow the Subcommittee to devote the requisite amount of time and attention that East Timor and Indonesia each individually deserve. Today we will be concentrating on East Timor, and I serve notice to my House colleagues that I intend to try to avoid a focus on East Timor in the hearing next week. We need to spend an equal amount of time on Indonesian-American relations.

I have some comments that I will come back to now, but because there are pending votes in the House and the Senate, I will turn to Senator Thomas for any opening statement he might like to make at this point, and then comment further and turn it over to my colleague from California, Mr. Lantos. Senator Thomas?

Senator THOMAS. Thank you very much, Mr. Chairman. I, too, am pleased to be able to meet together. We have done that a couple

of times, both, interestingly enough, on East Timor. I guess that indicates some of the interest that we have in it.

Last September, of course, the outlook for Timor was pretty bleak. After the August plebiscite, 78 percent voted for independence, there was a great deal of problem with the Indonesian military unleashing a reign of terror designed to drive people from their homes and into the mountains and to West Timor. Unknown numbers were killed.

Thankfully, much of that pressure has changed, and by pushing from the international community, the Indonesian government requested U.N. assistance, stabilizing East Timor, had the International Force there, I think carried it out very well. I certainly want to express my appreciation for the role that Australia played in this mission.

Today the picture is somewhat brighter, I think. Military violence has ended. Generally, the U.N. has established hopefully a viable entity there to provide the transition. Some refugees have, as I understand it, begun to return. The Human Rights Commission has issued a scathing report on Indonesia's military. That is not resolved yet, but certainly has something to be said for it.

However, the job is not finished. The infrastructure for democracy cannot be established easily, and I think has not been established, lacks the basic rudiments of self-government. There are forces that see the situation, intend to destabilize it from the border on West Timor. I think there are going to be problems economically, certainly for attracting people to come there and be able to support themselves, so this is a challenge we face, certainly.

As you say, we are talking about East Timor today. However, that question is not in a vacuum. There are other issues with regard to Indonesia which may have a great deal to do with East Timor.

I am very pleased to be here today, and I am pleased to have our testifiers here, and who are more familiar with the situation than we, and that is the purpose. So thank you, Mr. Chairman. I look forward to the testimony.

[The prepared statement of Senator Thomas appears in the appendix.]

Mr. BEREUTER. Thank you very much, Senator Thomas.

We last met on the subject of East Timor on September 9th, and murder and mayhem in East Timor were dominating headlines around the world. The Indonesian military, in particular, appeared to have been deliberately unwilling or perhaps in some cases unable to uphold the responsibility demanded to provide peace and security during and after the referendum in which an overwhelming majority of East Timorese voted for independence.

One of the immediate concerns that we have, of course, is to ensure that there is basic nutritional, health, and housing services that are reaching the population of East Timor, and of course the still vexing problem of the repatriation of those East Timorese refugees who fled to other parts of Indonesia, and particularly to West Timor, where some are still being held as virtual prisoners by armed militia. Ensuring unrestricted international access to and safe passage home for these refugees is indeed Indonesia's obligation, and Jakarta's continued failure in this regard will only exac-

erbate Indonesia's standing in the international community, with grave risk to Indonesia's own fragile transition process.

The recent decision by the Indonesian government commission of inquiry to charge senior members of the Indonesian militia and military for human rights abuses in East Timor is a very important first step toward the closure of this bloody chapter in East Timor's history, and appears to be the kind of strong, positive action for which the U.S. and others have called.

While these indictments have an important bearing on U.S.-Indonesian relations, we must not allow this set of issues along to halt the proper engagement with Indonesia's military or do crucial damage to our overall relations with Indonesia. I strongly believe that previous well-intentioned but in some cases special-interest motivated congressional actions, which were focused almost exclusively on East Timor, have largely been counterproductive for America's interests in Indonesia. Now we have a chance to step back and certainly most energetically examine Indonesian-American relations.

I don't believe we should repeat, of course, those mistakes, if there have been some, nor should we do anything to unintentionally undercut the bold actions of President Wahid to investigate and prosecute those responsible for human rights abuses in East Timor, by once again conditioning broader U.S. relations with Indonesia primarily on developments in or with regard to East Timor. I also believe that we should give that important internal process a chance to succeed before proceeding any further with a Bosnia-style international tribunal for East Timor.

Those are my views and concerns. I am willing to listen to information, of course, to the contrary. I want to say, before I turn to my colleague, Mr. Lantos, the Ranking Member, that I will introduce at this point the distinguished two panels of witnesses.

Testifying for the administration will be the Honorable Stanley Roth, the Assistant Secretary of State for East Asian and Pacific Affairs. Secretary, we welcome you back to the Subcommittee, where you rendered long and extraordinary service as the distinguished Staff Director for the Subcommittee.

Also testifying for the Administration and concentrating on United Nations operations in East Timor will be the Honorable C. David Welch, an Assistant Secretary of State for International Organization Affairs. A career Foreign Service officer, Mr. Welch has held a number of important positions with the State Department in Washington and throughout the Middle East and Asia.

We are also honored to have an excellent second panel of distinguished witnesses. Mr. Charles Costello is presently the director of the Carter Center's Democracy Program, and led the Carter Center's election observer delegation to East Timor. Prior to joining the Carter Center, Mr. Costello had a lengthy and successful career with the U.S. Agency for International Development, where he directed AID's Center for Democracy and Governance.

Second, Dr. Andrew MacIntyre is a leading authority on the politics of economic reform in Southeast Asia, and is presently associate professor and director of the ASEAN-Pacific Project at the Graduate School of International Relations and Pacific Studies at the University of California-San Diego. He previously served as associate dean of that school. While he certainly is well respected and

recognized for his outstanding writing and presentations on Indonesia and other ASEAN countries, it is his research and analysis on East Timor and its future which makes him an especially valuable witness to our joint Subcommittees today.

So we welcome all of you distinguished gentlemen from both panels. I would ask my colleagues for unanimous consent that my entire statement may be made a part of the record. Hearing no objection, I will now turn to the distinguished Ranking Member, Mr. Lantos.

[The prepared statement of Mr. Bereuter appears in the appendix.]

Mr. LANTOS. Thank you very much, Mr. Chairman. I have no prepared statement. I would like to make a few observations, if I may. I also would like to include in the record the written statement of the East Timor Action Network.

Mr. BEREUTER. Without objection, that will be in the record.

[The prepared statement of the East Timor Action Network appears in the appendix.]

Mr. LANTOS. As you know, Mr. Chairman, it was the Congressional Human Rights Caucus which held the first hearing on East Timor of any congressional entity many years ago, and indeed it was the Congressional Human Rights Caucus which held the first hearing on Kosovo many years ago, at a time when neither East Timor nor Kosovo were on anybody's radar screen. I am mentioning this because there is a very naive and, in my judgment, mistaken assumption that those of us who are concerned with human rights issues in a very intensive manner are dealing with the soft, difficult to define, nebulous arena of international affairs, unlike people who deal with economics or military matters and the like.

But in point of fact, recent experience very clearly demonstrates that unless the human rights issues are attended to early on, unless the problems are nipped in the bud, unless the problems are approached at a time when far more peaceful, constructive, mutually beneficial solutions are available, we sooner or later find ourselves, as we did in the case of Kosovo, with a major NATO war, the first NATO war in NATO's 50-year history.

In the case of East Timor we find ourselves with a catastrophe: a referendum opting for independence because there was not enough pressure on the previous Indonesian government to address the human rights and other concerns of the East Timorese people. Of course the nightmare of deliberate and wanton destruction of the infrastructure of a whole society, leaving aside the enormous human damage and tragedy which unfolded.

I am mentioning this because it seems to me that important elements in our society, both in and out of government, continue to either believe in the mistaken notion or pretend to believe in the mistaken notion that the human rights issues are soft secondary issues and they really do not need the kind of attention that we give to problems once the crisis is here, as it was in the case of Kosovo as every night we watched tens of thousands of Kosovars dragging their weary bones into Macedonia and Albania, and as we watched in horror as the militias and the Indonesian military perpetrated the outrages in East Timor.

There is one other observation I would like to make, and perhaps our Full Committee will need to hold hearings on this. One of the most fascinating aspects of this post-Cold War era is that we are simultaneously observing processes of integration in many parts of the world, particularly in Europe through the European Union, but not the only example, and fragmentation. It is very difficult for most, even for specialists, to make sense of these two simultaneous but clearly contradictory phenomena.

Most outstanding examples, of course, are Soviet Union and its disintegration, and the former Yugoslavia and its disintegration, but Indonesia is not a bad example, because East Timor is clearly not the only area which is interested in attaining either some degree of autonomy or independence, whether it is the Ucher region, whether it is Bali or other areas. My first trip to Indonesia was in 1956, at the time of the Sukarno dictatorship, where while the same centrifugal tendencies were in evidence, they were not on the front pages of our newspapers.

What we find now is that in many societies, in Asia and in Europe and in Africa, the processes of integration and fragmentation are unfolding simultaneously, and we stumble into the creation of new states—whether we call them states or not is secondary—such as Kosovo or East Timor. In some cases the very viability of these states is very much in doubt, and the chances are East Timor for many years to come will be an international ward.

So I want to commend you for holding this hearing and make a general observation that I hope when the human rights community in the future will point to budding crises, our voices will be more carefully listened to, because unless they are, we will have many more Kosovos and many more East Timors, with tens of billions of dollars in international financial costs and of course the unmeasurable human tragedy and suffering, which in the case of the former Yugoslavia by now are close to 300,000 innocent men, women and children who have been killed in one way or another since the breakup of Yugoslavia.

Thank you, Mr. Chairman.

Mr. BEREUTER. Thank you, Mr. Lantos, for your reminder and observations which I think are entirely appropriate. Whether or not they are formal Members, I think every Member of the House should be a Member of the Human Rights Caucus, and I appreciate the leadership you have brought to it as co-chairman, founding co-chairman, I believe.

One observation. I do think it is probably an error for our Committee to be divided up so that we have a separate Human Rights Subcommittee and also has major responsibilities for international operations. It seems to me that the human rights responsibilities ought to go directly with each geographic Subcommittee and be an integral part of our process here, and I think our division now perhaps does not serve us well.

I would like now to turn to our witnesses, and without any objection, any Members' statements, opening statements, will be made a part of the record. We will call first upon the Honorable Stanley Roth for such comments as you might like to make. The statements of you and other witnesses will be made a part of the record in their entirety, and you may proceed as you wish. Take 10 minutes

or so, whatever you would like in that respect, and any kind of summary you want to present will be quite welcome. Please proceed.

STATEMENT OF STANLEY O. ROTH, ASSISTANT SECRETARY FOR EAST ASIAN AND PACIFIC AFFAIRS

Mr. ROTH. Thank you very much, Mr. Chairman. Mr. Chairman and Members of the Committee, I will take advantage of your offer. I have submitted a rather detailed written statement. It is a joint statement both for my colleague, Assistant Secretary David Welch, and myself, so we won't be giving two testimonies from the State Department. What I really want to do is to assume a level of knowledge of these two Committees and not go back and review what happened last year, which I think you are intimately familiar with instead I'd like to start with a current assessment of where we are and where we are going.

I would like to make one comment based on Mr. Lantos' remarks, because I think in one sense you are not giving enough credit to the accomplishments of the human rights community, including yourself. If you think back to the events of 1975 and to the events of 1999, I think you will see a powerful difference.

In 1975 when Indonesia invaded East Timor, there was no major international response. In fact, Australia even recognized the incorporation. There was no concerted pressure on Indonesia to change policy. Somewhere between 50,000 and 200,000 people, probably at the higher end of that spectrum, died. The tragedy was absolutely off the scales in terms of enormity particularly when you think about the percentage of East Timor's population that perished.

As awful, unnecessary and painful as it was what happened in 1999, was different. The pressure from the international community, including, I am proud to say, the United States, both administration and Congress—I think we were together on this—was successful in mobilizing very quickly pressure on Indonesia to allow an international force in. As a result the casualties were a small fraction of what they were the previous time.

I am not suggesting that anyone should feel good about what happened, because obviously prevention of the tragedy would have been far more desirable than what actually occurred. But I think that there is a difference now in human rights and how they are valued by countries. The fact that many Asian countries are joined with a number of Western countries in mobilizing this coalition is significant. So there has been considerable success in this 20-plus years that you have been talking about, both on East Timor and on other human rights problems.

Now, let me start on the situation in East Timor itself. What I propose to do is talk first about East Timor, and than about West Timor, primarily the refugees; talk a little bit about the question of aid levels, a little bit about peacekeeping; and finish up on the question of accountability.

First, with East Timor, if you compare the situation now to the hearing you held 5 months ago, approximately, the difference is obvious. At that point there was no security in East Timor, the destruction was continuing, we didn't know what the level of fatalities or damage was, and the situation looked grim.

If you look at it now, it is fair to say that East Timor has been secured. The Australians did a brilliant job as the head of the multinational force in establishing security very quickly in East Timor. Many of the concerns that we had in September did not materialize. There has not been civil war in East Timor. There have not been concerted militia actions, only a handful of incidents. There has not been cross-border fighting. There have not been raids from West Timor into East Timor. East Timor is secure in terms of military forces. That is a huge accomplishment.

We are now in the process of making the transition—I know how much you love the acronym soup—from INTERFET to UNTAET, which are the names of the international operations. What it means in operational terms and in terms of peacekeeping is a transition from the Australian-led force to the force that now will be headed by a Filipino commander.

It is, of course, a very large force, established by U.N. resolution, and I will get to that in a minute. A very able United Nations administrator, Sergio Vieira de Mello, who has done a brilliant job in trying to manage the situation, working far more closely with the East Timorese themselves and ameliorating many of the problems that had started to fester before he arrived in terms of relations with the Timorese and the U.N. force. Now he is dealing not primarily with security issues but rather with the very difficult set of humanitarian and development issues that East Timor will have to address.

In fact, one of the sad ironies now is, the greatest threat to the security of East Timor is crime rather than military violence. We have had 40-plus murders not related to politics in the past few months, which is an unacceptable level and something that we have to do something about. But the problems, as I am trying to emphasize, are ones that are not subject to immediate fixes.

East Timor was poor before the violence of this past September. It is even poorer as a result of the destruction of infrastructure, particularly an estimated 70 percent of the houses. It is going to take a long time to reconstruct this society, where the teachers have basically left, where the medical establishment has basically left, the civil servants have basically left. I think there are five lawyers in that half of an island.

You can see the magnitude of the task to be done in terms of setting up institutions, setting up government, providing education, carrying out development. I fully expect that there is going to be a vast array of problems. You are going to hear stories that it is not going quickly enough, that the priorities are wrong, that the U.N. should be doing things differently, that aid isn't flowing fast enough. We will work on those problems. I am not suggesting they are spurious but those are the same problems we face in every area where you have to deal with reconstruction on as vast a scale as this. Compared to where we had been, when we didn't know that an independent East Timor, rather, was going to exist, I think we have come a long way.

I look at East Timor in three phases. We have the humanitarian phase, which is dealing with the immediate consequences of the fighting, the violence that happened last September; the reconstruction phase; and, nearly simultaneously, the preparations for

independence. There is still a lot of work to be done in terms of writing a constitution, holding elections, preparing the institutions so that somewhere down the line—it is not really clear to me whether it will be a 1½ year, 2 years, or 3 years, it will depend on progress—that East Timor formally becomes independent. But I think those are the phases that have to take place.

Now, the situation in West Timor. This is a far more complex situation than is commonly understood. First, the success. There has been a very major refugee return. At least 135,000 refugees have gone back. That is out of an estimated total, and we don't really have the precise figure, of somewhere between 225,000 and 275,000. I am not sure we will ever have the accurate figures, but the figures I am getting now include roughly 100,000 refugees remaining. That could be off by 10,000 to 15,000, but that gives you a sense of the order of magnitude.

Now, what is different from when you had a last hearing in September? In September you had a situation where the refugees had been taken to West Timor there almost overwhelmingly by force. They were bused out, they were forced out at gunpoint, they were terrorized until they left. You had a situation where you had a large number of people, almost a quarter of a million, who basically were there against their will, or at least most of them we thought were there against their will, and with very little access from the international community.

Now you have a situation where there is much better access by the international community, but let me be clear, by no means perfect access. It varies not only by place but by the week. We just had a visit by the U.N. team to West Timor and they said at this point the Kupang area is not getting good access, whereas Atambua is getting very good access. This changes by the day.

But overall there is international access. A lot of refugees have returned, and, most importantly, we now have a situation where we believe that the majority of the refugees who wanted to return have returned. You have a situation where you now have people, who were either involved with the militias or were civil servants.

There was an extraordinarily large civil service in East Timor that can't be justified now. There was featherbedding. You had 28,000 civil servants. It is going to be less than half of that. Many of those civil servants don't want to go back if they have no salaries, and would rather collect their Indonesian pension.

So you have groups of people who don't want to go back ever. You also have groups of people who don't want to go back now, either because they have planted a crop and they want to wait for it to harvest or because it is the rainy season and travel conditions are poor; or, more ominously, because the intimidation hasn't ended and they are afraid to go back. There are still militias present in some places and there still are examples of harassment. There are people who are afraid because they think it won't be safe for them to go back to East Timor.

There has been a tremendous amount of disinformation from the militia groups but also, regrettably, in recent weeks there have been some incidents in East Timor itself, in terms of incidents against Chinese, against what are called "Muslims" meaning non-Christian Timorese. There are some genuine examples where peo-

ple are afraid to go back because of what has happened to people who have gone back. I am not trying to exaggerate the situation nor create equivalence. It is nothing like the violence that happened in September, but there is real fear in some elements in the camps.

So what we have is a far more complicated picture where, even though the number of refugees is high, at least 100,000, I can't tell you that there are 100,000 people that are being held against their will. That would be a gross exaggeration.

The challenge for the Indonesian government is to separate the people who want to go back from those who don't, to either create jobs in West Timor or arrange transmigration out of Timor, for those who have no intention of ever going back to close down the militias, make sure there is no harassment, and making sure that those people who do want to go back, whether there are 10,000, 20,000 or 40,000, whatever number it is, can go back; in other words, to bring to closure this chapter in the refugee saga.

This continues to be a very high priority for the Administration. I personally raised this issue with the Foreign Minister of Indonesia last week, and reminded him of the Leahy Amendment and the fact that the United States will not be able to resume normal relations, or at least training and FMF military sales, until the refugee problem is addressed and finalized. I made it clear that they should not delude themselves that the current situation is satisfactory. We could not meet the Leahy condition today, and I have told them that that is the policy of the administration, and that message has been delivered at many levels.

More briefly, in terms of aid, I think you are aware that there was an international donors conference. This is an excellent example of burden-sharing, which is something that Congress generally is insistent on in international situations. Australia, Portugal, Japan, are all major donors, along with ourselves. A total of $522 million was pledged at the donors conference in Tokyo over a 3-year period, so that there is a massive amount of aid, roughly comparable to the need, available for East Timor.

In terms of U.S. aid, I am afraid I don't have the degree of detail you would like this week. I hope to have it for you next week. That is because we are finishing consultations, with both the House and the Senate, on how to spend the $25 million that was earmarked in the last appropriation bill for East Timor in ESF. But the overwhelming majority of that will be spent by AID for development, and there will be some contributions to international trust funds as well.

In addition to these funds, there will be further funds that will be spent, not out of the earmarked funds, for civilian police. You may have seen the figure in my statement, about $8.5 million, to pay the salaries of American civilian police. We believe that is a crucial component in dealing with the crime situation. During the Indonesia hearing next week, I hope to be able to give you a precise breakdown of how we would spend that $25 million. But the United States can be proud that it is one of the largest donors and is continuing to help the people of East Timor.

In terms of international peacekeeping, I think you are familiar with the three different phases of the international operations,

starting with UNAMET, going to INTERFET, and now ending up with UNTAET. At every step of the process we have not been in the leadership role in the number of personnel, but we have played significantly. We had a number of civilian police, 30 civilian police, 3 military observers, in the first phase.

We had more civilian police, 45, and 3 military observers in the second phase, plus some forces on the ground that President Clinton announced in September in response to the violence. I can't give you one level figure for these since the number varied, but at a maximum it was about 200 people on the ground in East Timor plus a number offshore and in Australia.

As for the third phase, that decision is on the President's desk and expected, I hope, even later today, but the concept is consistent. We will maintain the basic principle of what we have done, since September. There will be no combat troops, I can tell you that, consistent with what was decided in September.

There will be a modest presence, which is important to show that we are still committed to a peaceful resolution, but it will not be a large force. They will be primarily rotational units that will be exercising under the discretion of the CINCPAC. They will not be formally attached to the U.N. peacekeeping mission. We will have, again, more details for you as soon as the President signs the formal order. We will be happy to brief staff and Members and to testify next week, but again, there will be no conceptual break with what we have been doing thus far, on which the Congress has been fully briefed.

Finally on the subject of the commissions of inquiry and the accountability issue, there are two different processes. As you know, they both came to a head on the same day last week. There was the Indonesian process that you referenced in your opening remarks. It turned out to be a much harder hitting report than had been anticipated. It named 33 individuals, including 6 generals, the Governor of the province, the head of several of the militia groups. It was, by anybody's definition, a hard-hitting report.

That is not, however, by any means the end of the process. It is the beginning. These names have now been turned over to the Indonesian attorney general for investigation. He has announced that he will make recommendations within 90 days, and possibly sooner, by the end of March, as to who should be prosecuted. Then there is the question of what happens in the prosecutions themselves, in terms of convictions.

At the same time, there is an international process with an international commission of inquiry. Their report has been submitted to the Secretary General of the United Nations. That was a less detailed report actually than the Indonesian report, and it has called for continued international involvement in the investigation and in the judicial processes.

The Secretary General has indicated, in his cover letter submitting that report to the United Nations, that it is his desire—which, I should say, the administration supports—to let the Indonesian process play out first to see how effective and how credible it is. The notion is if Indonesia carries this out all the way through, if you have a report that goes to the top, that has a credible judicial

process, that has convictions, then it may not be necessary to do more on the international side, at least in terms of a tribunal.

There may be room for cooperation on getting evidence and sharing evidence from the different investigations. At the same time we have made clear that if the Indonesian process isn't credible, that if it falls short, that there will be pressure for the international community to do more. The administration has said that at this point it would like to give the Indonesian government the lead with its domestic process, but we have made it very clear that if it is not an adequate, credible process, then we will have to consider supporting an international process.

Why don't I stop at that point.

Mr. BEREUTER. Mr. Secretary, you have conveyed to us an impressive amount of information in a brief period of time, and well-organized.

We would now like to hear from Secretary C. David Welch, the Assistant Secretary for International Organization Affairs. Mr. Welch?

Yes? Have you got to vote?

Senator THOMAS. Can I ask a question or two? I just got beeped and I am going to have to go vote.

Mr. BEREUTER. Absolutely. If you will hold off, Mr. Welch, we will come back to you.

Mr. WELCH. That will be fine.

Senator THOMAS. Thank you, Mr. Secretary. You covered an awful lot in a fairly short time.

Obviously the times have changed, they have changed for the better, but the real question, and you can attach it to several things we have been involved in lately, is you can make this first transition but the second one doesn't seem to happen very—Haiti, Kosovo, all of those places. I understand that they were set up for 1,400 civilian policemen and there is less than half of that there. Why is that?

Mr. ROTH. First, please don't assume that that is going to be the final outcome. We are going to get many more civilian police out there. The delay is partially because one has to get qualified civilian police. This is a multinational effort. It includes a lot of Third World countries. You want to make sure they have the right training and can handle the situations, particularly——

Senator THOMAS. Those are all excuses, but the fact is that they aren't there and I am told that they need them there.

Mr. ROTH. I agree, we need to get more out there. Including us, by the way, since we haven't done our share yet, because we haven't funded our own U.S. civilian police.

Senator THOMAS. This concerns me because, we go through this getting away from the battle part and getting over that, and did that very well, but then for instance the $500 million you mentioned, how much of that has been delivered?

Mr. ROTH. I don't have the exact number, but obviously very little, considering that the pledging conference was just a few weeks ago. But——

Senator THOMAS. How do you expect them to make a living and do it economically? They don't have any economy. What is the major economy there?

Mr. ROTH. Overwhelmingly it has been agricultural and it has been subsidized by the Indonesians in the past. I don't mean that to sound as positive as it sounds. I talked about the featherbedding of the civil service, which we are not going to repeat.

Part of Indonesia's shameful legacy there is that not one factory was ever built in East Timor. We have to look and see if we can get some investment once you have the appropriate conditions. But I think there are several sources of money. One, very promising on the coffee side, which is a major export and something the United States has been trying to develop.

A second source is Timor Gap revenues. As you know, there is believed to be a lot of gas and maybe oil in the gap between Australia and East Timor. In the past there was an agreement between Indonesia and Australia about how those revenues should be shared. Now there is a process going on to try to renegotiate so that East Timor gets its share of those revenues, which could be quite a lot.

We are talking about a place of 700,000 to 800,000 people. We are not talking about multibillion dollars worth of needs. There is a potential for tourism. They have a granite industry. I am not telling you that they are going to be rich, but there is a chance that they could make it if they can get past this reconstruction.

Senator THOMAS. Just one more observation, and I am positive about it, as you are, and I think we can do something. But here is a country with 700,000 people and basically no economy, basically no structure for self-government, and they want to be independent.

Now we have kind of completed the main thing. That is always in the public arena, and we have done that. Now I guess the real issue is, what do we do now to make this work. You could even ask the basic question: Is that the basis for an independent country?

Mr. ROTH. I think the answer is going to have to be the choices that the people of East Timor and their leaders make and how they set this country up. For example, an East Timor that gets along with Indonesia, that gets along with ASEAN, that has positive relations, is going to have a better chance of making it—it shares an island, or half an island, with Indonesia—than one which doesn't.

Senator THOMAS. Absolutely.

Mr. ROTH. We have seen some extraordinarily impressive leadership from Xanana Gusmao and Ramos-Horta and some of the others, despite the horrific violence which was inflicted on them. They have traveled to Jakarta, met with the Indonesian leaders, and said they are interested in reconciliation and want to work together. Indonesia is now talking, incredibly, about opening up a liaison office back in East Timor, and the Timorese are talking about doing it in Jakarta.

Senator THOMAS. That's good.

Mr. ROTH. Don't sell them short.

Senator THOMAS. Good. I guess my whole issue is that we have gone through this. I am very pleased with what has happened. I think we have done a good job, Australia has done a good job, but unless there is some pretty serious planning done now and some movements to implement that, it is hard to imagine that this thing is going to take off.

Mr. ROTH. You are absolutely right.

Senator THOMAS. And you are exactly right. If they are going to completely identify—move themselves away from Indonesia, they are——

Mr. ROTH. Agreed.

Senator THOMAS. Thank you, sir.

Mr. BEREUTER. Thank you, Senator Thomas. Come back if you can.

Now we will turn to Secretary Welch. You may proceed as you wish.

STATEMENT OF C. DAVID WELCH, ASSISTANT SECRETARY FOR INTERNATIONAL ORGANIZATION AFFAIRS, U.S. DEPARTMENT OF STATE

Mr. WELCH. Mr. Chairman, perhaps we should just proceed to questions. I have little to add to what my colleague Stanley Roth has already said.

Perhaps I should point out, in answer to the Senator's question, that the U.N. leadership is concerned with, bedeviled by, some of the very same problems he identified. The Under Secretary for Peacekeeping was in my office yesterday. We had a long discussion about the pace of CIVPOL deployment. It is an issue that they are riveted on, given what is probably a more pressing need for policemen than for military at this point. They are focused on it.

Second, Sergio de Mello, who I think we all agree is a very capable administrator, identified as one of his two primary problems, when he briefed the Security Council just a couple of days ago, would be the flow-in of dollars to begin the process of reconstruction and rehabilitation in a way that will get money into the economy to sustain people there, and so that livelihoods can be rebuilt again. The Secretary General of the United Nations is planning a trip to East Timor imminently, and I expect this will be on his agenda, as well.

[The joint statement of Mr. Roth and Mr. Welch appears in the appendix.]

Mr. BEREUTER. I thank you, Secretary Welch. We are aware of the fact that you had a joint statement, the two of you, and so we will proceed to questions at this point. Since we began with Senator Thomas so he could leave, we will go the Ranking Member, Mr. Lantos. We will proceed under the 5-minute rule, but I believe we will have a chance for two rounds.

So, Mr. Lantos?

Mr. LANTOS. Thank you, Mr. Chairman. I want to commend our witnesses and I want to commend the administration for handling a very difficult situation very effectively. I am sorry that our colleague is no longer here, because I think our insistence on others paying their pledges and commitments would have a somewhat more authoritative sound if we had not been delinquent for so long in paying our United Nations dues, but it is certainly the hope of all of us that these pledges will be fully met.

I have a rather specific general suggestion. I know that Japan has been quite forthcoming in terms of economic contributions to all of these international endeavors, and I commend them for this. But I find it unacceptable that two generations after the end of the

Second World War, Japan is still hiding behind what is clearly an obsolete constitution in terms of their military participation in peacekeeping efforts.

My understanding is that there are a handful of Japanese in a support role, but I would like to ask both of you, if both of you wish to deal with this, whether there is any high level—and I mean high level, Secretary of State level—initiative that we can anticipate, pointing out to the Japanese that if German troops can participate in the Balkans, as they have in large numbers and continue to do so, since they have recognized that the new Germany has very little to do with Hitler's Germany of the 1930's and 1940's, what do we need to wait for in terms of Japan accepting its proper share of responsibility in peacekeeping or even peacemaking activities in Asia and the Pacific region?

I find this lack of burden-sharing, from the point of view of one Member of Congress, unacceptable. I find the notion that the Japanese are prepared to write a check but they are not prepared to participate physically—had it not been for the Australians, this endeavor, just as the Kosovo endeavor, would have fallen overwhelmingly on the shoulders of the American military.

This is an absurd situation, and I have raised this issue with previous administrations, and I will continue to raise it with this one and future ones. I would be grateful, Secretary Roth, if you would address it as fully as you are willing to do, because this facade of a clearly obsolete constitution is no longer an acceptable answer.

Japan's role in trying to build a Greater East Asia co-prosperity sphere three generations ago is not an answer as to why the Japanese are not participating at least to the same extent that the Australians are participating. They have the resources. They have the manpower. They have certainly the economic capability. Our timidity in approaching this issue in bilateral dealings with the Japanese is extremely disconcerting.

Mr. ROTH. I am sorry that you raised the issue in the context of constitutional reform rather than in the context of Japanese policy, because I don't think they need to reform their constitution in order to address this issue. As you know, Japan has had some participation in international peacekeeping—I am thinking about Cambodia—and it is not impossible for them to do it.

The issue is not their constitution, and I would argue in fact that there would be huge reactions in Asia if Japan were to amend its constitution; that you might see a surprising amount of negative feedback. There was a lot of hostility, you may recall, when Japan sent the peacekeepers to Cambodia, even though we hugely applauded it.

But I don't want to beg the issue, which is more Japanese participation in these peacekeeping exercises, and I have not only heard your comments but agreed with a lot of it. On my last trip to Japan, which was about 3 weeks ago, I had many conversations with them. My emphasis was more on the police than on the peacekeepers in this case, and the reason for that is, the real need in East Timor is for the police rather than the peacekeepers.

Mr. LANTOS. No, but my question is a generic question. There will be future crises in Asia, and unless we have the United States

or Australia again carrying the main burden, there will be no mechanism by which to implement policy, when the Japanese are fully capable of participating.

Mr. ROTH. I agree with that, and I think there is a further point which has been made to them, that if Japan wants a permanent seat on the Security Council, it is going to be expected that it will play a larger role in the decisionmaking process and in the international activities that are approved. So this is an issue where Japan is going to have to do better.

I must tell you, though, I met with a number of parliamentarians on the same trip that I just described, and the reaction I got was, "You know, if they had one fatality in Timor, it could set back Japanese participation in peacekeeping for 10 years." There is this mentality that Cambodia was a close call and almost got them permanently out of the peacekeeping business.

So there is a tremendous timidity, but I think in terms of the trends for the future, you are right, there is not one standard for Japan and one standard for all other countries that do peacekeeping, and they are going to have to do better.

Mr. LANTOS. Now, this degree of sensitivity, which I agree with you is present, will have to be overcome. I mean, the notion that no Japanese can potentially be hurt anyplace on the face of this planet is an idiotic and naive notion. This is still a dangerous world. Large numbers of other people get hurt. To have Japan exclude itself from carrying any of the physical burdens of activities such as this, sticks in the throat of many of us, and we hope that the administration will raise the issue with the seriousness that it merits.

Mr. BEREUTER. Maybe the gentleman and I would want to talk about a hearing on that subject.

Mr. LANTOS. A good idea.

Mr. BEREUTER. The Chair will recognize himself now under the 5-minute order.

We all recognize the role of the Portuguese, and certainly it is self-evident that there has not been enough focus on training for self-government in East Timor. I am reminded also that when the Portuguese left their colonies, East Timor was absolutely in the worst condition of all their colonies, with not a single college-educated person in East Timor, as I have noted in various books.

I would like to focus a little bit on our effort to see progress toward independent governance in East Timor. I don't think it makes sense that they are going to be an independent country in an economic sense, but I am glad, since autonomy is now acceptable, we are going to proceed in that direction, and we have to think of them, I guess in a benevolent sense, as an international welfare case for a while.

How long is it expected for the U.N. to set up the necessary functioning institutions for self-government? Maybe we will start with you, Mr. Welch. What are your predictions in that respect?

Mr. WELCH. I think first we ought to speak to their intentions, that is, the U.N.'s. It is inherent in the title of the organization. It is a transitional administration.

The way I understand it from talking to de Mello and other senior leadership at the United Nations, they want to work themselves

out of business, and as far as they are concerned, the sooner they do that, the better. Now, they realize of course that they can't—it isn't going to be that simple because they have a variety of targets, and you mentioned some, which pose some serious challenges, and I think the question is at what pace and what phase they would do those things.

When this was addressed in a session of the Security Council at the beginning of this week, de Mello put his emphasis first on starting the—doing a more effective job in rehabilitation, reconstruction, and resetting the economy on somewhat of a footing, but on a firmer footing, with some reluctance to pursue immediately into some of the political issues for fear of politicizing the environment there.

He had listed two principle challenges in his briefing to the Council. First was to establish some rapport and cooperation with the East Timorese. That I think he has made a credible and good start on. Second was this economic area that I mentioned earlier, where there have been more difficulties. So, to the extent I understand their phasing, it would be that.

Mr. BEREUTER. Let me, in order to draw you out further on this, what can be done, not only by us but internationally, to expedite the self-governance process? What conditions have to be met before elections are possible? With respect to democracy building, what specifically will our country do to help build democratic institutions and institutions of self-governance? Can you take on that three, that combined three questions there? Mr. Roth?

Mr. ROTH. Sure. First it is useful to know what the Timorese themselves are thinking. I have talked about this precise question to Xanana Gusmao and Ramos-Horta, and their thinking has been quite pragmatic. Prior to the violence in September, their hope had been—they had always assumed they would win the referendum—that they would have independence in 6 to 9 months. Following the violence and the reports of what had gone on, they were talking more in terms of 3 to 5 years.

Now that they are back on the island, not outside, living there and seeing the international efforts, we are hearing about shorter time periods. We have heard as little as 18 months. We have heard 2 to 3 years at the outer limit. So, it is coming down to a manageable bite. They have defined the first year as reconstruction, and the second year as both development and institution-building.

Xanana Gusmao and Ramos-Horta talk about the need for a constitution, the need to have an electoral process. Right now there are no elected leaders. Xanana, by virtue of his role as a guerilla leader, has been prominent. Ramos-Horta, by virtue of his role the past 20 years in exile and his receipt of the Nobel Prize has been another leader. But they don't have elected officials. So they need to work out procedures for local elections, figure out what it is that they want, a process by which they have a national election, and have the campaign and do it.

So there is a fair amount of work that needs to be done just in building the basic building blocks of politics. There are no government institutions. But I think the intent is to move quickly on it. Again, if you take the 18 months to 3 years I think is the expected outcome, nobody is saying that they have to be fully independent

economically before they can move toward political institutions, elections and independence. The feeling is that they are going to get aid after they are independent, as well.

Mr. BEREUTER. My time has expired. I will come back on a second round for more specifics on the aid and the current budget.

The gentleman from Florida, Mr. Hastings, is recognized for 5 minutes.

Mr. HASTINGS. Thank you very much, Chairman Bereuter.

Gentlemen, thank you for your presentations. In your joint offering under the heading "U.S. Policy-Meeting the Challenges," you say the following: "These then are the challenges that we face: building a new East Timor, resolving the fate of remaining refugees in West Timor, and ensuring accountability for past atrocities." And that is where I wish to place my focus.

As an observer of international tribunals where bringing people to the bar of justice for their actions in other areas of the world, the process has been glacial to say the least, and the results have not in all instances approached what some of us might think would be a reasonable conclusion.

I am curious, in this area, what is the United States position on the development of an international tribunal with reference to East Timor? What has been the Indonesian government's response to calls—for example, Carlos Belo called for an international tribunal—and what about the military? Has there been a response from them in this area?

Mr. ROTH. I thought I had laid out what the Administration's policy is. We are giving priority first to seeing how the Indonesian domestic process rather than the international process proceeds. As you know, it is not the norm that there is necessarily an international tribunal for every egregious human rights situation that happens everyplace in the world. It is more when you don't have a prospect for justice that you have to look at an international mechanism.

What we are looking at now is a process in Indonesia that could potentially be a historic break from the past, where there has not been accountability for a wide range of human rights abuses. By contrast, there has been an investigation of East Timor. It was quite thorough. It named a number of individuals. It was unusual in Indonesian terms by naming specific people, including high level generals up to General Wiranto, the Governor of the province, militia leaders. If you had sat down with experts on East Timor and asked them to draw up a list of people that they thought needed to be investigated, and compared it with what the Indonesian investigation concluded, you would be quite satisfied.

So now the question is, what is next? It is one thing to do a report. It is another thing to indict them and it is another thing to prosecute them and still another thing to convict them. We are going to have to see how this process plays out before we can give you any kind of answer as to whether there has been justice and accountability in East Timor.

The point we have made to the Indonesians is a basic one. The Indonesian government is strenuously opposed to an international tribunal. That is not just the military, that is the government

itself. They have said this is a different Indonesia, it believes in the rule of law, it believes in justice, and it is going to do this.

We have said and many other countries have said, fine, we are certainly prepared to give you the chance, but you have to do it, and if you don't do it, then the international community is not going to give you a blank check. We are withholding the right to support an international mechanism if we don't feel that the job domestically is adequate.

So that is the stage we are at, but I have to emphasize that the Indonesian process has gotten off to a very strong start.

Mr. HASTINGS. Let me shift emphasis, then, to USAID. It is reasonable, I believe, to assert that food aid is going to be required for quite some time. With the rainy season ensuing there and many roads being impassable, my curiosity is piqued to ask the question whether or not there is any direction toward projects that would, for example, build roads that would help the delivery process or for an infrastructure.

Is there anything being considered along those lines? Or otherwise you are just—there are a lot of places we go in the world, you know that if you can't drive a truck or you can't get something there, even the food aid that we propose to give sometimes becomes difficult, and not just the United States but donors otherwise. That will be my final question, Mr. Chairman.

Mr. ROTH. First, let me commit to get you a more detailed answer for the record, since this is not an area of expertise on my part. But let me give you some general impressions, having traveled to Timor twice last year and flown over it several times.

My impression is, food is not the major problem. You had a food problem at the time of September because you had displaced people. More than half the population of East Timor was either internally displaced within East Timor or was across the border in West Timor. The farms were not being attended to, crops were being pillaged, and so of course you had a food problem. Even when you had food growing, you didn't have the people living there to tend to it.

But that is not the biggest problem, and Timor is such a tiny place that it is not really the question of getting the food to market that is the biggest problem. We are not talking about vast distances. Sure, the roads can be improved, but let me tell you it is vastly different from when I went to East Timor for the first time in 1981, when there weren't roads. It is not like that now.

So I suspect that that is not necessarily going to be the biggest focus. It is going to be a health delivery system, it is going to be creation of some kind of investment for industry, creation of some jobs program that they are going to need very badly. It is government. They have no police force. They have no courts. They have no medical processes. There are no doctors. There are no nurses. There are no civil servants. I mean, it is an incredible absence of personnel in these areas that the U.N. is just beginning to address now.

Mr. HASTINGS. Mr. Chairman, I had said that that was my final question. I don't have another question. I just, not meaning to argue with you, Mr. Secretary, but while CRS may not be an eminent authority, at least they make offerings. In their November 5th report that I have in hand, they say because of destruction of

homes, crops and farmland, the World Food Program estimates that 740,000 of a total East Timor population of 890,000 will need food aid over the next 6 months, and this is a November 5, 1999, report. I am not suggesting that it is inaccurate, but I am glad to hear what you said, and somebody needs to tell CRS that food ain't the issue.

Mr. ROTH. No, I think we are talking about two different things. What I am trying to suggest is, of course there was a staggering need, as a result of what happened, in what we call humanitarian aid. That is housing, medical, as well as food. That is clear, and there has been a major international response to that.

But that is a very short-term piece. It has been the question—I took your question to be on the development side rather than on the immediate emergency humanitarian and disaster relief side. There once we get past this initial hump, once you have the next crop, I don't think food is going to be the overwhelming problem of East Timor. Jobs, will be a huge problem for East Timor.

Mr. HASTINGS. Thank you.

Mr. BEREUTER. Thank you, Mr. Hastings.

The gentleman from American Samoa, Mr. Faleomavaega, is recognized.

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman, and I do want to commend you and Chairman Smith for calling this joint hearing. I think it is not only timely but it is important that we also get the latest information from the administration, and I certainly would like to offer my personal welcome to Secretary Roth and Secretary Welch for their presence here in the Committee.

So that I won't be redundant in expressing my personal sense of frustration and advocacy, because I have always said in the past several hearings, Mr. Chairman, and I am just going to say it very briefly, when we talk about East Timor, we have to talk about West Papua, New Guinea. But I will not talk about West Papua, New Guinea today, Mr. Chairman. It will be definitely my intention to offer legislation concerning this very serious matter affecting West Papua, New Guinea, but let us just touch the issue of East Timor.

I think that I would be remiss, Mr. Chairman, if I did not say something for the record, to offer my personal commendations to the government of Australia for taking the initiative and the resources and the efforts that they have made, not only in the geographical sense but certainly taking the leadership of what they had to do to bring peace and to restore peace in that region of the world, especially when it directly affects its own security and well-being.

I recently, and I am sure both of you Secretaries have noticed the latest development out of Indonesia, where the Prime Minister has asked the former general of the army or whatever the armed forces, Mr. Wiranto, to step down, and he has refused to do so. What are the implications, do you think, in the future for this as far as Indonesia's own stability will be for the future? I say this because I think it will also have real serious implications on the stability with East Timor. I would just like to ask you gentlemen for your reactions to that.

Mr. ROTH. Let me first say that this is a work in progress, the story is not over, and that, as you know, President Wahid is due back on Sunday. It is expected at that point that there will be some resolution of this issue. Most people are betting that General Wiranto will step down.

I will have more to say on this subject when we have the second hearing next week, but just to answer your question head-on, it is very clear what the position of the United States is. We believe strongly in the importance of civilian supremacy. This was a point which Secretary Cohen made on his trip to the previous government, pointing out that the military had to abide by the results of elections and not attempt to take matters into its own hands.

Here you have the president of the country, exercising his right to determine who is going to be in his cabinet. So for us this is a question of civilian supremacy. The exact mechanism for working it out is something that I leave to the Indonesians, but the U.S. position is clear.

Mr. FALEOMAVAEGA. I appreciate your response to that, but I thought we had a similar problem also with Cambodia where there was a coup taken, and Mr. Hun Sen is still around. What will be our policy toward a military coup, if Wiranto does decide—I know I am being hypothetical, but will our position be just to say, "Well, you shouldn't do that," or will there be any strong position taken by our government, if there will be a military coup on the part of Wiranto, on this issue?

Mr. ROTH. Let me first say that we are not seeing indications to suggest a coup will take place, in terms of the unit that would have to participate. Futher more key generals in Indonesia have made statements expressing their support for the government, including the head of their military forces on the uniformed side. I don't want to perpetuate the story that the United States has any information suggesting a coup is imminent. We don't.

Nevertheless, if you ask me the question, what would be the policy if there is a coup, Ambassador Holbrooke has already spoken authoritatively for the U.S. Government on this several weeks ago. You have undoubtedly seen his statement where he indicated it would have very dramatic and severe consequences; that the United States supports the democratic government, and there would be many consequences if that was overthrown by military force.

I think, and I hope, that the Indonesian military has learned a lesson. They were warned there would be consequences if they did not abide by the outcome in East Timor. They didn't. There were major consequences for them, including a suspension of the military relationship with the United States and other aspects of international opprobrium. There would be similar consequences, even stronger ones, in the event of a coup.

But again, the main message I want to say is we do not have information suggesting that any kind of coup situation is imminent.

Mr. FALEOMAVAEGA. I notice in your statement also, Mr. Secretary, that we plan to provide about $300 million in aid for a 3-year period. What kind of assistance is Portugal planning to give to East Timor for its reconstruction?

Mr. ROTH. Considerable. One of the hard things in explaining or even evaluating these aid programs is, a lot of the contributions are in kind rather than in dollars, and so it becomes more difficult if you are providing a hospital ship to service individuals or if you are sending a unit to help administer something. It is more difficult than just cash transfer. If you would like, I would be happy to give you more detail than this for the record on what Portugal——

Mr. FALEOMAVAEGA. If you would, please.

Mr. ROTH. Yes, certainly.

Mr. FALEOMAVAEGA. Mr. Chairman, may I have one more question, or am I——

Mr. BEREUTER. We can come back to you, but if it is a brief one we can go ahead and take it now.

Mr. FALEOMAVAEGA. I just wanted to follow, Mr. Secretary, and Mr. Welch also, the question and the concerns expressed by my good friend from California, Mr. Lantos. Japan is the largest investor in all of Southeast Asia. No other country makes more money out of these Southeast Asian countries than Japan. I do want to express that similar concern.

If they want to be top of the heap, be a permanent Member of the Security Council like Germany, there should be added responsibility given to them, especially when it comes to—it is very easy to give money. I mean, anybody can make money. But when your sons and daughters come back in body bags, that is a very difficult situation, what our country has had to go through.

Do you think that, in adding to what Congressman Lantos has said earlier, is Japan offering assistance to East Timor for reconstruction?

Mr. ROTH. Japan is offering very substantial assistance to East Timor for reconstruction.

Mr. FALEOMAVAEGA. How much?

Mr. ROTH. I could fish out the numbers but I——

Mr. FALEOMAVAEGA. That is all right. You can just provide it for the record.

Mr. ROTH. They are probably the largest or the second largest donor. It is a very large, significant program.

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman.

Mr. BEREUTER. Thank you.

The Chair will exercise discretion and grant the gentleman from California, Mr. Bilbray, an opportunity to engage in questions here. It is, after all, his Committee hearing room, and half his relatives are Australian so he has taken a great interest in the East Timor issue. The gentleman from California, Mr. Bilbray.

Mr. BILBRAY. Yes, Mr. Chairman. I appreciate the chance to participate. For those of us in California, we have always been frustrated with the tradition in the United States of—America has a bad habit of looking East in foreign policy all too often. I guess it is a tradition that goes all the way back to our Founding Fathers. But obviously there was a lot of us that had major concerns of what was going on in this part of the world as we were looking at Eastern Europe and were so obsessed with Eastern Europe, and there was a concern about what was happening in East Timor.

In fact, my relatives in East Timor and the Ambassador and the Prime Minister of Australia kept hitting me up as a Member of

Congress about, "Where are you? Where are you coming from? Why isn't there anything being talked about this?" And I am sure that my colleague from Samoa would say you get the same thing. It is like, hey, guys, you know there is something going on out here, and I guess as much the media should be blamed for the lack of focus on this as anything.

My question gets around, and really I want to reinforce my colleague from California's comment about the fact of trying to get across the message to the economic powerhouses of the world, that with the economic opportunities and prosperity comes the responsibilities, and with those rights the responsibilities need to be borne. I think Japan is one that quite clearly needs to understand that part of this brave new world that exists out there, if I may use that term—it is not very politically correct, but it is—is that if you want to be a world leader and participate economically, then you have a political and cultural and social responsibility to participate in a lot of fields.

The $500 million that you were talking about over 3 years, that is compared to what kind of contribution have we seen from—Japan has matched that pretty close, or how close have they come to it?

Mr. ROTH. The $500 million was the total contribution of all the countries and international organizations that attended the pledging conference. It is an exceedingly complex figure to unravel because a lot of countries included what they were already giving to East Timor, please future contributions, plus in-kind contributions, plus contributions to two international trust funds, one for the expenses of the U.N. operation, the UNTAET trust fund, the other for the World Bank trust fund, which is the coordinating mechanism for development.

So trying to sort it out in a very simple fashion for you is not that easy. The $500 million figure includes everyone. That includes Japan, Australia, Portugal, U.S., and all the other donors. By the way, that is roughly in line with what we think the needs are.

Mr. BILBRAY. Yes, and I would just like to remind all of us, I guess we forget about that, is that in the South Pacific, United States, Australia and New Zealand have placed massive amounts of resources into their protectorates, taken on a responsibility that the rest of the world community has not taken on in a lot of ways. I think that too often when we see this, we forget that Australia and New Zealand are very much, for such small countries, very much committed into cooperating with the small island communities. They are trying to protect, trying to participate and get involved with it. Our involvement with our released protectorates, our newly created independent island nations out there, we still have participation out there.

My constituency is just saying, are we paying our fair share? I will just say this, and I have said it before, and I have said it on the House floor: If it wasn't for Australia and the pan-Asian countries stepping forward, we probably would have been in this Catch–22 of going in and doing it for them again. I think that we need to encourage everyone, including the Japanese, to bear their fair share.

I would say this to my colleagues who are looking at Europe: I would only ask NATO, look at what Australia has done and say, how could a little country like this make such an effort, and you guys constantly be looking at us to do it? I guess the answer is, is we will do it. We will get in there and do it for them.

Is it really beneficial for us in the long run, and for places like East Timor, to have the United States always be the one who goes in and be the lead group? I guess that is a rhetorical question, because I think it is great having subregional participation like we are seeing in East Timor.

Would you like to comment on this as being a prototype for the future? Not just in Asia and Europe. I am talking sub-Saharan Africa and South America, too.

Mr. WELCH. I think as a general matter, wherever we can find capable, determined regional leadership, that helps in any multilateral effort.

Now that at least three Members of the Subcommittee have raised this question of Japan, I would note that Ambassador Holbrooke will be testifying on another peacekeeping issue to the Committee next week. He is intending to visit Japan in the not too distant future. I hope you will communicate the same message to him, and I will do so myself, about your concern in this area, because it is where both the responsibility to pay and the capacity to pay meet up, is in their interest in playing a global role such as by permanency on the Security Council.

Mr. BILBRAY. See, my concern is that we need to be proactive, Mr. Chairman, and I will close with this statement. We need to be proactive and send a signal around the world that we are willing to participate and be a supportive nation anywhere in the world, but that we no longer should be looked at as being the primary source of relief everywhere in the world.

I think that that message needs to be sent, like sub-Saharan Africa, we need to be proactive and communicate in sub-Saharan Africa that they need to get their act together. We will help them, we will participate with them, but the days of doing it for them, need to come to an end. We have to teach them how to fish rather than keep giving them fish, and I think that East Timor has been an example we should use as a prototype.

I yield back, Mr. Chairman.

Mr. BEREUTER. Thank you, Mr. Bilbray.

We have been joined by Chairman Ben Gilman and Senator Feingold. Welcome, gentlemen. I will recognize you under the 5-minute rule in that order. Chairman Gilman?

Mr. GILMAN. Thank you, Mr. Chairman, and I will be brief. I want to thank our distinguished Chairman of the Asia and Pacific Subcommittee, Mr. Bereuter, for holding what I consider a very timely hearing today, and for his diligent attention to the problems in Indonesia and East Timor. I also want to welcome to the House our former colleague, Senator Craig Thomas, and his colleague, Senator Feingold from the East Asian and Pacific Subcommittee of the Senate Foreign Relations Committee. We welcome them as well.

Although the situation in East Timor is stabilizing, it is obvious that much is left to be done. First, the refugee repatriation process

must be completed expeditiously and safely. There are still a substantive number of refugees who still remain in West Timor and want to return home.

I am pleased that our former staff Member, Stanley Roth, has now gone up to higher levels and is keeping an eye on all of this, and we welcome him along with Mr. Welch.

Second, the remaining militia elements must be controlled and ultimately disbanded, and Indonesia is going to have to dissolve these militia groups which are crossing the border from West Timor into East Timor, and I hope we can find a way to do that.

Third, all those responsible for the violence in East Timor must be held accountable for their actions and eventually brought to justice. We are all anxious to see the report of the Indonesian National Commission on Human Rights, and we call upon the government of Indonesia to take action on the findings and make that report public as soon as practicable.

In that regard, former armed forces chief General Wiranto should step down from his government post and account for his actions in the aftermath of the referendum on independence in East Timor last year. His resignation as well would send an important signal to others that the military must extricate itself from Indonesian political life and return to the barracks and provide civilian control.

Fourth, the United States and the international community should recognize the challenging transition that is now underway in East Timor and extend a helping hand to assist that important transformation. Our Nation has a key role to play in the democratization and reconstruction of this new island nation.

Last, I want to thank the forces of INTERFET, but especially the Australians, who played a key role in its deployment and the cessation of violence in East Timor. I also want to commend our brave American forces who, half a world away from home, supported this historic transition to an interim U.S. stewardship.

We look forward to free and fair elections at an appropriate time in the future in East Timor, and wish the U.N. Transitional Administration for East Timor and the East Timorese people the best as they undertake this unprecedented journey.

Mr. Chairman, if I have a moment, I would like to ask a question. Thank you, Mr. Chairman.

When Bishop Carlos Belo, a 1996 Noble Peace Laureate, has called for an international tribunal to bring to justice those who perpetrated violence in East Timor. I would like to ask our witnesses, what is our position on such a proposal, and what has been the Indonesian government's response to calls for such an international tribunal? The international community's experience with such tribunals is, to be kind, uneven. Are there more appropriate methods to bring to justice those who planned the violence in East Timor? Mr. Roth?

Mr. ROTH. First, let me say that I think in terms of your opening statement I could basically say I agree. I made many of the same points in my testimony, only not as well, but I think I see no conceptual differences or nuance differences in anything you have said and the Administration's positions.

In terms of your specific question, the position of the administration is that at this point we would like to give the Indonesian do-

mestic process on the commission of inquiry a chance to play out. I have detailed previously that this Indonesian press has had a very credible start; that there was a significant investigation; that a number of high level individuals, including prominent generals, were named, also the governor of the province and the heads of key militia groups. It was a very credible report.

But I also stressed that this was the beginning of a process, not the end of the process, and that we in the administration do not consider the box checked simply by the report. It now goes to the attorney general, who has 90 days to make recommendations for indictment and prosecution. Then they have to have trials, and then they have to have convictions.

We would like to see a situation where Indonesia is capable of getting justice and accountability in its own right. That is the position of the Indonesian government. "Let us do it ourselves. This is something we need to do to show that Indonesia has changed." But we have made it very clear that until the process has played out, until we see the end result, we are not prepared to say that we are opposed to any international effort or that there won't be an international effort. We are rather saying, "Do the job right, and if you do the job right, then there won't have to be an international effort."

Mr. GILMAN. Just a quick followup. At a recent seminar in Washington hosted by the U.S. Institute for Peace, Indonesian Attorney General Marzuki and other senior officials discussed truth and reconciliation commissions in South Africa and in Latin America. Would we be supportive of the establishment of such a commission in Indonesia?

Mr. ROTH. This is an Indonesian government decision. If they decide to establish such a commission, we will be supportive of it.

Mr. GILMAN. Thank you. Thank you, Mr. Chairman.

Mr. BEREUTER. Thank you, Mr. Chairman. We appreciate you pursuing those questions.

Now we recognize the gentleman from Wisconsin, Senator Feingold, for questions that he might have.

Senator FEINGOLD. Thank you, Mr. Chairman. I apologize for being late, but in the 10 minutes that I have been here, I have already heard more that I agree with than I sometimes hear in the Senate in a whole day, and that certainly does not apply to Chairman Thomas.

But let me just say, first of all, thanks to Chairman Bereuter and Chairman Thomas for scheduling the hearing. I certainly agree with Chairman Gilman's comment about his idea for General Wiranto's career future. I think that is an excellent suggestion. I also want to say that I agree with much of what Congressman Bilbray was saying.

One of the reasons I voted against the Kosovo operation and the Bosnia operation, as much as I wanted to support it and the administration policies, I did not feel that the European nations were doing as much as they might have to take the lead in that situation. What I thought was impressive and exciting about the East Timor situation was the Australian commitment, and I want to take this opportunity to publicly commend the people of Australia,

the government of Australia, the military of Australia, for what they did in that situation.

Let me just say, as you go forward with the hearing, if I heard correctly, I believe Ambassador Holbrooke will be before the Committee. When he speaks to you about the Congo operation, I want folks to notice, if they could, that that fits in with what Congressman Bilbray was saying.

It is an African-led initiative, where specifically no American troops are being requested. This in the model of people in the region saying they want to take the lead, and I very much concur with those remarks that I think can be the basis for some bipartisan agreement about the kind of commitments that we make as a country in the future.

But I am especially pleased that the Senate and House Committees with jurisdiction over U.S. policy in East Asia have again taken the opportunity to convene a joint hearing on the important issue of the future of East Timor. As the people of East Timor start down the road toward independence, we should focus our attention on two important issues: accountability for the past and action for the future.

The international community should join the people of East Timor in embracing their transition to independence, and I really do welcome the day when East Timor is truly independent and our policy toward that new country is not considered only in the context of our policy toward Indonesia. Of course the two will always be interrelated, but this is an important step forward. East Timor, as Ambassador Holbrooke likes to say, is the first new nation of the new millennium. It should be treated in that way, and our conversations and our efforts with regard to it should not always be simply with regard to its position vis-a-vis Indonesia.

I know many of the things that I was interested in, Mr. Chairman, have already been asked, so I just have two brief questions. One is for both Mr. Roth and Mr. Welch. One of the recommendations made in the report of the International Commission of Inquiry on East Timor focuses on establishing procedures for assisting survivors, and I will just quote:

"A clear-cut policy should be established for official custody of remains, their return to families, and the support families can expect during this process. Those involved in interviewing survivors should be trained in supportive and sensitive techniques for doing so."

As we all know, almost every East Timorese citizen has been touched by the violence that has scarred that territory over the past year, and I commend the Timorese for their courage in this horrible situation. I would ask, what is the United States doing to ensure that there is adequate counseling and other appropriate care for the East Timorese people as they seek to rebuild their lives and their country? Start with Secretary Roth.

Mr. ROTH. I don't know. This is not something I have focused on. I would rather get you an answer for the record than make it up.

Senator FEINGOLD. Secretary Welch?

Mr. WELCH. Get you an answer for the record.

Senator FEINGOLD. Both of you? OK. I look forward to that.

I know that the administration is seeking $18 million to support ongoing bilateral and multilateral efforts in East Timor, but I notice that the ESF request for East Timor is $15 million less than the 2000 estimate of $25 million. Would you speak to the priorities that our assistance will focus on East Timor? Then, given the vast needs of the territory, where rampaging militias wiped out virtually all of the infrastructure, would you please explain why would this reduction be appropriate, given the needs?

Mr. ROTH. I am puzzled by the numbers. I am not aware of any reduction in aid to East Timor, only increases. There is the $25 million that the Congress earmarked, as you know, to ESF. You had a lot to do with that. On top of that, there is money that is going to be made available, $8.5 million, I mentioned in my statement, for paying the salaries of civilian police, and then there will be some additional sums that will be provided for police functions and the like.

I indicated before you arrived that we are still in the last phases of consultation on spending of the $25 million, and so I can't announce it today. I hope I can announce by next week exactly how we are going to break it down, but I did say that the overwhelming majority of the money is going to be for AID and it is going to go on the development side, and be for precisely the types of things you have talked about.

Rather than going in many different directions, the focus is to try to get as much money as possible for poverty alleviation and development in East Timor. I will be able, as soon as we finish the consultation process, to give you an exact answer. There is no reason to withhold that from you.

Senator FEINGOLD. I thank you very much, and I thank the Chairs.

Mr. BEREUTER. I thank you, Senator.

Senator Thomas, do you have any concluding remarks for this panel?

Senator THOMAS. No, sir. Thank you.

Mr. BEREUTER. Thank you.

I would just say I heard numerous commendatory comments about Australia here, and I think in general that is shared by Members of Congress and the American people. In fact, I don't remember so many positive comments about another country since the Canadians helped us rescue hostages, and it is well deserved.

Finally, let me say that in today's paper I noticed an indication that a "notorious East Timorese military leader" suspected of being involved in massacres, leading attacks on Australian peacekeeping soldiers, has been arrested, and the Indonesian government arrested him. Do we expect any additional arrests soon? How is it that the U.N. can call for this military leader to be extradited to East Timor? There is no judicial system in East Timor.

Mr. ROTH. I asked the same question this morning when I saw the press story. Presumably it means that the U.N. would have to do something in terms of dealing with the person from a judicial perspective, but I am waiting for a real legal answer rather than a common sense answer like that.

Mr. BEREUTER. Share it with us.

Mr. ROTH. First of all, though, let me say that with all the well-deserved praise of Australia today, I hope we won't forget the many other countries that also participated. Don't forget that we had a deputy Thai commander, which was an extraordinary step, as well as a Thai detachment. We had a large Filipino detachment. We have had a Korean detachment.

So there is a lot of Asian participation and a number of other countries outside the region, and now we have a Filipino taking over from the Australian as commander. So I completely agree with everything wonderful that has been said about Australia, but I would just like to add some praise for some of the other countries.

Mr. BEREUTER. So noted, and I think that is appropriate you call that again to our attention.

Mr. ROTH. Second, on the specific incident, what is significant about this arrest is, one of the only negative developments on the security side recently has been the fact that in the enclave, Oecusi-Ambeno, that there have been several recent incidents, violations of that border and threats to the security.

The militia leader arrested was specifically linked to that violence, and it was a response to the United Nations saying to the Indonesians, "This is unacceptable," that the security of the enclave is just as inviolate as the security of the rest of the border between East Timor and West Timor. So they took a step by arresting this individual, who was found, apparently, according to the press, with some arms.

I have no specific information about whether there are plans to arrest other militia leaders, but I did note before that the Indonesian report on accountability did mention several of the militia leaders, so I think there is going to be an effort to have some accountability for that.

Mr. BEREUTER. Thank you. I noted Senator Feingold's comments about budgetary questions. I have no doubt that the informal caucus here on East Timor will take care, if the administration doesn't, of the funds.

But I also noted that there are not the funds—the funds are short in the administration's budget with respect to what the assessment team said about Indonesia itself. I would just ask the State Department to focus a little more attention on Asia. When it comes to budgetary questions, Asia shouldn't be neglected.

I would now expect we would thank you gentlemen for. Mr. Welch?

Mr. WELCH. If I may interject, of course Mr. Roth will take back your concern about focus on assistance, but if I might say something about another form of funding that is still pending, and that is with respect to our peacekeeping assessments in support of the United Nations effort in East Timor.

Mr. Chairman, we have a reprogramming request that has been submitted to the Congress for a significant sum of moneys in this regard. We have now received a bill from the United Nations for East Timor which we cannot pay. We can't pay it because we haven't had action on the reprogramming request. That is not a problem in the House; it is a problem on the Senate side. Ambassador Holbrooke has raised this with the appropriate people on the

Senate side. I hope that will be clarified and allowed to move through.

Mr. BEREUTER. Thank you very much. We are going to have the second panel now, and Chairman Thomas, Senator Thomas, will conduct the hearing for that portion.

Senator THOMAS. [Presiding.] I thank the gentleman. We appreciate it very much.

The next panel, as has already been introduced, is Charles Costello, Director for Democracy Programs, the Carter Center; and Dr. Andrew MacIntyre, associate dean, Graduate School of International Relations and Pacific Studies, University of California. Welcome, gentlemen. Glad to have you here. Yours appears at the top of the list, Mr. Costello, if you would care to begin.

STATEMENT OF CHARLES E. COSTELLO, DIRECTOR FOR DEMOCRACY PROGRAMS, CARTER CENTER

Mr. COSTELLO. Thank you. Mr. Chairman, thank you for the opportunity to testify today about East Timor's future. I have submitted a longer written statement which I will summarize briefly. I also have a short document describing the Carter Center's actual observation of the public consultation process, the referendum balloting, and our findings, and I ask your permission to include that in the record as well.

Senator THOMAS. Without objection.

[The information referred to appears in the appendix.]

Mr. COSTELLO. I led the Carter Center's observation mission to East Timor in August 1999, a mission which had generous support from the U.S. Agency for International Development and the State Department, with help, personal help, from Assistant Secretary Roth, and we received some support from Portugal for that mission as well.

I personally witnessed the incredible determination of the East Timorese people to express their will peacefully at the ballot box in the face of serious intimidation and violence from the Indonesian government and military, mainly through their surrogates, the militias. The people literally came streaming out of the mountains on foot at dawn on August 30th, and most voting was over by noontime. More than 98 percent of registered voters turned out, with 78.5 percent favoring independence.

The rest of the story is well known. It is ultimately a happy story, thanks especially to Australia and the United Nations, and East Timor by no means should be thought of as a disaster in spite of the suffering the East Timorese people have had to endure to achieve nationhood. But independence will be a hollow victory indeed if the transition over the next 2 to 3 years does not lead to a democratic political system in East Timor. Fortunately, prominent East Timorese leaders such as Alexander Xanana Gusmao, Jose Ramos-Horta, and Bishop Belo all proclaim their commitment to democratic values.

If there is one thing we have learned in the last 20 years about political transitions, as part of the so-called democratic wave in the ex-communist world and elsewhere, it is that these countries need help in building their new governance structures and civic institutions just as much as they need help with their economies and

physical infrastructure. Truly democratic societies, "free countries" we might call them, are only built up over time, and sustainable democratic political systems depend on a foundation of democratic values embedded in a nation's culture.

Neither public administration training for new civil servants nor a single free election alone will deliver democracy to East Timor. Long-term programs of democratic development assistance are needed as badly as any for economic recovery or infrastructure rehabilitation. Democracy, like most anything else, is learned by doing it, and unfortunately the East Timorese under Portuguese or Indonesian occupation have had precious little practice.

It is our view that support to civil society, primarily nongovernmental organizations, for the strengthening of civic institutions that will work alongside the U.N. Transitional Authority for East Timor and later the elected East Timorese government, deserves the highest priority. Be it assistance to fledgling political parties, the independent media, or to NGO's that participate actively in the public policy arena, this is the area where U.S. bilateral assistance can play a vital role.

This is also where the U.S. has a comparative advantage, based on the experience gained by American organizations working with strong bipartisan support from the Congress for democratic development around the world over the last 20 years. A vibrant civil society is the basic underpinning and guarantor of a democratic society and strong political institutions, as de Toqueville brilliantly observed about our own country more than 200 years ago.

Civil education in the broadest sense, through participation in public life by private groups acting freely and peacefully, will be essential to building a successful democratic future for East Timor. Good governance doesn't just happen; you have to work at it. It is as dependent upon civil society actors and organizations as it is upon elected public leaders. Freedom rests with self-government, and self-government rests first and foremost with the people. I urge you to give East Timor that kind of support. They have earned it. Thank you.

[The prepared statement of Mr. Costello appears in the appendix.]

Senator THOMAS. Mr. MacIntyre?

STATEMENT OF ANDREW MacINTYRE, ASSOCIATE DEAN, GRADUATE SCHOOL OF INTERNATIONAL RELATIONS AND PACIFIC STUDIES, UNIVERSITY OF CALIFORNIA, SAN DIEGO

Dr. MACINTYRE. Thank you, Mr. Chairman. I hope I can bring some fresh thoughts on this discussion here, coming from well outside the beltway. I don't want to go over the points and themes that have come up in the earlier discussion, so let me just try and hit a few main points and then we can open things up to questioning.

We all have a very clear sense of just how horrible the situation has been in East Timor in the not too distant past, but I guess the first point that I would like to underscore is just how extraordinarily well things have gone in the past 4 months. I think they have gone way better than anyone would dare to have expected back in September or October last year.

I mean, if you just think what has gone on, we have already heard how security has been now assured in the territory, thanks to the INTERFET forces. We have got a U.N. Transitional Administration now in place. The ADB, the Asian Development Bank, and the World Bank are now gearing up to get moving. We have got the National Council for Timorese Resistance which is functioning as an umbrella political organization in Timor, moving to play a very constructive role in getting Timor's political elite thinking and talking about issues. We have got the National Consultative Council, which is a joint body set up by the U.N. including Timorese leaders, which is actually getting moving now on some serious decisions.

This is all pretty significant progress, and I don't think many people would have thought it at all likely in such a short timetable. So if point one is, things are actually going better than we might have hoped, given how bad they had been, point two is, not surprisingly, there is still an enormous task ahead, a truly enormous task ahead.

I think the most immediate priorities are fairly clear, and we have heard this from other speakers. There is just urgent need now to get the economy moving, particularly in the rural sector. That is where a lot of the employment activities are going to becoming. Urgent needs to get stable administration and governance reestablished through the territory.

But it the challenges that come a little further out that are actually the more interesting ones, and in some ways contain potentially more complex matters. I think it is very important that people start to think now about getting the United Nations out, and that seems an extraordinary thing to say since all the attention has been on getting the United Nations in. It is clear that East Timor could not have come into existence without the United Nations. The United Nations is critical to the birth of East Timor.

But it seems to me that we need to be very careful to avoid a situation of a protracted presence of this big, large international bureaucracy sitting on a place that has never had self-government. Think of metaphors of big ocean liners being slow to turn around. I think we need to be giving thought now to what the exit strategy is for the United Nations.

The projections I have seen are for them to leave sometime toward the end of 2003. Timorese leaders Xanana Gusmao and Ramos-Horta are talking much more in terms of the end of 2002, and I think they are right to. I think that the critical issue here is, when we look at getting this new democracy up on its feet, is for us to be thinking sooner rather than later about permitting these people to have self-governance.

So that is one point that I would like to put up for your consideration, because it is not getting much air play in all the discussion. I think more broadly about priorities for a newly democratic East Timor, perhaps the single most pressing international priority is their relationship with Indonesia, and one of the big achievements you folks are achieving here in setting up two separate discussion sessions is to detach these two discussions, and I think that is very constructive.

But we also need to remember that East Timor's relationship with Indonesia will have more bearing on its future than just about anything else that happens. It would be very easy for Indonesia to create enormous difficulties for East Timor. Now, there is no sign that that is what we are looking at. We are seeing the military elite, the civilian elite in Jakarta, all looking in another direction. We are seeing the militia, what remains of them in West Timor, being quite weak. But the fact remains that East Timor has to have very careful regard for its relationship with Indonesia.

This is where, I guess, the difficulties start to come, and it focuses on the issue of accountability. I think there is widespread agreement on the need for accountability on the part of the Indonesian armed forces for what has happened in East Timor. There is no debate on that. The issue really is how this proceeds, and I was very heartened by Secretary Roth's comments that the administration's position is to have this proceed through Indonesian channels to begin with. I think that is the way for us to proceed.

I think it is important that Timorese leaders themselves, Gusmao and Ramos-Horta, are both taking the approach of let's put emphasis on truth-telling rather than retribution. But there could be difficulties here, and I do think we need to be careful that any efforts to bring Indonesian military officers to account do not destabilize democracy in Indonesia. Because let's not forget the single worst thing that could happen for East Timor, the single worst thing that could happen would be a collapse of democracy in Indonesia. That would be the most worrying scenario. So we are going to have a very delicate balancing act in front of us all as we on the one hand want to see serious movements toward accountability, but at the same time ensuring that this does not fundamentally destabilize the situation in Indonesia.

I had some other points in my written remarks that I won't go into here, but which were more to do with the importance for East Timor of building links more broadly in the region, so that they are not dependent just on the United States, Australia, Portugal, for assistance. I think it is going to be very important for them to build links to the rest of Southeast Asia, to the Association of South East Asian Nations, and in particular to the Philippines as the other Catholic democracy in the region.

So let me simply close by hitting I guess two main points here. We know how bad this situation has been, and we know that the challenges ahead are truly daunting. But let's not lose sight of the fact that there has been surprising progress, surprising progress in the last 4 months, and let's not lose sight of the really quite difficult balancing act that is going to be needed in the next several months, in the short-term future, as we all seek to see continued progress with nation-building in Timor and at the same time pursuit of accountability and justice for the Indonesian military. Thank you.

[The prepared statement of Dr. MacIntyre appears in the appendix.]

Senator THOMAS. Thank you very much, both of you. Very insightful.

Let me go, Dr. MacIntyre, to your last comment. It is going to be very difficult to steer the next period of time, however long that

is, toward accomplishing both the governmental establishment as well as the economy. Who do you see taking the leadership in that?

Dr. MACINTYRE. I think to begin with the ball is in the Indonesian court. Let me make sure I understand your question. Taking the leadership, are you referring there to the question of accountability or——

Senator THOMAS. No. Let's assume that if everybody walked away from East Timor, they would not do very well.

Dr. MACINTYRE. Right.

Senator THOMAS. So who is going to manage this idea of putting together a democracy? Is it going to be the U.N.? I don't think it is going to be Indonesia is going to break their neck, when they are in as much trouble as they are, to be working on somebody else's success, do you?

Dr. MACINTYRE. Absolutely not. No, I think the key players to begin with will indeed be the U.N. Transitional Administration that is there, together with the other main developmental agencies, the World Bank and the Asian Development Bank. But I suppose the point that I would really like to emphasize is, a lot of the discussion so far today has all been about what is everyone else in the world going to do, what can the United States do?

That is all fine and important, but I think what we are overlooking here is the importance of empowering East Timorese themselves, East Timorese themselves, to take control of decisions. I think that is critical to things moving ahead.

Senator THOMAS. Mr. Costello, do you see any—you were there for the election and you indicate it went well, apparently so—do you see any indication of the establishment of the elements of democracy? Do you see a constitution? Do you see a rule of law? Do you see a structure for some final elections to take place?

Mr. COSTELLO. All of that remains to be done. The transfer of authority from the United Nations to an elected East Timorese government should occur after free elections have been held, with the likelihood of having a constitution in place prior to elections, although it could be the other way around, with the newly elected Timorese government dealing with its constitutional issues.

But we are of the view that elections too early in that process will be counterproductive. That has been learned, a lesson learned, I think, in a number of places around the world, that a bit of a cooling off period, a concentration on some of the other issues, and adequate time to prepare the Timorese for their national elections. I mean elections should be held off until year 2 or year 3, at about the time that the U.N. is ready to hand over administration, although I am referring to national elections. I think that early establishment of local councils, elected local councils to deal with governmental matters at the district level would be indeed quite helpful.

One of the issues with elections at the earliest possible date is that it is clear that right now the only organized political force is really the CNRT, and in terms of fostering pluralism and a multiparty system, early elections would lead, as a foregone conclusion, to just them assuming full control of the government.

Senator THOMAS. Do either of you know of an example or a pattern that has been done by the United Nations, to take a country

that has never governed themselves into governance in a democracy?

Dr. MACINTYRE. No. I don't disagree with anything my colleague here has said. I guess the spirit of my remark is, I have great fear for the possibility of the U.N. staying three, four, 5 years and stifling development. I need to be cautious that the burden of my remarks don't sound like I am suggesting a mad rush to elections. I completely agree with the spirit of the previous comments. I just fear ocean liners that don't turn round.

Senator THOMAS. I agree with you. However, there needs to be some help. I am not an expert, but I was in Jakarta some time ago, a few years ago, and they were seeking to do some things but they didn't have a rule of law, for example. They had a human rights Committee but they had no way to enforce it. So these folks are not very familiar with what it takes to cause a democracy to work, and somehow someone has to be helpful in that regard.

Mr. Chairman?

Mr. BEREUTER. [Presiding.] Thank you very much. Gentlemen, sincere thanks to you for your contribution here today. I appreciate the administration witnesses that we had before us, but their answers tend to be more predictable and guarded, and so I always look forward more to the second and third panels that we have at our hearings.

Dr. MacIntyre, I want to express my appreciation to you for bringing your Australian knowledge and experience and knowledge of Southeast Asian island countries to our country. Mr. Costello, thank you for the work that you did in early difficult days in East Timor.

I remember when, in fact one of the most unforgettable experiences of my life is working as an election observer with the Carter Center team and former President Carter in Nicaragua, and so I am interested to know what the Carter Center's continued role will be in East Timor. Has it been decided?

Mr. COSTELLO. As Director of the Democracy Program, I know that I would like to continue work of the sort that I described in my statement, concentrating on strengthening of civil society. There are a number of organizations, NGO's, in Timor that were tolerated during the Indonesian period, others that worked in semiclandestine fashion, but now a great number of new NGO's that have sprung up but have very little experience and training.

So, along the lines of what I said in my oral statement, I think it would be important for us, I would certainly like to see us carry forward a program. We have indeed internally presented an initial proposal for review, so I hope that we will be able to do work like that. So that the constitution-making process, for example, should be one which includes hearings, which includes participation of civic groups, and that whole preparation for elections is not simply about the machinery of elections but about media, about organization and training of political parties, all of the elements that fit around your formal government institutions that really sustain a democracy.

Mr. BEREUTER. Mr. Costello and Dr. MacIntyre, I ask both of you this question, just some assessment of how deep the divisions are between those that supported independence and those that did not

in East Timor, and that implies their ability to work together, your commentary on that.

Dr. MACINTYRE. The answer to that is not clear. It depends on who we have got in mind. I think there is a portion of the population that at least nominally was in favor of integration with Indonesia, but did so perhaps out of fear or perhaps because they were themselves employed in state bureaucracy or in some ways locked into the system. I think a fair portion of those people would be quite able to switch sides now, but that is clearly not true of everyone.

There are clearly—we heard about this in the refugee camps—it is also true of some Members of the elite that have left East Timor and are not in Jakarta or elsewhere in Indonesia, who feel they can't go back. So I think it very much depends on who we are talking about.

Mr. BEREUTER. Mr. Costello?

Mr. COSTELLO. Let me add to that, that I don't see that as a major problem now, a major obstacle. Obviously the voting demonstrated that nearly 8 out of 10 in Timor favor independence. Some people who left the country, the majority in fact, were driven out as part of this depopulation strategy of the Indonesian military.

But there is a goodly number, and as Secretary Roth said, they are not sure but would estimate perhaps half of those who are outside of East Timor won't go back. They have in fact voted with their feet. They were civil servants who don't want to go back. Some of them had links to the militias or to pro-integration groups. They don't feel comfortable in the new Timor.

So I think that the more dangerous issue in terms of democratic development will be something that you saw that dates all the way back to 1975, the Timor uprising against Portugal, is factionalism on the part of the pro-independence groups. There is a certain element of small town politics in East Timor, a lot of personal rivalries and old grudges, and if those groups start feuding they could really damage the kind of basic consensus around their new democratic system that is so badly needed.

Mr. BEREUTER. Thank you. Dr. MacIntyre, I would like to end with two economic questions for you. First, what is there in East Timor that you would expect to be the most likely areas for economic activity in the future, economic development?

Second, there is often discussion about the hope for major oil and gas findings in the Timor Gap. Do you think it is likely that Australia and Indonesia would renegotiate their agreement in that area so that East Timor could in fact have an opportunity to benefit from any oil and gas that might be discovered in that area?

Dr. MACINTYRE. With regard to the first question, if we look in broad terms, what is going to be the main economic activity, it is very clear it will be agriculture. Most people in East Timor will be engaged in agriculture. That will be the basis of the economy.

Mr. BEREUTER. Is coffee one of their crops?

Dr. MACINTYRE. If we look to what is going to give them export dollars, that is where coffee comes in, that is where oil might come in, and conceivably, given some time and some good luck, tourism, et cetera, et cetera. But if we look at the basis of the overall economy for the next so long it is going to be agriculture, and that is

why getting the agricultural economy moving again, fertilizer, credits, all those sorts of things that are necessary, is so important.

Your second question, my understanding of the situation is that that is indeed what is anticipated, that there will indeed be a restructuring of previous agreements to take account of what are basically changes in the map now, and that the Australians are fully expecting to play ball on that. It is not clear to me how Indonesia could resist it. Maybe they could drag the chain, but I don't see that as a major issue.

Mr. BEREUTER. I enjoyed visiting the campus where you did your study last August.

I would like now to turn to our colleague from the Commerce Committee, representing a part of the San Diego metropolitan area, to make inquiries of one of the gentlemen who is from the San Diego metropolitan area. You are recognized.

Mr. BILBRAY. Yes. Dr. MacIntyre, I would just like to say we have more in common than we would like to admit sometimes, right?

I would just like to compliment both our witnesses. I really have to reflect on my colleague from San Diego's comment about we should celebrate how well it has gone. Anybody who is a betting person probably would have laid money that between the time of the election to this day, we would have expected so much more social upheaval, so much more problem and so much more difficulty for the peacekeeping forces, and we have been lucky that way.

You may disagree with me strongly, but I would say this and I will ask you this question. I think that those of us in the States may grossly underestimate how much not having the Yanks on the ground helped in the process. I think that too often we forget as Americans that we really are, an easy target for extremists to point fingers at and try to justify actions based on the fact that it is the imperialistic Yanks and they are moving in, or whatever.

I think part of the formula we need to learn from East Timor is having the Aussies go in and be the higher profile took away the extremists, at least to some degree, not that they can't hate the Aussies as much as they do Yanks, but it takes away some of the tools that extremists use traditionally as a way to cause turmoil, to cause violence and whatever, by saying, "Once the Americans move in, you'll never get them out, the imperialists."

I am just wondering from your comment, is that really that much off base? Could that be part of the secret, that we were able to have a group of peacemakers who weren't so overwhelmingly intimidating and didn't play into the extremist lines? Could that be part of the formula that gave us the success?

Dr. MACINTYRE. Mr. Bilbray, thanks for the comments. Let me come to the first part of your remarks first. I need to be careful in underscoring or focusing on the progress that has been made in the past 4 months. I don't in any sense want to diminish from the horrors of what went previously or the scale of the challenge that lies ahead. But I guess I want to discourage people from being despairing of the scale of the task at hand, because much more that is good has happened than I think we would have expected.

To the second part of your question, I strongly agree with you. I think this is a model we should be looking at for U.S. foreign pol-

icy more broadly. I mean, this is real burden-sharing in action. This is the thing we want to see.

It seems to me that the U.S. in fact played a more important role in all of this than the burden of the discussion has suggested. I think it was important for Australia to know where the United States stood on this issue. I think that mattered to them in their decision to go in. But in broad terms I very much agree with you. This is the model for burden-sharing that it would be good to see more of.

Mr. BILBRAY. It is funny you say that about where America stood on this issue, because like I said before, I was just astonished that every time I went back to visit family and every time I met with a diplomat, every time I met with a Member of parliament, they kept coming up, "Will you be there if we need you in East Timor? Are you willing to go in there with ANZAC? What about the repercussions of some kind of claim of Europeans moving into an Asian country?"

There was just an absolute concern that political correctness or some kind of race-baiting would scare us away from being supportive, and I was glad to see that didn't materialize, and it was just interesting for me hearing this, and I never heard anything here in D.C. from Americans even reciprocating on it. So I was concerned there.

But getting back to this issue that I want to keep pinging on, is the fact that I guess the fact that the Americans were not the high profile up front, I guess I would say to those of us who are Americans, we forget that we are today what the British were in 1774. There is a bit of status at taking a shot at an American soldier, just the fact that you are taking a shot at an American soldier. I think when you go back and read our history, there was a bit of status to the fact that we were willing to stand on a village green and actually face off with the world' premier military power, and that added status even though we fired and ran like hell.

I leave it with that, but I just think that we need to think about the fact that those of us in the States really do live insulated from some of the pressures and some of the perceptions the rest of the world have of us. Thank you.

Mr. BEREUTER. Thank you very much, Mr. Bilbray. Mr. Bilbray, you are welcome anytime you would like to join us on an Asia Pacific Subcommittee.

Gentlemen, thank you very much for your testimony here today. We appreciate your contributions, and your entire statements will be made a part of our record. Thank you. This hearing is adjourned.

[Whereupon, at 3:32 p.m., the Subcommittees adjourned.]

A P P E N D I X

FEBUARY 10, 1999

STATEMENT OF SENATOR CRAIG THOMAS
CHAIRMAN, SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS
JOINT SENATE-HOUSE HEARING ON EAST TIMOR
FEBRUARY 10, 2000

Thank you Mr. Chairman. This is the third time our subcommittees have met in a joint hearing since I became Chairman in 1995; and, as far as I can discover, these three are the only times Senate-House Foreign Relations subcommittees have met jointly in over two decades. It is no coincidence that of these three hearings, two have been on the subject of Indonesia and East Timor. I believe that fact underscores the importance the Congress attributes both to the political and economic stability of our friend and ally Indonesia, and to the satisfactory resolution of the situation in East Timor.

When we met last September, the outlook for East Timor was bleak. After an August 30 plebiscite in which 78.5% of eligible East Timorese voted for independence, pro-integration militias supported by certain elements of the Indonesian military unleashed a reign of terror designed to overturn those results. Thousands fled or were driven from their homes into the mountains, refugee camps, and across the border into West Timor. Unknown hundreds were killed.

Thankfully, after a great deal of pressure from the international community, the Indonesian government requested UN assistance in stabilizing the situation. The result was the establishment within East Timor of INTERFET, the International Force in East Timor, which carried out its mandate admirably. I would like, at this point, to again recognize and express our deep appreciation for the vital role the government of Australia played in the success of INTERFET's mission.

Today, the picture is somewhat brighter. Militia violence has been ended. The UN has established a viable entity -- called UNTAET -- to provide for the transitional administration of East Timor. Refugees have begun to return home, and in a laudable move the Indonesian Human Rights Commission -- with whom I have met -- has issued a scathing report on the role of Indonesia's military in general, and General Wiranto in particular, in fomenting the violence on the island.

That is not to say, however, that the job is finished -- not by a longshot. The infrastructure of democracy cannot be established overnight. East Timor lacks even the basic rudiments of government, and of a viable economy. Forces that would like to see the situation destabilized reside just across a permeable border with West Timor. The Timorese will require both technical and financial assistance for some time, but risk becoming dependent on that aid. Clearly, the international community has its work cut out for it: to help get East Timor started down the right both, without becoming a permanent presence and source of welfare. That is the challenge we presently face.

But the situation in East Timor cannot be viewed in a vacuum. While East Timor as a geopolitical entity has been separated from Indonesia, East Timor as an issue cannot be.; it continues to effect

the politics, economy, and political stability of Indonesia. For example, in part as a result of his role in the tumult in East Timor as reported by the Human Rights Commission, Gen. Wiranto has been asked to step down by President Abdurrahman Wahid. So far he has refused to go, setting the stage for struggle for power between the legitimately elected democratic government and the military. As long as the prospect for political instability looms, Indonesia's economy -- which is still suffering the aftershocks of the 1997-98 economic collapse -- will continue to suffer from a lack of investor confidence. Finally, the success of the East Timorese in cutting loose from Indonesia has emboldened separatists in Aceh and Irian Jaya -- further contributing to the country's political and economic instability.

We cannot afford to let Indonesia continue to slip down this dangerous slope. It is the world's fourth largest country; the keystone and guiding force in ASEAN; and a key to the whole region's stability. I believe that we should work hard to help keep them from that precipice. But while doing so, I also believe that Indonesia is a mature country, and consequently we should try to contain our role to advising and encouraging -- not to dictating. And finally, I believe that, as the success of INTERFET has shown, our friends in the region are better placed to assist Indonesia than we.

Thank you, Mr. Chairman. I look forward to hearing the testimony of our witnesses this afternoon.

The Honorable Doug Bereuter
Chairman
Subcommittee on Asia and the Pacific

Opening Statement
Thursday, February 10, 2000

"East Timor: A New Beginning?"

The Subcommittee on Asia and the Pacific meets today in open session, jointly with our Senate Foreign Relations Committee counterpart, to receive testimony on the political and economic future of East Timor in the aftermath of a string of historic events. It is uncommon for the House and Senate Asia-Pacific Subcommittees to meet jointly but these have been very uncommon times in East Timor, to say the least, and that has resulted in our second joint hearing on this subject in just five months. I certainly want to warmly welcome Chairman Craig Thomas and our other Senate colleagues.

I also want to indicate that the House Subcommittee on Asia and the Pacific will be holding a separate hearing entitled, "Indonesia: Confronting the Political and Economic Crises", next Wednesday afternoon at 1:30pm in Room 2200 here in the Rayburn Building. This back-to-back pair of hearings will allow the Subcommittee to devote the requisite amount of time and attention that East Timor and Indonesia each, individually, deserve. Today, we will be concentrating on East Timor and, I serve notice to my House colleagues that I intend to try to avoid a focus on East Timor in the hearing next week.

When we last met on the subject of East Timor on September 9th, murder and mayhem in East Timor were dominating headlines around the world. The Indonesian military, in particular, appeared to have been deliberately unwilling or, perhaps, in some cases, unable to uphold the responsibility it demanded to provide peace and security during and after the referendum in which an overwhelming majority of East Timorese voted for independence. Though it took too long, Indonesia's ultimate decision to allow an international force led primarily by Australia (INTERFET) into East Timor stopped the killing and destruction. From this low point, one would hope that the future of East Timor can only improve.

Indonesia's withdrawal from and formal nullification of its claims to East Timor coupled with the United Nations' action to establish UNTAET (the United Nations Transitional Authority in East Timor), as an interim administration for East Timor clearly paves the way for the territory's transition to full fledged independence in the future. The very difficult challenge ahead will be the ability to establish the political, judicial, economic and social infrastructure necessary to adequately support an independent country. East Timor is beginning with essentially nothing. In addition to the overwhelming physical damage done to buildings and public works by the retreating Indonesian militias, the four hundred years of Portuguese neglect and twenty-five years of dependence on Jakarta has left East Timor without even the minimal level of human

resources needed to provide effective self-governance at this time.

Of a more immediate concern is the need to ensure that basic nutritional, health and housing services are reaching the population in East Timor and the still vexing problem of the repatriation of those East Timorese refugees who fled to other parts of Indonesia and, in particular, to West Timor where some are still being held as virtual prisoners by armed militias. Ensuring unrestricted international access to and safe passage home for these refugees is, indeed, Indonesia's obligation and Jakarta's continued failure in this regard will only exacerbate Indonesia's standing in the international community with grave risk to Indonesia's own fragile transition process.

The recent decision by the Indonesian government commission of inquiry to charge senior members of the Indonesian military and their militia surrogates for human rights abuses in East Timor is a very important first step towards the closure of this bloody chapter in East Timor's history and appears to be the kind of strong, positive action for which the U.S. and others have called. While these indictments have an important bearing on U.S.-Indonesian relations, we must not allow this set of issues alone to halt a proper engagement with Indonesia's military or do crucial damage to our overall relations with Indonesia. I strongly believe that previous well-intentioned (but in some cases special-interest motivated) congressional actions which were focused almost exclusively on East Timor have largely been counter-productive for America's interests in Indonesia. They have resulted in America losing overall access and leverage in Indonesia, particularly with the Indonesian military. That was certainly made apparent by our limited ability to influence and temper the military's actions in East Timor.

I do not believe we should repeat these mistakes; nor should we do anything to unintentionally undercut the bold actions of President Wahid to investigate and prosecute those responsible for human rights abuses in East Timor by, once again, conditioning broader U.S. relations with Indonesia primarily on developments in or with regard to East Timor. Furthermore, given the serious actions and stinging indictment of Indonesia's military by the Indonesian government's own commission of inquiry, I also believe that we should give that important internal process a chance to succeed before proceeding any further with a Bosnia-style international tribunal for East Timor. Despite its future independent status, there is no question in my mind that East Timor's future prosperity will be directly affected by the depth and scope of Dili's political and economic relations with Indonesia. Therefore, it would seem prudent to me that in addressing the tragedies of the past that East Timor and the international community not lose sight of East Timor's needs in the future.

To assist the Subcommittees in examining these issues, I am pleased that we will have the opportunity to hear from both the Administration and a distinguished panel of private witnesses. Testifying for the Administration will be the Honorable Stanley Roth, the Assistant Secretary of State for East Asian and Pacific Affairs. Mr. Roth, we welcome you back to the subcommittee where you, of course, you also rendered long and very distinguished service as staff director. As members will see from his biography, Mr. Roth has also served as Deputy Assistant Secretary of Defense and as Special Assistant to the President and Senior Director for Asian Affairs at the National Security Council.

Also testifying for the Administration and concentrating on United Nations operations in East Timor will be the Honorable C. David Welch, the Assistant Secretary of State for International Organization Affairs. A career Foreign Service Officer, Mr. Welch has held a number of important positions with the State Department in Washington and throughout the Middle East and Asia. Prior to being sworn in as Assistant Secretary in October 1998, Mr. Welch served with distinction as the Principal Deputy Assistant Secretary in the Bureau of Near Eastern Affairs. He also served as the Charge d'Affaires at the U.S. Embassy in Riyadh, Saudi Arabia.

We are also honored to have an excellent second panel of distinguished witnesses. Mr. Charles Costello is presently the director of the Carter Center's Democracy Program and led the Center's election observation delegation to East Timor. Prior to joining the Carter Center, Mr. Costello had a lengthy and successful career with the U.S. Agency for International Development where he directed AID's Center for Democracy and Governance. Before assuming that position, he headed the USAID mission in post-conflict El Salvador where he had first-hand involvement in overseeing programs to demobilize forces, support reformed political institutions, and rebuild civil society. A former Peace Corps volunteer, he has a BA from the University of Michigan and a J.D. from the University of California at Berkeley.

Dr. Andrew MacIntyre is a leading authority on the politics of economic reform in Southeast Asia and is presently Associate Professor and director of the ASEAN-Pacific Project at the Graduate School of International Relations and Pacific Studies at the University of California, San Diego. He previously served as Associate Dean of the school. While he is certainly well respected and recognized for his numerous outstanding writings and presentations on Indonesia and other ASEAN countries (articles and commentaries which are, indeed, highly recommended), it is his research and analysis on East Timor and its future which makes him an especially valuable witness to our joint subcommittees today. Dr. MacIntyre received his BA with honors from the Australian National University and subsequently received both his Masters and Ph.D. from this leading Australian academic institution. He is fluent in Indonesian. He has taught at the Australian Defense Force Academy and served as the Senior Lecturer at Griffith University in Brisbane, Australia. Gentlemen, we welcome you to our joint hearing.

Mr. Roth and Mr. Welch, as we have two panels today, I must ask that you limit your remarks to approximately 10 minutes to allow for members' questions and discussion. And, without objection, your written statements will be included in their entirety into the Record.

I now turn to the very distinguished Chairman of the Senate Foreign Relations Subcommittee on East Asia and the Pacific, Senator Craig Thomas for any comments that he may have.

Opening Statement of Congressman Tom Lantos
Hearing on Indonesia
February 16, 2000

[Please have this set in type rather than using this text and "photo-copying" it and including it in the text.]

I want to comment you, Mr. Chairman, for holding this hearing on Indonesia today. Over the past year Indonesia has been one of the most volatile countries in the jurisdiction of the Subcommittee on Asia and the Pacific. Under your leadership we have examined serious issues involving Indonesia in the past year, and it is most appropriate as we begin the Second Session of the 106th Congress, that our first two hearings have focused on East Timor and Indonesia.

Mr. Chairman, as you have already emphasized, Indonesia is a country of great importance to the United States and our national interests. It is the fourth most populous country in the world, the country with the largest Moslem population, and its location gives it great strategic importance. It is essential, therefore, that the United States devote the time, effort and resources to helping Indonesia successfully carry out the transition it is now undergoing to a free, open, pluralistic and democratic society. It is also important that we help it deal successfully with the vital economic reform and restructuring process that is now taking place.

In view of the importance of Indonesia to our nation and the important changes that are taking place in that country at present, I welcome Secretary of State Madeleine Albright's designation of Indonesia as one of the four countries of special focus for United States foreign policy.

Mr. Chairman, I want to welcome our witnesses today, and in particular Assistant Secretary of State of Asian and Pacific Affairs, Stanley Roth. He has played a key role in shaping U.S. policy in this part of the world, and he brings a wealth of knowledge and understanding to the formulation of U.S. policy toward Indonesia.

Thank you, Mr. Chairman.

NEWS International Relations Committee

U.S. House of Representatives * Benjamin A. Gilman, Chairman * 2170 RHOB * Washington, D.C. 20515

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GILMAN STATEMENT ON EAST TIMOR

WASHINGTON (Feb. 10) – U.S. Rep. Benjamin A. Gilman (20th-NY), Chairman of the House International Relations Committee, released the following statement today a joint hearing of the Senate Asia-Pacific Subcommittee and the House Asia-Pacific Subcommittee on the situation in East Timor:

I want to thank the distinguished chairman of the Asia Pacific Subcommittee, Mr. Bereuter, for holding this very timely hearing today and for his diligent attention to the Indonesia and East Timor issues.

I also want to welcome to the House of Representatives Senator Craig Thomas (WY) and his colleagues from the Asia-Pacific Subcommittee of the Senate Foreign Relations Committee .

Although the situation in East Timor is stabilizing, it is obvious that much is left to be done. First, the refugee repatriation process must be completed safely and expeditiously. There are still a number of refugees who remain in West Timor and want to return home.

Second, the remaining militia elements must be controlled and ultimately disbanded. Indonesia must dissolve these militia groups which are crossing the border from West Timor into East Timor.

Third, all those responsible for the violence in East Timor must be held accountable for their actions and brought to justice. I believe we're all anxious to see the report of the Indonesian National Commission on Human Rights and I call upon the government of Indonesia to take action on the findings and make that report available to the public as soon as practicable.

In that regard, former armed forces chief General Wiranto should step down immediately from his government post and account for his actions in the aftermath of the referendum on independence in East Timor last year. His resignation will send an important signal to others that the military must remove itself from Indonesian political life and return to the barracks.

Fourth, the United States and the international community must recognize the challenging transition that is ongoing in East Timor and extend a helping hand to assist this important transformation. The U.S. has a key role to play in the democratization and reconstruction of this new island nation.

Lastly, I want to thank the forces of INTERFET, especially the Australians who played a key role in its deployment and in the cessation of violence in East Timor. I also want to commend the brave American forces who supported this historic transition to an interim United Nations stewardship.

I look forward to free and fair elections at an appropriate point in the future in East Timor and wish the UN transitional administration for East Timor and the East Timorese people the best as they undertake this unprecedented journey.

Senator Russell D. Feingold
Opening Statement
Joint Hearing of the Senate Subcommittee on East Asian and Pacific Affairs
and the House Subcommittee on Asia and the Pacific
February 10, 2000

- Thank you, Chairman Bereuter and Chairman Thomas, for scheduling today's hearing.

- I have a few brief opening remarks to make, as well as a few questions for Assistant Secretary Roth and Assistant Secretary Welch..

- I am pleased that the Senate and House Subcommittees with jurisdiction over United States policy in East Asia again have the opportunity to convene a joint hearing on the important issue of the future of East Timor.

- As the people of East Timor start down the road toward independence, we should focus our attention on two important issues: accountability for the past and action for the future.

- The international community should join the people of East Timor in embracing their transition to independence.

- I welcome the day when East Timor is truly independent and our policy toward that new country is not considered only in the context of our policy toward Indonesia.

- I hope that this hearing is a step in that direction.

Testimony before

The House International Relations

Asia Pacific Subcommittee

and

The Senate Foreign Relations

East Asian and Pacific Subcommittee

On Conditions and Prospects in East Timor

By Stanley O. Roth

Assistant Secretary of State

For East Asian and Pacific Affairs

C. David Welch

Assistant Secretary of State

For International Organization Affairs

February 10, 2000

Mr. Chairmen, it is an honor to testify before this joint hearing of your two subcommittees. This is only the second such hearing that I know of, the first being last September's hearing at which Under Secretary Pickering testified. That makes it all the more striking that both hearings addressed the same issue - developments in East Timor.

A Tumultuous Year

The events of the past year in East Timor have been tumultuous, heart-breaking and yet full of hope. A little over a year ago, there seemed little chance of a resolution of the twenty-five year Indonesian occupation of East Timor. But, Indonesian President Habibie's referendum proposal last January broke that impasse. By May, Indonesia, Portugal and the United Nations had agreed upon a mechanism for the people of East Timor to choose between autonomy under Indonesia or a chance of independence. The UN Security Council established the UN Mission in East Timor (UNAMET). On August 30, almost 99 percent of eligible East Timorese voters went to the polls and 78.5 percent voted against remaining part of Indonesia. That remarkable vote occurred despite continuing intimidation by opponents of independence sanctioned by elements of the Indonesian military.

On September 4, UNAMET announced the results of the August 30 poll. In the days immediately following, pro-integration militias, backed by elements of the Indonesian military, unleashed a wave of violence against the people of East Timor. Hundreds were murdered, many were raped. Whole villages were leveled. An estimated 250,000 East Timorese were forced into exile in West Timor. The magnitude of this exile is painfully apparent in context of a total East Timorese population of approximately 800,000. Many others fled their homes into the mountains to escape this tidal wave of bitter retribution. Roughly a third to a half of those who were driven into West Timor were collected in camps where they were subjected to continuing intimidation by pro-integration militias, backed by elements of the Indonesian military. Almost all surviving East Timorese, whether they remained in their homes, hid in the mountains or lived in exile camps suffered disease and malnutrition.

These conditions raised great concern in the international community. Over the course of several weeks from late August to early September, the President consulted urgently and regularly with UN Secretary General Kofi Annan, Australian Prime Minister Howard and several other world leaders in an effort to forge a common response. During the week of September 6, the President urged the Indonesian Government publicly to accept international peacekeepers, stating on September 9 that it was now clear the Indonesian military was abetting violence. At the same time, he indicated, first to Australian Prime Minister Howard and then publicly that the U.S. was prepared to provide tangible support to the Australian-lead force in its effort to restore order.

The Security Council authorized an international force in order to restore peace and security in East Timor; and protect and support the UN Mission in East Timor (UNAMET) in carrying out its tasks. They were empowered, within force capabilities, to facilitate humanitarian assistance operations and enable refugees and internally displaced people (IDP's) to return to their homes. That force, the International Force in East Timor (INTERFET), was ably organized by Australia and led by Australian General Peter Cosgrove. It included the active participation of a number of other countries from the region, including the Philippines, the Republic of Korea, New Zealand and Thailand, which provided the deputy commander, Lieutenant Songkitti. While the U.S. did not contribute combat forces, we did provide significant logistical, transportation, communications, intelligence and other support for INTERFET operations.

In October, the Indonesian People's Consultative Assembly acknowledged the results of the referendum when it voted to "separate" East Timor from Indonesia and return control of the territory to the United Nations. Shortly thereafter, the new president of Indonesia, Abdurrahman Wahid (also known by his honorific name Gus Dur), confirmed that his new government would honor that decision. That decision set the stage for the United Nations to assume control over East Timor in order to help the people of East Timor build a new independent nation.

On October 25, 1999, the United Nations Security Council established a new mandate for its operations in East Timor.

The United Nations Transitional Administration for East Timor (UNTAET), which replaced UNAMET, was directed to provide overall administration of East Timor, guide the people of East Timor in the establishment of a new democratic government, and maintain the security which had been provided by INTERFET since September.

Current Situation

Since INTERFET deployed in East Timor, militia violence there has effectively ended. There have been several clashes between INTERFET forces and militias operating out of West Timor. However, within East Timor, most of the militias have either disbanded or fled to West Timor. This reimposition of order has occurred with no INTERFET fatalities and few casualties. We remain very concerned, however, about recent militia attacks on the borders of the East Timor enclave of Ambeno/Oecussi.

An estimated 135,000 or approximately half of those driven into exile in West Timor have returned. Regrettably, this has not been a smooth process. Instead, it has required considerable pressure from both the United States and the rest of the international community. Assistant Secretary Julia Taft and Assistant Secretary Harold Koh made separate trips to East Timor to try to expedite the return of the refugees, as did Mrs. Ogata (the head of the UNHCR). Subsequently, our Ambassador to the United Nations Richard Holbrooke and Assistant Secretary Roth traveled to these camps in December to see conditions first-hand and to increase the pressure on Indonesia to open the camps and assist in the safe return of refugees to East Timor.

In the course of the past week, the peacekeeping component of UNTAET has begun operations on the ground in East Timor, taking over security responsibilities from INTERFET. (This transition is due to be completed on 28 February.) The PKO component is led by General Jaime De Los Santos from the Philippines. Throughout the planning for UNTAET, we have strongly supported the interest of nations in the region, especially ASEAN nations, in playing a leading role in reestablishing the peace in East Timor. The agreement of Thailand's Lieutenant General Songkitti to serve as deputy to General Cosgrove was an important step, and we supported the interest of Asian, particularly ASEAN nations in providing the commander for the second phase of military operations in East Timor. For that reason, we particularly

welcome the appointment of General De Los Santos to head the military component of UNTAET.

We have also welcomed the appointment of Sergio Vieira De Mello as the UN Transitional Administrator and overall coordinator for the second phase of UN operations in East Timor. He brings a wealth of experience and a record of success. His arrival in East Timor several months ago helped usher in a new spirit of cooperation between the UN agencies there and the people of East Timor and their leaders.

With security reestablished on the ground and the most acute humanitarian emergency period drawing to a close, East Timorese have now begun rebuilding their devastated economy and infrastructure with the support of the international community. Food has been brought in and distributed so that hunger and malnutrition are no longer a daily danger for the bulk of the East Timorese people. Homes are being rebuilt; education, agriculture, and basic health services are being rehabilitated. The U.S. Government has made very significant contributions to those efforts, providing as much as half of humanitarian aid in some sectors.

Finally, an encouraging start has been made in the process of repairing Indonesia-Timor relations. The invitation by President Wahid to Xanana Gusmao to visit Jakarta to meet with his government, and Gusmao's successful visit in November will be seen, we hope, as the symbolic inauguration of cooperative ties between these two neighbors. President Wahid has agreed to a return visit to East Timor, which will help cement these two on the path to reconciliation.

Significant Challenges Remain

Despite the pain and suffering of the past year, the people of East Timor and those in the international community who support them have accomplished extraordinary feats. Nonetheless, significant challenges remain. How we respond to those challenges will be as important for the future of East Timor as the challenges surmounted in the year past.

-- Building Institutions & Prosperity in East Timor

The first challenge is to build a self-sustaining society in East Timor. This is a formidable task requiring starting almost from scratch on many basic services and institutions. Even before the devastation visited upon East Timor in September of last year, its people lived in difficult circumstances. East Timor has few natural resources; the climate and soil make it difficult to grow sufficient foodstuffs to be self-sustaining, much less produce for exports. Coffee production, which USAID has helped develop over a number of years, offers one of the few good hopes for a significant export crop.

The rampage of militias in East Timor after September 4 last year made this difficult situation worse. They destroyed or severely damaged 60 to 80 percent of public and private property across East Timor. Most hospitals and health centers, as well as schools and other public buildings and utilities, have been destroyed. After 1975, virtually all doctors, teachers and civil servants in East Timor were Indonesians. The great majority of these individuals fled either in the run up to or in the days following the August 30 balloting. Now, the economy is at a near standstill; unemployment is perilously close to universal. Regrettably, but not surprisingly, crime and lawlessness are increasingly serious problems.

-- Ending Intimidation in West Timor

Significant challenges remain in our effort to ensure that the remaining refugees in West Timor camps and towns who want to return to East Timor can do so. Despite repeated reassurances, the Government of Indonesia has not reestablished adequate control in the camps nor halted definitively the activities of East Timor militia groups there. Militias are still conducting armed training and harassing pro-independence East Timorese who want to return home.

It is difficult to assess how many of the 100,000-plus remaining refugees do want to return home to East Timor. Many -- militia members, Indonesians and East Timorese who served in the Indonesian government in East Timor or had opposed independence, and others who are simply unsure of what life in East Timor holds for them -- may well choose to remain in West Timor or to go elsewhere in Indonesia. Indeed, some experts believe that a majority of the remaining refugees in West Timor do not want to return home

at the present time. If some do choose to remain in Indonesia, the Indonesian Government must take steps to integrate them into society, not leave them in refugee camps. We will continue to press the Indonesian Government to re-deploy military elements and to craft near-term effective options for resettlement of those who choose not to return. And, pending the return of refugees, we need to ensure that basic humanitarian relief continues to get to them in West Timor.

Nevertheless, it is equally clear that tens of thousands do want to return. We will continue to insist that this group of refugees be able to exercise its right of return without hindrance or intimidation.

-- Ensuring Accountability

In September the United Nations and the Government of Indonesia launched separate efforts which sought, in the words of UN Secretary General Kofi Annan, "to gather and compile systematically information on possible violations of human rights and acts which might constitute breaches of international humanitarian law committed in East Timor since January, 1999."

Both have recently submitted their reports. While we have seen only informal translations and press reports of the Indonesian report, both the UN and Indonesian reports make grim reading. They detail many of the brutal acts that occurred in East Timor over the past year. The report by the Indonesian Commission of Inquiry identifies, 33 specific individuals whom it recommended the Attorney General further investigate. Those who produced both reports are to be commended. Only through credible, thorough and transparent investigations like these can the facts about the atrocities that took place in East Timor be established.

As Indonesia and the UN move forward to ensure accountability, two principles will govern the United States response to these reports and the actions that follow from them:

First, there must be real accountability both for those who directed and those who carried out the carnage in East Timor over the past year.

Second, the Government of Indonesia now has a critical opportunity to undertake the investigative and judicial processes that will demonstrate their own capability to achieve genuine accountability.

In issuing the UN report, Kofi Annan expressed support for the effort conducted by the Indonesians themselves. We believe that such support is appropriate, provided that Indonesia carries through on its commitment. Let us be clear: a strong vigorous report is an important first step, but only a first step. Results must follow. If they do not, then international public opinion will increasingly demand an international mechanism to ensure accountability.

U.S. Policy -- Meeting the Challenges

These then are the challenges that we face: building a new East Timor, resolving the fate of remaining refugees in West Timor and ensuring accountability for past atrocities. Working together with East Timor and other concerned countries, we are responding.

We are working with East Timor and others in the international community to establish the basis for a sustainable economy and government for independence. The World Bank and the UN have estimated that it will require $300 million in development assistance over the next three years in order to address realistically these problems. The December Tokyo Pledging Conference for East Timor took a major step toward meeting the estimated development need and also committed $148 million in humanitarian assistance(roughly half of that was from the U.S. in refugee and disaster assistance funding).

Through USAID, the U.S. has been a leading contributor to the development of East Timor since 1994. As a result of AID's funding an extremely successful coffee cooperative project, small farmers have been able to enter the cash economy and earn foreign exchange. To help prepare East Timor for full independence, USAID will expand this project in addition to funding new community-led projects aimed at developing East Timor's capacity for democratic self-government, improving local civil administration, and building police capabilities. The Congress's provision of $25 million made in the Consolidated Appropriations Act for

FY 2000 will help ensure that we are able undertake these and other important efforts, such as assistance in the human rights and judicial training areas, in concert with the East Timorese people.

Within this allocation, we also plan to contribute $4 million to the UNTAET Trust Fund to fund East Timorese civil administration salaries and other recurrent, non-development type costs. In addition, $.5 million will go to the World Bank Trust Fund for longer term reconstruction and development efforts. Our allies have already pledged to contribute a total of $31.9 million to the UNTAET Trust Fund and $147 million to the World Bank Trust Fund. An additional $37.1 million in pledges will be split between the two funds as needed. For the UNTAET peacekeeping operation, which is funded separately from UNTAET's "nation-building" activities, we anticipate an assessment of $196 million.

Security in East Timor has both a peacekeeping dimension and a police dimension. Thanks to the successful performance of the Australian-led, multinational peacekeeping operation INTERFET, the stage has been set for the transfer of security responsibilities to the UN peacekeeping operation UNTAET.

Beginning in June 1999, the US contributed 30 police to the UN Assistance Mission in East Timor (UNAMET). With the establishment of UNTAET, which authorized a total force of 1640 armed international civilian police, with executive authority (to provide public security and have powers of arrest) as part of its mandate, our contribution was increased to 45. We are considering further increasing our level of civilian police participation and have allocated $8.5 million in Peacekeeping Operations funds for this purpose.

The UNTAET Mandate also calls for CIVPOL to develop and train an East Timorese police force, and a number of the US officers deployed to East Timor have backgrounds in specialty areas that will be useful in this effort. Currently, the level of continued US CIVPOL support for UNTAET is being considered, along with options for assisting with training the new East Timorese police force and establishing a criminal justice system.

Twenty-three nations have signed up to contribute personnel to UNTAET's approximately 8,300-strong peacekeeping force. These include almost all INTERFET-contributing nations, as well as five new nations -- Fiji, Bangladesh, Chile, Pakistan and Portugal. Current estimates are that about 70% of INTERFET troops will remain for service in UNTAET. The UNTAET force thus is not coming into East Timor "cold." On the contrary, the UNTAET force will immediately consist largely of former INTERFET troops who are already experienced and knowledgeable about operations in East Timor.

As for a post-INTERFET U.S. military presence in the East Timor region, we are considering a small liaison presence that would enable us to take advantage of U.S. rotational exercises in the Pacific to conduct humanitarian and civic assistance programs in East Timor. We do not envision U.S. military units serving in the UN peacekeeping force, although we are considering a contribution of up to four individual officers to serve in the UN mission as military observers or in staff positions.

As soon as our consultations are completed, and the President has made a determination, we of course will provide you with more information.

Conclusion

The road that East Timor has traveled over the past year has been rough, yet it has also been triumphant. Serious challenges remain before East Timor emerges as an economically viable and democratic society. East Timor would not have come this far without our support, and it will continue to need our support to meet the challenges ahead. With support from the United States and the international community, I am confident that East Timor will meet the challenges ahead. We must continue to do what we can to help.

The Transition to a Democratic and Independent East Timor

Statement by Charles E. Costello, Director, Democracy Program,
The Carter Center

To the
Joint Hearing of the House and Senate
"East Timor: A New Beginning?"
February 10, 2000

The Carter Center was involved in the Asia region, in Indonesia for the June 1999 parliamentary elections (when President Carter met then imprisoned Timorese leader Xanana Gusmao), and in East Timor before and after the referendum that led to East Timor's separation from Indonesia. The Carter Center's work in East Timor, including sustained public reporting that had a strong impact on world opinion, has earned wide recognition and reinforced the Center's credibility and reputation for impartiality among key actors in the territory.

As part of its ongoing efforts in East Timor, the Center conducted a USAID-funded post-referendum assessment in December 1999. The main goals of this comprehensive assessment were to determine priorities for promoting democratic development in East Timor and to identify specific areas in which The Carter Center and other international groups might be of assistance to the East Timorese during their transition toward full independence.

The assessment team met and consulted with a wide range of political actors in the territory, as well as members of civil society, the United Nations, and other international organizations. In the capital of Dili, the team received briefings and conducted interviews with UN Transitional Authority for East Timor (UNTAET) officials, National Council of Timorese Resistance (CNRT) officials, including President Xanana Gusmao and Vice President Jose Ramos-Horta, INTERFET, representatives of other U.N. agencies (e.g. UNDP, UNICEF) and representatives of a variety of Timorese non-governmental organizations (NGOs), including women's groups and student groups. The team also gathered information from trips outside Dili and in Darwin, Australia.

East Timor was devastated by the post-consultation violence. The humanitarian effort organized by the United Nations and other international organizations has been impressive and comprehensive. Nonetheless, considerable relief and physical reconstruction work is still necessary, including in the areas of food security and agricultural development, reconstruction of houses and other buildings, development of reliable telecommunications systems, provision of adequate health care, and access to education, among others.

Experience in other war-torn countries has shown, however, that too often, in the initial stages of reconstruction, a trade-off is made, and physical reconstruction usually gets far more attention than governance and social reconstruction. East Timor offers a unique opportunity to focus attention on building a political culture based on respect for human rights and other democratic values at the same time that East Timorese rebuild their homes, roads, and schools.

Early concerns of UNTAET that an affiliation with CNRT would, in effect, only serve to solidify CNRT as the legitimate, one party ruler in East Timor have dissipated. East Timorese political leadership is committed to a pluralist, multi-party, democratic system based on the rule of law. CNRT leadership, including CNRT President Xanana Gusmao, has made it clear that government can be formed only on the basis of democratic elections.

Nonetheless, UNTAET is very aware of CNRT's strong organizational capacity, especially at the local level, created by the strong grassroots network that developed clandestinely during the resistance movement. Although at the national level CNRT has pledged on numerous occasions that it will dissolve when both Xanana Gusmao and UNTAET agree that political elections should be held, the existence of a widespread and well-functioning indigenous CNRT network has created an interesting dilemma for UNTAET administrators.

UNTAET has considered giving the pre-existing structures formal legal status and perhaps allowing them to act as conduits for funding, as challenging these structures outright could create a serious confrontation between CNRT and UNTAET. However, since these resistance networks are, in effect, un-elected bodies, there are concerns that the bodies are not truly representative and democratic. The existence of these networks underscores the need for creating a greater awareness of democratic principles and values among all East Timorese at every level of society and at the beginning of the transition period.

East Timor will face many challenges during the transition and in the years to come as it strives to establish and consolidate democracy. There are many areas that need the attention and support of the United States and other leaders in the international community. Priorities for assistance in the governance area include: promoting greater awareness of democratic values; strengthening the capacity of civil society organizations; empowering women and youth; drafting a new constitution; preparing for multi-party elections; establishing the rule of law; building a free and independent local media; promoting justice and reconciliation, including accountability for human rights violations perpetrated in East Timor; and resolving the refugee crises.

Promoting Greater Awareness of Democratic Values

A clear opportunity exists in East Timor to build a democratic culture. Nonetheless, after living centuries under Portuguese colonial rule and 24 years under a repressive Indonesian government, most of the East Timorese people have only a limited understanding of the concepts and practices of democracy and human rights, especially people in rural areas. Recognizing this, the CNRT leadership (including Xanana Gusmao and Jose Ramos-Horta) would like to build a nation based on rule of law, tolerance, and respect for human rights by promoting greater awareness of these principles among all East Timorese people. The CNRT, local NGO representatives, and UNTAET leadership all expressed to The Carter Center how essential it is for political elite centered in Dili to find ways to communicate with and receive feedback from the mostly rural population in the rest of East Timor. Each group specifically expressed the need for dialogue around human rights and democracy issues at the national policy-making level and at the grassroots level.

Mechanisms must be put in place to promote national political dialogue among all major groups in society on the principles of democratic governance. Civic education campaigns must be implemented that will feed back to UNTAET and the CNRT leadership and serve to increase public participation in policy-making. All parties agree that civil society groups, including NGOs, women's and student groups, and an independent media, should serve as the avenues for transmitting information to the public and providing feedback to UNTAET and CNRT.

Strengthening the Capacity of Civil Society

Local NGOs can play a critical role in informing public debate and increasing public influence on government policy choices, as well as providing issue specific expertise and coalition-building forums, in the constitutional drafting process, the development of legislation, and the holding of elections. Unlike in some other transitional countries (such as Liberia and Ethiopia), the political leadership in East Timor appreciates the important role that civil society must play to build a truly democratic state and strongly supports programs to enhance the capacity of local civil society groups to promote democratic development. East Timorese NGOs are eager to play such a role.

During the resistance movement, a number of NGOs worked to report and document human rights abuses and to support the call for independence. These groups now provide a core of nascent professional NGOs, that have already begun to operate in East Timor. However, as is the case in many post-conflict situations, many new NGOs have emerged to bid for the funds being funneled into East Timor by international NGOs and donor countries. Indeed, there are presently at least 25 local NGOs operating in East Timor, a significantly higher number than existed prior to the consultation. The members of many of these groups, while enthusiastic and possessing some limited technical training and expertise, lack the organizational skills and thematic training necessary to sustain an active and effective NGO, let alone maintain a broader NGO advocacy network. The local NGO community is further limited by a severe lack of material resources.

Training and capacity-building programs clearly are needed to assist in the maturation of these groups to ensure the sustainability of an influential and flourishing civil society. Specifically, organizational and management skills and the capacity of civil society groups to critique and influence public policy must be strengthened as soon as possible.

Empowerment of Women and Youth

CNRT leadership, UNTAET, and representatives from the local NGO community are particularly eager for traditionally marginalized groups, such as women and youth, to be brought meaningfully into a participatory process and for their specific issues to be considered in policy discussions. Historically, women and youth have been the sectors of society most affected by poverty and inadequate access to health care and education, and the groups with the least voice in decision-making processes.

Women in East Timor have been subjected to various forms of abuse and inequalities, including making up a majority of the unemployed. Domestic violence has been commonplace in many families, and women have suffered trauma related to both the long history of repression and the recent violence experienced during the post-consultation period. Significant numbers of women were raped by militia members during and after the consultation, both in East Timor and in the refugee camps. In addition, the post-consultation violence has left some 60,000 female-headed households without husbands or fathers, who are either dead or still in areas outside of East Timor.

Newly formed local women's groups have begun to provide assistance to female victims of domestic abuse and other forms of violence. These groups also want to ensure that gender issues are adequately considered in the decisions made by UNTAET and the CNRT. However, womens' groups recognize their need for additional training in these areas and have requested assistance.

Children and youth also have been greatly affected by East Timor's long history of repression and by the recent post-consultation violence. Prior to the vote, approximately 20 percent of East Timorese children did not attend school. Now most schools have not re-opened, as several U.N.

offices are located in the school buildings and there are few school supplies. Children were forced to flee East Timor with their families after the consultation. Today, those that survived are returning to homes and towns that have been destroyed, and some remain separated from their families. Yet these young victims of psycho-social trauma are the future teachers, doctors, and leaders of East Timor.

Students were some of the most significant activists for East Timorese independence, and they remain active today. Many of them were specific targets of past and recent human rights abuses. They are very sensitive to the potential of being alienated from UN/CNRT discussions and planning regarding the transition process. Students have identified several areas of concern for which they would like to advocate: the need for students who were within the Indonesia educational system to complete their education; the need to reconstruct schools, and the vocational and higher education systems; and the need to quickly address the high unemployment problem. Students are further concerned about the issue of language, as many speak Bahasa Indonesia and Tetun, but do not speak Portuguese, which the CNRT leadership has said will be the official language. It is critical that an on-going dialogue be established with students in East Timor during the transition process. Similar to the women's groups, student groups have begun to identify the issues they wish to address. They, too, recognize that their capacity is limited and seek guidance and training to improve their organizational and advocacy capabilities.

Preparing for Multiparty Elections and Drafting a New Constitution

To focus on immediate reconstruction needs, the U.N. and the CNRT have purposefully agreed to delay planning for elections and drafting of the constitution until later in the transition process. The type of elections to hold (parliamentary, presidential, local) and whether to draft the constitution prior to or after the elections is still being decided. There is an understanding among nearly all of the East Timorese leadership that electoral political activity at this moment could be divisive and the priority should be placed on the social and physical reconstruction of East Timor.

Still there is much work that will need to be done to prepare for democratic elections. There are as many as seven political parties with recognizable organizational structures, some of which have existed in East Timor or in exile since 1975, including UDT, Apodeti, and Fretilin. Fretilin is by far the most influential of the parties, holding the broadest public support. There are reportedly Fretilin party members in almost every community down to the sub-village level. Yet none of these parties have not participated in a democratic election.

Several thousand East Timorese assisted the United Nations in the administration of the consultation process, including the August 30 vote, and received limited training on the technical aspects of holding an election. Furthermore, there were hundreds of students who served as domestic monitors. This recent experience has left many East Timorese familiar with the technical aspects of conducting a transparent election. Still, the technical capacity of the East Timorese to conduct an election is limited. Developing political parties, promoting women's political participation, managing a political campaign, and establishing an electoral commission are examples of areas in which additional technical and thematic training are needed.

Though it will take some time for the East Timorese to be technically prepared for an election, there also are many non-technical aspects to a democratic election. These include wide participation in the political process and the ability of voters to make an informed choice. Both East Timorese leadership and the United Nations said it is critical that efforts begin immediately to institutionalize the concepts of pluralism and multiparty democracy into East Timorese society. The establishment of a democratic political culture will be essential to the conduct of genuinely

democratic elections. A better-informed public also will be more influential in the constitutional drafting process, ensuring that the constitution addresses the needs of all people.

A dialogue and civic education program aimed at increasing awareness of democratic principles and human rights values within East Timorese society should begin immediately to promote a democratic culture and enhance civil society participation in these important processes. Both CNRT and the United Nations support the idea that civil society should play a critical role in building this democratic culture.

Establishment of the Rule of Law

A functioning legal system does not exist in East Timor. Similar to other sectors, the infrastructure of the judicial sector has been destroyed and the pool of adequately trained East Timorese legal personnel is limited. The legal division of UNTAET has developed a thorough program for training and mentoring judges, lawyers, prosecutors, and court clerks. The program, which will be done in collaboration with UNDP, will establish a law commission to review existing laws and recommend new laws that will comply with international standards.
A priority for UNTAET is to establish a rudimentary legal system to process persons detained (e.g. militia members, thieves) by INTERFET and U.N. civilian police before the expiration of the 90-day maximum detention period allowed under U.N. policy and to resolve the quickly emerging property disputes.

The U.N. program comprehensively covers the areas of training for legal personnel and legislative drafting. However, mechanisms must be put in place to inform the broader public of their rights, especially those people in rural areas. In addition, legal aid mechanisms will need to be developed very quickly to ensure access to legal defense for the accused.

Establishment of a Free and Independent Local Media

The CNRT and UNTAET placed a high priority on the need to develop an independent media. An independent media will be an important vehicle for ensuring well-informed public debate and providing checks and balances to the UNTAET administration and emerging East Timorese government. There is currently a small core of journalists in East Timor, who have established a media association and begun to draft national press laws and a media code of conduct. Training geared toward skills enhancement for East Timorese is needed in the areas of basic and investigative reporting and editing, objective analysis of proposed national policies and laws, and coverage of issues such as accountability, corruption, and freedom of speech, expression, assembly and association.

Prior to the consultation, there was only limited print media. Television was a primary means of communicating with the East Timorese. Most televisions were destroyed or looted after the consultation. During the transition period, UNTAET plans to introduce the radio as the primary means of communication. This will create additional training needs in the area of radio broadcasting.

Justice and Reconciliation

Gusmao and other CNRT leaders have been vocal in their support for an East Timor that welcomes all people, and they have encouraged reconciliation and forgiveness. It is less clear, however, whether this view is shared by all East Timorese. In some areas, communities are undertaking their own reconciliation efforts by having returned pro-integration militia members (many whom claim to have been forcibly recruited) rebuild homes and community structures destroyed by the militias during the violence after the consultation. Yet there also have been increasing incidences of retribution against other returning refugees.

It is imperative that the perpetrators responsible for the abuse be held accountable for their actions. However, this must be done in conformity with the rule of law and international legal standards. The issue of justice and reconciliation will be closely linked to the outcome of Indonesian independent investigation into abuses perpetrated in East Timor. The international community must continue to urge Indonesia to conduct a transparent investigation and hold those within the Indonesia military found culpable responsible for their crimes. The re-integration of pro-integration East Timorese into East Timor will continue to be a sensitive and complex issue. It will require conflict mediation and reconciliation efforts sensitive and responsive to local needs, and to be effective must be driven by the East Timorese rather than handed down to them.

Resolution of the Refugee Situation

Although refugees continue to return to East Timor, the refugees remaining in West Timor continue to be a primary concern. More than 100,000 Timorese refugees want to return to the territory. Xanana Gusmao has said publicly on many occasions that he hopes all East Timorese will eventually return. The remaining refugees include pro-integration supporters and members of the Indonesian civil service. The return of these individuals is creating tension between the approximately 60,000 refugees who voted to remain part of Indonesia and the majority of Timorese who favored independence. Conflict can also be expected to erupt if the approximately 6,000 Timorese who served as functionaries of Indonesian administration and rule (members of the military, police and civil service) return to the territory. These emerging tensions necessitate the need to build capacity within East Timorese society in the area of conflict resolution and to establish mechanisms for alternative dispute resolution.

Relationship with Indonesia

East Timor's relationship with Indonesia will remain critical. Indonesia will most likely be one of East Timor's major trading partners. Many East Timorese students have university links to Indonesia, and many clearly continue to feel a strong solidarity with student activists in Indonesia who supported East Timorese independence. Many East Timor civil servants were Indonesian and their families remain in East Timor. Hundreds of thousands East Timorese refugees also remain in West Timor.

CNRT leadership is committed to maintaining a positive relationship with Indonesia. The transparent and fair conduct of Indonesia's independent investigation into the abuses perpetrated in East Timor will be a critical element in how the relationship between the two states develops.

Conclusion

The present transition period represents a unique opportunity to build a culture of peace, democracy, and human rights in East Timor. The next three years are critical to ensure that the territory consolidates democracy and avoids the type of backsliding that many newly independent and emerging democratic nations have suffered, such as Eritrea, Zambia, and Zimababwe. Major actors involved in East Timor, including UNTAET, the leadership of the CNRT, and national and local NGOs are committed to building an independent state based on democratic principles and respect for human rights.

East Timor will most likely become the first new nation of the 21st Century. While it will be a small nation in terms of population and economic clout, its location and special history make East Timor an important actor among regional powers, such as Australia and Indonesia, as well as the United States and the United Nations. A high level of world attention and donor dollars will be focused on East Timor over the next three years, and with it the potential for external domination, internal corruption, and eventual neglect that has plagued other nations under similar conditions.

East Timor is also important for the example it could establish for how to effectively promote democracy and human rights in newly independent and emerging democracies. Advocates of democracy and human rights are frustrated by the increasing number of "backsliding" democratic nations and failed states. Yet, there exists a real potential to get it right this time, as East Timor has the unique opportunity to build its government and civil institutions from the ground up.

The international community must assist the East Timorese in establishing a democratic society based on the values of participatory democracy and universal human rights. International aid should support the participation of all sectors of East Timorese society in the transition process, particularly marginalized groups in civil society, to ensure that East Timor builds a free, independent, and sustainable democratic nation. Strengthening the capacity of local groups within civil society to influence policy and provide checks and balances on the transitional administration and future government structures should be both a short-term and long-term priority.

Congress of the United States

Joint Hearing

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Written Testimony
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PROGRESS IN EAST TIMOR AND U.S. FOREIGN POLICY INTERESTS

Very considerable progress has been made in Timor Lorosae (East Timor) since the United Nations ballot and ensuing destruction of early September 1999. East Timor is now unambiguously detached from the Republic of Indonesia and is on the way to becoming an independent democratic state. Despite the horrors surrounding its separation from Indonesia and the enormous challenges that lie ahead, we should keep sight of the main story: a good outcome is being achieved in East Timor, and in a manner which is strongly consistent with wider United States foreign policy interests. The issue of accountability of Indonesian military officers for the destruction in East Timor will require very careful management to ensure that it does not lead to outcomes that are adverse for East Timor, Indonesia, and indeed the United States.

My testimony is organized under three headings: developments in East Timor since the UN ballot, the domestic and international priorities ahead, and the implications for U.S. foreign policy interests.

Developments in East Timor since September 1999

The tasks of rebuilding a ravaged East Timor, laying the seeds for economic development in what is a small and very poor territory, and preparing it for democratic self government are truly daunting. Nevertheless, the progress over the past four and a half months has been truly remarkable. The key points can summarized as follows.

- The U.N.-mandated Interfet force has succeeded in quickly and decisively restoring order and pushing back the threat posed by the pro-Indonesia militias. This has been a huge achievement, even if it now seems almost effortless in retrospect. The Interfet

force is in the process of being succeeded by a lower intensity U.N. peace-keeping mission.

- A U.N. transitional administration is now in place in Dili and is starting to move on the urgent priorities of restoring government, rebuilding infrastructure, and launching employment-generating activities. There are critical problems of funds being released rapidly, but movement is in the right direction.
- World Bank and the Asian Development Bank operations are now gearing up, with contributions from an assortment of international donor countries providing substantial supplementary aid.
- An umbrella group of Timorese political leaders, the CNRT (National Council for Timorese Resistance) is functioning in a constructive way to lead national discussions in preparation for statehood.
- A National Consultative Council, created by the U.N. and comprising both U.N. officials and Timorese leaders was formed in December and has already promulgated a number important 'laws'. Key examples include: a determination on language used by the transitional administration (English, Portugese, Indonesian, and Tetun – the largest local language); a determination on the national currency/legal tender (the U.S. dollar); and the creation of core administrative and economic institutions (e.g. a civil service commission, a central fiscal agency, and a foreign exchange bureau).

Domestic and International Priorities for East Timor

If the progress so far has been encouraging, the challenges ahead remain enormous. The fundamental territorial security of East Timor has now largely (if not entirely) been achieved. The most immediate priority is the rebuilding of the economy, giving particular attention initially to the rural economy. The World Bank and the Asian Development Bank will be pivotal on this. A second immediate priority is re-establishing orderly governance and routine administration throughout the territory. The U.N. transitional administration, in conjunction with the CNRT will be key on this front.

Less immediate, but not far off, is the need to develop a political framework for transition to self-government. This should happen sooner rather than later to ensure a timely withdrawal of the U.N. The U.N. is playing a vital role in the birth of an independent East Timor, but a protracted presence will stifle its development. Current projections are for the U.N. transitional administration to leave by the end of 2003. Timorese leaders Xanana Gusmao and Jose Ramos-Horta have signaled that they hope this can be brought forward to the end of 2002. They are right to do so. Paradoxically, although East Timor needs the U.N. to make it to statehood, if a large international bureaucracy is permitted to settle in East Timor it will quickly become counterproductive. If East Timor is to survive as an independent state, it needs to be permitted to come to grips with the realities of self-government sooner rather than later.

Perhaps the single most pressing international issue for East Timor is its relationship with Indonesia. No amount of aid will help East Timor to grow economically if domestic resources and the attention of policymakers are tied down by protracted conflict with Indonesia. Private capital simply will not enter such an environment. It would be very

easy for a hostile Indonesia to destabilize East Timor with cross border raids or to continue active support for pro-integration militia groups or to obstruct air and sea access to East Timor. Although not impossible, this seems very unlikely both because the interests of Indonesia's civilian and military elites now point in a different direction and because the remnants of the pro-integration militia now based in West Timor are too weak. Also important is that Indonesia's President Wahid has taken a very positive and conciliatory attitude towards East Timor. However, a very difficult problem lies in the way: the question of accountability for the carnage in East Timor last September.

It is scarcely surprising that there is strong support within East Timor and in many quarters internationally for the idea of prosecuting key Indonesian military officers and militia members for crimes against humanity. Indeed, even an Indonesian government appointment human rights inquiry has concluded that a range of figures, including General Wiranto (previously armed forces commander and now a cabinet minister), are responsible for the destruction and should be subject to criminal investigation. In response to international pressures for a U.N. tribunal, President's Wahid's government has pleaded for Indonesian justice to be allowed to run its course. Importantly, notwithstanding the deep sentiment in East Timor, to date Ramos-Horta and especially Xanana Gusmao have maintained a moderate position, emphasizing truth-telling over retribution, and reconciliation over justice.

For now, this seems the appropriate course, not least because of the potential of an international move against the leadership of the Indonesian armed forces to destabilize the fragile process of democratization in that country. That some senior Indonesian officers should be held accountable in some significant fashion for the events of September 1999 is indeed in East Timor's interest (not least so as to break the personnel links between the armed forces leadership and the remnants of the militia). But this goal must be pursued cautiously and should, ideally, be handled by the Indonesians themselves. The collapse of democratic government in Indonesia would be extremely bad news for East Timor.

Finally, it is vital that the East Timorese leadership move to build a network of diplomatic relationships to reinforce its position as an independent state. Nurturing bilateral ties with Australia, Portugal, and the United States are obviously a key ingredient here. But more than this, priority needs to be given to building links to other Southeast Asian states – particularly the Philippines, the other Catholic democracy in the region – and to securing accession to ASEAN. Encouragingly, East Timorese leaders are indeed actively pursuing this goal and have floated the further possibility of building supplementary multilateral links to the South Pacific community of states.

Implications for U.S. Foreign Policy Interests

Notwithstanding the terrible circumstances of its separation from Indonesia, in broad terms East Timor has become very much a 'good news' story for U.S. foreign policy. A human rights tragedy has been halted and much greater progress has been made towards laying the foundations for a new democratic state than most would dared to have imagine possible just a few months ago. There are many high hurdles ahead, but we should not

lose sight of the remarkable progress already made. Furthermore, although there is obvious resentment within the Indonesian political elite about the intervention of the international community in East Timor, with time, it is possible that this may come to be seen as a reasonable outcome. East Timor's incorporation into Indonesia was a very unhappy story for both parties, and had become a serious problem for Indonesia's standing in the international community. A resolution to the problem was good for both parties, good for the region, and good for U.S. foreign policy interests.

It is also worth noting that the process by which the rescue effort in East Timor has been carried out is very welcome from a U.S. perspective. The international intervention in East Timor is something of a model of what can be achieved with real burden-sharing: the United States did not have to provide the bulk of the military or material action. This was done by countries in the region and further afield who cared greatly about the outcome. And yet U.S. approval of the action was critical: without Washington's commitment to stand behind the action, Australia and others would not have been willing to step in as they did. In effect, the U.S. guaranteed the mission without having to conduct it.

Potentially very difficult complications lie ahead, however. Notwithstanding the great appeal of averting suffering and promoting democracy and, indeed, of encountering true burden-sharing in the process, the United States must exercise great ongoing care to ensure that progress remains on track and, importantly, that achieving these goals does not come at the price of its wider strategic and economic interests in Indonesia. Stability in Indonesia is central to the overall geopolitical environment in the southwest quadrant of the Pacific, directly affecting both U.S. interests and the core interests of friends and allies.

Although the circumstances are very different, like East Timor, Indonesia is going through a process of democratization and economic rebuilding that is fraught with difficulty. The possibility of democratic breakdown in Indonesia is very real in the not-too-distant future. There is no necessary link between the handling of the East Timor situation and the fate of democratization in Indonesia. Indeed, there are multiple and much bigger tensions at work in Indonesia. Nevertheless, great care will be needed to ensure that the pursuit of justice and progress in East Timor does not cause the problems in Indonesia to metastisize.

House-Senate Joint Asia and Pacific Subcommittee Hearing on February 10, 2000
East Timor in Transition

Eyewitness Testimony offered by
Lynn Fredriksson, Washington Representative for the East Timor *Action* Network
and Gabriela Lopes da Cruz Pinto of East Timor

[Gabriela Lopes da Cruz Pinto and Lynn Fredriksson traveled to East Timor via Darwin, Australia from January 6 through January 26, 2000 for the purposes of assessing the current security and humanitarian situation there. Their report, available through the East Timor Action Network, presents an overview of the current situation by issue area--focusing on the continued plight of refugees in West Timor, investigations into recent human rights violations, the mass influx of international non-governmental organizations (INGOs) and their effectiveness in addressing the ongoing humanitarian crisis, and the development of local East Timorese NGOs. The following testimony is taken in large part from this report.]

We thank Congressman Lantos and the subcommittee for allowing us this opportunity to present our understanding of East Timor in transition.

In August and September of 1999, the people of East Timor achieved a victory they had sought for 23 years-- they won their independence in a UN supervised referendum on self-determination. During that period, and the 7 months and 23 years preceding it, the people of East Timor paid a terrible price for their victory. Although we applaud the U.S. Congress and administration for taking bold action by cutting military and financial ties to Indonesia in early September to stop the Indonesian military-supported violence devastating East Timor, we only wish that action had come earlier. Because the international community waited throughout the spring, waited throughout the threats of vote period violence, and waited until after that violence had been unleashed, hundreds of thousands of East Timorese were forced from their homes, thousands were killed, and Dili and many other towns were terrorized, then razed.

From the beginning, we must argue that the U.S. has historic responsibility in the case of East Timor to follow through on commitments to assist in its full transition to independence and to see justice brought to those who violated its most fundamental human rights. In fact, the U.S. offered unquestioning military, financial and political support to Indonesia's occupation of East Timor until 1992. It was after the Santa Cruz massacre that claimed over 270 innocent lives that the U.S. Congress began banning, restricting and conditioning U.S. military assistance to Indonesia. This was, we posit, the beginning of the end of the occupation. But it would take eight long years before the U.S. would cut off ties completely, and Indonesia would allow a referendum and finally withdraw its troops. For these changes we are most grateful.

East Timor is now a land of paradox -- utterly devastated yet on the verge of independence, mourning but full of hope for the future. It is not yet time for the U.S. or the international community to draw back from involvement there; on the contrary, it is

critical for both East Timor and Indonesia that we follow through on our commitments to the first new country of the millenium. East Timor is certainly politically and economically viable, but its needs will be great during its two to three years of transition to full independence. For instance, East Timor is *not* fully secure even now. On the West Timor side of its land border, thousands of militia members and large numbers of Indonesian military personnel are still active, organizing cross border raids, infiltrations, and, in the enclave area of Oecussi, full attacks on East Timorese land. Inside East Timor, growing street crime is often the result of lingering militia violence-- killings, beatings and robberies. This is *not* non-political violence.

In refugee camps in West Timor, over 100,000 of an estimated 250,000 East Timorese driven from their homes in August and September remain virtual hostages to ongoing Indonesian military-supported militia activity. Access to these camps for humanitarian relief and accompanied repatriation has *not* substantially improved, with reports over the last two weeks of threats and attacks against several prominent humanitarian organizations. Though an estimated 20-30,000 refugees in the camps do not wish to return to East Timor because of their militia or pro-autonomy affiliations and fears of retaliation against them, the majority are being held against their will to return. This must be addressed -- sooner rather than later. If it isn't, the reported death toll due to malnutrition and illness of 500, mostly children, will undoubtedly escalate, and the risk of further relocation to other areas of Indonesia will increase.

The U.S. Congress and administration must redouble their efforts to influence the Indonesian government to follow through on its promises to stop militia violence against the refugees, allow truly open access to international organizations, and assist in safe repatriation of some 70,000 more refugees back to East Timor. U.S. law requires no less, under the Leahy et al conditions passed in the Foreign Operations Appropriations bill of FY 2000, before the U.S. can reestablish military ties with Indonesia. This law offers the current administration the means by which to ensure not only security for East Timor and full repatriation, but also a just judicial process to try those Indonesian officers and East Timorese militia leaders accused of directing atrocities perpetrated against the people of East Timor.

The current U.S. State Department position indicates a general willingness to let the internal Indonesian judicial process play out, but promises that if this process proves unable to demonstrate credibility and falls short of international expectations, greater pressure will be placed on Indonesia for an international process. Although we respect the need to allow Indonesia to try its own military officers accused of human rights violations in East Timor and in areas of Indonesia itself, we also caution that the Indonesian government has yet to control its military sufficiently to prevent ongoing violations nor has there ever been accountability for human rights violations to date. This is still true in East and West Timor, as described above, as well as West Papua/Irian Jaya, Aceh, and the Malucca Islands. For this reason, we recommend that the U.S. government extend unwavering support to the UN international inquiry in preparation for the anticipated need for an international tribunal. Further, we feel the need to remind our

elected officials that the international community, as with Rwanda and Bosnia, is responsible for bringing about justice for East Timor.

Additionally, it is extremely important for the United States to continue emergency assistance, as well as reconstruction and development aid to East Timor. We are pleased by the levels and focus of current U.S. assistance. But, we are also concerned that President Clinton requested only $15 million in ESF funding for FY 2001; this is $10 million short of this year's approved funding and will be insufficient to meet the wide-range of needs for reconstruction, institution-building and preparations for independence in East Timor.

It must also be acknowledged that the time for emergency assistance is not yet past. Malnutrition and disease persist at crisis levels, particularly outside the capital of Dili. The creation of jobs and job training programs is also crucial, as the majority of people are unemployed and the need for road and building construction, basic services, and program assistance is vast. The U.S. should assist the United Nations Transitional Administration in East Timor (UNTAET) and international NGOs in every way possible to develop job programs immediately. The speed at which pledged donations impact projects in East Timor is also much too slow. More attention must be given to expediting the steps between promises of funding and the actual delivery of assistance.

Assessment

In general, we found that institution building -- particularly in the areas of education, a health care system, financial bodies, banking and economics, small enterprise, a civilian police, an independent judiciary, press, and an overall political governing structure -- has only just begun. The very immediate need for basics like sanitation facilities, clean potable water and electricity is far from being adequately addressed, even in Dili. UNTAET, the CNRT (National Council of Timorese Resistance led by Xanana Gusmao), the National Consultative Commission (NCC), the World Bank, the International NGO forum, and the East Timorese NGO forum are all attempting to plan, consult and train for these development goals. However, coordination among them is complex at best, and requires much greater organization and greater Timorese participation. Much greater sensitivity, fair play, and more inclusive actions will be required of international NGOs.

That said, given the last 24 years of brutal Indonesian occupation and the horrendous aftermath of the overwhelming vote for independence in August, it is quite amazing to see what has already been started and accomplished. Much credit must be given to the people of Dili and other towns for their calm and hardworking commitment to rebuild their country from the bottom up. Dili is swarming with activity by day, and the vitality and hopefulness of the vast majority of those we encountered is inspiring. We believe it is now in large part up to the international community to sustain funding and a range of other relief and development assistance -- and to do so with the utmost expeditiousness and sensitivity -- over the next two to three years before East Timor reaches full independence. Toward that end we offer additional observations and analysis.

West Timor Crisis and Repatriation of Refugees

There are still an estimated 100,000 refugees trapped in camps around Kupang, Atambua, Atapupu, Kefamenanu (Kefa) and other areas. The conditions under which they are held is horrendous with little to no medical care, ongoing threats and intimidation by TNI-supported militias, and high levels of malnutrition. Those in Kupang now have access to the "mercy ship," which is transporting some 400 or more refugees with their belongings and animals back to Dili by sea approximately twice a week. Those further inland in West Timor and those along the East/West border have fewer opportunities. There are now attempts being made to route the mercy ship to Atapupu as well. This would be important. During our assessment, the only land route open was between Atambua and Batugade. Only 100-200 refugees are being transported by truck via this route each day, excluding weekends. All other land routes were closed at the time of our assessment, and spontaneous returns were down to almost zero, in part because of a new agreement cutting off further cross-border commerce, making everyone crossing on foot or in private vehicles suspect. Batugade, on the border, with its processing center for returning refugees, is a sad place still under an occupation of sorts. All but deserted, each day it hosts convoys carrying small numbers of refugees, sick and hungry, from camps around Atambua.

The reasons why so many East Timorese have not yet been able to return home are many. The primary ones remain militia propaganda, intimidation, threats and violence. Secondary but not insignificant others include fears of retaliation toward former militia members, family members of militia members who offered them support, pro-autonomy supporters, and former civil servants. Some appear to be waiting for greater reconstruction and social services to be reestablished in East Timor as well; they've lost all they have and fear for their subsistence. Remarkably few acts of retaliation have occurred to date, but militia members are clearly being identified and singled out for verbal harassment at times in East Timor. Militia propaganda and rumors spread in the camps are false and misleading, both targeting anti-independence populations and targeting the majority who are pro-independence.

Within East Timor, in town after town, we visited with people who named large numbers still missing from their villages, their families. While in Ainaro, we were brought to the church school and immediately surrounded by families who insisted on reciting lists of names of their relatives still missing in West Timor.

Regarding those who were forcibly removed from Timor Island altogether, there is currently little hard data and few estimates. Many people have already returned from various parts of Indonesia, but the number, names, and whereabouts of those taken from East Timor by boat and plane but not taken to West Timor are not yet determined. To our knowledge, to date there has been no systematic international effort by any NGO or the UN to establish who is still missing and to gain free access to Indonesia to locate and return those individuals and families safely.

The Need for an International Tribunal and Investigations

As we traveled throughout the western half of East Timor through Ainaro, Suai, Same, Viqueque, Baucau, Dili, Liquica and Batugade, we interviewed CNRT leaders and representatives, East Timorese NGO representatives, international NGO officials, and others about the reconciliation process, the UN and Indonesian commissions of inquiry and their investigations, and the potential for Indonesian trials and/or an international tribunal. Without exception, each individual and group called for an international tribunal.

Each believes it to be critical to the internal East Timorese reconciliation process. For the most part those we interviewed stressed the need to prosecute Indonesian generals and other TNI officers as well as East Timorese militia leaders, but not average militia members whom they wished to be reintegrated into families and communities. They believe that Indonesian trials will be a travesty of justice, and that the world is responsible (particularly because of the UN referendum) for a fair set of independent trials. Neither UN nor Indonesian investigators had reached many of the more rural areas for testimonies or forensic testing. And the terrible destruction, such as what we witnessed at massacre sites, still represents open wounds.

In Suai we were taken through the Cathedral and church where hundreds were killed along with their priests Frs. Hilario and Francisco in September. Forensics tents still stand nearby. In Liquica, we walked over the courtyard where TNI led militias to kill dozens of refugees seeking shelter in Fr. Rafael's church and residence. In Dili, we went to Manuel Carrascalao's home, where Aitarak attacked, killing his son and dozens of others before the vote. One after another we witnessed the reasons why there must be a valid and successful trial for crimes against humanity.

Near Ainaro, we heard of a place called "Jakarta," a ravine used as a killing field, where from 1981 some 300 people were killed and buried, including two on September 4 of last year. Stories in Ainaro include the burning of bodies on a spit, the cutting off of limbs, disemboweling of pregnant women and the disappearing of children. These are not unique.

Security & Reconciliation Issues

Security issues in East Timor involve border security, recent attacks on Oecussi (East Timor's enclave territory within West Timor), infiltration by TNI, continuing militia activity, civil security, crime and civilian police training, InterFET (and now peacekeeping operations), and other political issues. They also involve local East Timorese projects promoting nonviolence, reconciliation, and conflict resolution.

Generally, we observed that East Timor is not yet secured against militia and TNI threats, and its enclave of Oecussi (Ambeno) is still regularly under attack (a violation of sovereignty). In Dili particularly, politically and economically motivated crime as well as random acts of aggression are becoming common. People are afraid to go out at night.

The general destruction remains, in places, almost beyond belief, street after street either burned to the ground or flanked by empty concrete shells of buildings. Massive cleanup has been done, but not yet reconstruction. This is true of many other towns we visited as well. Young people are unemployed and in great need. We were told by several sources about fire engines filled with petrol spraying house after house in Dili, one by one. The house were then lit and burned down; we witnessed the evidence as we drove through the dark streets.

More hopeful: there are NGOs, youth groups and many educated individuals who are investing their time and energy in conflict resolution programs, education and workshops. Development of a judicial system and the training of civilian police are just underway.

There is great concern about Jordanian forces in Oecussi, about their relationship with former Indonesian General Prabowo, in exile in Jordan. As of the time of our assessment, there were only 10 civilian police in Oecussi, 2 trucks, a radio and a satellite phone there.

Nobel Laureate Jose Ramos-Horta described Oecussi as a priority concern. TNI continues to support the militias there. TNI is conducting exercises on the border, and there were fears that this would increase after Ramadan. In Suai there are fears of border attacks. A suspected Kopassus intelligence officer was recently arrested in Suai and brought to InterFET and UNTAET. There is little doubt, say informed sources, that Kopassus is inside the border areas, collecting information and attempting to destabilize the situation.

Bishop Basilio Nascimento told us: "The situation without law and order and discipline can deteriorate." Problems with crime are a reoccurring concern. The Bishop also had concerns about the period (we're now in) of transition to peacekeepers and about the absence of an effective legal system.

The training of civilian police began in November. They will soon focus on recruiting East Timorese, working with UN peacekeepers, UN police, and CNRT. They plan to publicize the names of those considered prior to their inclusion in trainings, to allow time for concerns about individual candidates to be assessed. Current projected recruitment is 40-400, hopefully increasing to 1000-3000 later. There is no plan for a military in East Timor.

Several groups are working together with the legal aid organization Yayasan HAK to launch a campaign to spread information about reconciliation to the youth. During the incident at the Mosque in Dili in October, when people were trying to force Muslims out, they managed to stop the violence. Bishop Belo was asked to help, as were some commanders from Falintil as well. The East Timor Human Rights Commission has been taking testimonies on human rights violations, and working on reconciliation since before UNTAET arrived. Jose Ramos-Horta is planning to open a Peace and Mediation. In June he plans to open a diplomatic school. Scholarships for East Timorese students are much needed.

East Timorese NGOs and Church Groups

Some of the greatest moments of our assessment mission were found in our meetings with local East Timorese NGOs, most notably the women's organizations, ETWAVE and Fokupers, the legal aid foundation Yayasan HAK, and the development agency ETADEP. All of these groups, and others, are well established, widely respected organizations based on principles of human rights and social service. Each of them offered to us either full proposals or general ideas about how we can best support their work. (These are available separately.)

Overview of International Aid and Development Programs

It is difficult to summarize the work, coordination and effectiveness of the over 50 international NGOs that have established themselves in Dili in the last 4-5 months, and of UNTAET, the administering agency for East Timor for the next 2-3 years. Overall, we found the officials and workers we encountered in OCHA, IOM, UNHCR, ICRC, Catholic Relief Services, Jesuit Refugee Services, Timor Aid, and other institutions, very competent and very hard working. Yet, there are several key problems that they have yet to overcome:

- lack of adequate funding and material resources
- disparity of incomes between expatriate and Timorese workers
- general labor conditions for Timorese workers
- general lack of inclusion of and consultation with Timorese NGOs, individuals and CNRT (less so in the last instance)
- the veritable absence of established humanitarian programs in rural towns outside of Dili.

The last Saturday of our assessment, there was a protest near the UN after 10,000 people showed up with applications for two hundred available jobs. Someone had erected razor wire around the area; when the crowd got hot and unruly a lot of people were injured.

These concerns were raised to us consistently at most of our meetings, and we observed many of them ourselves throughout our trip. We feel obliged to label the current situation an ongoing humanitarian crisis of food distribution, medical care, and shelter in East Timor, primarily outside of Dili.

Conclusion

In conclusion, we would like to offer a number of formal recommendations to members of Congress and the U.S. administration as to how to best assist East Timor in transition.

In regard to the ongoing and very troubling refugee crisis, we strongly advise the reestablishment of rigorous efforts to open access to camps in West Timor, and to freely and safely repatriate the tens of thousands of East Timorese refugees in West Timor and untold numbers off island.

To represent the will of without exception every East Timorese we spoke with, an international tribunal to try Indonesian military officers and East Timorese militia leaders

is critical to the internal reconciliation and healing of East Timor. An Indonesian judicial process should be encouraged, but support for preparations for an international process should be actively continued.

East Timor is not yet secure from border attack, infiltration, Indonesian military violence in Oecussi, and the large numbers of TNI troops amassed in West Timor. These issues, as well as the two above (and concerns about security from human rights violations against Indonesian provinces, including Aceh, the Malucca Islands, West Papua, South Sulawesi, and Java) require that the U.S. maintain its ban on military assistance to Indonesia for the foreseeable future.

We were most impressed by the level of professionalism, respect and effectiveness so many of the East Timorese NGOs have achieved despite extremely challenging circumstances and very few resources. We request continued and increased U.S. support for their projects, as well as for government building in East Timor.

Overall we found the East Timorese political and NGO leaders and workers frustrated by multiple problems involving the large number of international groups operating in Dili. UNTAET is an impressive undertaking operating with inadequate resources and personnel, and we met many hard working and dedicated INGO workers providing critical services. Yet lack of coordination and sorely inadequate inclusion of East Timorese labor and advisers are continuing problems. Job training and employment opportunities (with decent salaries) for East Timorese workers should become immediate priorities. Toward that end, sustaining current levels of U.S. financial assistance is extremely important.

We thank you for your past and continuing support for the realization of peace, justice and independence in East Timor. We look forward to working with you in the future.

Report on The Carter Center Observation Mission
To Monitor the Public Consultation Process in East Timor

In May 1998, after a 32-year dictatorship, Indonesian President Suharto relinquished power amid a crumbling economy, student protests, and urban riots. The departure of Suharto prompted several prominent officials in Jakarta to call for a new and more flexible attitude toward negotiating peace in East Timor, where some 200,000 people had died since Indonesia invaded in 1975 and annexed the Portuguese colony. In January 1999, Suharto's replacement and long-time associate B.J. Habibie offered East Timor a vote on accepting autonomy within Indonesia or rejecting it as a prelude toward independence. This offer led to the May 5 Agreements between Indonesia, Portugal, and the United Nations, in which Indonesia pledged to provide security in East Timor during a public consultation process to be administered by the UN.

The Carter Center's involvement in East Timor began in early June, when President Carter, leading an international observer mission for Indonesia's June 7 parliamentary elections, met with detained East Timorese leader Alexander "Xanana" Gusmao in his Indonesian prison and discussed the situation in East Timor. After receiving President Habibie's invitation, The Carter Center was accredited as an international observer group and opened an office July 4 in East Timor's capital of Dili. By mid-July, the Center had deployed a team of eight long term observers to East Timor, which included Indonesia and East Timor specialists, human rights practitioners, and experts in election observation and electoral systems.

The purpose of the Center's mission was to help ensure that the public consultation process was conducted fairly and transparently. The methodology used was regular fact-finding throughout East Timor on necessary preconditions for a free and fair ballot and the release of a series of weekly public reports assessing the security environment and adherence to human rights standards during the consultation process. The initiative was concerned less with the actual vote, which would be administered by the United Nations, than with the political climate prior to balloting. As President Carter said in the July 8 press statement announcing the observer mission, "true democracy requires that people be allowed to cast their votes freely and without intimidation or coercion."

The situation in East Timor required the Center to develop an observation methodology unique to the circumstances of the public consultation process. To be effective in East Timor's tense political climate, under insecure conditions, and in a small territory with a limited infrastructure, required an observation mission that began well before the ballot, was field-intensive, included a high frequency of reporting, and had an explicit link between elections and human rights. All information released in the Center's weekly reports was gathered through direct observation or by reliable eyewitness accounts. This procedure, coupled with regular reporting throughout the entire consultation process including the registration and campaigning periods, the August 30 vote, and four weeks after the vote – earned the Center recognition as a reliable, neutral, and nonpartisan actor.

The Center's weekly reports received wide local and international attention and provided information that that the United Nations, other policy-makers, and the press considered critical and trustworthy. It enabled these groups to draw attention to human rights abuses in East Timor and Indonesia's failure to uphold the May 5 Agreements. The Carter Center's observers were among the first to publicly to cite the Indonesian military and government for actively supporting, arming, and directing the armed pro-integration militias that were creating a climate of fear and intimidation in East Timor. Based on this first-hand reporting, President Carter in early August urged President Habibie, first through private correspondence and then through a press statement, to halt the militia activity in East Timor and to fulfill Indonesia's main obligation to order and security.

In late August, the Center's long term observers were joined by short-term observers some senior scholars, and Carter Center staff members with experience managing election observation missions. For the August 30 ballot, a 15-person observation team from The Carter Center monitored the vote, in which 98.5 percent of East Timor's 450,000 registered voters went to the polls and 78.6 rejected autonomy in favor of independence from Indonesia. On polling day, Carter Center delegates visited seven of East Timor's 13 districts and observed voting in 27 sub-districts and 43 of the 700 polling stations across the territory.

While the delegation felt that the cross-section of polling stations visited was indicative of the territory as a whole, the Center acknowledged that the sites visited were only a sample of the entire territory. To make a more accurate and comprehensive assessment, the observers considered information gathered from a wide array of sources prior to the vote. These included Indonesian civilian, military, and police officials; pro-integration and pro-independence leaders and supporters; militia members; UN officials; diplomats; journalists; local and international non-governmental organizations; other observer groups; and East Timorese men and women on the street.

The Center held a press conference September 1 and delivered a statement that applauded the massive voter turnout yet cautioned the Indonesian Government to prevent new violence in the days before and after the announcement of results. The statement noted that the public consultation process, while marred by violence, was nonetheless well administered by the United Nations and allowed the people of East Timor to exercise their right to self-determination. The results represented the will of the people,

demonstrating that an overwhelming majority of East Timorese people preferred independence from Indonesia.

Some staff and volunteer observers were scheduled to remain in East Timor after the vote to explore potential democracy-building projects. On September 5, however, all remaining Carter Center personnel were forced to evacuate Dili after attacks against some of them by armed pro-integration militia members and Indonesian policemen. Despite Indonesia's clear obligation under the May 5 Agreements to maintain law and order in East Timor, the Indonesian military and its militia surrogates embarked on an apparently orchestrated campaign of mass destruction, looting, murder, and forced deportation after the results were announced on September 4.

In just over a week, Dili was almost completely destroyed, and 75 percent of the buildings across East Timor were set on fire. An estimated 400,000 people, or roughly half of East Timor's population, fled their homes in fear or were driven out of the territory. The violence did not stop until an Australian-led, multinational peacekeeping force was deployed September 20 to East Timor. Security conditions improved greatly thereafter, yet an estimated 100,000 Timorese refugees remained as of January in camps in West Timor and elsewhere in Indonesia, where they faced continued intimidation and violence at the hands of the militias and the Indonesian military.

Carter Center observers continued to collect information and release weekly public reports from several locations in Indonesia and Darwin, Australia, after their evacuation. The Center re-established an office in Dili in late October to complete its observation work and prepare for a December assessment mission to identify specific areas in which the Center or others might assist East Timor during its transition to full independence.

From July 4 through October 6, 1999, The Carter Center's observation mission produced 11 weekly public reports; an equal number of internal confidential reports that were provide to the United Nations and U.S. and Indonesia government; and five press releases. These documents are available from The Carter Center. Below are some of the major findings from the Center's observation mission:

Major findings of The Carter Center Observation Mission in East Timor:

- The results of the popular consultation accurately reflect the will of the people of East Timor and demonstrate the overwhelming preference for independence from Indonesia.

- The United Nations Mission in East Timor (UNAMET) conducted in the ballot in an unbiased, transparent, and professional manner.

- The Indonesian military (TNI) bears primary responsibility for the climate of fear and violence that prevailed prior to the vote and for the widespread destruction, murder, and population displacement that occurred after the results of the consultation were announced.

- The TNI created, supported, directed, and armed pro-integration militias in an attempt to influence the outcome of the popular consultation through violence and intimidation.

- The Indonesian police consistently failed to take steps to maintain law and order in East Timor, and in many cases actively colluded with violent pro-integration groups. The conduct of the police on the day of balloting, however, was commendable, and the Center praised the police in its press statement.

- The TNI, police, and local government officials actively campaigned for the autonomy option in violation of the May 5 agreements and provided material resources and support to pro-autonomy militias.

- The Government of Indonesia participated in the spread of misinformation on events in East Timor, consistently denied flagrant abuses and acts of violence committed by the TNI and militias, and failed to ensure that its obligations under the May 5 agreements were upheld.

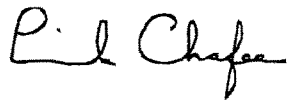
- The TNI and militias directed acts of intimidation, property damage, violence, and murder at UNAMET local staff, Timorese students, pro-independence activist, and other East Timorese suspected of pro-independence sympathies.

- The widespread violence and massive population displacement that followed the announcement of the results of the consultation appeared to be part of a well-organized plan that appeared to involve senior TNI commanders.

- International observers, UNAMET staff, and international journalists were threatened and intimidated by TNI soldiers, police, and militia members prior to the vote. Virtually all international observers, journalists and UN personnel were forced by the Indonesian security forces to evacuate East Timor within 36 hours of the announcement of the results of the ballot.

- Refugees faced continued harassment, intimidation, and violence in West Timor and other parts of Indonesia after they fled or were forced out of East Timor, and tens of thousands remained in militia controlled camps in Indonesian territory at the end of 1999.

- Some acts of violence can be attributed to pro-independence activists, but the overwhelming majority of violent acts came from the pro-integration side. FALINTIL, the main guerilla force during Indonesia's occupation of East Timor, remained peacefully in the designated cantonment areas throughout the process.



STATEMENT OF SENATOR LINCOLN D. CHAFEE
BEFORE A JOINT HEARING OF THE
SUBCOMMITTEE ON EAST ASIA AND PACIFIC AFFAIRS;
AND THE SUBCOMMITTEE ON ASIA AND THE PACIFIC
"EAST TIMOR: A NEW BEGINNING?"
FEBRUARY 10, 2000

Mr. Chairmen, I greatly appreciate your holding this hearing today on a timely issue that is of great importance to me. The actions our two subcommittees take this year will have genuine impact the situation on the ground in East Timor, a place that has endured tremendous hardship for many, many years.

The past six months have been tumultuous times for the people of East Timor. In a referendum held last August, 78.5% of East Timorese voters voted against remaining part of Indonesia through a plan for greater autonomy, thus expressing a preference for independence.

Immediately following this historic electoral result -- one in which East Timorese take so much pride -- tragedy struck. Paramilitary groups, backed by the Indonesian military, began a campaign of widespread violence and terror against East Timor's civilian population. Hundreds of innocent civilians were killed during this awful campaign. To try to restore order, a United Nations-sponsored international peacekeeping force, with some assistance from the U.S. military, entered East Timor in late September. Around the same time, President Clinton imposed a series of punitive sanctions against Indonesia, including suspension of U.S. military-related programs, and support for the suspension of aid programs to Indonesia from international financial institutions.

Since the U.N. force entered East Timor, the situation has certainly improved to some extent. The paramilitary violence and terror has diminished, and some of the refugees have been able to return to East Timor. In addition, on October 20 Abdurrahman Wahid, a consensus figure, was chosen by parliament to be Indonesia's new President. His installment as president is a positive sign for Indonesia's future and for the future of the people of East Timor.

The title of today's hearing is, "East Timor: A New Beginning?" I note that a question mark ends this title, rather than a period. Everyone familiar with the history of East Timor surely hopes that a new beginning is in store for that province, but whether that is truly the case remains very much a question. In my view, much more progress must be made before the United States can feel sanguine about the situation in East Timor, and before we can declare a "new beginning."

Today, approximately 170,000 East Timorese who fled the violence remain in refugee camps in West Timor. According to U.N. and other officials, tens of thousands of these refugees want to return home, but are prevented from doing so by Indonesia-backed militias. What's more, pro-Indonesia militiamen have not ended their campaign of violence, just three weeks ago attacking an East Timor border village and shooting at U.N. troops.

Given the continued inability or unwillingness of the Indonesian government to address these remaining problems, I believe that the Administration must be vigilant in pressing not only the Indonesians, but the United Nations and other international groups to restore normalcy to that region. Last Fall, an effort to apply such pressure took the form of an amendment offered by my colleague from Wisconsin, Senator Feingold. The Administration opposed this amendment, which would enact into statute much of the it's sanctions regime imposed last year. The question we must ask of our witnesses today is, if enacting this sanctions regime against Indonesia is an inappropriate means of applying pressure, how does the Administration plan to achieve Indonesian cooperation in working towards a successful long-term solution in East Timor?

I am proud that one of the first committee hearings in which I participate as a member of this committee concerns the subject of East Timor, and I applaud Chairmen Thomas and Bereuter for holding it early. Together with my colleague from Wisconsin and anyone else willing to join us, we will continue to pursue this matter until the Indonesian government takes further steps to secure a safe future for East Timor. I look forward to working with all of my colleagues on this committee to find ways of helping relieve the continuing suffering of the people of East Timor.

Thank you.

Question for the Record for Stanley O. Roth and C. David Welch
From Senator Russell D. Feingold
Joint Hearing of the Senate Subcommittee on East Asian and Pacific Affairs
and the House Subcommittee on Asia and the Pacific
February 10, 2000

Question:

1. Last fall, you and I had the opportunity to discuss the situation in East Timor, which was then rapidly deteriorating, in some detail. One of the issues we talked about was the huge influx of refugees into West Timor. At that time, you indicated that you believed as many as 30% of those who fled might choose not to return to East Timor. According to the UNHCR, between 100,000 and 150,000 refugees remain, in many cases against their will, in the refugee camps. In your opinion, what is the likelihood that these remaining refugees will return?

Answer:

Significant challenges remain in our effort to ensure that the remaining refugees in West Timor camps and towns who want to return to East Timor can do so. It is difficult to assess how many of the 90,000-plus remaining refugees do want to return home to East Timor. Many -- militia members, Indonesians and East Timorese who served in the Indonesian government in East Timor or had opposed independence, and others who are simply unsure of what life in East Timor holds for them -- may well choose to remain in West Timor or to go elsewhere in Indonesia. Indeed, some experts believe that a majority of the remaining

refugees in West Timor do not want to return home at the present time. For those that choose to remain in Indonesia, the Indonesian Government must take steps to integrate them into society, not leave them in refugee camps. We will continue to press the Indonesian Government to re-deploy military elements and to craft near-term effective options for resettlement of those who choose not to return. And, pending the return of refugees, we need to ensure that basic humanitarian relief continues to get to them in West Timor.

Nevertheless, it is equally clear that tens of thousands do want to return. We will continue to insist that this group of refugees be able to exercise its right of return without hindrance or intimidation.

Follow-up question:

How much of an impact are the militias having on the ability of the refugees to return to East Timor?

Answer:

Despite repeated reassurances, the Government of Indonesia has not reestablished adequate control in the camps nor halted definitively the activities of East Timor militia groups there. Intimidation remains a significant problem.

Militias are still conducting armed training and harassing pro-independence East Timorese who want to return home.

Question for the Record for Stanley O. Roth and C. David Welch
From Senator Russell D. Feingold
Joint Hearing of the Senate Subcommittee on East Asian and Pacific Affairs
and the House Subcommittee on Asia and the Pacific
February 10, 2000

Question:

2. Security on the ground in both East Timor and the refugee camps in West Timor is of particular concern. UNHCR reports that militia violence along the border against refugees and humanitarian workers has increased in recent weeks. What efforts is the U.S. taking in our bilateral dialogue with the Indonesian government to urge them to provide security along the border and to rein in the militias in Indonesian-controlled West Timor?

Answer:

Since INTERFET deployed in East Timor in September, militia violence there has been drastically reduced. There have been several minor clashes between INTERFET forces and militias operating out of West Timor. However, within East Timor, most of the militias have either disbanded or fled to West Timor. We remain very concerned about recent militia attacks on the borders of the East Timor enclave of Ambeno/Oecussi, as well as an upsurge in cross-border incidents beginning on March 1.

An estimated 90,000 of those people driven into exile in West Timor have returned. Regrettably, this has not been a

smooth process. Instead, it has required considerable pressure from both the United States and others in the international community. Assistant Secretary Julia Taft and Assistant Secretary Harold Koh made separate trips to East Timor to try to expedite the return of the refugees, as did UN High Commissioner Sadako Ogata. Subsequently, our Permanent Representative to the United Nations Ambassador Richard Holbrooke and Assistant Secretary Roth traveled to these camps in November to see conditions first-hand and to increase the pressure on Indonesia to open the camps and assist in the safe return of refugees to East Timor.

In addition, the peacekeeping component of the UN Transition Administration in East Timor (UNTAET) has begun operations on the ground in East Timor, taking over security responsibilities from INTERFET.

Despite these efforts, the situation is still far from satisfactory. The threat of militia violence still hampers the free movement of refugees and compels UNHCR workers to restrict the scope of their operations. We continue to place pressure upon the Indonesian government to guarantee the security of refugees and humanitarian workers.

Question for the Record for EAP A/S Stanley O. Roth and IO A/S C. David Welch
From Senator Russell D. Feingold
Joint Hearing of the Senate Subcommittee on East Asian and Pacific Affairs and the House Subcommittee on Asia and the Pacific
February 10, 2000

Question:

3. What steps are being taken to provide a secure environment in East Timor, including to establish and train a civilian police force in East Timor?

Answer:

Beginning in June 1999, the US contributed 30 police to the UN Mission in East Timor (UNAMET). Following the post-consultation violence, our contribution was increased to 45. The U.S. contingent continues to serve as part of the larger UN Transition Authority in East Timor (UNTAET). UNTAET civilian police are armed and hold executive authority (with powers of arrest) as part of their mandate. In the course of the past few weeks, the peacekeeping component of UNTAET has begun operations on the ground in East Timor, taking over security responsibilities from INTERFET.

The UNTAET mandate calls for civilian police to develop and train an East Timorese police force, and a number of the U.S. police officers deployed to East Timor have

backgrounds in specialty areas that will be useful in this effort. We are seeking to increase the number of U.S. civilian police in UNTAET and assist in the development of a new East Timorese police force and criminal justice system.

Our FY 2000 assistance package for East Timor includes $8.5 million in Peacekeeping Operations (PKO) funds to pay for U.S. civilian police salaries and contribute to local police development. U.S. police training and development assistance will focus on helping the UN with critical foundational elements that will make or break the overall effort to stand up a viable police force. These elements include force structure and organization of the new police service, an apolitical recruitment and selection process, standard operating procedures and policies, train-the-trainer programs to develop local capacities to sustain the training effort, and a basic police skills curriculum that emphasizes human rights and democratic civilian policing principles.

Our FY 2001 PKO request includes funding to maintain U.S. civilian police participation, and continue to assist in

critical capacity-building efforts, such as local police and criminal justice system development.

Question for the Record for EAP A/S Stanley O. Roth and IO A/S C. David Welch
From Senator Russell D. Feingold
Joint Hearing of the Senate Subcommittee on East Asian and Pacific Affairs and the House Subcommittee on Asia and the Pacific
February 10, 2000

Question:

4. One of the recommendations made in the report of the International Commission of Inquiry on East Timor focuses on establishing procedures for assisting survivors. "A clear-cut policy should be established for official custody of remains, their return to families and the support families can expect during this process. Those involved in interviewing survivors should be trained in supportive and sensitive techniques for doing so." What is the U.S. doing to ensure that there is adequate counseling and other appropriate care for the East Timorese people as they seek to rebuild their lives and their country?

Answer:

Our FY 2000 aid package includes $1.4 million in Economic Support Funds (ESF) for forensics and human rights assistance. We are currently considering funding an NGO proposal to help survivors cope with the psycho-social after-effects of the crisis.

The U.S. supports UNTAET's initiatives to assist survivors and promote reconciliation in East Timor. UNTAET's Human Rights Unit is currently working on programs dealing with trauma among refugees. In addition, East Timor's National Consultative Council, which will contain UNTAET members as

well as leaders from pro-independence and pro-integration factions, will set up meetings and discussions on a "truth and reconciliation" process.

Question for the Record for EAP A/S Stanley O. Roth and IO A/S C. David Welch
From Senator Russell D. Feingold
Joint Hearing of the Senate Subcommittee on East Asian and Pacific Affairs and the House Subcommittee on Asia and the Pacific
February 10, 2000

Question:

5. I know that the Administration is seeking $18 million to support ongoing bilateral and multilateral efforts in East Timor, but I have noticed that the ESF request for East Timor is $15 million less than the 2000 estimate of $25 million. First, would you speak to the priorities that our assistance will focus on in East Timor, and then, given the vast needs of this territory, where rampaging militias wiped out virtually all of the infrastructure, would you please explain why you feel that this reduction is appropriate?

Answer:

The objective of U.S. assistance for East Timor is to facilitate the emergence of a viable democracy. The United States has assumed a substantial financial commitment in support of multilateral action so far throughout this process. In FY 1999, we contributed $9 million to help fund the UN Assistance Mission in East Timor (UNAMET)'s operations and provided 30 U.S. civilian police to help maintain order during the referendum period. To assist developing country participants in INTERFET, the UN-authorized multinational force that intervened to help restore order, President Clinton authorized the drawdown of

up to $55 million in U.S. defense articles and services. Since 1999, State and USAID have contributed more than $50 million in humanitarian assistance to East and West Timor. In addition, in FY 2000, through the Contributions for International Peacekeeping Activities (CIPA) account, we expect to pay an estimated $197 million in UN peacekeeping bills related to UNAMET and UNTAET.

To respond to urgent requirements arising from the immediate post-conflict situation in East Timor, in FY 2000, we will also provide approximately $35 million for programs that can rapidly support the development of East Timorese civil society, aid economic recovery, build the capacity of new democratic and economic institutions, and support the maintenance of a secure environment. FY 2000 ESF funds will allow USAID to expand its existing coffee farming initiative and the Office of Transition Initiatives (OTI) to implement new community-led development projects to build East Timor's capacity for self-government. By contributing to the UNTAET Trust Fund, the United States will help to ensure that basic services continue in East Timor and that the East Timorese develop the skills to provide them. The U.S. contribution to the World Bank Trust Fund will strengthen international donor coordination

and aid multilateral efforts to create a self-sustaining economy in East Timor over the long term. ESF funds will also focus on human rights, forensics, and judicial sector capacity development. FY 2000 PKO funds will allow the United States to continue to provide civilian police as part of the UN mission and to begin to assist in the development of a local police force capacity.

As you have noted, for FY 2001, in addition to the $10 million in ESF funds, we have requested $18 million in peacekeeping operations (PKO) funding, for a total of $28 million. This level compares to $33.5 million that is being provided from these accounts in FY 2000. It does not include the substantial levels of humanitarian and disaster assistance we will continue to provide as necessary, or the almost $200 million annual contribution we expect to pay for our share of the UNTAET presence.

By FY 2001, additional bilateral and multilateral assistance is expected to be in place to help meet East Timor's many requirements. Our ESF and PKO requests are sufficient to allow us to continue funding a substantial level of important bilateral and/or multilateral capacity-building activities. These include economic and democratic

development, assistance in recruiting, training, and equipping a new East Timorese police force capable of functioning once the UN Administration ends, and ongoing efforts to establish critical judicial functions. We also expect to maintain a U.S. civilian police contingent as part of the UNTAET mission.

Question for the Record for Stanley O. Roth and C. David Welch
From Senator Russell D. Feingold
Joint Hearing of the Senate Subcommittee on East Asian and Pacific Affairs
and the House Subcommittee on Asia and the Pacific
February 10, 2000

Question:

6. What steps are being taken to rebuild basic services such as hospitals and schools and to establish food security in East Timor?

Answer:

The restoration of the infrastructure and the creation of a healthy, sustainable economy is crucial to East Timor's long-term viability. To achieve this, ESF funds will be directed towards rebuilding the fundamental physical elements of the economy, such as buildings and roads and stimulating sustainable growth in East Timor's rural economies, as well as exploring new opportunities. In revitalizing the rural economy through the coffee cooperation program and through development grants, we will generate employment that will expand both rural and urban demand. Another goal is the establishment of prosperous trading ties with other nations in the region and the world that will economically integrate East Timor into the community of nations.

In addition, a small contingent of non-combatant U.S. military personnel will contribute to humanitarian efforts such as rebuilding schools and restoring medical services.

Question for the Record for Stanley O. Roth and C. David Welch
From Senator Russell D. Feingold
Joint Hearing of the Senate Subcommittee on East Asian and Pacific Affairs
and the House Subcommittee on Asia and the Pacific
February 10, 2000

Question:

7. What are the plans for the United Nations Transitional Authority for East Timor to involve local officials in establishing a framework for a viable government for an independent East Timor? What role will the U.S. have in efforts to build democratic institutions and establish civil society and rule of law in East Timor?

Answer:

One of the pillars of the UNTAET effort in East Timor is the creation of viable governing institutions and the training of East Timorese civil servants. From the establishment of UNTAET, UN officials have identified building the local capacity of East Timorese to assume responsibility for their own governance as a key objective. To this end, UNTAET's first administrative act emphasized that the Transitional Administrator would "consult and cooperate closely with representatives of the East Timorese people." Regulation #2 established the National Consultative Council (NCC) to ensure the participation of the East Timorese people in decision-making. The NCC has eleven East Timorese participants representing various

political groups and the Catholic Church. The NCC has created joint sectoral committees, composed of East Timorese and international experts, to provide advice in various fields including: macroeconomics and finance, civil service, local administration infrastructure, agriculture, health, and education.

As part of our FY 2000 $18.1 million bilateral assistance package, USAID will aid in community-led development and other projects to create jobs, revitalize the rural economy, and develop East Timor's capacity for democratic self-government. We plan to aid in the formation of NGOs that can develop institutions critical to democratic governance, including impartial electoral structures, independent advocacy centers for human rights, labor and other issues, and a free press.

Question for the Record for Stanley O. Roth and C. David Welch
From Senator Russell D. Feingold
Joint Hearing of the Senate Subcommittee on East Asian and Pacific Affairs
and the House Subcommittee on Asia and the Pacific
February 10, 2000

Question:

8. I fully support efforts to vigorously investigate the atrocities committed against the East Timorese people and to prosecute those accused of these heinous crimes. Does the United States plan to support financially the international efforts to hold those responsible for these crimes accountable for their actions?

Answer:

The United States has long maintained that those responsible for orchestrating and perpetrating atrocities in East Timor before and after the 1999 referendum must be held accountable. The United States supported the initiative of the UN Human Rights Commission to create an International Commission of Inquiry (ICOI) to investigate human rights abuses in East Timor.

At the same time, the Indonesian Human Rights Commission's investigation (KPP-HAM) also completed a separate investigation into human rights abuses in East Timor. We are pleased that concrete steps are being taken within Indonesia to bring those responsible for these heinous crimes to justice. In addition, we are currently

evaluating ways to provide the Indonesian Attorney General's office with additional logistical and technical help.

We welcome the efforts by the Indonesian government and the Indonesian human rights commission to establish judicial accountability for atrocities in East Timor. These efforts bore fruit in February when Indonesian authorities arrested Moko Soares, a notorious pro-Jakarta East Timorese militia leader who is suspected of being involved in massacres -- including one in the Oecussi enclave, in which 45 people died -- in addition to looting, and attacks on Australian peacekeeping troops.

We agree with UN Secretary-General Kofi Annan that, to the extent that Indonesia's domestic effort is complete and credible, further international legal action may not be warranted. This, of course, remains to be seen, but the initial work of the Indonesians themselves has been promising.

Question for the Record for Stanley O. Roth and C. David Welch
From Senator Russell D. Feingold
Joint Hearing of the Senate Subcommittee on East Asian and Pacific Affairs
and the House Subcommittee on Asia and the Pacific
February 10, 2000

Question:

9. The Omnibus Appropriations bill signed into law by President Clinton in November contains language stating that funds appropriated under the IMET and FMF accounts may be used for Indonesia only if the President determines and submits to Congress that the Indonesian government and the Indonesian armed forces are meeting six specific criteria with regard to East Timor. Are these conditions being met?

Answer:

The Indonesian government and armed forces have made significant progress in regard to all of the conditions except condition three (allowing displaced persons and refugees to return home) and, to a lesser extent, condition five (demonstrating a commitment to preventing incursions into East Timor by members of militia groups in West Timor).

We welcomed the report of the Indonesian Human Rights Commission's investigation (KPP-HAM) as an important first step in the process of establishing accountability for crimes committed in East Timor, and we are pleased that concrete steps are being taken to bring specific militia

leaders to justice. We hope that further progress in these areas will enable us to certify that the conditions in the legislation have been met.

Question for the Record for C. David Welch
from
House Subcommittee on Asia and the Pacific
February 10, 2000

Question 1:

How closely is UNTAET working with local East Timorese leaders? Please characterize the relations between UNTAET and the local population of East Timor.

Answer:

UNTAET and the East Timorese agreed to establish the National Consultative Council of East Timor (NCC) as the primary mechanism through which the representatives of the people could participate in the decision-making process. The NCC is composed of 15 members: seven representatives from the National Council of Timorese Resistance (CNRT), including Xanana Gusmao; one from the Catholic Church; three representatives of political groups outside the CNRT; and four from UNTAET. The NCC has created joint sectoral committees composed of East Timorese and international experts to provide it with advice on finance, civil service, agriculture, health, infrastructure, education and other issues.

East Timor faces a serious unemployment problem. The East Timorese are understandably impatient with the pace of the implementation of reconstruction and economic development projects. Petty crime and incidents of social unrest are

among the problems UNTAET must cope with. This is the highest priority on UNTAET's agenda and it is working closely with the World Bank and others to get development projects underway.

Question for the Record for C. David Welch
from
House Subcommittee on Asia and the Pacific
February 10, 2000

Question 2:

What should be done by UNTAET or others to bring East Timorese into decision-making and other administering positions in the transition authority (government)? With the evacuation of Indonesian civil servants from East Timor, are there a sufficient number of local East Timorese to fill positions of responsibility in any new government? If not, what can be done to develop these human resources as expeditiously as possible? Is local human resource development a principal and stated responsibility of UNTAET?

Answer:

There is definitely a shortage of skilled workers among the East Timorese, over 50% of whom are illiterate. To remedy this situation, UNTAET, in collaboration with the World Bank, will make a major effort to educate and train the population in the professions and skilled trades. UNTAET's mandate is to prepare the East Timorese for independence. This necessarily involves providing education and training to permit the East Timorese to effectively govern their country.

Question for the Record for C. David Welch
from
House Subcommittee on Asia and the Pacific
February 10, 2000

Question 3:

What kind of independent government is envisioned in the future for East Timor? What can be done to expedite the self-government process?

Answer:

UNTAET is just beginning to lay the institutional foundations of an independent East Timor. The precise shape of the government remains to be worked out in consultations with the East Timorese through the mechanism of the National Consultative Council (NCC). Elections will be held to select representatives to the legislature, although no date has been set. The East Timorese are already involved in all decisions relating to the establishment of a new government through the NCC, which will determine the pace of the self-government process.

Question for the Record for C. David Welch

from
House Subcommittee on Asia and the Pacific
February 10, 2000

Question 4:

How long is it expected for the UN to set up the necessary functioning institutions for self-government?

Answer:

The UN expects the process will take 2-3 years. At that time the transitional authority will transfer governance to the new government and will begin the process of bringing an end to the mission.

Question for the Record for C. David Welch
from
House Subcommittee on Asia and the Pacific
February 10, 2000

Question 5:

Recently, there have been incidents of civil unrest. What have these been about? How severe have these been? What is UNTAET or other doing to address the underlying causes? When is the UN civilian police force deploying in East Timor?

Answer:

Deep poverty and widespread unemployment as well as long-standing local disputes within East Timorese society are at the root of the civil unrest in East Timor. For example, on January 15 violence erupted when approximately 5,000 people gathered outside an UNTAET center to interview for 2,000 positions. When the crowd became unruly, UN civilian police and INTEFET troops decided to postpone the recruitment. The crowd reacted by throwing stones at the UN building, injuring several people including an INTERFET officer. In another incident, an East Timorese warehouse guard was murdered by three men who accused him of stealing rice intended for the local population. When a hostile crowd gathered, INTERFET intervened to disperse it. These and other incidents demonstrate the urgent need for UNTAET to develop East Timorese capacity to provide public security and law enforcement in the territory.

There are now more than 1,000 UN civilian police (CIVPOL) deployed and UNTAET expects the full authorized contingent of 1640 to be deployed in the coming weeks. UNTAET has established a police school in Dili that is training the first class of 50 recruits for the new East Timor police force.

Question for the Record for C. David Welch
from
House Subcommittee on Asia and the Pacific
February 10, 2000

Question 6:

When will the East Timor operation transition from an Australia-led voluntary contribution (INTERFET) and become a formal UN peacekeeping operation? When this happens, is Australia expected to reduce the size of its military contingent in East Timor? If Australia reduces its forces, what other countries might contribute more troops to compensate?

Answer:

The transition from INTERFET to the UNTAET peacekeeping operation took place on February 23. Australia has reduced its contingent to approximately 1,700 troops (from 5,300). Although Australia still has the largest single contingent, Bangladesh, Canada, Fiji, Jordan, New Zealand, Pakistan, Portugal, the Philippines, Korea and Thailand have also contributed large contingents. There are currently 7,314 troops in UNTAET out of an authorized total of 8,950.

Question for the Record for C. David Welch
from
House Subcommittee on Asia and the Pacific
February 10, 2000

Question 7:

Will U.S. military participation change now that INTERFET has changed to a UN peacekeeping mission? How will the U.S. financial commitment be affected? Is the United States considering unilateral military involvement in East Timor in support of - but not under the command of - the UN? Will U.S. civilian police officers participate in UN civilian police force in East Timor?

Answer:

The U.S. contributed approximately 500 logistics, communications, intelligence and other support personnel to INTERFET. To support East Timor in its transition to independence, the U.S. is deploying a military support group of approximately 45 staff and support personnel (about 25 of whom are in East Timor) to facilitate and coordinate U.S. military rotational presence operations. These operations, which include periodic ship visits, enable U.S. military personnel to provide engineering, medical, dental, and other Humanitarian and Civic Assistance to the East Timorese people, and at the same time provide valuable peacetime exercise opportunities for our military personnel. The support group and rotational presence operations remain under U.S. command and control, and are not part of UNTAET. The cost of these deployments will be borne by the DOD regular budget. In addition, three U.S. military observers

have been detailed to UNTAET and DOD is considering whether it can detail a particular Judge Advocate officer, who was requested by name by UNTAET, to assist UNTAET with accountability, war crimes investigation and rule of law issues.

There are currently 45 U.S. civilian police serving as part of UNTAET, and the U.S. intends to increase that number to 80 in the near future. We also plan to assist UNTAET with training and development of the new East Timorese police force.

Question for the Record Stanley O. Roth
By Congressman Douglas Bereuter
Joint Hearing of the Senate Subcommittee on East Asian and Pacific Affairs
and the House Subcommittee on Asia and the Pacific
February 10, 2000

Question:

1. In recent years the Congress has earmarked fellowships for students from East Timor. Are any of these students active today in East Timor and what role do we expect them to play in helping establish self-governance and reconstruction in East Timor?

Answer:

All the East Timorese who participated in exchange programs funded by earmarks have returned to East Timor. Participants in these programs included much of the leadership of the former University of East Timor and teachers of English as a Foreign Language at secondary and university levels. We expect that these participants will be active in constructing and then managing the educational infrastructure of East Timor as East Timor rebuilds.

Question for the Record Stanley O. Roth
By Congressman Douglas Bereuter
Joint Hearing of the Senate Subcommittee on East Asian and Pacific Affairs
and the House Subcommittee on Asia and the Pacific
February 10, 2000

Question:

2. What kind of external assistance will be necessary for democracy building and election management? What role is the US expected to play in the process?

Answer:

In November 1999, the World Bank sent a team to East Timor to assess the territory's reconstruction and development needs as it prepares for self-governance and independence. The study estimates that approximately $300 million over three years will be needed. Among the tasks included in the World Bank study are democracy building and election management.

The U.S., through USAID, played a key role in helping East Timor prepare for the referendum which led to independence. USAID, utilizing funds Congress earmarked for East Timor for FY2000, will work towards creating conditions conducive to holding free elections and building a democratic society including NGO development, voter education and election infrastructure.

Question for the Record Stanley O. Roth
By Congressman Douglas Bereuter
Joint Hearing of the Senate Subcommittee on East Asian and Pacific Affairs
and the House Subcommittee on Asia and the Pacific
February 10, 2000

Question:

3. How much assistance will East Timor require this year, and in the future, to ensure that basic human needs are met?

Answer:

At the World Bank-UN donor pledging conference for East Timor held in December 1999, donor nations and organizations pledged $149 million in new humanitarian assistance. This amount more than meets the requirements sought for 2000 in the UN consolidated humanitarian appeal for East Timor -- for needs such as food, water and basic shelter. The donor community expects that reconstruction and development efforts now underway will make humanitarian aid unnecessary by 2001.

Question for the Record Stanley O. Roth
By Congressman Douglas Bereuter
Joint Hearing of the Senate Subcommittee on East Asian and Pacific Affairs
and the House Subcommittee on Asia and the Pacific
February 10, 2000

Question:

4. What is the extent of U.S. financial and in-kind assistance to East Timor? What has it been used for?

Answer:

During 1999, while East Timor was part of Indonesia, U.S. assistance was funneled through several channels. Through its USAID/Office of Transition Initiatives (OTI) Indonesia program, the U.S. spent $3.5 million to support a coffee farmers cooperative and for projects promoting development of civil society and human rights in East Timor. When Indonesia allowed the UN to prepare for a vote on autonomy in East Timor, the U.S. provided $9.0 million to the UN Assistance Mission in East Timor (UNAMET) Trust Fund to help offset the costs of the popular consultation and U.S. civilian police (CIVPOL) monitors to UNAMET.

Also in 1999, in order to help relieve the severe situation of refugees and internally displaced persons resulting from militia violence that broke out in September, the U.S. spent some $20.5 million in humanitarian assistance. The U.S. military -- using a $55 million drawdown authority in U.S. defense articles and services -- also provided communications,

heavy lift, transportation and logistical support to INTERFET, the Australian-led multilateral force which restored order in East Timor (and turned over its security responsibilities to the UNTAET peacekeeping force on February 24, 2000).

With East Timor now separated from Indonesia and, under UN auspices (UNTAET) in transition to independence, in FY 2000 the U.S. emphasis will be on expanding our existing bilateral programs to meet East Timor's reconstruction needs, including economic growth generation and democratic institution-building. Our assistance, which will also including support for the UN and multilateral effort, will total over $25.0 million.

On the multilateral side, in FY 2000, we will contribute to the UNTAET Trust Fund ($4 million) and to the World Bank Reconstruction Trust Fund ($500,000). The UNTAET Trust Fund is vital to ensuring that basic public services are fully restored in East Timor and that East Timorese develop the skills to provide them on a continuous basis. Most of the UNTAET Trust Fund (and thus most of our contribution) will be used to benefit East Timorese immediately and directly by paying salaries for public workers, most of them teachers or health care workers. Some of the fund will go to critical projects that support democracy and governance. The World

Bank, working through its Trust Fund, is the main coordinating body for the multilateral effort to rebuild East Timor into a self-sustaining economy over the long-term.

On the bilateral side, the U.S. will spend about $20 million in FY 2000 ESF to expand existing USAID and USAID Office of Transition Initiatives (OTI) projects in East Timor. We expect that USAID's $8.1 million project to assist coffee farmers will have a particularly rapid and positive impact on the East Timorese economy as coffee is East Timor's most viable export product. Our goal is to provide income-generating employment for 220,000 East Timorese. USAID and OTI will also assist in providing quick employment in community projects to East Timorese. Quick employment opportunities will help stabilize urban and village populations by increasing the purchasing power of the population, stimulating economic activity, and reducing unrest. The U.S. objective in most OTI projects (about $10 million in programs and $1.4 million more in administrative support) will be to encourage the growth and development of local civil society and other institutions that will be critical to democratic governance in East Timor.

Other U.S. programs will address East Timor's urgent need for assistance on forensics and human rights training. East

Timorese responsible for documenting past human rights abuses on the ground in East Timor (both UNTAET officials and NGO workers) lack the specialized training needed to conduct such investigations, have little access to forensic expertise, and possess little to none of the specialized equipment. We expect to spend about $1.4 million in FY 2000 to address these skill and equipment gaps and to assist East Timorese to monitor current human rights abuses (for example, by establishing a position of human rights ombudsperson) and to prevent future abuses.

In addition, we expect to expend about $1 million for judicial training, justice sector institution building and promotion of the rule of law in East Timor, another priority need. These funds will support the training of judges, prosecutors, and public defenders, the revision of the legal code, and overall planning for the development of an independent East Timorese judiciary.

The U.S., with FY 2000 PKO funds, will increase the CIVPOL contingent in support of UNTAET and will, consistent with what is permissible under U.S. law, help to develop a local police force capacity and critical judicial functions. These last activities will require expenditure of $8.5 million in PKO funds. The U.S. also expects to spend an additional $49.0

million in humanitarian assistance, some for East Timorese refugees still in camps in West Timor.

The U.S. also has a small, non-combat U.S. military presence (USGET) in East Timor to coordinate a program of U.S. military medical, humanitarian and civil engineering assistance to the East Timorese people. This U.S. military presence and assistance is not part of the UNTAET peacekeeping operation. Estimates on the monetary worth of this in-kind military assistance to the East Timorese are not yet available. Annual U.S. assessed costs of the UNTAET mission for FY 2000 and FY 2001 are approximately $186 million, paid from the Contributions for International Peacekeeping Activities (CIPA) account.

Question for the Record Stanley O. Roth
By Congressman Douglas Bereuter
Joint Hearing of the Senate Subcommittee on East Asian and Pacific Affairs
and the House Subcommittee on Asia and the Pacific
February 10, 2000

Question:

5. What sort of assistance will be provided in developing military and police forces? Does the United States envision a mil-to-mil relationship with East Timor? Do you envision U.S. assistance in developing a police force?

Answer:

The United States is concerned about security and stability in East Timor, as demonstrated by our participation in UNAMET and INTERFET and the focus of a good part of our assistance in East Timor on helping develop an East Timorese Police Service (ETPS).

We are committed to assisting the United Nations reach its goal of standing up a new police service in East Timor. Beginning in June 1999, the US contributed 30 police officers to the civilian police (CIVPOL) component of the UN Mission in East Timor (UNAMET). Following the post-consultation violence, our contribution was increased to 45. The U.S. police contingent continues to serve as part of the larger UN Transition Authority in East Timor (UNTAET). The UNTAET mandate calls for civilian police to recruit and train an East Timorese police service, and a number of the U.S. police

officers deployed to East Timor have backgrounds in specialty areas that will be useful in this effort. We are considering an increase in the number of U.S. civilian police in UNTAET and looking at ways to assist in the development of the police service.

Our FY 2000 assistance package for East Timor funds for continuing to pay U.S. civilian police salaries and developing the new local police service. U.S. police and other assistance will focus on helping the UN with critical fundamental elements that will make or break the overall effort to stand up a viable police force. These elements include recommendations on force structure and organization of the new police service, standard operating procedures and policies, train-the-trainer programs to develop local capacities to sustain the training effort, assistance in developing an investigative capacity and a field training program that reinforces basic policing skills and emphasizes human rights and democratic civilian policing principles.

Our FY 2001 request includes funding to maintain U.S. civilian police participation, and contributing to the international effort to train, advise and equip the East Timor Police Service.

The question of what type of security force, beyond police, will be appropriate for East Timor is a matter of on-going discussion among East Timorese and by UNTAET and the international community. No decisions have been made and the final arrangements will very much depend on the types of challenges East Timor faces over the 2-3 years left in its transition period to full independence.

Question for the Record Stanley O. Roth
By Congressman Douglas Bereuter
Joint Hearing of the Senate Subcommittee on East Asian and Pacific Affairs
and the House Subcommittee on Asia and the Pacific
February 10, 2000

Question:

6. It is reported that the Administration has tasked the U.S. Institute for Peace to advise the Indonesian government on how to deal with questions such as the role of the Indonesian military in the violence in East Timor in 1999. What specifically is the mission of the Institute? What were the results of the conference it recently held with Indonesian officials?

Answer:

In January, USIP and the State department joined in facilitating a multinational conference on the role of justice and reconciliation in democratic transitions. The conference brought together officials from Indonesia and experts from five countries that have grappled with issues of justice and national reconciliation after periods of civil strife in order to share the lessons they have learned.

Conference participants discussed a range of ideas and issues, including the role of truth and reconciliation commissions, compensation for victims of human rights abuses, and lessons learned from dealing with these procedures during the transition to democratic governance in a number of countries.

The conference was an important manifestation of the growing level of international cooperation among democracies. Participants included experts from Argentina, Chile, El Salvador, South Africa and South Korea with critical knowledge and experience of their own countries' handling of complex questions of justice and reconciliation. Indonesian participants included three cabinet Ministers and representatives of NGOs.

We believe that the insights and experiences shared at the meeting will prove helpful to these Indonesian leaders as they pursue Indonesian solutions to the challenges of completing a successful democratic transition.

February 10, 2000
Pg. 47, Lns. 1031-48

Question:

What specific steps are being taken to provide food aid, road reconstruction, and the construction of basic infrastructure in East Timor?

Answer:

Taken together, U.S. humanitarian aid and development assistance to East Timor will total over $70 million this fiscal year. The main component of our development assistance is the expansion of our existing USAID program. This program will focus on long-term projects such as our coffee farming initiative and the creation of community-led development projects to develop East Timor's capacity for democratic self-government.

In regard to East Timor's more immediate needs, in FY 2000 we have thus far provided an estimated $50 million in humanitarian relief from the Emergency Refugee and Migration Assistance Fund (ERMA) and will continue to do so if the need arises. In addition, USAID's Food For Peace Program is providing over $16 million in food commodities to East Timor, and the USAID Office of U.S. Foreign Disaster Assistance has authorized over $12 million in assistance during FY 1999 and FY 2000.

The World Food Program reports that it has adequate food stocks in its pipeline to meet food requirements at least through April. INTERFET was taking responsibility for the maintenance of the territory's main roads, a function which will be handled by the UN in the future.

For FY 2000 we are also contributing $4 million to the UNTAET Trust Fund which will be vital to ensuring that basic services continue in East Timor and that the East Timorese develop the skills to provide them. Most of this fund will be used to pay salaries for East Timorese public workers. Some of the fund will go to governance projects.

In addition, we will be contributing $500,000 to the World Bank Trust Fund. We have been impressed with the work of the World Bank so far in East Timor in conducting a quick assessment of the needs there -- with significant East Timorese participation in their work -- and in attracting donations to organizing a multilateral effort that will focus on a strategy to build East Timor into a self-sustaining economy over the long-term.

The restoration of the infrastructure and the creation of a healthy, sustainable economy is crucial to East Timor's long-term viability. To achieve this, ESF funds will be directed towards rebuilding the fundamental physical elements of the economy, such as buildings and roads and stimulating sustainable growth in East Timor's rural economies, as well as exploring new opportunities. In revitalizing the rural economy through the coffee cooperative program and through community development grants, we will generate employment that will expand both rural and urban demand. Another goal is the establishment of prosperous trading ties with other nations in the region and the world that will economically integrate East Timor into the community of nations.

In addition, a small contingent of non-combatant U.S. military personnel will contribute to humanitarian efforts such as rebuilding schools and restoring medical services.

February 10, 2000
Pg. 54, Lns. 1200-09
Pg. 55, Lns. 1233-38

Question:

How much aid is being provided to East Timor by other donors, specifically Japan and Portugal, for reconstruction?

Answer:

We do not have exact direct aid figures for every country, but the breakdown of the principal donors to the UNTAET and World Bank Trust Funds is as follows:

Donor	Amount pledged
EU:	$68.6 million
Portugal:	$57.5 million
Japan:	$38 million
UK:	$21 million
Australia:	$16.1 million
U.S.:	$4.5 million
Others:	$14.8 million
Total:	$220.5 million

In the Tokyo Pledging Conference for East Timor, Portugal made a $91.6 million pledge. As noted above, $57.5 million was pledged to the World Bank and UNTAET Trust Funds. Of the remainder, Portugal pledged $23.5 million in bilateral assistance and $10.6 million in Humanitarian Relief. More broadly, the Government of Portugal says it has set aside a sum of USD $225 million to be disbursed over the 2000-2003 timeframe. Japan pledged a total of $129 million over the

next three years, $38 million to the WB and UNTAET trust funds, $30 million for Humanitarian Relief, while the remaining $62 million has not yet been specifically allocated.

February 10, 2000
Pg. 67, Lns. 1544-51

Question:

What is the U.S. doing to ensure that there is adequate counseling and other appropriate care for the East Timorese people as they seek to rebuild their lives and their country?

Answer:

Our FY 2000 aid package includes $1.4 million in Economic Support Funds (ESF) for forensics and human rights assistance. We are currently considering funding an NGO proposal to help survivors cope with the psycho-social after-effects of the crisis.

The U.S. supports UNTAET's initiatives to assist survivors and promote reconciliation in East Timor. UNTAET's Human Rights Unit is currently working on programs dealing with trauma among refugees. In addition, East Timor's National Consultative Council, which will contain UNTAET members as well as leaders from pro-independence and pro-integration factions, will set up meetings and discussions on a "truth and reconciliation" process.

February 10, 2000
Pg. 69, Lns. 1581-85

Question:

I know that the Administration is seeking $18 million to support ongoing bilateral and multilateral efforts in East Timor, but I have noticed that the ESF request for East Timor is $15 million less than the 2000 estimate of $25 million. First, would you speak to the priorities that our assistance will focus on in East Timor, and then, given the vast needs of this territory, where rampaging militias wiped out virtually all of the infrastructure, would you please explain why you feel that this reduction is appropriate?

Answer:

The objective of U.S. assistance for East Timor is to facilitate the emergence of a viable democracy. The United States has assumed a substantial financial commitment in support of multilateral action so far throughout this process. In FY 1999, we contributed $9 million to help fund the UN Assistance Mission in East Timor (UNAMET)'s operations and provided 30 U.S. civilian police to help maintain order during the referendum period. To assist developing country participants in INTERFET, the UN-authorized multinational force that intervened to help restore order, President Clinton authorized the drawdown of up to $55 million in U.S. defense articles and services. Since 1999, State and USAID have contributed more than $50 million in humanitarian assistance to East and West Timor.

In addition, in FY 2000, through the Contributions for International Peacekeeping Activities (CIPA) account, we expect to pay an estimated $197 million in UN peacekeeping bills related to UNAMET and UNTAET.

To respond to urgent requirements arising from the immediate post-conflict situation in East Timor, in FY 2000, we will also provide approximately $35 million for programs that can rapidly support the development of East Timorese civil society, aid economic recovery, build the capacity of new democratic and economic institutions, and support the maintenance of a secure environment. FY 2000 ESF funds will allow USAID to expand its existing coffee farming initiative and the Office of Transition Initiatives (OTI) to implement new community-led development projects to build East Timor's capacity for self-government. By contributing to the UNTAET Trust Fund, the United States will help to ensure that basic services continue in East Timor and that the East Timorese develop the skills to provide them. The U.S. contribution to the World Bank Trust Fund will strengthen international donor coordination and aid multilateral efforts to create a self-sustaining economy in East Timor over the long term. ESF funds will also focus on human rights, forensics, and judicial sector

capacity development. FY 2000 PKO funds will allow the United States to continue to provide civilian police as part of the UN mission and to begin to assist in the development of a local police force capacity.

As you have noted, for FY 2001, in addition to the $10 million in ESF funds, we have requested $18 million in peacekeeping operations (PKO) funding, for a total of $28 million. This level compares to $33.5 million that is being provided from these accounts in FY 2000. It does not include the substantial levels of humanitarian and disaster assistance we will continue to provide as necessary, or the almost $200 million annual contribution we expect to pay for our share of the UNTAET presence.

By FY 2001, additional bilateral and multilateral assistance is expected to be in place to help meet East Timor's many requirements. Our ESF and PKO requests are sufficient to allow us to continue funding a substantial level of important bilateral and/or multilateral capacity-building activities. These include economic and democratic development, assistance in recruiting, training, and equipping a new East Timorese police force capable of functioning once the UN Administration ends, and ongoing

efforts to establish critical judicial functions. We also expect to maintain a U.S. civilian police contingent as part of the UNTAET mission.

February 10, 2000
Pg. 70, Lns. 1612

Question:

Why is the U.N. looking to have the recently detained militia leader extradited to East Timor if there is currently no judicial system in place there?

Answer:

Militia leader Moko Soares was picked up on February 7 in West Timor, following weeks of discussions between authorities in West Timor, UN officials, and INTERFET. The UN has not called for his extradition to East Timor, as was mistakenly reported in press. The UN has, however, stressed the importance of bringing Moko Soares to justice. UNTAET and the Indonesian government are currently discussing how best to collaborate to ensure that Indonesia has appropriate evidence to bring Soares to trial in West Timor.

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