

THE HUMANITARIAN CRISIS IN EAST TIMOR

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BEFORE THE
SUBCOMMITTEE ON
INTERNATIONAL OPERATIONS AND HUMAN RIGHTS
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Thursday, September 30, 1999

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON INTERNATIONAL
OPERATIONS AND HUMAN RIGHTS,
Committee on International Relations,

WASHINGTON, D.C.

The Subcommittee met, pursuant to notice, at 12:30 p.m., in room 2172, Rayburn House Office Building, Christopher H. Smith (Chairman of the Subcommittee) presiding.

Mr. SMITH. Today's hearing is about the continuing humanitarian and human rights crisis in East Timor, and about the past, present, and future of U.S. policy toward that country. I am particularly pleased that one of our witnesses will be East Timorese independence leader, Xanana Gusmao, who I first met in Cipinang Prison in May of last year.

We will also hear from the State Department, from our two distinguished witnesses who will be the lead-off panel, and from Nobel Peace Prize winner, Jose Ramos-Horta, and from several other distinguished experts and human rights advocates.

When I visited Indonesia about 1½ years ago, just after the fall of the Suharto Regime, I hoped not only that democracy would come to Indonesia, but also that the people of East Timor would finally get the chance to exercise their right of self-determination. But I did not dream this exercise would occur so soon. Now that the referendum in East Timor is history and the people have spoken, it should be a time for congratulations and celebration.

Instead, however, the post-election period has become a time of mass killings, forced relocations, and other grave human rights violations. Although these atrocities were ostensibly committed by anti-independence East Timorese militias, it is clear that they were assisted and probably directed by important elements in the Indonesian military.

Nobody knows how high the chain of complicity extends into the Indonesian military command, and nobody knows, as yet, how many thousands of people have been killed. Even now, although the international peacekeeping force is doing great work in Dili and a few other locations in East Timor, in other places it appears that the brutal campaign of destruction carried out by the militias and their Indonesian military sponsors continues.

The arrest this week in East Timor of a number of KOPASSUS soldiers is a clear indication of this. I have to wonder whether any of these killers were trained by our Government. I hope that Secretary of Defense Cohen will send a strong message during his visit

that there will be no more military training, no more assistance of the military kind, and no other nonhumanitarian assistance to the Government of Indonesia until the perpetrators of these atrocities, however high-ranking they may be, are held accountable.

In the meantime, the United States must provide whatever assistance is necessary to get the peacekeeping force in full and immediate control of the entirety of East Timor. Specifically, the Administration has requested \$140 million for a contribution to peacekeeping in East Timor.

I understand this amount will be fully off-set by reductions in various nonhumanitarian accounts. Although this request has come in subsequent to both the House and Senate passage of the Foreign Relations Authorization Act for fiscal year 2000, I will work to get it included the conference report, and I urge my colleagues on the Appropriations Committee to provide the necessary appropriations.

We also need to step up humanitarian assistance to prevent people who are still hiding in the hills, as well as those who have returned to their burned-out homes, from dying of starvation and disease.

Finally, international humanitarian organizations, including the U.N. High Commissioner for Refugees must be given immediate and complete access to the refugees in West Timor. There are, as you know, credible reports that people are being murdered in these camps by the same militias and the same Indonesian soldiers who were murdering them a few days ago in East Timor, and that many of the refugees may be forced to relocate in other parts of Indonesia.

We must insist that a transparent and secure process be set up immediately to find out how many of these refugees wish to return to East Timor and to assist them in returning. I understand there are also East Timorese living in Jakarta and elsewhere in Indonesia who are in grave danger.

I hope the United States will assist in arrangements for the immediate evacuation of these people. It may be possible to find temporary asylum for them in safe countries in the Asia-Pacific region. If not, we should offer them a safe haven in the United States until it becomes feasible for them to return to East Timor. Every day these urgent measures are delayed, more people will die. So, our immediate emphasis must be on addressing these elements of the current humanitarian crisis.

I hope, however, that our witnesses will speak not only to the immediate present, but also to the past, and to the future. First, we must analyze and learn from the mistakes we have made, particularly in our relationship with the Indonesian military. We armed them, trained them, conducted joint exercises with them, even gave them honors and awards, on the theory that this would make them less likely to violate the internationally recognized and God-given human rights of their own people and of the people of the captive nation of East Timor.

It now seems clear that we were wrong. The recent suspension of U.S.-Indonesian military-to-military relationship is a positive step. An even more positive step would be for Congress to enact, and the President to sign, legislation which would set forth clearly the conditions on which that suspension will either continue or be

lifted, including full compliance with Indonesia's international agreements regarding East Timor, immediate release of the refugees in West Timor, top-to-bottom reform of the military, and accountability for those who have committed human rights violations.

The Feingold-Helms bill, which should soon pass the Senate, contains all of these provisions, and I am a co-sponsor of the companion House bill introduced by Congressman Pat Kennedy, H.R. 2895. I promise to work for the passage of this legislation in the House, and I urge the Administration to endorse it and to work for it as well.

As for the future, we must discuss how to rebuild East Timor and to set the new country on the road to self-sufficiency. One benchmark for how much help we should give East Timor could be the amount of our past assistance, including bilateral aid, as well as World Bank and IMF money, that contributed directly or indirectly to suppression and then destruction in East Timor.

Finally, I want to emphasize that Indonesia is not the enemy. Individual murderers and thugs, and whatever structures within the military and the Government of Indonesia allowed them to remain and prosper, are the enemy. Whatever his weaknesses, President B.J. Habibie deserves credit for agreeing to the referendum in the first place.

I am also pleased that Megawati Sukarnoputri, who will probably be Indonesia's next President, has issued strong statements accepting the results of the referendum and condemning the violence. So, it is important to make clear that the United States should look forward to a continued friendly relationship with the Indonesian people, and even the Indonesian Government, but only on the clear conditions that the killing must stop, the killers must be brought to justice, and the system must be reformed to ensure that nothing of this sort ever happens again.

I would like to yield to my good friend, Cynthia McKinney, the Ranking Member of this Subcommittee, for any opening comments she might have.

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

Ms. MCKINNEY. Thank you, Mr. Chairman.

I would like to open by personally thanking you for your leadership and concern about this human rights tragedy that has unfolded in East Timor. I would also like to thank my colleague, Congressman Patrick Kennedy, who has initiated several legislative measures on East Timor. I am a very proud co-sponsor of them all.

Mr. Chairman, I would also like to recognize the courage of Xanana Gusmao, Jose Ramos-Horta, and Allan Nairn who have all stood up against the might of the Indonesian military. Through their ongoing courage, they have revealed the full horrors of Indonesia's illegal occupation of East Timor. They have told the world of mass killings, widespread rape, and the systematic destruction of democracy in East Timor.

These brave men here today are the voice of the voiceless. Their heroic qualities and personal sacrifice does not go unnoticed. We are honored to be in their presence.

Mr. Chairman, the U.S. Government has blood on its hands as a result of our dealings with the Indonesian military over in East Timor.

Without a shadow of a doubt, the recent events in East Timor, are like the human rights disasters which unfolded in Rwanda in 1994, and then Srebrenica in 1995. Mr. Chairman, under your leadership, this Committee has now conducted two hearings into these great tragedies. We have heard chilling evidence against the United Nations, accusing it of deliberately surrendering the peoples of Rwanda and Srebrenica to almost certain death.

Despite so much suffering caused by cowardness, callous indifference, and gross levels of negligence. The world appears to have learned nothing. We are gathered here once more to hear allegations that the world has failed to confront mass killing and other grave human rights abuses. This time, the place is East Timor. What is also incredible is that the world has stood idly by for 25 years and allowed Indonesian security forces to murder an estimated 200,000 East Timorese.

Mr. Chairman, the United States has much to be ashamed of. Our foreign policy toward Indonesia, and ultimately East Timor, is simply unconscionable. The American people deserve to know the truth about our Government's complicity in Indonesian's subjugation of the people of East Timor. Indonesia was decided to be of strategic U.S. economic and military interest because of its location near vital sea lanes used by U.S. military and commercial fleets.

The world now knows that President Gerald Ford and his former Secretary of State Henry Kissinger, surrendered East Timor to the Suharto regime. Claiming that intervention was necessary to restore peace and security to East Timor, Indonesia invaded on December 7, 1975, 1 day after President Ford and Secretary of State Henry Kissinger departed from a Summit meeting in Jakarta.

Mr. Chairman, that action was an explicit green light for Indonesia to invade East Timor. For 25 years, the U.S. Government has chosen to ignore Indonesia's ongoing crimes. We have turned our backs on international law. We have ignored the United Nations' instruments detailing the collective laws of nations on fundamental human rights, the 1948 Declaration of Human Right, the 1948 Genocide Convention, and associated protocols, and the more recent Torture Convention.

Worse still, we have been directly involved in the crimes committed in East Timor by the Indonesian military. We trained the notorious KOPASSUS, the dreaded Indonesian special forces at the School of the Americas in my own home State of Georgia, and by special American forces on-the-ground in Indonesia. In light of the extensive evidence confirming that Indonesian military forces were murdering and committing grave crimes in East Timor, Congress voted in 1992 to cut military aid to Indonesia.

Despite this vote, the Department of Defense used another program to maintain its support to Indonesian military. We have every indication that the KOPASSUS is still operating in East Timor, even as we hold these hearings. Mr. Chairman, what makes the recent outbreak of violence and killings in East Timor more egregious, is that once again we knew it was going to happen.

Clearly, Indonesian military forces were preparing the militia to attack the courageous citizens of East Timor who chose independence, despite the lurking and ever-present militia. The U.N.'s decision to insist upon waiting for the Indonesian Government to invite

the international community into East Timor to stop the murderous campaign it was itself directing was in fact an explicit invitation for Indonesia to carry out a scorched dearth policy.

What can we say as Members of Congress to the people of East Timor? No amounts of apologies from the U.S. Government can resurrect the 200,000 victims of genocide. No apology can ever make up for our culpability in the demise of personal freedom in East Timor, freedom that every American takes for granted on a daily basis.

Let it be known that there are those of us in Congress who are working for a responsible arms transfer code of conduct to prevent the transfer of arms to dictatorial regimes. There are those of us who want to hold the Department of Defense accountable when they find loopholes to bypass the wishes of the American people.

There are those of us in Congress who are calling for the creation of an international criminal court. Ms. Mary Robinson, the United Nations Commissioner for Human Rights, has called upon the U.N. to initiate a War Crimes Tribunal to investigate the gross violations of human rights law in East Timor. I support her call.

The United States cannot continue to hope to command respect in the world where, on one hand, we demand that all nations to help us to prosecute those persons or regimes responsible for bombing our embassies, attacking our aircraft, or otherwise harming our National interests, while we continue to support dictators or regimes guilty of committing genocide and crimes against humanity against innocent peoples.

The mass murder, the torturer, the ethnic cleanser are enemies of all mankind and they are repugnant to civilized society. They can never be our allies or our friends. When we knowingly aid and abet them to commit their vile crimes, we become as guilty as they, and we should stand condemned.

Mr. Chairman, we were once a great force in the world, known for our generosity and courage in the face of adversity. In two World Wars, we were a leader in their fight to preserve democracy and ensure that the world was not consumed by evil.

Today, we are fighting to maintain our reputation as a world leader. Many believe we have lost our moral compass. East Timor is another test for us. How we conduct ourselves there will be a good indicator on whether or not we have the ability or the intention to meet our legal and moral obligations as a member and leader of the world community.

Thank you, Mr. Chairman.

[The prepared statement of Ms. McKinney appears in the appendix.]

Mr. SMITH. Ms. McKinney, thank you for your very powerful and comprehensive statement.

The Chair recognizes the Chairman of the Full Committee, Mr. Gilman.

Chairman GILMAN. Thank you, Mr. Chairman.

I want to commend our distinguished Chairman of our Subcommittee on International Operations and Human Rights, the gentleman from New Jersey, Mr. Smith, and Ranking Minority Member, Ms. McKinney, for holding this very important and rel-

evant hearing today regarding the humanitarian crisis in East Timor.

I want to take this opportunity to welcome our two distinguished panelists who are before us right now, the Honorable Harold Koh, our Assistant Secretary for Democracy, Human Rights, and Labor in the State Department; and the Honorable Julia Taft, the Assistant Secretary for Bureau of Population, Refugees, and Migration, who is no stranger to this Committee.

We thank both of you for being here today. I am still troubled, as my colleagues are, by the situation in East Timor. Although the first elements of a multinational force, led by our friends, the Australians, and supported by some American troops, have landed on the island.

There are still many challenges ahead. The extent of these challenges is only now becoming known. First, the Government of Indonesia must abide by its commitment to respect the results of the August 30th referendum and the rights of the East Timorese to a peaceful transition to independence. President Habibie's comments, although tragically late, "Indonesia must honor and accept that choice."

It is an important step. It is hoped that his words will be fulfilled by his deeds. Accordingly, the Indonesian parliament must ratify the popular decision of the people of East Timor at an early date and set East Timor on its course toward independence.

Second, the Indonesian military, which participated in the violence, and aided and abetted the militias, should fully withdraw from East Timor. This will allow refugees and displaced persons to return home from West Timor and elsewhere confident of their safety.

It will also reduce the likelihood of a class with a multinational force. We have been informed that hundreds of thousands of East Timorese have been displaced under the gun and moved to West Timor.

Third, I urge the international community to investigate the human rights abuses and the atrocities which occurred in the aftermath of the elections. We call upon the Government of Indonesia to hold fully accountable those responsible for the reprehensible acts of violence. We need to have an international criminal tribunal to begin an investigation into what is and what has taken place.

Mr. Chairman, finally in the light of these devastating events, the Administration must reevaluate its military relationship with the Indonesian armed forces. The Pentagon should conduct a full-scale review of its military-to-military relationship with Jakarta, including the effectiveness of the IMET Program and joint training and exercises and our arms sales.

The Pentagon should not reinstitute any aspect of the military relationship without full consultation with the Congress. Earlier this week, the House passed our resolution, H.R. 292, and sent it to the Congress regarding the present situation in East Timor.

Due to the situation on the ground, we need to consider further legislative initiatives to make certain that our Nation is doing all that it can to stop the killing and end the humanitarian crisis. If the Administration does not take strong measures, there is bipartisan Congressional support for suspending multilateral and bilat-

eral economic and military assistance until the following conditions are met:

that the refugees can safely return to their homes, that terrorizing and murder of innocent civilians and targeting of local religious leaders have ceased, that the militias in both East and West Timor have been disarmed and their leaders prosecuted, and the independence of East Timor becomes a reality.

In addition, we need full cooperation from the Indonesian Government for an international criminal tribunal. We look forward to hearing from our distinguished witnesses today. Our friends from East Timor have fought so courageously with little but their cause to sustain them.

They have lost family and friends. We hope their suffering will soon end. While our Nation and the world community has been slow to respond to their calls for help throughout the years, we must not lose sight of all that they have accomplished for future generations of East Timorese.

In addition, that small nation of East Timor, about the size of Israel in the vast Pacific Ocean, has given hope beyond measure to those in similar circumstances who are continuing to struggle for their own freedom. Let us not forget that when they take their seat at the U.N.

We look forward to hearing from our witnesses today. Again, I thank our Chairman for conducting this hearing.

Mr. SMITH. Thank you very much, Mr. Gilman. Thank you for all your good work you have done for many years on East Timor. You certainly have been a real leader.

I would like to recognize the gentleman from American Samoa, Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman.

I want to personally offer my welcome to Secretary Taft and Secretary Koh for making available their time to come and testify before this Committee. Mr. Chairman, I cannot thank you enough for your leadership over the years in conducting hearings affecting human rights violations throughout the world. Specifically, we have held hearings on East Timor for the past 3 or 4 years on this very issue of human rights violations.

The atrocities that the Indonesian military have committed against the people of East Timor are certainly unwarranted. I want to say, Mr. Chairman, that I fully associate myself with the statements made earlier by my colleague and good friend, the Ranking Member of our Subcommittee, the gentle lady from Georgia.

Given this sense of perspective of history, I know that perhaps we cannot go back and undo the sins of the past, but I think we have to remember quite clearly that I can well remember what the poet Santayana once said, that those who do not remember the past are condemned to repeat their mistakes. The sad legacy that we can associate with what is going on with East Timor is the fact that the atrocities did not happen just 2 or 3 years ago.

This has been going on for 25 years. I have to say that the full responsibility lies with the international community, whether it be a lack of will, whether it be a lack of political fortitude or whatever. They were just as much a part of the complicity, given the fact that until this day, the world community never sanctioned Indonesia's

military, which killed 200,000 East Timorese. Even our own country never officially sanctioned the Indonesian Government for this military takeover that was done under the auspices of these two dictators, Sukarno and Suharto.

Mr. Chairman, one of the things that I find quite interesting that the media has never publicized, is why so much interest in East Timor, not only by the Indonesian Government, but even by some of our friendly Western countries? It is because of the oil reserves.

Billions of dollars' worth of oil there perhaps contributed to the reluctance of friendly Western nation to interfere with Indonesia because of the vast amount of resources and corporate interests in this area in East Timor. I say this, Mr. Chairman, with a real sense of congratulations. I want to congratulate Mr. Horta and Mr. Gusmao, and the people of East Timor, that they have finally, after 25 years of struggle, been given an international referendum on independence, where they have spoken, despite all of the intimidation by the Indonesian militia.

Over 78 percent of Timorese voted in favor of independence. I am so happy for them. I want to also say for the record, Mr. Chairman, I have the fondest love and affection for the good people of Indonesia, but it is the government policies under the leadership of these dictators that has caused so much misery and the sad legacy that we now have come to evidence with East Timor.

I have said it before, Mr. Chairman, and I am going to say it again. I want to thank the American people, our fellow Americans of Portuguese ancestry and the country of Portugal itself, for bringing this issue to the forefront for the past 25 years until finally it is evident that people of East Timor they want to be independent.

There is another area too, Mr. Chairman, that I want to discuss. You cannot talk about East Timor, while at the same time ignoring the atrocities, the massacres, and the brutality of the Indonesian army that is currently being targeted against the people of West Papua New Guinea. We cannot ignore that.

I Humbly submit, Mr. Chairman, that this is going to be the next chapter to unfold in the coming years. Mr. Chairman, this is not to suggest, as stated by friendly leaders from some of the Western countries, that, we should be afraid that this will lead to Balkanization of Indonesian.

The fact of the matter is, Mr. Chairman, West Papua New Guinea was also taken over by the Indonesian military at the cost of over 100,000 West Papua New Guineas who so far have died, disappeared, massacred the same way, the brutality of the Indonesian military had taken against the people of East Timor.

Why the interest in West Papua New Guinea? I will tell you, Mr. Chairman. The largest gold mine and copper operations now currently going on in West Papua New Guinea are owned by Western nations. Freeport-McMoran company from the United States, alone with businesses from Australia and, the United Kingdom, have vast economic and corporate interests in this area at the expense of the environment and the lives and the welfare of the Papuan people. Let us not talk about Balkanization. It has been proven that East Timor and West Papua New Guinea had no relationship whatsoever with the government of Indonesia. Given the fact that

these were former colonies and now is it OK for another country to colonize another colony? This is ridiculous, Mr. Chairman.

Mr. Chairman, this is not an Asian issue, but an issue of humanity. These are human beings. This is not just about East Timorese or West Papua New Guineans people of a darker complexion, who can be ignored because this is not Kosovo, because our interests primarily rest in Europe.

Mr. Chairman, if that is the policy of our Administration and this Government, then I say shame on America. Mr. Chairman, again, I want to thank you. I look forward to hearing from our witnesses.

Mr. SMITH. Thank you, Mr. Faleomavaega. Mr. Sherman.

Mr. SHERMAN. Thank you, Mr. Chairman.

I want to applaud the speakers that have gone before. They have covered much of the ground that I would like to cover. They covered it very well. I would like to add very little. East Timor was in the news nationally and internationally in the mid-1970's when it was conquered.

It was then swept off the front pages. A few people here in this House, a few people around the United States and around the world kept the flame alive. We owe a debt of gratitude to the Nobel Committee, to people here in the United States, but especially to the courage of the East Timorese themselves, who have endured for 25 years in a cause that so many thought was hopeless and that may very well have turned out to have been hopeless had it not been for a weakness in the dictatorial regime of Indonesia caused by other factors.

I think we should commend the Government of Australia for sending, I believe it is, 8,000 of its people into this effort. Proportionately, that is like the United States sending over 100,000 of our men and women into harm's way. At the same time, we should show concern for the fact that Japan has once again chosen not to contribute in any significant way to peacekeeping efforts. When Japan did not contribute significantly to Kosovo, they said, that is Europe. This is the Asia-Pacific region and it is time for Japan not to regard its mistakes and even crimes of the first half of this Century as an excuse for not doing its part in the second part of the Century.

Finally, we need to look forward to East Timor acquiring peace and prosperity. Toward that end, we have to be willing to extend aid. One thing that may be just as important would be to reallocate the textile quota, to reduce the textile quota for Indonesia and to allocate some of that textile quota to East Timor.

I look forward to the day when we see imports from East Timor here in the United States. Perhaps starting with textiles and maybe someday after that it will be computers and higher priced items.

Thank you, Mr. Chairman.

Mr. SMITH. Thank you, Mr. Sherman.

The Chair recognizes the gentleman from New York, Mr. Crowley.

Mr. CROWLEY. Thank you, Mr. Chairman.

I, too, will be brief. I want to thank you for holding this important hearing on the humanitarian crisis in East Timor. The situa-

tion in East Timor deteriorated so rapidly that the international community, and I am going to be giving the benefit of the doubt here, was caught off-guard, despite previous warnings of possible violence by pro-Indonesian militia, after the historic referendum.

I am pleased and encouraged that the U.N. Security Council approved the resolution to deploy a multinational force to East Timor, and that half of the 8,000 troops for the Australian-led multinational force are currently on the ground in East Timor. This sorely needed action by the U.N. will provide the security and hope that East Timor needs to build itself into an independent nation.

However, food and medical care remains scarce. Hundreds of thousands of East Timorese are in hiding or refugees detained in West Timor. Despite the grim reminders of violence that permeated the area, from every indication I have read, things are looking a bit brighter.

On Tuesday, the United Nations agreed to form a Commission of Inquiry, despite the objections of the Indonesian Government to investigate abuses committed by departing troops and militia members in retaliation for the vote for independence in East Timor. I am hopeful that a full War Crimes Tribunal will be conveyed as soon as possible and that indictments will be handed down.

Mr. Chairman, despite this positive news, the situation in East Timor is volatile and will remain so for some time. I am grateful to you for calling this open hearing so that Members of this Committee can better understand the challenges ahead for East Timor.

Thank you very much, Mr. Chairman.

Mr. SMITH. Thank you very much, Mr. Crowley.

The gentleman from Massachusetts, Mr. Delahunt.

Mr. DELAHUNT. I think everything has been said that I would want to say. I particularly want to acknowledge the leadership of the gentleman from American Samoa. He has been speaking to this issue for a very long period of time. I think that we could feel his passion, his commitment, and how conversant he is with this issue.

I would also pause just to reflect for a moment on the military-to-military relationship. Recently, I think it was back in July 1998 when Assistant Secretary of Defense, Mr. Kramer, argued that, and I am quoting from his appearance before this Subcommittee, that "By helping professionalize the Indonesian armed forces, we can help reduce human rights abuses."

That certainly is a policy that has failed and failed miserably. It is time that this Committee and this Congress revisit the military-to-military relationships and the training of foreign troops by our Department of Defense.

I yield back.

Mr. SMITH. Thank you very much, Mr. Delahunt.

I would like to welcome our very distinguished panel, panel No. 1, from the Administration. The Honorable Harold Koh was appointed Assistant Secretary of State for Democracy, Human Rights, and Labor in 1998. Before that appointment, Mr. Koh served both as professor of international law and as the Director of the Center for International Human Rights at Yale Law School.

This Subcommittee has had a very good relationship with him in that former job, as well as the current job that he occupies. Assistant Secretary Koh earned both his B.A. and law degrees from Har-

vard University. He has authored numerous articles on international law and human rights.

Second, the Honorable Julia Taft has served as Assistant Secretary of the Bureau of Population, Refugees, and Migration since November 1997. Before becoming Assistant Secretary, Ms. Taft was President and CEO of Inter Action, again, another organization that this Subcommittee and many of us have had a lot of cooperation with and have worked very closely with.

Her involvement with refugee issues began in 1975 when President Ford named her Director of the Interagency Task Force for Indo-China Refugees. The Resettlement Program, which Ms. Taft directed, helped to bring more than 130,000 Indo-Chinese refugees into the United States.

Thank you for being here. Secretary Koh, if you could begin.

STATEMENT OF HON. HAROLD HONGJU KOH, ASSISTANT SECRETARY, BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR, U.S. DEPARTMENT OF STATE

Mr. KOH. Mr. Chairman and Members of the Subcommittee, thank you for this invitation to testify today about the human rights and humanitarian emergency in East Timor.

I have a written statement, with your permission, I would submit for the record and summarize here.

Mr. SMITH. Without objection, your full statement will be made a part of the record.

Mr. KOH. Thank you. As Secretary Albright has said, the continuing humanitarian crisis in East Timor and the growing tragedy of East Timorese refugees in West Timor are of acute concern. They demand our attention and, I might add, that of anyone in the world committed to democracy and human rights.

Mr. Chairman, thank you for holding this hearing at this critical moment. I commend this Committee for its leadership role in passing Tuesday a House resolution that condemns the violence in East Timor, supports the United Nations mission, UNAMET, and recognizes that U.S. foreign policy will require both an effective short-term response to the humanitarian and human rights crisis, as well as progress toward independence for East Timor.

Mr. Chairman, last November immediately after being sworn as Assistant Secretary, I traveled to Jakarta where I met government officials, labor, and religious leaders, and human rights activists to discuss the immense challenges of curbing human rights abuses, promoting accountability, and bringing about a successful democratic transition in what is the fourth largest country in the world.

This past March, I renewed that dialogue with special focus on the East Timor situation, when I accompanied Secretary Albright to Indonesia and met with President Habibie, Foreign Minister Alatas, Megawati Soekarnoputri, General Wiranto, Indonesian citizens who were committed to human rights and independence in East Timor, and East Timorese leader, Xanana Gusmao, while he was still under house arrest. In recent weeks, I have met three times with Nobel Peace Prize Laureate Jose Ramos Horta and, again, with Mr. Gusmao. I have spoken to numerous Members of Congress, U.S. and U.N. officials, NGO workers, journalists, and

concerned citizens who are dedicated to bringing this crisis to an end.

Since the violence erupted in East Timor, I have worked closely with Secretary Albright and supported her intense commitment to bring about an end to the violence, hold those responsible accountable, and help East Timor make a successful transition to independence. During the past 2 weeks, at the U.N. General Assembly in New York, many people from many nations have been working literally around the clock to address the crisis. I can tell you from my personal observation that the Secretary raised the issue in almost every meeting she held with her counterparts from all over the world. Just a few days ago, Secretary Albright and I, met again with Mr. Gusmao, Mr. Ramos-Horta, and their colleagues, who will be joining us here shortly. I share the Secretary's deep respect for their commitment to East Timor and to reconciliation and democracy. I am particularly pleased to welcome Mr. Gusmao to Washington for the first time as a free man making his first visit to our Nation's capital.

I am especially pleased to be here today with my courageous friend and colleague, Julia Taft, the Secretary for Population, Refugees, and Migration. You have described her tremendous accomplishments. But let me say that she has just returned from the region where she has devoted countless hours toward addressing problem, and indeed has risked her own personal safety to do so. Both of us are working closely with our Ambassador to Indonesia, Stapleton Roy, the incoming Ambassador, Robert Gelbard, and the Assistant Secretary for East Asian and Pacific Affairs, Stanley Roth, who has followed developments closely, made repeated trips to the region, and has dedicated himself to finding a solution for East Timor that preserves human rights and democratic development throughout Indonesia. Although Mr. Roth could not be here today, Julia and I represent this Administration's unshakable commitment to helping the people of East Timor in their quest to secure peace, establish democracy, and enjoy freedom.

I am also pleased to announce that as further demonstration of that commitment, Secretary Albright has asked me to travel to East and West Timor in the next few days.

In a meeting last night, Secretary Albright secured agreement from Foreign Minister Alatas that I should visit the region to continue the Administration's work and investigate the truth about what has happened. During this trip, I will be working in close consultation and coordination with our incoming Ambassador, Mr. Gelbard.

Before turning Assistant Secretary Taft, let me sketch the contours of the unfolding crisis, the international and U.S. Government response, and the immediate steps to be taken in the weeks and days ahead.

Mr. Chairman, and members of the Committee, you are well aware of the human rights tragedy that unfolded in the wake of the U.N.-sponsored consultation of August 30th, in which 78.5 percent of the population voted for independence.

I need not repeat for you the story of how 99 percent of the East Timorese people, displaying great courage and determination, cast

their ballots despite the violent intimidation tactics of pro-integrationist militias bent on disrupting the democratic process.

Nor need I recount in detail the first painful days of rampage by these pro-integrationist militias in forcing Timorese people from their homes, torturing and killing them, and destroying their homes, while at the same time harassing, wounding, and in some cases killing humanitarian personnel, religious officials, and journalists.

Let me briefly review what we know about the current overall situation in East and West Timor. I would like to leave the specifics and particularly the plight of the displaced East Timorese throughout Indonesia and in East and West Timor to my colleague, Julia Taft.

Eyewitness reports from East Timor tell us that as of just a few days ago, the looting, burning, maiming, and killing was continuing even as Indonesian military forces were leaving the area.

The U.S. Embassy in Jakarta has confirmed church and press reports that several days ago, at least nine church officials and staff, accompanied by an Indonesian journalist, were killed while bringing emergency supplies to displaced East Timorese hiding in the countryside.

Reportedly, these killings were committed by members of the Indonesian military. These deaths serve as a sad reminder that the countryside remains unsafe for the people who live there. I have a statement from the State Department condemning the murders of these individuals. With your permission, I would like to submit it for the hearing record.

Mr. SMITH. Without objection, Mr. Koh, it will be made a part of the record.

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

Mr. KOH. Equally distressing, humanitarian workers and journalists continue to be at risk, as witnessed by the brutal killing of Dutch journalist, Sander Thoenes on September 21st, and the more recent murder of the Indonesian journalist I just described.

If the situation in East Timor remains dire, the conditions of those East Timorese stranded in West Timor is, in Secretary Albright's words, simply "appalling."

As I speak, perhaps as many as 230,000 East Timorese, possibly over a quarter of the East Timorese population, have fled or been forced to flee to West Timor. Despite concerted pressure from the international community, we still have no evidence that the Indonesian Government has disarmed or disbanded any of the militias.

Assistant Secretary Taft will describe, in more detail, what she personally witnessed in the camps, in particular the heavy militia presence in the camps. While the Indonesian Government has indicated that the East Timorese in the camps will be allowed to return home, we have no evidence that they have been permitted to do so.

To the contrary, reports tell us that the Indonesian Government is deporting some of these East Timorese to other parts of Indonesia. As Secretary Albright has made clear, "this is an unacceptable and a clear violation of international standards of human rights".

The current situation in East and West Timor raises three fundamental human rights and democracy concerns, which will be the focus of my Bureau's and my attention in the days ahead.

First, we have seen pervasive violence. Pro-integrationist militias, with the support of Indonesian military have committed large-scale killings, including reported murders, torture, involuntary disappearances, rape, and other sexual abuse and the forced expulsion of possibly one quarter of the population. Only through investigations now beginning, and the one that I will be carrying out myself will, we be able to determine just how many victims this crisis has claimed.

Second, we have witnessed a deliberate campaign by the militias with their supporters and the Indonesian military to inhibit, prohibit, and abuse the fundamental human rights of the East Timorese people. Humanitarian observers and journalists have also been targets of this effort. We have seen widespread destruction of property, efforts to block aid to those in need, and deliberate efforts to squelch the reporting of ongoing violence by intimidating and attacking aid workers, U.N. observers, and journalists.

Third, we fear that the militias and their allies in the military have acted not just to undercut human rights, but to subvert democracy as well. They have attempted first to interfere with and then to overturn a freely and fairly undertaken referendum on the future of the territory. Militias, acting with the assistance of the Indonesian military, have targeted those who have supported independence, attacked and harassed U.N. personnel, murdered clergy and journalists, and sought to prevent the implementation of a clear U.N. mandate to which their own President had agreed.

As you know, the international community has responded to these massive abuses, applying strong diplomatic pressure to source the consent of the Indonesian Government to allow the arrival of a multinational force, known as INTERFET, into East Timor to keep the peace. The Australians, who have led this force, along with the many other nations who have pledged to commit troops and resources, deserve our recognition and support.

As you will hear, troops have already begun to arrive. We are providing logistical, airlift, communications, and intelligence support, to INTERFET as well as a Civil Affair Unit. We have suspended our military-to-military cooperation, cut off all arms transfers, and are reviewing our assistance policy for Indonesia.

The international community has also responded decisively on the human rights front. This past week the Commission on Human Rights of the United Nations convened an extraordinary special session in Geneva. The Commission voted by a large margin, 32 to 12 with 6 abstentions, in favor of a resolution calling for an International Commission of Inquiry to gather the facts and establish the truth about these recent, terrible events.

As you know, Mr. Chairman, the United States voted with the E.U. in support of that resolution. Its key paragraph called on the U.N. Secretary General to establish an International Commission of Inquiry to gather and compile systematically information on possible violations of human rights and breaches of international and humanitarian law in East Timor since January 1999, and to provide the Secretary General with its conclusions.

This paragraph calls for the Commission of inquiry to include human rights experts from Asia and to work in cooperation with the Indonesian National Commission on Human Rights (known as KOMNASHAM). These elements were added to address concerns expressed by the Government of Indonesia to gain their support for the Commission.

In the end, however, of the Government of Indonesia was unwilling to accept the language and opposed the final text. The United Nations Commission on Human Rights, to its credit, recognized that it had an important duty to move forward, and passed the resolution. It marks an important step in our efforts to shed light on what happened in East Timor.

To discuss next steps, during the past week and a half, I have met with many of our own members of our U.N. mission in New York, including Ambassador Richard Holbrooke and his able staff, and numerous officials of the United Nations, including U.N. Under-Secretary General Sergio Viera de Mello, U.N. High Commissioner for Human Rights, Mary Robinson, and UNAMET head Ian Martin. Everyone agrees that all concerned governments, NGO's, and international organizations must work together to make the resolution of this human rights and humanitarian crisis a top priority. We must continue to demand that the Indonesian military stop supporting militias who are committing acts of violence and destruction in East Timor, that they cooperate with INTERFET, and withdraw completely from East Timor.

We must also continue to make clear, as Secretary Albright has stated in no uncertain terms, that "what happens in West Timor to East Timorese living elsewhere in Indonesia is as important to United States policy as what happens in East Timor itself".

Even as Indonesian civil officials are searching for a workable solution to the humanitarian problem of feeding and housing hundreds of thousands of refugees, the militias' continuing pattern of harassment and intimidation demonstrates that much more needs to be done.

I will let Assistant Secretary Taft speak more to these issues. It is clear that the Indonesian Government must disband and disarm the militias. There must be no tranborder attacks into East Timor or interference with humanitarian and human rights operations there.

To support these demands, in the wake of the post-election violence, we suspended our military cooperation with Indonesia and initiated an ongoing review of our entire aid package. As we continue this review, we will, in the words of Secretary Albright, "take into account all relevant factors, including whether a secure environment has been created in the West Timor camps, whether necessary services are being provided, whether East Timorese who desire to return home are allowed to do so, and whether Indonesia's military is preventing the militias in West Timor from carrying out attacks in East Timor."

We must also work to facilitate the establishment of the Commission of Inquiry that the United Nations Human Rights Commission voted to create and to ensure its work begins quickly. We are concerned by reports that the Indonesian Government has reconsidered its decision to cooperate with the Commission of Inquiry. We

have already strongly urged the Government to revisit this decision.

Finally, we have begun the process of identifying ways that we can help United Nations Secretary-General Kofi Annan, and Mary Robinson, the United Nations High Commissioner for Human Rights, in the effort to form the Commission of Inquiry. Two nights ago in New York, I met with High Commissioner Robinson to discuss her initiative in bringing this critical human rights situation to the formal attention of the United Nations and to encourage the U.N. to maintain the momentum.

We discussed many items which are mentioned in my written statement, which I am prepared to discuss in the questioning period. Mr. Chairman, let me stress that we do not seek a rush-to-judgment about who is ultimately responsible. There have been grave losses of life in East Timor, disturbing reports of human rights violations and other crimes by the Indonesian military or people affiliated with them, and almost certainly serious breaches of international humanitarian law.

We remain tremendously concerned about the plight of the East Timorese people. But we need to document events fully and completely. That is the purpose of my upcoming trip. That is the purpose of the Commission of Inquiry: To assemble the information that will enable the international community to decide what further action needs to be taken. We are also providing aid to East Timor, which my Assistant Secretary Taft will describe in more detail.

Finally, as Assistant Secretary for Democracy, Human Rights, and Labor, I must make special mention of our efforts to promote a democratic transition in Indonesia, even as we are attempting to promote a democratic transition in East Timor. If the tragic events in East Timor seem all too familiar, it is because they grow out of nationwide problems that Indonesia has faced in its own transition to democracy last year.

The Indonesian people have shown genuine enthusiasm for the democratic process and have begun to create civil institutions, including press associations and independent human rights organizations, that will provide the foundation for the growth and development of civil society.

We believe that a living, growing, and vibrant democratic institution offers the best hope for the people of Indonesia. A nation rich in diversity, Indonesia should not fear democracy, which can only help bind together its many people. The United States fully supports the people of Indonesia at this pivotal moment in their country's history.

We are prepared to support this democratic transition in every way possible. But we are hindered from doing so as long as East and West Timor remain a human rights and humanitarian crisis.

The goals toward which we are working are clear. The Government of Indonesia, and specifically the Indonesian military, must immediately disarm and disband the militias. Indonesian military support, organization, training, and direction of these brutal forces must cease.

The human rights abuses of the militia personnel, police, and Indonesian military must be documented and the abusers brought to

justice. We must support the Commission of Inquiry in its work, and support East Timor as it makes its transition to independence and Indonesia as it makes its transition to democracy. We simply cannot let ballots be undone by bullets.

Mr. Chairman, we appreciate the strong and constructive interest shown by Members of Congress, and by you in particular, throughout this humanitarian and human rights crisis. We have a tremendous opportunity to help at this historic moment. We must work together to meet these considerable challenges.

I would like to turn the podium over to my colleague, Julia Taft.

HON. JULIA TAFT, ASSISTANT SECRETARY, BUREAU OF POPULATION, REFUGEES, AND MIGRATION, U.S. DEPARTMENT OF STATE

Ms. TAFT. Thank you, Harold, and Mr. Chairman, and Committee Members. Thank you very much for this opportunity to appear before you to discuss the situation of Timor, and the role of the U.S. Government, and what we are doing, and should be doing in the humanitarian crisis.

Last week, I organized a multinational humanitarian mission to East and West Timor comprising of senior humanitarian officials from the United Kingdom, Sweden, Thailand, Japan, and the United States. This past Friday, we released our findings from that mission in Jakarta. I would like to submit that for the record, along with my full statement.

[Statement from the Multinational Humanitarian Mission appears in the appendix.]

Ms. TAFT. This mission was really shocked by the level of widespread destruction of homes, commercial facilities, and public facilities in Dili. We arrived D-plus-2. So, that was 2 days after the INTERFET people arrived. The damage was just unspeakable.

It was a very sad commentary on the price that these people have had to pay for their vote of independence. Unfortunately, we were unable to move beyond Dili because of the security situation. However, subsequent U.N. assessment missions have found widespread damage throughout East Timor.

Manatuto, which was previously home to 16,000 people is completely destroyed and depopulated, and estimates are that between 60 to 70 percent of the houses in the western region of East Timor are destroyed. The Port of Suay was reported to be 95 percent destroyed. Much of the damage is by fire, consistent with the slash and burn approach of the area.

With deployment of the International Force for East Timor, INTERFET, under the able command of Australian Major General Cosgrove, and the withdrawal of the Indonesian troops, we believe the security situation is slowly but progressively improving. Internally displaced persons who sought refuge in the hills of East Timor are now starting to return to Dili as security permits.

When we were there on day 2, it was virtually an empty city. Dili used to have 130,000 people. It was virtually empty, except for the military presence. Now, I understand people are coming back in the tens of thousands. The U.N. agencies, nongovernmental organizations, and INTERFET are working very well together under difficult circumstances. I must say that I believe that the coopera-

tion that I saw when I was there was the best I have ever seen in terms of international, United Nations, NGO coordination.

A part of this was because many of them had gone to Darwin, evacuated to Darwin. They were there to plan how they were going to come back into East Timor. They are very well-coordinated and working closely with INTERFET. However, thousands of displaced persons still remain beyond relief in Eastern Timor.

We have no evidence of starvation at this point, but there are clearly people who are in vulnerable situations. The World Food Program has been conducting food drops with U.S. Government support. However, food drops, as you know, can only reach a small proportion of those individuals in need. The relief agencies now are planning to begin to move by helicopter and truck to areas where security permits.

I would like to speak for a moment about West Timor, where we also spent 2.5 days. We face a different humanitarian challenge in West Timor. While the numbers are not precise, there may be as many as 230,000 displaced persons in camps in West Timor, as well as in churches, communities facilities, and host families. It averages out to about $\frac{1}{3}$, $\frac{1}{3}$, and $\frac{1}{3}$, a third in the camps, a third in host families, and a third in various churches and school facilities. These innocent people sought refuge or were forced to leave East Timor as the result of the brutal anti-independence campaign of intimidation perpetrated by the militia gangs, which the Government of Indonesia did not or could not contain.

In fact, there are credible reports, as Harold Koh has mentioned, that in many instances the militia were actually acting in concert with the Indonesian armed forces. Conditions in the make-shift camps in West Timor are very difficult. Civilian authorities are making efforts to provide food. There is little evidence of serious material needs.

However, requirements for water, sanitation, and health services will intensify with the onset of the rainy season. I went to four different refugee camp locations while I was there. I must say, the material needs are not what is the most pressing. What they need is security, and what they need to do is to be free of the intimidating environment in which they are living.

The human rights activists with whom we met on our mission in West Timor told us of harrowing stories of militia running rampant in the camps at night, of Indonesian army and police forces standing by while armed thugs in camps forcibly recruited young men, kidnaping others, and even murdering with impunity. We cannot verify those stories.

This is going to have to be the responsibility of the human rights inquiry and Harold Koh's mission as well. These reports came to us from very many different sources and really need to be followed up. In every humanitarian crisis, host governments have the key role for providing for security and safety of their citizens or those who seek refuge in their country.

The Indonesian Government is aware of its obligations. The civilian side appears to be trying to care for and provide for the camp residents. On our mission, we were accompanied by the Minister of Social Welfare, Justika Baharajah, who is working hard to ensure that water, sanitation, food, and shelter are provided.

In other respects, the Government is also making the right statements. We do not know if they are making the right commitments. They have assured us, for example, that they would not resettle camp residents immediately in West Timor or to other islands as some have suggested they would. This is in contrast to some of the statements that early on there was a forced trans-migration to other islands.

We could not find any validation of that from any of the NGO's or assistance workers. The Government also told us, and repeated on Jakarta television and in the newspaper, that the Government would permit and facilitate returns to East Timor for all who wished to do so. The coordinating Minister Haryono told us that the Government would begin this week a public information campaign explaining to all who fled from East Timor what their options would be: To resettle permanently in Indonesia, to return to East Timor, or to stay temporarily in West Timor and return at some later date.

Last week, President Habibie committed to allow the U.N. High Commissioner for Refugees to have access to West Timor and to setup field offices in Atambua and Kupang. The UNHCR advance team arrived in Kupang yesterday to begin setting up these offices and the UNHCR also traveled to Atambua.

These are encouraging steps, but the Government must continue to provide effective cooperation. In addition, we believe that the Government should allow the International Committee of the Red Cross in West Timor to exercise fully its mandate and assume responsibility for initiating tracing procedures to reunite families torn apart in the conflict.

As you have seen in the reports, almost all of the camps, except those that with a strong militia presence, are almost all women and children. The men are not there. Only time will tell whether the Government can or will deliver on these commitments. In the meantime, conditions in the camp remain tenuous.

The International Humanitarian Community should have full access to the camps. The Government and the Indonesian army must ensure not only safe access by relief workers, but also the safety for the refugees. For this reason, we have called upon the Government to ensure the civilian character of the camps. That the militia must be disarmed and removed from the camps.

Access to the camps by international organizations and NGO's is absolutely essential. We spent a lot of time trying to convince local authorities of the seriousness with which the international community takes the welfare of these people. We also stand firm on ensuring that those who would violate the fundamental rights of camp residents know that they cannot act in secrecy and with impunity.

As I expressed directly to my Indonesian hosts, and as Secretary Albright, Secretary Cohen, and our Ambassador in Jakarta have stressed repeatedly, the camps must be off-limits to armed militias of any and all political persuasions. The refugee population in the camps represents no threat to outside forces, but organized groups within the camps do present a danger to fellow refugees.

We also must be prepared to facilitate the return of refugees to the East, under the auspices of the UNHCR. At present, it is not possible to determine how many may want to repatriate. We are

encouraged that the Indonesian Government is setting forth a policy of repatriation and that they will coordinate with the UNHCR.

We will stand ready to fund the safe passage back for those who wish to return, and we will make every effort to help returnees reestablish their livelihoods with time to plant in advance of the rainy season. Failure to succeed in the next few weeks will force people to remain in uncertain and insecure areas at the mercy of the militias or in a state of complete dependence on humanitarian aid for another year or more. We must not fail.

For those desiring to stay in West Timor rather than repatriate to East Timor, they must do so voluntarily and we will assist them through NGO's. In closing, let me just say that our attention is clearly focused on the humanitarian needs of the displaced and affected populations in East and West Timor.

We are participating as a Government in the multinational force, which is the international communities best hope for ending the humanitarian crisis, restoring security, and ensuring that the will of the East Timorese people prevails. The U.S. Government has provided \$10 million, primarily, through aid to support humanitarian needs.

Yesterday, the State Department announced an additional contribution from my Bureau of \$5.1 million to support UNHCR, ICRC, the World Food Program, and the U.N. Office for the Coordination of Humanitarian Affairs. These are initial investments. With the new fiscal year, no doubt, we will be making more.

In closing, let me thank you for your attention, your sustained attention, on these issues. This is a very complex situation. The role that our Office, the State Department, and I are playing in this is on the humanitarian side, making sure all donors are aware of their obligation to undergird the international efforts that need to be made, to work with the NGO's, and to keep all due pressure on the Government of Indonesia to allow the access, allow repatriation, and to allow these people to go back home in safety.

Thank you very much, sir. I will be happy to answer any questions.

Mr. SMITH. Secretary Taft, thank you very much. Secretary Koh, thank you very much for your excellent testimonies. I have a number of questions. I will ask a few, submit some for the record, and then yield to my colleagues.

On Tuesday, and you made some reference to this, Foreign Minister Alatas said that Indonesia will allow the UNHCR and the International Committee for the Red Cross to visit West Timor. How much access has there been. Have we actually seen people on the ground get in?

Ms. TAFT. As of yesterday, the UNHCR did send its teams in. This morning I called the Governor of West Timor, Governor Tallo, to find out whether or not he actually allowed them inside the camps. He said they were allowed in the camps. That they were proceeding on this.

He said, "my Central Government has said these people are going to be repatriated and we must do everything right away". I said, yes, sir, you have to do it, but you have to do it through the UNHCR. So, they have the message. They have started the campaign.

Our challenge is to make sure that the UNHCR really does get confidential and expansive access to all of these people so that there is no intimidation in trying to identify who would like to be repatriated.

Mr. SMITH. Unfortunately, we had invited a representative from the Department of Defense. Either through scheduling or for some other reason, they did decline. Perhaps you can shed some light on this. When Assistant Secretary of Defense Franklin Kramer, testified before our Subcommittee in July 1998, I had asked him a number of questions about the JCET's Program, the military-to-military cooperation.

His answer was that, "By helping to professionalize the Indonesian armed forces, we can help reduce human rights abuses." Obviously, this optimism was unwarranted, in light of the deliberate and widespread violence that has been perpetuated by the Indonesian military in East Timor, and reports that we had even then.

We had people like Pius Lustrilanang come and testify before the Committee. He talked of the torture that he endured, what he believed to be, at the hands of KOPASSUS. He woke up. He was blind-folded, heard reveille every morning, knew that he was at a military base, as he was being beaten each and every day. He testified, as did other advocates of human rights organizations, that the U.S. ought to cease its cooperation with this military until that time there was a cessation to that kind of abuse.

We also understand, as one of our witnesses today, Alan Nairn, will testify, that Admiral Dennis Blair, U.S. Command-In-Chief of the Pacific was dispatched to meet with General Wiranto on April 8th in the wake of escalating violence, such as the massacre of the church in Liquica in Timor 2 days earlier.

According to Nairn, rather than telling Wiranto to shut the militias down, Blair instead offered him a series of promises of new U.S. assistance. He writes that Indonesian officers took this as a green light to proceed with the militia operation. Is that report accurate?

Ms. TAFT. There are a lot of reports, a lot of rumors, and a lot of misinformation, and disinformation. I do not know how to confirm or deny any of those comments. My suggestion is that you write the questions down. We will make sure that the Defense Department has an opportunity to respond to them.

I do know that the JCET students have been withdrawn from classes in the United States. I cannot comment on what Blair said. I do want you to be aware, however, that Secretary Cohen has been in the region. He did meet with Wiranto. He has issued a very strong statement, which we can have submitted for the record. This is all annotated.

Ms. TAFT. Basically, he warned General Wiranto that the military of Indonesia is at a critical turning point and urged them that they permit and participate openly in assisting on the humanitarian side. He has made these comments to the press, to the General, and to all with whom he has spoken.

I would like to have his statement submitted for the record, too, which I think you will find very good.

[The statement referred to appears in the appendix.]

Ms. TAFT. We have also been meeting with the military to find out what they can do to enhance the humanitarian response here and they are certainly seized with this.

Mr. SMITH. Not to belabor the point, but we have had hearings in this Subcommittee, which were totally bipartisan. My friends on the other side of the aisle were equally vociferous in their concerns about our training of KOPASSUS, the sniper training, and some of the other kinds of training that occurred.

Our hope was that until there was a clean bill of health, with regard to the Indonesian military, that we would not have anything to do with them. It seems to me that we may be doing some of the right things now. I am very grateful for that. I am encouraged by that. Many of us saw, maybe not this kind of massive killing, but we saw this kind of outrage on a smaller scale in Irian Jaya, in Aceh, as well as in East Timor, as well as in Jakarta itself.

I would hope that all of us would collectively learn that when you train forces that have notorious human rights baggage and abuse affixed to them, you feel the problem. The Australians apparently just picked up a number of KOPASSUS soldiers in East Timor carrying their identification cards. They could have been people who we trained.

We do not know that. I have asked that question of the Defense Department. Who is it that we have trained? Where is the list of trainees and what they went on to do or become? I was told we keep no such lists. So, they indeed could be some of the people who are now in East Timor. So, hopefully we can get to the bottom of that. I hope we have learned that lesson.

Again, I think it was in the Washington Post not so long ago, maybe quite a long time ago, but Secretary Cohen, was there at a KOPASSUS meeting. There were these members of that so-called elite military unit with scorpions on them showing how macho they were. These people have turned out to be thugs. Many of us thought it. We thought we knew it. The human rights community raised many red flags about that for quite a long time.

Regrettably now, it is coming home to roost. I would hope that we could get a response back from the Administration on this because it is very, very important. I do have a question about the targeting of Catholics. There are numerous reports of deliberate killings of Catholic clergy and religious workers in East Timor by militiamen and by members of the Indonesian military.

This past Sunday, nine Catholic workers, including nuns, deacons, and seminarians were massacred in Bacau by retreating troops. What does the U.S. know? What do we know about the deliberate targeting of Catholic Church workers and clergy? Mr. Koh.

Mr. KOH. Mr. Chairman, as you know, we have submitted our report on religious freedom, which covers all of the countries, but has focused on this issue. I understand you are having hearings with Ambassador Robert Seiple, which would give a broader context to that issue.

You are correct that, as we pointed out in our statement, that we have confirmed that nine religious officials and staff, accompanied by a journalist, were murdered while driving in a vehicle between Los Palos and Bacau in East Timor. Obviously, we do not know the motivation or orders behind that. Looking into that incident will be

one of the things that I will be focusing on when I visit East and West Timor in the next few days.

Mr. SMITH. I appreciate that. It is important, I think, for us to know and for everyone to know whether or not these are indigenous East Timorese or this is an orchestrated crackdown by the Indonesian military who use militias as the front. In terms of H.R. 2895, does the Administration have a position on that legislation?

Ms. TAFT. I do not think so.

Mr. SMITH. Could you provide that for the Committee as soon as possible? The hope is that we can move on that. If there is input, obviously all of us would like to and know what the Administration would like to do.

Ms. TAFT. We will get back to you.

Mr. SMITH. Let me yield to my good friend and colleague from Georgia.

Ms. MCKINNEY. Thank you Mr. Chairman.

Assistant Secretary Koh, in your testimony you suggest that we support the establishment of a U.N. Commission of Inquiry. Could you tell me what the difference is between a Commission of Inquiry and the establishment of a tribunal?

Mr. KOH. Yes. A Commission of Inquiry is a process which has been used on a number of occasions with regard to Bosnia and Rwanda. What was unusual in this case is that the U.N. Human Rights Commission in Geneva, which ordinarily gathers every March for about 6 weeks, held a special session to consider the question.

That session was called by a very close vote at the request of Mary Robinson, the United Nations High Commissioner for Human rights. It had two key operative paragraphs. The first called for the International Commission of Inquiry, which would have a standing jurisdiction to gather facts. A commission can be the first step on the way to a tribunal or it could undertake full-scale investigations.

The view was that it should have international legal experts on-board, particularly those from Asian backgrounds who would be familiar with human rights conditions in the region.

The second operative paragraph of note is one which called for the various thematic rapporteurs that are already commissioned by the U.N. Human Rights Commission, including arbitrary detention and extra-judicial killings, to visit East Timor.

They plan to do so as a group. So, in a way this group of thematic rapporteurs going in together perhaps to file a joint report will be another kind of international body. My own visit will be undertaken from the perspective of someone outside the system looking at the reports, getting to the bottom of what is going on.

As I think the Chairman correctly noted in his opening statement, we have heard many reports. We do not know how high the numbers are. We do not know who is responsible, which means that we have to do some full-scale examination of what the truth is and then take the evidence where it leads.

Ms. MCKINNEY. So, was there a Commission of Inquiry prior to the establishment of both the Rwanda and Yugoslavia Tribunals?

Mr. KOH. In the Yugoslavia Tribunal, Professor Basieuni of DePaul University was a key member of that Commission, which

gathered a massive amount of documentation which was then turned over to the Bosnian War Crimes Tribunal.

Indeed, it was the very output of that Commission, which I think created the conviction among the Security Council Members that there needed to be a War Crimes Tribunal. That was formed under Security Council mandate. The Commission documents are very, very massive and have been widely examined.

Ms. MCKINNEY. My next question is about a choice of words. I recently viewed, for a second time, a BBC documentary on the Rwanda Genocide. I watched as Christine Shelly, the State Department spokesperson, was painfully tortured in her exercise to try and describe why acts of genocide in the Rwandan context were not actually, did not constitute, genocide. She did not do a good job, of course.

President Clinton goes back several years later and apologizes and says that we just did not understand what was happening in Rwanda at the time. We have had 25 years to understand what has been happening in East Timor. And 200,000 East Timorese have died, some through starvation.

Are we using the word "genocide" or are we still hooked on "acts of genocide" to describe what is happening in East Timor?

Mr. KOH. As you know Congresswoman, genocide has both a legal definition as a part of the 1948 Convention on Prevention and Punishment of Genocide, which the U.S. ratified in 1986, although it remained unratified for a long period of time. It also has a popular political connotation growing out of the holocaust.

Then the question is how should it be extended to other circumstances? As you well know, the notion of genocide in political terms is something that I think people carefully evaluate the parallels and then use that term. For the Genocide Convention, that includes acts of incitement to genocide and genocide in part, which means elimination of people based on their ethnic or religious or racial background in part.

I think one of the complicating factors is that as a legal term, there may be acts that fall under the Genocide Convention and hence have a legal significance, which you would not think of as genocide in a political sense.

Ms. MCKINNEY. So, 200,000 people dead from starvation, massacres, and torture and we call that "acts of genocide?"

Mr. KOH. That is both a legally and politically correct definition of what went on.

Mr. FALEOMAVAEGA. Will the gentle lady yield?

Ms. MCKINNEY. Yes.

Mr. FALEOMAVAEGA. I just wanted to note that I believe it was after Milosevic had killed over 250,000 Slovenians, Bosnians, and Kosovars throughout Yugoslavia that our President made a declaration that this man was committing genocide.

Another ironic thing that I think most people do not realize is that Milosevic was duly elected President by the people of Serbia.

Mr. SMITH. Thank you. If you do not have any more questions, then we will go ahead and go to the Representative from American Samoa.

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman.

Again, I want to thank Secretary Koh and Secretary Taft for their statements. I would like to say that I have to personally congratulate President Habibie for his courage, despite all of the opposition against holding this referendum. I have to give President Habibie credit for allowing the people of East Timor to go through the referendum, the exercise.

The problem I have is that when the crisis occurred after the election, the first thing that came out from our own Government representative and Secretary Cohen, as I recall, immediately was the response "No U.S. troops in this crisis in Asia." Then the next thing I hear, through the media, that the President's National Security Advisor, Mr. Berger, likened the East Timor crisis to how messy his daughter's room is in college.

Of course, later Mr. Berger apologized for making that remark, which tells you exactly the sense of indifference of some of the top leaders of our own Government. It is an Asian thing. It is not a global issue affecting human beings. Then some other officials of our Government said, "East Timor is not Kosovo."

Then the Chairman of the Joint Chiefs of Staff of our Government calls up General Wiranto because they are good buddies. They are friends. Over the years, this is how the relationship has been between our military leaders and the military leaders of Indonesia.

I do not know if it had any effect about General Wiranto's decision making, but the fact of the matter is these militias were also a part of the military might of the Indonesian Government. You cannot change that. Why do you suppose the Indonesian army or General Wiranto just could not tell his troops to leave or even to shoot these militias? Because they are their own people. It is quite obvious.

Mr. Chairman, I have some questions here. Mr. Horta recently, in a television interview, stated that these 200,000 East Timorese are now currently in West Timor. These refugee camps are currently being supervised by the militias or elements of the militias. I would like to ask Ms. Taft, is this true?

Ms. TAFT. They are present. At the camps I saw, they were present, yes, sir.

Mr. FALEOMAVAEGA. Have you offered any strong, strong recommendation? Obviously you mentioned early in your statement, they are still being intimidated by the militias.

Ms. TAFT. That is right.

Mr. FALEOMAVAEGA. For all we know, these 200,000 people are still being massacred, murdered, or disappear, yet our whole focus in the media and the international community is on the troops going to East Timor, with hardly any mention about these 200,000 refugees, that are being intimidated by the militias.

Ms. TAFT. I am glad you mentioned that because that is the whole reason we went so quickly as a multinational humanitarian group. You are right. The attention was on the troops. The attention was on the politics. We were concerned about who is focusing attention on the humanitarian dilemma. To be able to mobilize this and get out there so quickly because we were on the ground starting to work on September 19th with our representatives.

Preceding us by 2 days was Mrs. Ogata, the U.N. High Commissioner for Refugees who was on the scene and working with the officials.

Mr. FALEOMAVAEGA. Ms. Secretary, I know, because my time is going.

Ms. TAFT. OK.

Mr. FALEOMAVAEGA. Is it also true that none of the international NGO's that do humanitarian services are allowed by the Indonesian government to help in these refugee camps?

Ms. TAFT. There are a number of agencies in West Timor.

Mr. FALEOMAVAEGA. But very limited.

Ms. TAFT. They are working with host families, some of the churches, and the outside groups. What they have not been allowed to do is work in the collective camp areas. That is because the civilian authorities have said that it is unsafe for them to have access.

We pressed them very hard on that. We said, make it safe. Make the military make it safe. Get the militia out. Get the camps civilianized. We said that. Mrs. Ogata said that. Secretary Albright has been making that point as well.

Mr. FALEOMAVAEGA. Secretary Taft, will it be your recommendation, in the strongest terms, that the President has got to make a decision about this situation, where the militia is still supervising and operating these refugee camps? This is ridiculous.

Ms. TAFT. What President are you talking about?

Mr. FALEOMAVAEGA. Our own President.

Ms. TAFT. Our own President.

Mr. FALEOMAVAEGA. Can we do something about this?

Ms. TAFT. Our own President expressed concern about this. We are doing everything we can. We are not sending—if you are suggestion is that we try to send in peacekeepers into West Timor to breakup these camps, that is news and you should talk to the Armed Services Committee about it.

Let me just say that because it is very difficult in these situations, and we do not want to have a repeat of what happened with the Hutus in Eastern Zaire and all of the problems we had with the militias and the refugees there in 1994, which you know so much about, Congresswoman.

We need to get those people out. The way we get them out is to get a system for them to repatriate and to get access by the U.N. High Commission for Refugees, by the ICRC into those camps as soon as possible to fully do the interview and the out-placement. We have commitments from the Government to allow that to happen.

There are people from the U.N. on the ground now trying to work those modalities. I am sure we are going to see within the next several days good progress. Everybody is focusing on this. Security and protection are the key issues.

Mr. FALEOMAVAEGA. Reclaiming my time.

Our biggest reason for sending troops to East Timor was security. Now, 200,000 refugees are now in West Timor and we are not talking about their security needs. I know you have expressed concern. I know you brought recommendations.

What I am concerned about is that this is just a lot of rhetoric. Somebody has got to make a decision. I was just curious if our

country has made a firm decision to the Indonesian Government that they have got to do something about this.

Ms. TAFT. Yes, sir. We have said this.

Mr. FALEOMAVAEGA. How long do you think we are going to be put on hold, another 10 days, another 30 days before they finally allow us to bring NGO's to help feed the people?

Ms. TAFT. Today, it is starting. I have talked with them. Starting today, they are getting access. Now, there are not ships in place to take them from Kupang back to East Timor.

Mr. FALEOMAVAEGA. You mentioned earlier that we are putting in about \$15 million in economic assistance.

Ms. TAFT. No, humanitarian assistance.

Mr. FALEOMAVAEGA. Have you calculated approximately what would be the total need to give proper assistance, to these refugee camps? Is it \$15 million or \$100 million? What do you see as a good number to give proper assistance to these people?

Ms. TAFT. The U.N. has done its initial preliminary assessment for East and West Timor. They say \$134 million is what is required for the humanitarian first trauma. We have given \$15 million in the last week. As soon as we start the next fiscal year, we are going to get more.

Mr. FALEOMAVAEGA. One more question, Mr. Chairman. I know my time is up. It is ironic. The second most powerful economic country in the world, who happens to be in Asia, the country that has the largest investment in corporate resources throughout Asia, happens to be Japan. Is our Government putting any pressure on Japan to contribute at least \$100 million out of the billions and trillions of profits that they have made in the Asian region to give assistance to East Timor?

Ms. TAFT. They are being forthcoming in their funding. They participated in our humanitarian mission. They are coming up with humanitarian funding. I understand they are going to make contributions to the Trust Fund for East Timor as well.

Mr. FALEOMAVAEGA. Thank you.

Mr. SMITH. Thank you, Mr. Faleomavaega.

Mr. KOH. If I could just add that I have just been at the U.N. General Assembly. An extraordinarily large number of the bilateral meetings and the multilateral meetings addressed this question with our Government, we urged various allies to make contributions to address the total need, both in bilateral discussion with the Japanese Foreign Minister, Mr. Komorah, and also in various multilateral settings of regional ministerial breakfasts and other discussions. These issues were discussed at great length.

Mr. TANCREDO [presiding]. Thank you very much.

The panel is supposed to be here just until 2 p.m. I know that there are other questions from our members of the Committee. I am going to try to move to enforce the 5-minute rule. Let me ask you just one question quickly, Secretary Koh.

There have been reports in the Indonesian press recently about Australian peacekeeping forces that are allegedly committing human rights violations themselves in East Timor. I just wanted to know quickly what your impression is of the accuracy of those reports.

Mr. KOH. We have heard those reports. We have absolutely no basis to think that they have any substance whatsoever. We are very concerned, in fact, about public disinformation in Jakarta over what is happening with regard to the multinational force. That is one of the messages I am going to be reinforcing when I visit in the next few days.

Mr. TANCREDO. Thank you. Mr. Delahunt. Do you have questions?

Mr. DELAHUNT. Listening to your testimony, Mr. Koh, in response to a question by Ms. McKinney regarding the tribunal as pre-cursor, or rather the Commission of Inquiry as a pre-cursor to an ad hoc tribunal. I was thinking as you were responding, that if there has ever been a situation that demonstrates so clearly the need for a permanent international criminal court, it is exactly what has transpired here in East Timor. I would encourage you and Secretary Taft to reflect, continue discussion within the Department of State about the Administration's position on the international permanent criminal court.

It is, I think, indeed unfortunate that the United States' position has been in opposition to an international criminal court that could address these issues on an ongoing basis, and may very well, have served as a deterrent to what occurred in East Timor.

Regarding the question that was posed by Mr. Tancredo on the press reports about the Australians. On their face, they are absurd. They are insulting. The comment and observation that you made, Secretary Taft, about this also implicating or our need to support the transition to democracy in Indonesia, I would suggest that those reports are clear evidence of a very difficult trip, this odyssey, to true democracy in Indonesia.

It seems like nothing really has changed since the days of Suharto and Sukarno. In any event, I want to get back to a point that other members have raised regarding the military-to-military relationship. I understand that there is a lot of uncertainty, misinformation, disinformation.

I would like to speak to the issue of the militias. Is there any legal basis for the militias, within the Indonesian legal system? For example, and I am sure that you are both aware that at a point in time in Columbia, there was legal authority for the existence, if you will, for para-militaries. What later became to be known as para-militaries.

That law was rescinded. Unfortunately, para-militaries continue to exist and cause great problems in Columbia. If you can, describe, if you are aware, is there any legal basis for the existence of these militias?

Ms. TAFT. It is my understanding that there was, if not a written legal base, a practice of having militias in East Timor, but not in West Timor. This distinction was drawn to our attention when we tried to find out who were these militias around West Timor? Were they all East Timorese or were they disaffected West Timorese that were unhappy about the influx of people from East Timor?

So, there is a distinction. I think what I would recommend is that we arrange for a roundtable discussion some people from the military and from the State Department to talk with you all about this.

Mr. DELAHUNT. I do not want to presume motive, but I was very disappointed to hear that there is not a representative of our military here, given the quotes that Chairman Smith and others, including myself, have alluded to about the position of our military regarding the training of military in Indonesia in here, and not having the names and lists of those available.

They certainly did not do a very good job in the area of human rights training. That is, so clear that it cries out for an answer. What I am concerned about is that this calls in to question the entire program, not just as it relates to Indonesia, but in terms of all our military-to-military relationships, and really deserves to be reviewed and scrutinized.

We should have answers. I think from what you have heard here today, this is a bipartisan concern. It is not too long ago that the President of the United States went to Guatemala to apologize for what occurred over a period of time, and in response really to a report that was under the aegis, as you know, of the United Nations in implicating the United States in a genocide that occurred there over a period of decades. We trained that military. I dare say the same thing has occurred in Indonesia.

Mr. KOH. My response to the points made by Congressman Delahunt on the military-to-military relationship and democracy in Indonesia. The two are very much connected. I have visited Indonesia twice in the time that I have been in office. Although they are not where you want them to be, this is a time of tremendous change, and in Indonesia the first free election in many, many years.

The difficulty will be to make that democratic transition happen to bolster civil society and to bring the military under civilian control. That is the key. The military is a very powerful institution in Indonesian society and has been very resistant to change. We take for granted in this society that the military is under civilian control.

It is not something that has been taken for granted in Indonesia. That is a very difficult thing to change. The militias then operate under this shady mandate, as you see. This is a very difficult thing on which to get a hold. I think the critical goal is to keep the democratic process moving in Indonesia, focus on the horrors that have occurred in East Timor, while moving toward and promoting independence in East Timor at the same time.

It is a very complicated juggling act, and one that I think requires a lot of working together creatively. I do think it is a very difficult and complicated situation.

Mr. DELAHUNT. Thank you very much.

Mr. TANCREDO. Mr. Lantos.

Mr. LANTOS. Thank you very much, Mr. Chairman.

I want to apologize to our witnesses. We have a simultaneous hearing on the human rights situation in Togo just across the hall. That is why I could not be with you. I want to commend both Secretary Koh and Secretary Taft for their outstanding work on this issue as indeed on so many other issues.

I have two specific observations. I would be grateful for your comments. I am putting the finishing touches on a Congressional resolution which calls on the Government of Indonesia to accept

full financial responsibility for the total cost of destruction that has unfolded in East Timor.

My resolution calls for the total cessation of all aid and loans by international organizations and on a bilateral basis, until the Government of Indonesia accepts full responsibility for the financial cost of rebuilding and reconstructing East Timor. It is preposterous beyond belief that the Government and the military of Indonesia acquiesced in, encouraged, or even participated in the deliberate destruction of the infrastructure and the whole physical capital of the eastern part of that small island.

We cannot bring back to life the people who have been killed and the human job of rebuilding the large numbers of people with enormous traumas will be a long, difficult, and expensive one. We certainly can fix the responsibility for the physical reconstruction on the Government of Indonesia.

I would like to either ask you to comment on what the Administration's position will be or if there is no position yet, to convey the substance of my resolution to Secretary Albright, with whom I had the pleasure of talking yesterday on another issue. So, we will know that the Administration is in tuned with us. My resolution will have a great deal of bipartisan support.

The second issue I would like to raise relates to Japan. My good friend and distinguished colleague from American Samoa raised the question of Japanese financial participation. I am preparing a letter, and I am inviting all of my colleagues to co-sign it, to the Prime Minister of Japan calling on Japan to at long last accept its full responsibility, not just in a financial sense, of participating in United Nations' peacekeeping efforts.

I remember the Second World War. I understand the problems Japan had in terms of its military aggression against the countries of Southeast Asia. We are now half a Century beyond that. If German military units can be in the former Yugoslavia and they are, and they are conducting themselves with great distinction and great effectiveness, I think the time is long overdue for Japan to assume its military responsibility in peacekeeping operations, such as the one in East Timor.

I find it unconscionable that countries as far away as the United Kingdom should provide military units for the peacekeeping venture in East Timor, while Japan, the largest country in the region with a very capable military, should not even debate or consider the notion of sending an appropriately sized Japanese military unit to take its place alongside the Australians and the others who have accepted their responsibility.

I would be grateful if either of you would care to comment on my call for Japan to recognize that the Second World War is a half a Century behind us. The time has come for Japan to accept her international responsibility, and to recognize that Japanese ambitions to become a permanent member of the United Nations' Security Council sound absurd while Japan runs away from its responsibility in peacekeeping ventures.

Mr. TANCREDO. I may ask the panel, please, to condense your answer as much as possible, as we have another panel waiting out there. They can only be here until 3 p.m.

Mr. KOH. With regard to the first point, Congressman Lantos, as you know we have been doing an ongoing aid review with Indonesia for a number of weeks. As Secretary Albright made very clear on Sunday night, we will include the following factors in our review, namely, whether secure environments were created in the West Timor camps, whether necessary services were provided, whether East Timorese who want to return home are allowed to do so, and whether the Indonesian military is preventing West Timorese militias from carrying out attacks in East Timor. We will convey the basis of your resolution to the Secretary and carefully study the details in reviewing reconstruction assistance. With regard to the second issue about the allegations of Japan, as you know, in another life, I have studied Japanese Constitutional Law. The German Constitution and the Japanese Constitution do have different wording in their provisions.

While we make our political views clear at the time in which the Japanese are seeking expansion and participation into the Security Council, which was one of the points of discussion between the Secretary and the Japanese Government at the U.N. General Assembly. They also make reference to Constitutional issues that those obligations incur. I am sure that, that will force reconsideration and examination inside the Japanese Government.

Mr. LANTOS. Thank you, Mr. Koh. Thank you.

Mr. TANCREDO. Thank you very much.

I want to sincerely express the appreciation of the Committee to the Administration's witnesses and ask any other members of the Committee if they have other questions to submit them. Again, thank you very much for your time.

Mr. KOH. Thank you.

Ms. TAFT. Thank you.

Mr. TANCREDO. I would like to bring up the second panel as quickly as possible.

Xanana Gusmao is the President of the National Council of the Timorese Resistance, a leader of the East Timorese Independence Movement. For the past 20 years, Mr. Gusmao was arrested by the Indonesian military in 1992 and sentenced to life in prison for subversion. In response to an international outcry, Indonesia reduced the sentence to 20 years in 1994.

Mr. Gusmao can take a seat.

The Chairman of this Committee met him when he was in prison. Even in that difficult situation, it was clear that he was a statesman, a conciliator, and a leader. His country is lucky to have him and the world is fortunate that an independent East Timor will be lead by someone of his caliber.

After nearly 7 years in captivity as a political prisoner, he was released by the Indonesians earlier this month. Along with him, Mr. Jose Ramos-Horta. He is the Vice President of the National Council of the Timorese Resistance and was awarded the Nobel Peace Prize in 1996, along with Bishop Carlos Belo for his efforts toward East Timorese self-determination. An outspoken opponent of the Indonesian occupation of East Timor for the past quarter Century, Mr. Ramos-Horta has served for 10 years as the permanent Representative to the United Nations for the East Timorese Independence Forces. Welcome.

Mr. Gusmao, please proceed.

**XANANA GUSMAO, PRESIDENT, NATIONAL COUNCIL OF THE
TIMORESE RESISTANCE**

Mr. GUSMAO. [Via Interpreter.]

Ms. INTERPRETER. Mr. Chairman, ladies and gentlemen, it is an honor to be here in the House of Representatives before you, in this House, the venue of so many decisions regarding the world and East Timor in particular.

On behalf of the people of East Timor, I wish to express profound gratitude for the rulings and decisions taken in this House on East Timor. In particular, I would like to express our gratitude to all Congress people who played a relevant role and supported all the bills aimed at putting an end to violence and destruction in the territory.

Mr. GUSMAO. [Via Interpreter.]

Ms. INTERPRETER. In particular, I would like to express my gratitude to Congressman Chris Smith who is hosting this hearing, for his leadership in promoting human rights and the self-determination of East Timor. I wish also to express my gratitude and thanks to all those who, in the House of Representatives, supported Congressman Chris Smith in his efforts.

Mr. GUSMAO. [Via Interpreter.]

Ms. INTERPRETER. I also wish to express my gratitude to Congressman Kennedy and all of the other Congress people who supported his efforts for passing the bills in the House of Representatives. My gratitude is also addressed to Senator Feingold for his efforts, too, in the passing of the bill in the Senate, the East Timor Self-Determination Act of 1999.

These bills are extremely important for the U.S. banning of military and financial assistance to Indonesia. Also in the demanding of the withdrawal of Indonesian troops from East Timor and putting an end to the violence undertaken by the militias in East Timor.

Mr. GUSMAO. [Via Interpreter.]

Ms. INTERPRETER. Mr. Chairman, ladies and gentlemen, please allow me to use this opportunity, this historic moment, both for myself and for my people, to address a few and brief words on the current situation in East Timor.

The recent violence, which we all witnessed in the territory in the past few weeks, led to a very, very critical situation. It is critical because most of the population had to seek refuge in the mountains. It is critical because tens of thousands of East Timorese were abducted and taken forcibly into West Timor.

It is critical because the population is now experiencing a severe situation of disease and starvation. It is critical because our families have been broken apart and most of the members of those families do not know where their relatives are or if they are alive.

We have decided that the year 2000 in East Timor will be the year of the Emergency Plan. During and throughout this year, and from the ashes and destruction provoked by the Indonesian military and the militias, we will establish an administration in the territory and help the population organize itself.

Our population is in great need of assistance, of food, of medical assistance, but also of psychological comfort to overcome the suffering and the deep trauma that has been committed upon it.

Mr. GUSMAO. [Via Interpreter.]

Ms. INTERPRETER. One of our main concerns at this point is the return of the East Timorese population, which is now living in a climate of terror and intimidation in the concentration camps in Kupang, West Timor; Atambua, West Timor; and elsewhere on other Indonesian Islands.

We urge the Congress to provide assistance and to help humanitarian agencies in creating the conditions for the return of the more than 200,000 East Timorese who are presently in West Timor and other Indonesian islands. The East Timorese in those concentration camps are undergoing a situation of great fear. They do not know about their families. These 200,000 East Timorese are mostly women, children, and old people. We request immediate support to take them out of these concentration camps and to enable the return of these East Timorese's to East Timor.

Mr. GUSMAO. [Via Interpreter.]

Ms. INTERPRETER. Equally important for the transition process in East Timor is this second request that I wish to address. That is for the Congress to pressure for the withdrawal of Indonesian troops from East Timor. The presence of Indonesian troops in East Timor has only led to further suffering, destruction, murder, and the slaughter of my people.

I therefore appeal to the Congress to use its moral and political strength to enable the withdrawal of the Indonesian troops.

Mr. GUSMAO. [Via Interpreter.]

Ms. INTERPRETER. This is but a very brief picture of the situation in East Timor and the suffering of my people.

Thank you very much.

Mr. SMITH. [Presiding] Mr. Gusmao, thank you very much for your excellent testimony and for the courage that you showed under incredible duress in your years in captivity. Joseph Rees, Chief Counsel and Staff Director of this Subcommittee, and I remember when we met with you, how we had read about you.

We had heard about you. We had read your words. We had never seen you in person, and how impressed we were by your courage, and also by your sense of vision that 1 day you knew there would be freedom in East Timor. It was a matter of when and not if. While the agony continues, the East Timorese people could not have a more articulate and more of a persuasive spokesman for their cause. I want to thank you for your leadership.

I would like to recognize another man for whom this Subcommittee, and Congress, and I, personally, have an enormous amount of respect for. A man who has won the Nobel Peace Prize, as was pointed out by Mr. Tancredo in his opening, in his introduction. Mr. Ramos-Horta, we are very, very pleased to have you here.

When you speak, believe me, we do listen. So, please take the floor. JOSE RAMOS-HORTA, VICE PRESIDENT, NATIONAL COUNCIL OF THE TIMORESE RESISTANCE, 1996 NOBEL PEACE PRIZE WINNER, AND PERMANENT REPRESENTATIVE, UNITED NATIONS, EAST TIMORESE INDEPENDENCE FORCES

Mr. RAMOS-HORTA. Congressmen, first I would like to thank you very much for your initiative in holding this hearing. I thank all your colleagues for receiving us here today, to you particularly for your many years of support to the people of East Timor.

I would like to start by saying, emphasizing how important the U.S. Congress has been over the years in attempting to right the wrong, the tremendous wrong that was done to the people of East Timor. If ever we, over the years, felt disappointed or loss of hope because of the indifference of the world community, every time we came here to this building, to the many offices, we went back with renewed hope. Do not underestimate the strength you gave us. Do not underestimate the influence you have in shaping the events in Indonesia and in East Timor. It is thanks to you, to Members of Congress, both Houses, that we have come this far.

I was in Auckland in the midst of the worst crises in East Timor. As I watched CNN and watched President Clinton's statement, live, which was seen by hundreds of millions around the world, when President Clinton said what basically amounted to an ultimatum, the Indonesian side must invite, and he emphasized the words "must invite" the multinational force to East Timor to restore order and security. I felt that, that was going to be a passing of wills between the President of the United States and the Indonesian army leadership. There is no way that the West, the authority of the U.S. President could be discredited. In conversation with my President over the phone, he was still under house arrest in Jakarta. I said, there is no way the U.S. can allow the U.S. President to be discredited because that was an ultimatum. True enough, 2 days later, 3 days later the Indonesian side, which had said repeatedly, emphatically for many days, that it would not invite a multinational force, did indeed invite a multinational force.

The multinational force is there in East Timor. My point is that whenever the U.S. Administration, the Congress wishes to provide leadership, be it in East Timor or elsewhere, things happen. In saying this, I want first to express my most sincere gratitude, our most sincere gratitude to the President, to the Administration, to you for your leadership that has turned things around in the last few weeks.

With the multinational force on the ground, the situation is improving day-by-day in terms of the security level. The Independence of East Timor is now a matter of fact. There is no turning back the process that took us 500 years, during Portuguese rule and, of course, the last 23 years.

However, an East Timorese Jesuit Priest, was telling me in the midst of the worst crises in East Timor, he was in hiding in the darkness of the night, talking on a mobile phone. He was telling me, you will return to a country of widows because of the extraordinary level of killing in East Timor.

President Xanana will be going back in the next few weeks. He will go back and all of us will go back to a thoroughly destroyed country. The first pictures I have seen of East Timor, in the last few weeks, reminded me of those black and white pictures of Europe devastated in the wake of Nazi's Occupation. This is the country we will go back to.

The country has been thoroughly destroyed: Tens of thousands of people displaced, tens of thousands forcibly removed from their homes into West Timor where they are hostages of the military and the militias. Let us not mistake, these displaced persons are not being held by some unknown entity somewhere in the jungle, somewhere in the world. They are being held in Indonesian territory, in an action that is condoned by the state. An institution of the state, the army, which is supposed to defend the country from external threats—or to protect its citizens, is, in fact, an instrument of hostage taking, of state terrorism. Not satisfied with the destruction in East Timor, the killings in East Timor, they take along tens of thousands who are held against their will in West Timor, and there are thousands more elsewhere in the country. The Indonesian authorities have the ability to return these people.

They have the ability because whenever the pressure was there, they made even more difficult decisions. I started my comments by saying that when President Clinton stood up and said, they must invite the multinational force, they did invite them. An invitation of a multinational force was unprecedented in Indonesian history.

If anything went against all the public discourse, if anything goes against Indonesian so-called nationalism, that was the invitation of the multinational force. He proved that there is an authority in Indonesia. That when they want, they can make policies. They can make decisions.

Then why are they not making a decision to disarm the militias in West Timor, to allow the United Nations' High Commission for Refugees, the U.S. Assistant Secretary of State, her office dealing with refugees, NGO's, and humanitarian agencies to provide assistance to the people in the camps, and return them to their homes in East Timor?

It is not happening because there is no will in Jakarta to do so. They have proven that when the pressure is there, they can deliver. We appeal to you, Members of Congress, to use your utmost influence, together with the Administration, to secure the early return of the East Timorese in West Timor and elsewhere in Indonesia to East Timor.

I would like also to say that never once in our history of 23 years has anyone heard from our public discourse any word of anger, or racial, or ethnic hatred toward Indonesia. Never once in 23 years of the Timorese Resistance has any one single Indonesian civilian been killed by the East Timorese Resistance, even though 200,000 East Timorese were killed by the Indonesian army. There was never reprisal.

There were never soft targets for the Resistance. Despite all of the wanton killings of the last few weeks, and our repeated statements of moderation, flexibility, we continue to hear, to see, a continuation of violence, of provocation, of impunity by the Indonesian side.

In spite of all that has happened in the last few weeks, President Xanana, met with the Foreign Minister of Indonesia. I must maybe preface this particular event by saying the following. When I personally met President Clinton just over a week ago, and with Secretary of State Albright last week, I said, my mood toward the Republic of Indonesia today is similar to the mood of the Jews toward

Nazi Germany after World War II, or similar to the Kuwait is the mood of the Kuwaities toward Iraq after the destruction of Kuwait.

This was only to say—do not expect us to try to think about even engaging the Indonesians in dialogue. That was our emotion, but at the same time we realize that we cannot choose geography. Together, President Xanana and myself, we went to see the Indonesian Foreign Minister Alatas. We had a constructive, fruitful dialogue with him the other day.

We hope that the new Indonesia that is in the process of being shaped, following the elections, will be able to repair the damage it has done to itself, to East Timor, receive the olive branch that Xanana Gusmao and all of us have extended to them. One condition for that is a gesture of good will on their part, to return all East Timorese forcibly taken to the other side.

As far as our relationship with other countries of the region, we are deeply grateful to Australia for taking the burden, the leadership of the multinational force. The Australian people, as a whole, have been on our side, as have many other countries around the world, but also has been—as the former colonial partner of East Timor—has shown an extraordinary commitment in standing up and living up to its historic and moral responsibilities.

What we see here, Members of Congress, is a truly universal movement in support of a small nation. Maybe the tragedy of East Timor will turn out to be an inspiration and a strength for the United Nations, for the world community, to be always inspired to come to the rescue of small nations, no matter where they are.

When it comes to human rights, there is no domestic jurisdiction of states. When it comes to human rights, there are no boundaries. We are all part of this community of nations. Human lives are as valuable anywhere, be it in Asia, be it in Africa, Europe, or Latin America. So, what the multinational force is doing, they are all of the United Nations, is indeed in response to these very sacred principles of the universality of human rights.

I thank you.

Mr. SMITH. Mr. Ramos-Horta, thank you very much for your powerful words and your leadership. I understand that both of you will have to depart at 3 p.m. I will restrict my comments or questions to just a few of those that I would hope to have asked. Hopefully, we can get through the entire panel.

I do want to concur and reiterate what you said about the Australian commitment and how grateful all of us are that Australia stepped up to the plate, and was really earnest to provide protection for those innocent civilians who were being slaughtered.

I think it is good that we all recognize Australia again and again because no one else really was doing the job until they took the lead. Let me ask you about peacekeeping. We keep hearing militia leaders in West Timor who are making public threats to mount an armed insurgency into East Timor to provoke what they call a civil war.

Are we doing enough? Is the international community doing enough, Indonesia doing enough, is to mitigate that threat? Second, will you just tell us what is it that the international community is doing right? More importantly, what needs improvement right now?

I remember, Mr. Ramos-Horta, when you met with me—and I am sure you met with many other Members of Congress on both sides of the aisle—during a visit months ago and warned of the carnage that you felt was imminent if the right steps were not taken. Regrettably, insufficient numbers of people heeded your call. What now do you see that we need to do forthwith in order to preclude additional misery?

Mr. RAMOS-HORTA. It is as a first step, and it is crucial, that pressure is there on Indonesia. We have seen that there is an authority, whatever it is, that when the crunch comes, when their interest is at stake, they respond. We are certainly obviously very, very pleased with the leadership provided by the Secretary of State, who made a very forceful statement on Sunday with regard to the refugees, the displaced persons in West Timor and with the visit by the Assistant Secretary Julia Taft to the camps in West Timor. For us, the absolute priority at this stage, beyond the security situation in East Timor that needs to be stabilized, is the safe return of the refugees, the displaced persons in West Timor.

It is also absolutely necessary that INTERFET be deployed more expeditiously. So far, less than half of all of the forces committed to INTERFET have been available and have been deployed. We are pleased with the roll of the Australian command. We are pleased with the progression, but we hope that other countries make a greater commitment.

We were pleased to hear, to read in today's news that the United States has committed an additional number of personnel to INTERFET, now numbering about 500 from the initial 200 committed. We are very grateful for that. On the other hand, it is necessary that U.S. leadership, the United Nations' transition administration in the territory be established as soon as possible, because there is a total breakdown of services in the territory.

However, we must also emphasize that as the U.S. and the United Nations' transitional team design and execute the transition authority in East Timor, they do not lose sight of the fact that there is an organization, the National Council of Timorese Resistance, which led the people for 23 years, and under the flag of the National Council of Timorese Resistance, the people voted massively for independence.

We view the transition in East Timor as a partnership between the East Timorese Resistance led by our leader, Xanana Gusmao, and the international community. We are pleased with the statements by the U.N., that the U.N.—led transition in East Timor is not going to be a colonial situation, relationship, between the U.N. and the East Timorese people, but rather a partnership.

Mr. SMITH. Ms. McKinney. Thank you very much.

Ms. MCKINNEY. Thank you, Mr. Chairman.

I am humbled to be here with these very brave witnesses. A generation ago, men in Washington, D.C. decided that the East Timorese should not be free. That access to oil and winning the Cold War were more important. Twenty-five years later, 200,000 East Timorese have been killed by massacre, torture, and starvation.

U.S. policy has supported the continued violation of the rights of the people of East Timor. Since 1975, the U.S. has supplied more than \$1 billion worth of U.S. weapons to Jakarta. Even until last

week, our Government continued to provide support for the Indonesian military.

Mr. Chairman, mass murderers, torturers, and ethnic cleansers should never be our friends, but in East Timor, in Latin America, in Africa, sadly, that is our legacy. Saying, I am sorry, is not good enough. We must be a part of the correction of the problems of the wrongs of the past.

To our witnesses, I would just like to pledge that I will be a part of any movement in this Congress to help set right the things that this Government, over the years, has done wrong. An independent East Timor will have to struggle for self-sufficiency and we should be there with you, with our hearts, our heads, and most importantly with our money.

Thank you, Mr. Chairman.

Mr. SMITH. Thank you, Ms. McKinney. Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Mr. Chairman, I realize in the essence of time that our good friends have to leave. So, I just want to say that it is a deep and a tremendous honor for this Committee to have received Mr. Gusmao and Mr. Ramos-Horta, to listen to their eloquent statements. I have so many questions I wanted to ask, but I realize the shortness of time. All I can say, Mr. Chairman, is that as someone who comes from the Pacific, I feel a close kinship with these two gentlemen and the outstanding leadership that they have demonstrated to the fine people of East Timor.

It is a miracle that these gentlemen are still alive. But maybe in a later time period, we will have them testify before this Committee to learn more of their experiences and the brutality of the Indonesian military. I suspect these 200,000 East Timorese that died were killed were by M-16 rifles, not by AK-47's.

It is a sad legacy of our government, given the fact that our country sells more military equipment than any other nation in the world. This is something that should be taken into account in the formation of our foreign policy both in the short and long term.

This is the kind of results that we produce. Again, I am honored to receive our two friends representing the good people of East Timor. Thank you, Mr. Chairman.

Mr. SMITH. Thank you. Mr. Delahunt.

Mr. DELAHUNT. I would just echo the sentiments expressed by my colleagues. On behalf of all of us, let me just simply say thank you for your example. Thank you for your courage. You have done much, not just for East Timor, but you have done much for America with that courage and with that moral authority, and being so clear, and forceful, and powerful in terms of your words, and particularly reminding us that human rights have no boundaries. It does not involve geography. It involves all of us.

Thank you.

Mr. SMITH. Thank you, Mr. Delahunt.

Mr. Goodling, the gentleman from Pennsylvania.

Mr. GOODLING. I would like to point out that we have a misconception in this Country quite often. We call it peacekeeping missions. Often times, they are nation building missions and we cannot nation-build. They have to do that from within.

I happened to be there in East Timor in 1977. I saw a lot of slaughtering that was not being done by outside. I saw slaugh-

tering that was being done inside with three factions. Unfortunately, I also saw the Portuguese leave, as they usually did, leaving the situation in very difficult straights, having done nothing really to help the East Timorese during the entire time they were there.

My concern is now, I guess, have the three factions joined together? Are they working together? As I said, at that time, in fact, it was not the safest thing. I was young enough to be foolish to come in at that particular time. But the three factions, at that particular time, were certainly killing each other.

I might ask personally, then also a young chap that I spent time with, at that time, Lopez DeCruz, is he still living? Is he still working toward peace? What has happened to him? Again, we can only help nations if they, themselves, pull together. I would hope that we do not have those three factions. Those three factions, I suppose, allowed the Indonesians to come in and do what they have done ever since.

That is the end of my statement. I do not know whether there are any responses to particular a question or two. If we are first in arms, then the French have to be close behind. They do not care where they send them, just so they get money.

Mr. SMITH. I know our two witnesses have to leave, but if you wanted to respond or make any final statement before this Subcommittee, again, we are honored to have you here.

Mr. GUSMAO. [Via Interpreter.]

Ms. INTERPRETER. Mr. Chairman, Members of Congress, ladies and gentlemen, thank you for this opportunity and for the warm words of solidarity you have expressed to us. We are indeed a tiny people, but you are listening to us.

Congressman Goodling, we recognize our weaknesses, the weaknesses that we had 25 years ago. They are now lessons to all of us, and they were a major lesson to our people who struggled for 25 years and tried to resist and survive just because they had the right to self-determination. That same right is now recognized by the whole world, by all of the international community.

We all learned from our mistakes. This one has been inside me, with me, for the past 25 years. It is in my mind. I thank the Congress and I thank the people of the United States of America for giving us this opportunity.

We need your help and we need your assistance. But we are also sure that with your help and assistance, as politicians, as a body which decides on issues which influence the whole world, we are sure that with you, we will build a new East Timorese nation, based on values such as democracy, justice, and human rights, the very same values that have shaped the Nation of the United States.

Thank you.

Mr. SMITH. No words can really add to that. That was a wonderful vision. Thank you. I would point out to my colleagues that we are going to take a 3- to 5-minute recess, as our distinguished witnesses depart. Then we will invite the third panel up.

I do hope that Members will stay on because we have three experts who will speak to the issue in our third panel. Thank you.

We are in recess for 5 minutes.

[Recess]

Mr. SMITH. The Committee will come to order.

Our third panel consists of Mr. T. Kumar, who is the Advocacy Director for Asia and the Pacific, for Amnesty International U.S.A. Next, we will hear from Mr. Arnold Kohen, President of the Humanitarian Project and author of "From the Place of the Dead: The Epic Struggles of Bishop Belo of East Timor".

Our next witness on East Timor is a former investigative reporter with NBC News. Allan Nairn is a widely published investigative journalist who focuses on U.S. foreign policy in overseas operations. His coverage of the November 1991 massacre of East Timorese civilians by the Indonesian military won numerous journalism awards. Formerly banned from entering Indonesia, Mr. Nairn has twice been arrested by the Indonesian military, including earlier this month in East Timor. After significant international pressure on his behalf, the Government of Indonesia deported him approximately 10 days ago.

Finally, Emilia Peres was born in East Timor, and, at the age of 14, fled East Timor with her family. For the past 15 years, Ms. Peres has been an international advocate for the plight of her people. She has appeared before the U.N. Commission on Human Rights on behalf of the people of East Timor, and is a Board Member of the East Timor Human Rights Center. Ms. Peres currently lives and works in Australia. We are very grateful that she is here as well.

I would like to begin first with Mr. Kumar, if he would begin his testimony.

**STATEMENT OF T. KUMAR, ADVOCACY DIRECTOR FOR ASIA
AND PACIFIC, AMNESTY INTERNATIONAL U.S.A.**

Mr. KUMAR. Thank you very much.

Thank you very much, Mr. Chairman, for inviting Amnesty International and for holding this important hearing at this crucial time. The reason why I mentioned crucial is that there is a general feeling that since peacekeepers are moving in, everything is fine and well in East Timor and to the people of East Timor.

Other reports show that things are not so fine. Still East Timorese in West Timor and other parts of Indonesia, including Jakarta, Bali, and other places, have been harassed and abused by the Indonesian military and the militias. I would like to draw your attention to that issue, Mr. Chairman.

When I was listening to the hearing testimonies during the last 2 or 3 hours, I was taken aback by the enormous responsibility that human rights organizations and people like you who are in power carry to protect and promote individuals who have been abused, and killed, and slaughtered in large numbers with total impunity. We, as an organization, have been working on abuses around the world for the last 38 years. This is the first time we were compelled to issue an urgent action. That means, it is a crisis situation that we alerted 1.1 million members around the world that the whole population of East Timor was in danger or fear of being killed or abused.

In that note, we can certify to you that the abuses that occurred, until the international community put its act together, was beyond

belief even to organizations like us who monitor abuses around the world. We are grateful that President Clinton took a strong step, but we wish that he took those steps at least a week before.

If he would have taken the same steps, at least a week before, we could have saved hundreds, if not thousands of lives. We could have saved children who are left orphans today. We could have saved thousands who were forced to be kidnaped to West Timor. This may be a lesson that we all have to look back.

When there is a crisis, when there is slaughter going on, act immediately, whether it is your friend or foe. The history of East Timor tells us only one thing. That tragedy did not start 2 months ago or 6 months ago. In 1975 when the Indonesians invaded, 1/3 of the population was wiped out.

The entire world, including ours, Mr. Chairman, kept silent. It is OK to keep in silent to some extent, but they were rewarded with military training and weaponry. Our corporations lined up to profit from the natural wealth of that country, looking the other way of the abuses that is being perpetrated against innocent civilians.

If history says anything to us today, one thing we have to learn is never, never keep silent whenever there are abuses. Indonesian military got this courage and strength to slaughter with total impunity ever since they slaughtered half a million to a million Indonesians in the wake of coup-de-ta.

It was looked upon as an anti-Communist issue and the world at large. Especially our Country kept quiet. That was the mistake that was made. We are seeing a country which has the military which has been used to abuse its citizens for the last 30 years. The victory, so-to-speak, that we are seeing today is not totally the victory for East Timorese.

It is a victory for Indonesians. Indonesians are the people who suffered most. They were the people who were slaughtered under this military, for total impunity, for 35 years; Aceh, Irian Jaya, even Java, there are seven political prisoners still in prison in Indonesia; Gudiman and six other people.

They have been completely and conveniently forgotten by everyone. When I met with Gusmao yesterday, I asked him how is Gudiman doing, even though I do not know him. I just asked him. The answer was, he is taking the lead now. Gusmao is taking the lead to make sure that these people are released.

So, in a nutshell, what we are seeing today is a victory for the Indonesian people and justice to the Indonesian people if the International War Crimes Tribunal is setup. On that note, Mr. Chairman, I would like to bring to your attention what was brought to us from London this morning, that Jakarta may not accept the tribunal that is going to be setup.

If it is true, then the Clinton Administration and you, in the leadership positions, have to make a very strong and clear statement and stand against this international institution that is going to be formed.

In closing, for Amnesty, the people of East Timor have been very close to us ever since their suffering started. In 1974, we had a major campaign called, Free the Coats of Suffering and Terror in East Timor. This is the report we published.

In fact, Gusmao is being portrayed here with his picture. I also would like to urge you to include my full statement in the record. Thank you, again, Mr. Chairman. Amnesty International is pleased to testify.

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

Mr. SMITH. Thank you, Mr. Kumar for your excellent statement and for your strong appeal. Your full statement will be made a part of the record. The full statements and any addendums by all of our witnesses. Thank you.

I would like to ask Mr. Kohen, if you would proceed.

Mr. KOHEN. Mr. Chairman, excuse me for getting here late. I wanted to make sure that I was able to speak with Bishop Belo to send a special message to the Committee. He just arrived now in Portugal from Germany. When I finally reached him and I told him I was coming here to testify, he said, what is your message?

The message is that the Clinton Administration, the Congress, all of the political parties in the United States and all of the candidates should be united behind the goal of ending the violence in East Timor and making sure that the East Timorese people and the churches there are able to rebuild.

That is exactly the message I would like to send. Please tell them I would like to come there myself when I have an opportunity, and, for the moment, if you could convey certain things for me. I intend to make a very brief extemporaneous statement. I will have a slightly longer one for the record.

I spoke with Bishop Belo just before his house was attacked on September 6th. At that time, he was, as he always is, skeptical that there would be such a full scale assault on his residence. It had never happened before. He was quite surprised that such a thing would take place. He is somebody who hates exaggerations.

To illustrate this point, the bishop had even said that the attack on the Dioceses the day before was not actually an attack on the heart of the Dioceses, it was an attack on the garage. So, despite threat of an assault, he remained at home. I said, are you going anywhere? He said, where could I possibly go? I have 4,000 people taking refuge here. He said, I cannot just go running around.

What ended up happening was that militias with actually a handful of Timorese forced to go in front, led by Indonesian special forces, came into the bishop's home and started shooting. Six young men who live in his compound gathered around to protect him from harm. Militia accomplices told him, sit down. But the Bishop refused.

The reason that he refused to do so is because, and I (will hold this bloody photo up) is what took place during the Liquica Church Massacre in April of this year. What happened there is that people were told to sit down and they never got up: They were essentially massacred. So on September 6, the Bishop just got up, walked out of his office, walked out the front gate, went to the police, insisted on protection. The next day he left East Timor because he knew that he had to go and speak with the Pope in Rome and tell him about this and other things.

Essentially, the last barrier had been broken. I had stayed in the Bishop's house on a number of occasions. This was one place where people could go for refuge. This was one place where you would not

see these kinds of assaults. It did not make what was going on outside any nicer, but at least people felt some security that they could go there.

This ended on September 6th. Quite unfortunately, I have to say that when the Liquica Massacre took place, there were certain communications made to this Administration by people in Congress, by people in churches. The response that they got back, particularly from people in the Pentagon was, if we restore military aid to Indonesia, perhaps we will have more influence on them.

Unfortunately I think what happened as a result of that is that Indonesian military people, and I have this from a number of sources, I am a trained investigative reporter. I used to work for NBC News, I have it from a number of sources that the way that the Indonesian military interpreted this message from our military is that, in effect, what had happened in Liquica and what these militias were doing, rather quietly out of the view of television cameras and reporters in the countryside of East Timor, was of no great consequence to the United States.

Effectively, that led not only to the assault on the Bishop's house and the assault on the ICRC, but also the assault on East Timor as a whole. I am somebody that over the years, and I have to say this because I think that there are witnesses here with me today that would attest to this, that I have not been automatically one who would have said in the past, let us cut all aid.

Sometimes communications between our military and the Indonesian military have proven to be useful. After the Santa Cruz Massacre, for example, and on a few other occasions. But on this occasion, that did not work. It simply did not. This relationship was abused. I really feel that something more could have been done.

As Mr. Kumar just said, a lot more could have been done to dissuade the Indonesian military. I think that even, until recent days, they did not quite get it. I think that there was a sense that they would pay no great price for what they were doing I think that what took place in recent weeks, and indeed the killing of church workers the other day, might have been prevented.

I happened to have known the Italian Sister who was killed and the Timorese Sister who was killed. These people were delivering aid to people in the countryside. They had hurt nobody. Militias instigated by the Indonesian army just started shooting. They have done it in other places, not only to religious workers, and not only to Catholics. Others have been threatened. Just yesterday, I received a communication from religious Sisters in Australia who were in touch with the Sisters in Timor. They said the militias right now, that is as of yesterday, were given license, they said, by elements of the military to go around and start killing priests and nuns.

I do not know if this will happen. I sure hope it does not. I think that if we put enough pressure on the Indonesian military, maybe it will not come to pass, but this is the type of atmosphere I think was created by trying to restore military aid to Indonesia after something like the Liquica Massacre took place.

I will end my statement there and take any questions later. There is a lot more to say, but that is the essence, I think, of what I would like to communicate.

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

Mr. SMITH. Thank you very much, Mr. Kohen. I appreciate your work. You mentioned Bishop Belo. I would just say for the record, Joseph Rees, our Staff Director and Chief Counsel, was actually in the church when the announcement was made that Bishop Belo had received the Nobel Peace Prize, which certainly was a great moment. Thank you for conveying his thoughts and sentiments to the Committee, and, by extension, to the American people. Mr. Nairn.

ALLAN NAIRN, INVESTIGATIVE JOURNALIST, NBC NEWS

Mr. NAIRN. Thank you, Mr. Chairman.

I have had a lung problem that flared up. So, it is a little difficult to talk. It is a special pleasure to be here today, having been in the same room with Xanana and Jose Ramos-Horta, Kumar, Emelia, and Arnold Kohen, who is a tireless campaigner for human rights.

Today, as we are meeting here, Dili is in ruins. Half of Timor is, in effect, held hostage. They are finding the remains of decapitated bodies, as AFP reported yesterday. They are finding police file photos of dead torture victims with their hands bound behind their backs.

Uncounted thousands of Timorese are still in hiding, surviving on roots and leaves. General Wiranto's militias are threatening further terror. Yet, this is a great day because East Timor stands on the brink of freedom. It is hard to imagine really. They said it could not be done.

Back in December 1975, when the Indonesian military began consulting with Washington about a possible invasion, they promised that they could crush Timor within 2 weeks. General Ali Mortopo came to the White House and met with General Brent Skowcroft. President Ford and Henry Kissinger went to Jakarta and sat down with Suharto.

Then 16 hours later, the invasion was underway. The paratroopers dropped from U.S. C-130's. They used new U.S. machine guns to shoot the Timorese into the sea. In 1990, when I first went to Timor, the Intelligence Chief, Colonel Wiranto confirmed that by that time, their operation had killed $\frac{1}{3}$ of the original population.

On November 12, 1991, when the troops marched on the Santa Cruz Cemetery, they carried U.S. M-16s. They did not bother with warning shots. Amy Goodman and I stood between them futilely hoping to stop them from opening fire, but they opened systematically and they kept on shooting because as the National Commander, General Swtcisno, explained, East Timorese are disrupters. Such people must be shot.

That was army policy. That is army policy. At no time during these years of slaughter, did the U.S. Government's executive branch ever decide that the time had come to stop supporting the perpetrators. President Carter and Richard Holbrook sent in OV-10 Broncos and helicopters. Presidents Reagan, Bush, and Clinton sent in weapons, multilateral financing, and sniper trainers. But

now they say circumstances have changed. President Clinton has announced a military cutoff. There is even a Clinton doctrine under which the United States will intervene to prevent mass slaughters, like genocides, pogroms, and ethnic cleansing.

In recent weeks, commentators have criticized the U.S. for failure to intervene. For not sending in foreign troops fast enough to stop the Indonesian army's final burst of Timor terror. Mr. Chairman, I want to make the point today that intervention is not the issue.

The Clinton doctrine, and the questions flowing from it, do not apply in Timor or Indonesia because the killing is being perpetrated with the active assistance of the United States. The U.S. is not an observer here. It is not agonizing on the sidelines.

It has instead been the principal patron of the Indonesian armed forces. The issue is not whether we should step in and play policeman to the world, but rather whether we should continue to arm, train, and finance the world's worst criminals. I think most Americans would say, no, we should not do that. I know that many in Congress, from both parties, would agree.

As of this moment, U.S. policy is still, the temporary cutoff notwithstanding, to restore as soon as possible its support for the Indonesian armed forces. On March 3, Admiral Dennis Blair, the U.S. Commander-In-Chief in the Pacific told Congress that the Indonesian armed forces was the main instrument for order in Indonesia.

He was speaking, as he and the world knew, after 34 years of army terror, which has claimed perhaps a million Indonesians and 200,000 East Timorese. In most people's eyes, such violent behavior is the antithesis of order. But for the U.S. Executive branch, it has been the basis of a policy.

In dozens of countries, unfortunately, the U.S. has chosen to use killer armies. From Guatemala City, to Bogota, to Beijing it has embraced the enemies of freedom. But today in Timor, we can rejoice because, for once, that policy has been defeated. In Jakarta, Surabaya, Medan, on the streets of the fourth largest country in the world, brave Indonesian students and working people are demonstrating against the army.

They demand that it get out of politics. That it dismantle its feared police state. They are risking their lives for real democracy. The United States should be on their side, but it is not, Mr. Chairman, at least not yet. That is why we are here today. Congress needs to act to reverse the fundamental course of U.S. policy.

The bill, H.R. 2895, which you and others are backing, is a good start to ending support for terror in Timor, but Congress needs to go further in at least two basic respects. First, the cutoff should be conditioned not just on Timor issues, but also on an end to Indonesian army terror everywhere.

The army should not be able to win back U.S. support by choosing new targets. Severe repression in Aceh, West Papua New Guinea, and elsewhere is already underway. Congress should not be supporting it simply because the army has finished with Timor.

Second, although this cutoff may be the most comprehensive ever attempted, there are still many lines of support for TNI and the Indonesian national police that the legislation does not cover. Last

year, there was an uproar in Congress when it was disclosed that the Pentagon's JCET Program was training the army in urban warfare, syops, and sniper techniques.

Congress, like the press and public, had thought that military training was cutoff when Congress canceled Indonesia IMET training to Indonesia after the 1991 Dili Massacre. Today, it is again the conventional wisdom that the U.S. no longer trains the Indonesian military, and that U.S. material support for TNI is now at a token level.

It is indeed the case that due to public pressure, a bipartisan coalition in Congress has cut many lines of support, including bans on small arms, armored vehicles, and the use of U.S. weapons in Timor, and the cancellation of deals for F-5 and F-16 fighters.

It is also the case that contrary to Congress' understanding with the executive branch, the U.S. has, through 1999, been intensifying its links with TNI, even as Timor militia terror and repression in Aceh have escalated. It is also the case that there are many complex lines of support for Indonesia's armed forces that, to this day, remain largely unknown to even the most engaged Members of Congress.

For the past 5 months, I have been in Indonesia and occupied Timor trying to investigate these lines of support. It would take many hours to lay out the facts in detail. I will just mention a few brief examples to give an idea of the scope of the problem.

A couple of weeks ago, I reported in *The Nation* magazine on internal Pentagon cables, classified cables, issued 2 days after the Liquica Massacre, which Arnold so graphically described, that horrific church massacre in which the militias backed up by uniformed troops, went into the church, in the rectory, and hacked dozens to death.

Two days after that meeting, the senior U.S. uniformed officer in the Pacific, Admiral Dennis Blair, sat down with General Wiranto, the Indonesian commander. Blair had a mission from the State Department and others to tell Wiranto to shut the militias down.

In fact, as the classified cable summarizing the meeting in great detail shows, Blair did the opposite. He offered Wiranto new U.S. military assistance. He offered to join Wiranto in lobbying the U.S. Congress to reverse standing U.S. policy to get the IMET military training restored.

He offered Wiranto the first new U.S. training program for the Indonesian security forces, since 1992. This is a crowd control and riot control program that was focused on precisely the unit that 2 days before had helped stage the Liquica Massacre. He even invited Wiranto to be his personal guest at his quarters in Hawaii.

Wiranto and his people were delighted by the meeting. They took it as a green light to proceed. I can now report to the Committee, Mr. Chairman, that there was an additional meeting after the Blair-Wiranto session, which had perhaps even more significant implications.

This one took place on July 14th in Jakarta. It involved Admiral Archie Clemens, the Commander of the U.S. Pacific Fleet. Admiral Clemens came in to make a presentation to Senior ABRI leadership, including the Naval leadership.

Now, at this time, the militia campaign was in full swing. The Liquica Massacre had happened. The assault on Dili had happened. This is the assault in which the militia staged a rally in front of the Governor's office. It was broadcast live on the official state radio station, Radio Republic Indonesia. Enrico Gutierrez, the militia leader, stood up and issued a public death threat against the Carrascalao family.

The militias then proceeded to trash the Carrascalao house, killed the son of Manuel Carrascalao, killed dozens of refugees who were hiding in the rear of the house, rampaged through Dili, shooting people on-sight. This all happened after a ceremony that had been presided over by the Indonesian occupation Governor and General Zacki McCarrum, the Indonesian military coordinator of the militia operation, as I will discuss in a minute, a long time protege and trainee of U.S. Intelligence.

This was after the Dili rampage, after countless other militia killings. On July 14th, Admiral Clemens came into Jakarta. According to Indonesian officers who were present, and according to Admiral Clemens' own presentation notes for the meeting, he offered the officers an increase, a step up in the U.S. military relationship with Indonesia.

He said, "Reengagement is crucial to maintaining the U.S.-Indonesia relationship." He referred to the Siabu Range in Medan, where Indonesia had given the U.S. rights to stage air-to-ground firing exercises, and he made a politically crucial proposal. He proposed that in Surabaya, at the Indonesian Navy Eastern Fleet Headquarters, training facilities be established for the U.S. military.

Anyone who follows Indonesian military politics knows that there are few hotter issues than the prospect of U.S. military bases in Indonesia. Some in the military are for it. Some are against it. It is a highly charged issue. Here, Admiral Clemens was going to the military leadership and proposing what he called "possible training sites" to train U.S. troops directly in an ongoing permanent basis on Indonesian soil.

Admiral Clemens went so far as to say that the U.S. goals for the Asia-Pacific Region depend on maintaining our strategic partnership with Indonesia. This, at a time when the State Department and the White House were publicly threatening to cutoff the Indonesian army because of the militia terror and the terror in Aceh.

He then went on to urge the Indonesian military to, as he put it, "Maintain access to advanced technology." He specifically was talking about new large scale purchases of high tech electronics which would allow the Indonesian navy to integrate their command and control and surveillance facilities directly with those of the U.S. Navy.

He went on to discuss, in some detail, the FDNF IT-21 installation. These are U.S. Naval electronics, which he was urging the Indonesian military to link up with. If you would like, Mr. Chairman, I could make available to the Committee some of the slides that the Admiral presented in this meeting and some of the Admiral's own notes.

Mr. NAIRN. As this was going on, and as the militias were rampaging on the streets of Dili, the U.S. was continuing to ship in

ammunition to Indonesian. Last year, Representative McKinney, the Chairman, and others made a special effort to try to cutoff the influx of U.S. ammunition and spare parts. At the time it did not succeed.

This year, we could see the consequences. A few weeks ago, as Dili was burning, and as the U.N. evacuated, as foreign journalists had left, I had the opportunity to be, one of the last foreign journalists, left on the streets of Dili.

I was walking around in the early morning going from one abandoned house to another. You could hear the militias coming around the corners with their chopper motorcycles. They would fire into the air and honk their horns as they were about to sack and burn another house.

You also found littering the streets hundreds upon hundreds of shell casings. They came from two places. One from Pendar, the Indonesian military industries which have joint ventures with a whole list of U.S. companies, and the other from Olin Winchester of East Alton, Illinois.

These cartridges had been recently shipped in to Battalion 744, one of the territorial battalions in Timor, and then issued to the militiamen. As you can see from these photos, they come in the new white Olin Winchester boxes, 20 cartridges to a box. These were among the bullets that they were using to terrorize Dili.

The units on the ground that were specifically running the militia operation included some of those most intensively trained by the United States. This includes Group 4 and Group 5 of KOPASSUS, BRIMOB, the KOSTRAD Infantry Units, the individual officers coordinating the militia operation, including General Zacki Mckarrim, Admiral Yost, Nanko, General Shafri Siamsuden, Colonel Wudutomonegroho, who was the on-the-ground coordinator for the militias in the initial months of their operation.

They are all graduates of U.S. IMET and Intelligence training. I will just end by citing one dimension that I would suggest Congress look into. Many in Congress believe that they have cutoff U.S. training for the Indonesian military and police. As far as I can tell, that is not the case.

There are several other training programs going on, besides IMET, besides JCET. Admiral Sudomo, the long-time Chief of Suharto's Secret Police, a man who was presented with the Legion of Merit by the U.S. Joint Chiefs of Staff, told me, in a series of on-the-record interviews, that for years the CIA has been providing intelligence training to intelligence operatives from the Indonesian armed forces. He said that this training involved 10 to 15 Indonesian officers, per year, who were brought over to the U.S. for a 2- to 3-month intelligence course. He said that as he understood it, this training continues to the present.

Last year, when I was arrested by the Indonesian armed forces and interrogated, the man who was interrogating me, who identified himself as Major Dodi Wuboa, at the end of our interrogation session, he leaned over to me and said, "I am a member of U.S. Intelligence".

I said, "What do you mean? What are you talking about?" He then went on to describe in detail training that he said he had received at the Cheputat Police Camp in Jakarta and in Quantico,

Virginia. As Wuboa described it, this training involved instructors from the FBI, DEA, and CIA. It included a training in subjects such as indoor pistol technique, surveillance, and interrogation.

Over the ensuing year in speaking to many Indonesian and U.S. officials, I have finally been able to confirm all the key elements of Wuboa's story. Indeed, there has been ongoing training at Quantico. Indeed, the FBI, to this day, has its own special training program for the Indonesian police.

Many are brought to the FBI Academy. Others receive training onsite in Indonesia, often in intelligence and weapon handling techniques. There are several different strands of so-called anti-terrorist training. Just 1 month ago, according to U.S. military sources in Jakarta, a U.S. Intelligence team was due to come in and provide what they call counter-surveillance training to the Indonesian security forces.

The Pentagon has been providing new advanced equipment to IMIA, the Indonesian Military Intelligence Agency, including special radios for use in operations in Irian Jaya West Papua. There is a whole strand of links involving training and material supply that is not even covered by the Pentagon, not even covered by the relevant legislation dealing with the Pentagon.

It involves the FBI, CIA, the DEA, Customs, and the U.S. Marshals. It is a very intricate series of connections. According to Indonesian police documents I have seen, their recent training includes explosives and explosive countermeasures. According to a former chief of the SGI, that is the Special Intelligence Unit in East Timor who I spoke to, the KOPASSUS has received training from U.S. Special Forces troops in techniques including the assembly of explosives.

What this colonel, this SGI colonel' claimed was torture resistance. These are sessions in which he said torture techniques are discussed and practiced, to a certain extent, on trainees. The theory being, if you get caught by the enemy, this might happen to you. So, you ought to know what the techniques are. He said that this training was not very impressive to the KOPASSUS, since they already knew all of the torture techniques. He even claimed, he even gave me the names of some individual KOPASSUS officers whom he said had died in training as these counter-torture techniques were practiced. He said it was a part of the curriculum that the U.S. forces had given.

I will stop there. One more thing, one more interesting side note. Even as the militia terror was rising to its height, there was another strand of training going on involving what you might call localization or privatization. A number of Indonesian police and intelligence officers were being sent for training with individual U.S. police departments.

One crew was just up at the New York City Police Department, the NYPD Police Academy, just about a 1½ months ago. I know contacts have been made with the departments in Virginia and in California as well. These training sessions are technically not under the auspices of the State Department or Pentagon.

Apparently, they are arranged with the help of the local CIA station in Jakarta, and, they say, with approval from State Department officials in Washington. A related type of training is hap-

pening right now at Norwich University in Vermont where, at this moment, at least nine KOPASSUS, special forces soldiers, are being trained. This is a program that was set up with assistance from the U.S. Defense Intelligence Agency. Again, it is not technically under the current State Department or Pentagon umbrella, but it is yet another way in which the U.S. Executive branch manages, by hook or by crook, to provide support for the Indonesian armed forces.

The short answer to what has the U.S. role been with the Indonesian military in the months of the militia terror, it has been deep. It has been extensive and many key officials have been attempting to intensify it. I believe it should stop. I believe that many in Congress have clearly shown the will to stop it.

It is a matter now of tracking down all of these lifelines that run into Jakarta. It takes a lot of work. Then it takes going around and systematically cutting them off one-by-one because that is the only thing that will work.

Thank you, Mr. Chairman.

Mr. SMITH. Thank you very much for your extensive testimony. You just may find it of interest, on a recent trip to Jakarta when I met with our U.S. military attache, I had two of your articles. I had all of those documents as well. When I shared it with him and with others in the embassy, he just dismissed it completely.

You had pointed out the training of KOPASSUS and the allegations, which the record clearly bears out, of their use of torture against innocent people. He also said that the JCET's Program had been looked at by human rights organizations and had been given the green light, to which I said, "name one. Give me the names of the organizations". I got nothing but a vacant and blank stare. We do thank you for your investigative work. I would like to ask Ms. Peres if she would present her testimony.

EMILIA PERES, INTERNATIONAL ADVOCATE FOR THE PEOPLE OF EAST TIMOR

Ms. PERES. Thank you.

I just wanted to say, first of all, the reason why I am here in America, my company—is my own part of a technical team. Before I came here, I was in Jakarta. About 2 month ago, I went to Jakarta to help in development plans for East Timor. We were thinking that everything was going all right and we were preparing for the ballot and then what was coming after the ballot. Unfortunately, after the ballot and after the warnings, not only of my leaders to the international community, to UNAMET itself, I remember speaking to members of UNAMET in Australia, asking them what would happen after the ballot. Would forces be in place after the ballot because we felt it was very dangerous period, and this period after the ballot to the Phase III.

We were told, do not worry. We will be there. We will not abandon the East Timorese people. Unfortunately, we all know what happened. So, after the ballot and after the announcement of the results, the destruction started to happen in East Timor. I stayed behind in Jakarta to actually help the other East Timorese who became targeted by the Indonesian special forces and some militias.

At the beginning it was like a number of people started to contact us to ask for protection to get out of the country because they were harassed. It started with some of the leaders. In our limited way, we managed to get them out of the country. Then students started to come to us. Then the list started to increase.

So, after awhile, not long, within a week, we had about 700 people registered with us. That was myself and another two Timorese in the team. I started to put the list together. Within about 2 weeks, the list went up to 2,000. We knew we could not help. So, we started to approach embassies. We started to approach the United Nations High Commission for Refugees for them to do so, the Red Cross, because people started to seek refuge in private homes, seeking refuge in convents, religious orders, and NGO's for protection. But even so, they did not seem to actually get the protection they were seeking. We took upon ourselves to actually plead with governments to see if we could evacuate these refugees.

My leaders before already attacked on the issue of the refugees, not only in West Timor, but those ones that were in other islands of Indonesia. The reason why we concentrated on the other islands of Indonesia was because we felt that at least we could help those people, because in West Timor access was very hard, especially for people like us.

The international community themselves could not actually access the concentration camps while I was there. That was mid-September when I was still organizing the beginning of this evacuation. When I actually came out, when I was called to come out from Jakarta and come here, we were at the stage where the United Nations' High Commission for Refugees were already in the process together with UNAMET representatives, the Red Cross.

They were all trying to help and a lot of the embassies in Jakarta. We got the green light from the Indonesian Government that our people could get out of Indonesia, but we needed to organize transportation, etcetera. So, we did that.

Unfortunately today, it is already about 10 days after, nothing has happened. The people are still there. I keep in constant contact with them. The situation is becoming worse. People have moved from house-to-house. My own group, when I was in Jakarta, we were already on the fifth hotel because every time we got detected, we felt we were not secure anymore. We had to move to another hotel.

Then the colleague that I left behind is now in the sixth hotel because the other hotel was recently, there were demonstrations. New faces started to hang around the hotel and they felt, they got information that any time they would have been discovered. The responsibility they covered was just too big.

At that time when I spoke to her, we already had 3,500 people on our list. Now, these people are mainly students that were in Indonesia before the voting, as well as workers, people who were living in Indonesia, studying in Indonesia, and with the voting, they became exposed.

The students actually undertook the campaigning. The workers came out from remote villages in Indonesia, itself, to the main centers where there was the polling booth for voting. So, they were ex-

posed and now they were targets. Houses have been ransacked in there.

Death threats have been given to our people. At the moment, I believe that there is not, the people on our list, not one single one of them that is living openly. They are actually in hiding. Now, some people, for example in Bali, they were hiding in the church grounds. We were told that even the Bishop's house, and this is not the Timorese Bishop, the Bishop in Bali, was visited by the head of a military.

He was questioned, how many Timorese went through the house? How many stayed? Nuns were becoming nervous about housing Timorese. Some individual families that gave some protection to the Timorese families became also nervous because after there were people, Indonesian people, dressed up in civilian clothes, but you could clearly tell that they were from either TNI or KOPASSUS, questioning the families.

Where is this person? Where is this family? They keep coming, once, twice, three times. At the fourth time, the Indonesian families, themselves, could not handle it anymore and would ask the Timorese family, could you please find another place? They used to come to us seeking our help to find alternative accommodations, alternative refuge.

On the 26th of September when I rang Jakarta, I was told that in South Jakarta there was a center, a training center named K.V. Paulry in Selanbeck. There were 20,000 people being trained there. They consisted mainly of soldiers from East Timor, Indonesian soldiers, some members of the militia groups, ITARAK and BESIMERAPUTI, and some other 2,000 East Timorese that were forced, the ones that they took to West Timor, then the young males. Two thousand of them were taken to Jakarta to this training center to be trained. Apparently, the aim of the training center was to actual train these people as militias so that they could go back to East Timor from West Timor to fight against INTERFET. However, when the militia army had agreed that the force could withdraw from East Timor, so we were told that they changed their objective, their aim.

Their aim became to actually hunt all East Timorese in Jakarta, Bandung, Sulatiga, Dimpatha, and Surabaya. To target all of them. We were also told that this is their plan, to actually, they called it Clean-up Operation. To clean-up all of these Timorese in Indonesian. When I was there, I was actually worried myself because I am also a member of the CNRT and we were evacuating nearly all the CNRT leadership, but I was still there.

One of the Timorese people who has contact links with the Indonesians, I asked him have we got, the plan was to be taking place from the 17th of September onwards because they were planning when the multinational forces landed in East Timor, that is when they will start their operation in other parts of Indonesia.

I was asking him, what was his analysis of the situation. Did we really have enough time or not to plan my own existing of the country. He said, look, as soon as the forces land, it will be dangerous. Just keep low. However, we may still have some time. However, no Timorese should be hanging around in Indonesia from the end of October onwards or before the MPR, the decision.

I asked why? He said, because they are going to clean-up. However, before they clean us up, they will clean-up the other people, their own people inside, people inside the house. I did not really understand what that meant. Later on I got the list of people who they were, they had a list of people who they were going to kill first.

On that list the names of people like Francisco Lopez DeCruz, Rouie Lopez, all those pro-integration people high up were listed on that list because they just knew too much. That was after Mrs. Mary Robinson had visited Jakarta and spoke about this business about international war crimes. When she announced that, we were told that the military had a secret meeting and that is when this list was drawn up to clean-up these Timorese who knew too much.

If you ask me where are these Timorese, you will find out that quite a few of them, at least Francisco Lopez, Rouie Lopez, and Clemente Normeral are already out of the country because they accessed this information. They went out. These are pro-integration people.

Pro-independence people, it is taken for granted that they will be cleaned up. On the 16th of September, three were killed in Jakarta itself, three workers. Now, they do not spare anybody. I met one of the young boys. His name was Julius. We call him Julius of the lost generation because he was one of those Timorese who went in the early 1970's or should I say late 1970's.

They took them out to Indonesia and they were brought up as Indonesians. So, they do not know their parents. They do not know their families. Around the voting time, we found all of these Timorese and they were all brought back for the voting. They actually joined the pro-independence group.

Julius' house was ransacked. So, now Julius is actually living in hiding. When his house was ransacked, they left threatening notes to say that if you do not leave, we will drop a grenade into your house. These are people like Julius who actually lived there for the last 20 years or led very much Indonesian lifestyles. Julius is even a Muslim.

In Jakarta, we use some embassies to actually escort our people to the immigration point so that we can actually get out of the immigration without being stopped and face problems. I, myself, was escorted out by an embassy there. The problem is that the embassies are also being not yet targeted, but noticeable.

Some of these embassies have already asked us and said, look, we cannot keep carrying on helping you because otherwise we will be noticeable. You have to share. Go to other embassies and ask the other embassies to take your people out because they will notice.

For example, they are still in an embassy in Jakarta. We cannot even access that because a part from the demonstrations in front of the embassies, there is also militia people, plus the police just hanging around there to try to identify with Timorese are coming with passports to get visas to get out.

One day while I was actually trying to get some people out of the country, I sent this boy to the embassy. I was not even aware of what was happening. The poor boy actually delivered the passports

to the embassy, but then had to actually get into a taxi and run because the other guys actually came after him. So, he had to go around Jakarta for quite awhile before he made them lose trace of him.

This is the situation in Jakarta. Meanwhile, we also, because we were there, were starting to get phone calls from Timorese all over, even outside and abroad asking us to locate their families in West Timor. We started to do that. So, before the 23rd, or on the 20th of September, a friend of ours, a religious person, went and visited West Timor, mainly Kupang.

He actually sent me a report. I am just going to read bits and pieces out of this. He says here that, OK, like for example, in West Timor, to obtain protection, shelter and food rations, many families have to pretend to be related to the militia and pro-integration faction.

The city is teeming with refugees, and police, and soldiers from East Timor. He says, in the outskirts of Kupang and even further away, there are refugee camps that are in pitiful conditions. Journalists are discouraged to enter and the entrances are swarming with belligerent men wearing militia-like clothes.

Taking pictures is very risky. In some camps, the militias just enter and go around searching for young men and Timorese leaders during the day and even at night. Members of the militia and special forces are hunting down persons who can be potential witnesses in the pending war crimes investigation of the United Nations.

Other Timorese are also running away from those who are forcing them to join the militia. There are all of these things happening in East Timor. The situation is very bad. I will not take any longer so that you can ask any question.

So, thank you.

Mr. SMITH. Thank you very much, Ms. Peres, for your excellent testimony and for the great work you have been doing. I do have a couple of questions. I think we will be getting to a vote very shortly. So, I will ask one or two and then yield to my colleagues, just so that we are sure to get everyone's questions in.

It seems to me that there may be one big subterfuge underway with regard to the militias trying to deceive the world, that somehow this is some indigenous force that just rose up spontaneously. Where the truth probably is more accurately to say that this is an Indonesian army orchestrated effort, very carefully master-minded and planned out, going right to the very top, right to Wiranto.

Regrettably, much of the media coverage has been that this is some local uprising that just systematically kills people. I'm interested in your comments, Mr. Nairn. I did ask the Administration witnesses earlier. We had invited a Department of Defense spokesman and Assistant Secretary. For whatever reason, they were unable to be here.

We will reinvoke them to ask very specific questions. I did read to Secretary Koh and Secretary Taft excerpts from your Nation article where you point out that Blair, rather than telling Wiranto to shut the militias down, instead offered him a series of promises of new U.S. assistance. You just added to that, talking about Clemens and the July 14th meeting.

Hopefully, that whole game, that brinksmanship, will be put to an end soon, if not today. We will see that it is the Indonesian military, first, second, and last that has been a part of this, and the day we want to turn off the killing fields, it will happen.

It suggests, I think, to all of us—and maybe you want to respond to this—that we need to be much more aggressive in cutting off IMF loans, cutting off assistance of any kind. Absolutely cutting off military assistance until all of the abusers of human rights, and killers, and murderers, whether it be in KOPASSUS or anyone else, are vetted and held to account and justice is meted out to them.

Perhaps you would want to speak to that, any of our witnesses? Mr. Kohen.

ARNOLD KOHEN, PRESIDENT, THE HUMANITARIAN PROJECT

Mr. KOHEN. I would like to say that Bishop Belo issued about 10 or 15 warnings in this year alone. One after another they were transmitted through church wire services. They were transmitted to the Congress and each and every one of them was ignored by the highest levels of the Clinton Administration. Bishop Belo would say time and again, you have to tell the Pentagon, have the American Bishops tell the Pentagon.

They would tell the Pentagon, but with little effect. The Pentagon would come back with some nonsensical story. Really, at this stage of the game, there is a pattern. The pattern is that the Indonesian military felt that what they would do would be without any consequence. What we are seeing now are the chickens really coming home to roost.

It is very sad. The only way that this could be stopped is if the Indonesian military understand that this is going to cost them and it is going to cost them big time.

Mr. NAIRN. Yes, I completely agree with that. I think you are absolutely right, Mr. Chairman, that this is entirely controlled from the top. Two weeks ago, when I was arrested by the military on the streets of Dili, I was held at the Korem Military Headquarters. That is the main occupation headquarters for all of East Timor.

The Headquarter's general is Kiki Shianoqueri. It is called the Committee for the Restoration of Peace and Stability. That was the martial law authority in Timor. The entire back half of the base was filled with uniformed Aitarak militiamen with their black Aitarak t-shirts and their red and white headbands.

You would see them leaving the Korem base on their motorcycles and their trucks, holding their rifles and pistols to go out and stage their attacks. I asked one of my interrogators there, Lieutenant Colonel Willum, are those Aitarak guys in the back there? He said, "oh, yes. They live here. They work out of here".

"We have them here so we can control them", he said. They do indeed. I was later brought over to Polda for interrogation. That is the main Dili Police Headquarters. At Polda, it was the same story. In the operations room and the intelligence room, you would see the uniformed Aitarak men going in and out. That was where they worked out of.

Then the following day when they flew me back to West Timor, for further interrogation, it was on a military charter. Aside from

my two military escorts, the rest of those on the plane were uniformed militias, some of whom I recognized from the streets of Dili as being some of the most threatening characters. They had their guns, their rifles on the plane.

These were actually all members of police intelligence. My military escorts explained to me that they were being rotated back after having served their 1-year tour. These were the militiamen. Incidentally, for those who say that Wiranto does not have control, that is nonsense.

The only official, under the current organizational structure, the only official to whom both the military and police report is Wiranto. Military and police involvement in running these militias. Only a total cutoff will send the strong message has been extensive.

Mr. SMITH. Again, I think it should be stressed in the strongest terms, this Subcommittee, and particularly this Chairman, has tried repeatedly to get information from the Pentagon. We have written extensive letters to the Pentagon and have gotten back zilch in terms of the questions that we have raised.

When we do get answers back, they are not all that enlightening. The Pentagon does answer to a chain of command. That goes right to the White House. That goes right to the Commander-In-Chief. I mean, we do have a chain of command. Congress appropriates money and authorizes programs, as we all know, and exercises oversight.

The clear line of authority goes to the White House. Now, Blair, Clemens, and all of these others—on whose behalf are they carrying these messages? The President of the United States? Secretary Cohen? We need to know where the buck stops here as well.

As you said, Wiranto certainly can say yes or no to these activities. How much complicity do we have? How many mistakes have we made as a country with regards to this? Mr. Kohen.

Mr. KOHEN. One important point, I was told by someone on the Senate side the other day that as they were considering a bill on the Foreign Relations Committee, there was someone from the Defense Department going around talking about sea lanes, how important Indonesia is. Granted, they are.

But the notion that the Indonesian military can prevent the United States of America, prevent our fleet from using those sea lanes is absolutely ludicrous. This is something that is told to people who do not know anything and just get scared very easily by the slightest bit of information that seems to be wrapped in national security terms.

The fact of the matter is that the Indonesian military has to be told, in no uncertain terms by our military, that is behavior is unacceptable and it has to be cleaned up completely and totally. The notion that they would even try to engage the United States of America, try to stop us from using those sea lanes is so ludicrous, it is to be unimaginable.

Mr. SMITH. I appreciate that insight.

It seems to me the moral equivalent with Wiranto and the Indonesian military is like us aiding and abetting Milosevic and the Bosnian Serbs. There needs to be an accountability. That is where the War Crimes Tribunal comes in, going wherever those leads may take one, to hold to account those who have killed.

Mr. KOHEN. What really scared me was the events in the weeks that the Liquica Massacre took place, then the attack on the Carrascalao house, in Dili by Indonesian-led forces at the time that the Irish Foreign Minister was there. A lot of people were killed in Liquica. Pilio Manuel Carrascalao's son, who I happened to have met when I was there in March, who was basically an aid worker. He was an 18-year-old kid. He was killed. They slashed him, I believe, as a way of sending a message to Manuel Carrascalao and to former Governor of East Timor, Mario Carrascalao, who had been the Indonesian Governor, that you people are turn-coats. You are going to pay for this.

What scared me was this was the height of the war in Kosovo. At the very moment that the Pentagon was talking about humanitarian considerations in Kosovo, they were effectively backing Indonesian forces in East Timor. I really was worried about that discrepancy because that type of signal seemed to say to the Indonesians that they are living on a different planet than Milosevic. That whatever they do, it is fine and dandy. Milosevic is just in another world.

Mr. DELAHUNT. Would the Chairman yield?

Mr. SMITH. I would be happy to yield.

Mr. DELAHUNT. I find this testimony astounding, absolutely astounding. I would encourage the Chair of this Subcommittee to communicate with the Department of Defense in a way that is very clear and unequivocal, and I know I speak for myself as one member.

I would be happy to, sign a letter requesting that members of the Department of Defense come forward and explain themselves. I think that is absolutely essential, given what we have heard here today.

Mr. FALEOMAVAEGA. Would the Chairman yield?

Mr. SMITH. I agree, Mr. Delahunt. Now, Mr. Faleomavaega.

Mr. FALEOMAVAEGA. I want to associate myself with the statements made earlier by my good friend from Massachusetts. A petition, a letter, or even a subpoena to have officials of the Department of Defense to come and testify about what we have just heard from these gentlemen and our good friend the lady, Ms. Peres. I am going to reserve my time for questions, Mr. Chairman. Thank you.

Mr. DELAHUNT. I think it is very important not just to have Mr. Koh here, but I think it is incumbent upon the U.S. Government to bring before Congress those army personnel, from whatever branch they may be, who have served, who have been in those camps so that they can be inquired of as to what they observed.

As I said earlier, I think you heard my remarks, Mr. Smith, this is *deja vu* all over again, as Yogi said. I do not think that we want to have on our hands the responsibility of being criticized in a report that was done under aegis of the United Nations that demonstrated, in rather very clear terms, that the genocide that occurred in Columbia, we did nothing about. I am very, very concerned about what I have heard here today.

Mr. SMITH. Just reclaiming my time.

I appreciate the gentleman's comments. Just to reiterate for the record, we did invite the Department of Defense to be here. We wanted to ask a series of very specific questions of them. We will

do so and re-invite them to give an account. In the past, our efforts which have been bipartisan, have been unavailing.

Cynthia McKinney and I have tried repeatedly to get this information on collusion with KOPASSUS, training them in urban guerrilla warfare. We were raising issues when Indonesians were being killed in Jakarta. I went over there, along with Mr. Rees, within the same week that Suharto passed the baton, however involuntarily, to Habibie, and raised these questions with the military command, with our own Stapleton Roy, who was then our Ambassador, and a number of others, including Habibie.

So, it is a major problem. We have got to get to the bottom of this rotten situation.

Mr. NAIRN. Mr. Chairman, I think Mr. Delahunt's suggestion is very important, if you could actually get some of the uniformed officers here and question them under oath. The only response I know of is that Admiral Blair did do a Pentagon press briefing.

He was asked specifically by the press about my *Nation* article, and about the cables, and so on. If you read the transcript, he did not deny anything. He did not deny the authenticity of the cables. He just, in essence, said, everything I do is consistent.

"My message is always consistent". He referred to his conversation with Wiranto as a private conversation. It is not private. He was there representing the U.S. public, the U.S. taxpayers. There is the full transcript of the discussion in the cables that you can look at. I think he was probably correct in saying he is consistent. The problem is the message is consistently a bad one.

Mr. SMITH. To the best of your knowledge, were Blair's promises to Wiranto conditional? If you back off, if you get out of there, we will give you more?

Mr. NAIRN. They were not conditional in shutting down the militias. I can search for the exact language. It was something to the effect of, we expect that you will continue to make progress toward democracy in Indonesian, that kind of thing. But he, at no point, even though the State Department had urged him to do this, said you must shut down the militias.

This was 2 days after Liquica. He did not even raise Liquica. I mean, you could not have had a more graphic, shocking moment. He later had a follow-up phone conversation with Wiranto because people at the State Department were so upset, they sent an eyes-only cable to Jakarta saying, this has to be corrected.

The same thing happened in the phone conversation. That phone conversation was then immediately followed by the Dili rampage, the attack on the Carrascalao house and so forth. One point I want to make about the constant Pentagon argument. The argument for training is, when you train officers it gives you access to them. It teaches them good values and so on.

Those arguments are summarized in this cable. This is a cable from Ambassador Roy to SINCPAC. This happens to be a 1996 cable. I will give it to the Committee and I would urge the Committee to—

Mr. FALEOMAVAEGA. Mr. Chairman, will that be made a part of the record? I would like to request that it be.

Mr. REES. I have to ask a question here, I am sorry. Is that an unclassified cable?

Mr. NAIRN. Yes, it is. This one is unclassified.

Mr. SMITH. OK, we can take unclassified things into the record.

Mr. NAIRN. It makes all of the arguments about how when we train officers they get good values. They rise in the ranks. Then to clinch the argument, it cites examples of the best and the brightest of the Indonesian officers who have been trained by the United States.

These are the examples they cited: General Faisel Tungung, who became the Commander-In-Chief of the Indonesian armed forces, one of the most notorious hard-line repressive officers.

General Hendrill Priono, one of the legendary authors of oppression in Indonesia who was involved in Aceh. He is the man who commanded Operation Clean-up in Jakarta, prior to the 1994 APEC Summit. This was the operation in which they swept through the streets, picked up street vendors, petty criminals, prostitutes, and executed many of them, according to human rights groups.

Colonel C. Honding, a long-time Intel man who became Deputy Chief of the secret police.

Brigadier General Agus. Actually, he has a less egregious human rights record than the others. His main distinction is he has bought a lot of U.S. weapons for the Indonesian military.

Then their final example of the best and the brightest is General Prubowo, the most notorious of all the Indonesian officers. Also, one of the most extensively U.S. trained officers, famous for his personal participation in torture in Timor, West Papua, Aceh, for the kidnappings last year in Jakarta. I will let you read what they say about Pruboa.

These are the examples they use to say that when we do training, these officers become instruments of U.S. policy. I take them at their word when they say that. The problem is it is the wrong policy. The careers of these men that they have chosen illustrate that.

Mr. SMITH. Thank you very much.

I am looking forward to reading that cable. It will be made a part of the record. Ms. McKinney.

Ms. MCKINNEY. Yes. I think we all are looking forward to reading the cable. I just find it outrageous that we can have witnesses come from East Timor and Australia, and we cannot get the DOD to come across the street to respond to these very important questions.

This is not unlike a similar situation that I experienced when we tried to hold a hearing on Rwanda, 1 million people dead. We had witnesses come from Africa, come from Asia, but the State Department could not come across town to testify either.

Everybody clams up when we start asking questions that nobody wants to answer. It is no wonder that this Government would be against the international criminal court because they would be perpetual defendants at it. There is an evil strain in our international conduct from assassination, to destabilization, to fomenting war.

That is our legacy around the world, particularly with people of color. There is an evil strain in our conduct. The American people do not even know what is happening. Congress is lied to. I am wondering how high up does this go? Who is the one that is giving

Blair and Clemens their orders? Is it directly from the White House?

I am also wondering if we got witnesses from the Administration to come here on this particular issue, we would have State Department tell us one thing, DOD tell us another thing. They can come here and tell us just about anything, unless they are compelled to tell the truth and there is a penalty for them lying to us. So, under what circumstances can we get them here with a penalty, if they do not tell us the truth?

Mr. SMITH. Are you asking me?

Ms. MCKINNEY. Yes.

Mr. SMITH. The Full Committee has the power to issue subpoenas, although we could do it as well. We could put witnesses under oath and there would obviously be a penalty if they lied under oath. What has been the problem in the past is that we get evasive answers or no-shows.

Again, we get excuses, sometimes they are plausible, as to why they could not be here. For example, DOD suggested that they are all very busy with Secretary Cohen's trip to Indonesia as we speak. So, I mean there is some plausibility to that.

Ms. MCKINNEY. Pat, we do not even know what message he is going to be delivering when he gets there.

Mr. SMITH. But it has been an ongoing stall to this Subcommittee with regard to the training of KOPASSUS. Again, Mr. Nairn's previous writings which I used and circulated to U.S. embassy officials in Jakarta officials. It was met with eyes opened by several of the people. By the military attache and others. It was like nonsense. So, it is very, very troubling and beguiling.

Ms. MCKINNEY. Mr. Chairman, we, through the work of these witnesses, have some very real evidence. I do not think we need to let the Administration off the hook on this one. I think we need to do anything and everything that is within our power to get to the bottom of what is going on.

Mr. SMITH. You might recall, if the gentle lady would yield, Secretary Taft, earlier in this hearing, suggested that we write up our questions and submit them to the Department of Defense. Secretary Taft has a very responsible, very strategic position as head of PRM, and Secretary Koh, is the Clinton point person for the Democracy, Labor, and Human Rights. I mean, these are very responsible people. They should know. They should want to know, and should want to get to the bottom of any complicity inclusion with the Indonesian military themselves.

Mr. KOHEN. I feel compelled to read into the record something from U.S. News and World Report last week because the question was how high up does this go in our Government?

Ms. MCKINNEY. Yes.

Mr. KOHEN. I am reading to you from the bottom of this piece. "While acknowledging the danger of more massacres, President Clinton dismissed comparisons with 1994's genocide in Rwanda." In East Timor he said, "Not everybody has a machete." It says here at the end of the U.S. News Report here, "For those who have already felt the blade's edge, and for those who will be cut down in the days to come, that thought is cold comfort."

The kind of language that was used from the beginning, Sandy Berger comparing East Timor to his daughter's messy college room. President Clinton saying not everybody has a machete. These are two of the top, National Security officials in this Administration. So, where does the buck stop?

Ms. MCKINNEY. Obviously, it stops with them. That is appalling.

Mr. KOHEN. I mean, this is the kind of language they are using. This is the tone that is being set.

Mr. NAIRN. My understanding of the political role the White House plays in this is that for years the Pentagon, the State Department and the CIA were unanimous in lock step in supporting Suharto and in supporting the Indonesian military. It was a very deep institutional commitment from all of them.

Then after the 1991 Dili massacre, as public pressure increased, and as Congress and many of the members here got involved in the issue, there were some changes in U.S. policy. There were various weapons cutoff and various training programs cutoff. Within the past, say, 6 to 8 months, that pressure from Congress finally did start to affect State Department policy. Better late than never, but it did.

Some people, like Ambassador Roy, were quite resistant. He remained one of the old-line Suharto supporters. But others in the State Department did start to change. The Pentagon, however, has continued to pursue the old line. Therefore you have incidents like Admiral Blair just sluffing off the State Department's directive to him, policy directive to tell Wiranto to shut down the militias.

I point out the White House's role in this. Of course this is the American system, as opposed to the Indonesian system where Habibie is completely powerless to stop the militias, if he wants to. I think Habibie would like to stop the militias, but he is only the President of Indonesia. Wiranto is the one who holds the strings. Here, the President is in charge.

If Clinton wanted to, he could bring Admiral Blair and Admiral Clemens in line in a second. But he sees this and chooses to let it play out. It is a familiar, we have seen it in many other places, a two-track policy where you have on one track the public admonitions, all of those great words from the State Department, and occasionally from the White House itself. On the other, track you have the Pentagon going in and doing business with the training, the weapons, and the so on. That is Clinton, and Berger's, decision in the end. They have to be held accountable for that, but first it has to be exposed. There is a false debate going on now.

This is kind of a diversionary debate where people are saying, was Clinton too slow to act in backing an international peace-keeping force? Should we do more to intervene? That is not the issue here. This is not a case like with Milosevic.

When you are talking about Milosevic, you are not talking about someone whose killers are armed, trained, and financed from Washington. Milosevic got his backing out of Moscow and other places. You cannot blame the Pentagon, and the CIA, and the State Department for Milosevic, at least in terms of backing his killer forces, but you can in the case of Indonesia. It is not a question of the U.S. failing to intervene.

It is a question of the U.S. all along having intervened and continuing to intervene on the wrong side, backing the perpetrators. That is an entirely different matter. We have to be clear about that. It is much worse, but it is also much easier to stop. You do not have to invade Jakarta. All you have to do is pull the plug.

Mr. KOHEN. One thing of relevance, as this is the Human Rights Subcommittee. In June 1997, Bishop Belo met with President Clinton and Sandy Berger in Sandy Berger's office. President Clinton said we will try to be more helpful. Bishop Belo was happy about that meeting.

When he got back to East Timor, within a couple of weeks of that meeting, near the Salesian Training School in the eastern part of the territory, there were a number of young people who were detained. Bishop Belo said specifically, please tell the White House about this.

I did convey this information to the White House in writing. I also conveyed it to Congressman Frank Wolf and Tony Hall who are very involved in this. Frank Wolf wrote a number of letters to the White House about this situation. People in the White House said to me, what is there to these Wolf allegations?

But the indication that I had is that they never did anything about the allegations themselves. They were more concerned about Frank Wolf's letter and his persistence, than they were about the specific allegations. I went back to Bishop Belo about this information. Of course, other things had taken place in the interim. It was not entirely clear what had finally happened to the detainees, but what we did know was that a lot of people had been picked up during that period.

This situation is described in the first couple of chapters of my book. It is very disturbing when you have a situation where the Clinton Administration is more interested in trying to prove a dedicated man like Frank Wolf Wrong or Tony Hall Wrong than in doing something about the situation. Hall and Wolf were partners in all of this. This is bipartisan. This is not a partisan issue. But some in the White House were more concerned with proving Mr. Wolf Wrong than they were about pursuing human rights issues.

Ms. MCKINNEY. Mr. Chairman, I will allow the other members to ask their questions, but I do want to register my outrage. I do not know how to do it.

Mr. SMITH. You are doing it.

Ms. MCKINNEY. I want to do it on the record.

Mr. SMITH. Again, this will be part of the series of hearings. This is not the end of it. We will continue this inquiry very aggressively.

Mr. Faleomavaega.

Mr. FALEOMAVEGA. Thank you, Mr. Chairman.

I do have some questions, but certainly I would first like to commend our speakers or witnesses this afternoon for their very eloquent and profound statements. I was interested to hear from Mr. Kumar, who gave a sense of historical perspective about what had happened to the good people of East Timor.

I seem to be the only one always knocking on the door. I always equate East Timor with West Papua New Guinea for the simple reason that these people, the 100,000 West Papuans, were likewise murdered and slaughtered by the Indonesian army in 1963 under

Sukarno. Then when Suharto came into power after the coup, that was in 1965, after proclaiming that they needed to get rid of the Communists, he continued the subjugation of West Papua.

There were approximately 3 million people in Indonesia as communists, supposedly, resulting in the killing, genocide, and murder of hundreds of thousands of Chinese, and another half a million Indonesians that were also slaughtered in the name of fighting communism.

In 1969, the United Nations took an infamous act to recognize the military occupation of Indonesia of West Papua, letting only 1,000 people, with the barrel of Indonesian guns to their heads, vote on behalf of 800,000 West Papuans to associate themselves with Indonesia.

Then, another Indonesian military occupation happened in 1975, in East Timor. So, for 25 years, Mr. Chairman and our good friends here, our military through the Department of Defense has been associating with the Indonesian military, as has been indicated by Mr. Nairn's most interesting testimony. This is not something that just happened 2 years ago.

This has been going on from the very beginning, even earlier in the 1960's. Why? Because our first, foreign policy was to get rid of the Communists, containment, the domino theory. So, now even after the fall of the Soviet Union's Empire, we find ourselves in this situation with a policy that continues. We continue to support military dictators like Suharto and Sukarno, no differently than what we have done with Nicaraguan dictator Anastasio Somoza.

By the way, I understand Somoza was educated at West Point Military Academy. What else is new? We have been doing this for years. It is interesting and I commend you, Mr. Chairman, for taking the leadership in examining these affairs. I want to ask a question of our friends here.

Is it a cop-out to say another country's problems are an internal matter and within the sovereignty of that country to resolve, and that we really have no business in getting ourselves involved?

That was probably one of our main pillars of our policy toward Indonesia. Whether you are talking about Aceh, or East Timor, or even West Papua New Guinea, they were all deemed internal matters. Now, at what point should our government change this policy, saying it is no longer an internal matter belonging to that country? We have got to do something about it?

Do you think East Timor is a good example to change this internal matter policy, which I think is hypocrisy, as we are not willing to take responsibility to stop clear atrocities? I was just wondering your thoughts on this?

Mr. NAIRN. East Timor is a special case since Timor was recognized by the United Nations as a separate territory, which was illegally invaded by Indonesia. The invasion was in defiance of two Security Council Resolutions. The U.S. had blocked enforcement of those resolutions. As you have said, the U.N. played a very shameful role in West Papua and so legally did recognize the annexation there in a way it did not do for East Timor.

That whole argument they make that it is an internal matter, it is an irrelevant argument because the U.S. is already involved with the Indonesian military. Through the IMET Program, more than

3,000 officers were trained. At one point, through the 1980's and early 1990's, a majority of the senior staff officers of the Indonesian army had been U.S. trained.

The logistics of the Indonesian army are organized entirely along U.S. Pentagon lines. It is U.S. military contractors who have given them the electronics and the surveillance equipment. It goes on and on. We are already involved, involved on the side of that repressive military.

Mr. SMITH. Would my friend yield? I am sorry.

Mr. FALEOMAVAEGA. Go ahead.

Mr. SMITH. I would ask, Mr. Faleomavaega, if he could take the Chair. Mr. Delahunt, and I, all of us, we have back-to-back votes. It is probably another 25 minutes or so. If you would take this chair and ask whatever questions you have, but if we could yield to Mr. Delahunt now so he does not lose his opportunity, and then you come back and carry on.

Mr. DELAHUNT. Yes. I will be very brief.

I think that, Mr. Nairn, you are on the mark. I have to tell you what today has really done is raised my concerns, not just about Timor. This goes far beyond East Timor. This is about programs like IMET, which I am sure we have supported.

What I am hearing is we have had this ongoing relationship with the Indonesian military, but what are we teaching them? What does the training consist of? It sounds to me like we are not even putting forth democratic values, human rights. Those issues seem to be absent from that training. Are we just simply teaching them how to shoot guns? Is that what is occurring?

Mr. NAIRN. In some of the courses, they do have human rights units where they say, you should not kill civilians. You should respond to civilian authority. The thing is, when the officers being trained are members of a military dictatorship, which survives through repression and which has an institutional policy of repression, it does not matter what human rights platitudes you tell them because they are officers.

They are trained to follow orders. The more professional you make them, the more skillful and able you make them at the job. You make the situation worse because they are from an institution that has a bad mission in the first place.

Mr. DELAHUNT. I understand that. It has become very real. One quick question to Ms. Peres. You testified earlier about folks in East Timor who are in grave danger elsewhere in Indonesia. Have you communicated this to the U.S. Government? Have you given names? Have you submitted names to any division or branch of the Executive?

Ms. PERES. In here in America?

Mr. DELAHUNT. In America.

Ms. PERES. No. We have given it to the United Nations.

Mr. DELAHUNT. I would suggest respectfully that you provide the Chair of this Subcommittee a list of those individuals. I am sure the Chairman would, along with other members on the Committee, forward that to the appropriate agency so that we can be of maybe some value in terms of securing their personal safety.

Ms. PERES. Fine.

Mr. DELAHUNT. I think obviously that should happen rather quickly.

Mr. DELAHUNT. Again, let me say thank you to all of you. Your testimony was very informative, and I think particularly you, Mr. Nairn, since you have had the experience and was there as a first-hand observer. It really was not hearsay. You know, 99.9 percent of the time when we hear witnesses, it is double, triple hearsay.

Out of fairness, we have to question the validity, if you will, of that hearsay. But in your case, you saw it. You saw it first-hand. I think that you have done a great service to your Country today.

Thank you.

Mr. FALCOMA. [Presiding] I thank my good friend from Massachusetts for his questions and statement. We have all kinds of opinions about the media, but sometimes I also say thank God for the fourth estate of governance. Sometimes the Legislative and the executive branches seem to have failed in their responsibilities.

To have Mr. Nairn, Mr. Kohen, Mr. Kumar, and Ms. Peres this afternoon giving their testimonies has been a real education for the members of this Committee. One of the questions that was raised earlier concerned Mr. Gusmao and Mr. Ramos-Horta's statements categorizing these refugee camps as concentration camps.

Somehow, I seem to be getting a different indication from our friends from the State Department. They keep calling them refugee camps. Now, you and I know what a concentration camp is. Maybe, Ms. Peres, if you could maybe elaborate a little further on the difference. My sense of what a refugee camp is that you have the humanitarian organizations from all over the world, the NGO's, pitching in and helping out.

A concentration camp is literally like what we remember from the holocaust. If that is the status that these refugees are currently living under, then we really are not doing our duty as far as our government is concerned. Secretary Koh from the State Department is going to be going there in a couple of days.

There seems to be a lot of shuffling of paperwork and visits, but I am not hearing a greater sense of commitment and responsibility on what to do with the militias that are watching these so-called refugee camps. Can you comment on that, Ms. Peres?

Ms. PERES. I believe it is all right. Our people are in there as hostage, really. They have been forced to go into West Timor. Even now, only to say it, last night when I was speaking to my colleague in Jakarta, she was telling me that now when they distribute rice, this is for the people there, they are given two types of cards. One red and one blue.

The blue card, the Timorese would have to say that they want to stay in Indonesia, stay, become trans-migrant. The red card is for those that want to go back home. But this is in another race to identify those people who do not want to be there. Originally the plan, the Indonesian plan, was actually to show to the world that more than 200,000 people were supposed to have been voting for the autonomy.

That is why they forced all these people to go into West Timor, at gun point. I am not sure. I did not catch the earlier session when my leaders were speaking, but when they, one of them mentioned that they killed a Nun and a Priest in Bacau, between

Bacau and Los Palos, at the same time they found in the eastern side of East Timor, 5,000 of our population about to be forced into the votes to go to West Timor. That was found by INTERFET. That was as recent as 3 days ago when they killed the Nun.

Mr. FALEOMAVAEGA. So, 5,000 East Timorese are forced to go to West Timor, and no one makes any reports or any accounts of this as to their status, as to what happens with their separation from family members.

Ms. PERES. The people in West Timor, according to the friend of mine, the religious person that went into West Timor, there were camps that you could not access. Some camps you can access. Other camps, you cannot access. It is closed for you. There were camps controlled by the Government and they made it in such a way for visitors.

So that when you go there and visit, you think it is OK. Of the people who live there, they have food. They have water. But other camps, no food, no sanitation, nothing. It is really bad conditions. We have had contacts with some of our people in there. They are just waiting for help from the international community.

When I came out from Jakarta, the international community was not accessing those camps. Yesterday, when I was at the World Bank meeting, a member of UNPD said that they were about to go into West Timor. Then I asked, do you know how many camps there are? Are you going to assess all of them? They did not know.

Mr. FALEOMAVAEGA. About how many East Timorese live in Jakarta currently?

Ms. PERES. At the moment, our list that is in Jakarta and other islands.

Mr. FALEOMAVAEGA. Or just in the Island of Java or other places outside of East Timor.

Ms. PERES. Outside of East Timor and West Timor, outside, we had a list of 3,500. That is recorded only with us. By now there should be more because some are trying to manage to escape from West Timor.

Mr. FALEOMAVAEGA. It is my understanding that top corporate and business leaders currently that have a lot of wealth in East Timor are also former military officers of the Indonesian army. Is that correct?

Mr. NAIRN. Mr. Chairman, there is an estimate recently that about 40 percent of the land in Timor is controlled by the Suharto family and enterprises linked to that family. One of those investors in some of the Suharto enterprises is Colonel Tono Suratman, until recently the military commander for Timor.

With that said, especially now, that they have burnt the place down, there is not a whole lot of wealth in Timor. It has been more of a killing field than a place of business. As the Indonesian military exited, they made a point of destroying whatever they could.

There was a confidential memo that leaked about 2 months ago, now, out of the Office of General Faisal Tanjung. Tanjung is one of those IMET best and brightest that I mentioned. He is currently the Minister for Politics and Security in the Habibie-Wiranto Government.

His ministry is in charge of coordinating the activities of other ministries to bring them in line with army policy. In this memo,

they described a plan for what they would do with Timor if they lost the election. One of the points was destroy key facilities on their way out.

Mr. FALEOMAVAEGA. That is exactly what happened.

Mr. NAIRN. They have done that, to say the least. I mean, take Dili, if you are someone who knows Dili and you go back now, it is absolutely shocking. The entire central business district is burnt to the ground. Entire neighborhoods are vacant. The Diocese, the ICRC, the Bishop's house are all gone.

On the relocations, refugees is certainly not the correct term, I think, for the vast majority. Starting in the lead up to the announcement of the vote results, there were systematic operations where uniformed police, uniformed BRIMOB, uniformed army infantry, and uniformed militias would go house-to-house and tell people, OK, you are moving.

You are moving to Kupang. You are moving to Atambua. You are moving to wherever we choose to take you. They were just forced out of their homes, put on trucks and boats, and taken away.

[Witness is coughing throughout testimony.]

Mr. FALEOMAVAEGA. Sorry, I do not have any cough drops to give you.

Mr. NAIRN. When I was being questioned at Polda, the police headquarters, it was kind of a chaotic scene there because they were getting ready to shutdown and withdraw from Timor. They were burning many of their documents. In the midst of that, I was able to see a police intelligence document, which described an operation called "Hynerwene Lauro Sydua" in which they laid out in detail how they would round up and relocate Timorese. This document, which was written about 2 weeks ago now, gave a precise figure. It said 323,564 Timorese. That means nearly 40 percent of the population that will be relocated pursuant to this program.

Mr. FALEOMAVAEGA. What is the total number of the Indonesian military forces, Army, Navy, and Air Force combined? Any figures on that?

Mr. NAIRN. It was in the range 20,000 to 30,000.

Mr. FALEOMAVAEGA. Nationwide?

Mr. NAIRN. In East Timor, yes.

Mr. FALEOMAVAEGA. No, I mean nationwide. The entire Indonesian army, what are we looking at?

[Witness unable to answer due to coughing spell.]

Mr. KOHEN. Congressman, as long as you mentioned about the economic end of things, I saw something in Business Week, I think, the other day saying that there is currently a coffee crop worth tens of millions of dollars, most of which goes to Starbucks here.

It was actually one decent program of USAID where the East Timor coffee has been bought for higher prices from local farmers and ends up in Starbucks. It is quite good quality stuff. Anyone who has been to Timor knows that this is some of the best in the world. What it said in Business Week, however, is that this coffee is not going to be picked this year because the military is destroying the crop, really out of spite. If is nothing else, we should try to stop this destruction from happening.

I know if I were a Member of Congress, I would ask some very hard questions about why this USAID-funded project is suddenly

being sabotaged by the very people that we have been giving U.S. military aid. This is one thing that should be on the table right now so that at least the Timorese have the coffee to help their economy recover.

Mr. FALCOMA. There were recent media reports, and I wanted to know if this is accurate in that the Suharto family has accumulated a wealth well over \$8 billion. This includes the personal wealth of this family, relatives, their different businesses, not just in East Timor, but throughout Indonesia.

How would you rank Indonesia's army, as far as its effectiveness and its military prowess? Would you say that they are just as good as our army, as far as preparation of fighting soldiers?

Mr. NAIRN. That is a very interesting question. I think the best comment I have heard on that is from Parmodya, the famous Indonesian novelist and political prisoner of many years. He recently took a tour of the United States. He is considered a leading contender for the Nobel Prize in Literature, and really a great cultural voice in Indonesia.

He has made the comment that if you look at the history of the Indonesian army as a fighting force, they do not do very well when they have to fight an armed opponent. In the various confrontations they have had over the years with outside forces, they usually lose.

The Timorese, although it was mainly through political means, defeated the Indonesian army. I think if accurate history is written, this will go down as one of the great victories for the weak over the strong: This country $\frac{1}{200}$ the size of Indonesia driving out this army backed by Washington.

What Parmodya remarked was that when it comes to internal repression, there the Indonesian army is extremely effectively. That is their real business. That is their real mission. That, plus military business. The Indonesian army is remarkable in that it is not just a repressive force.

There are various repressive armies around the world, many of which the U.S. has had very close ties with. The Indonesian army adds an extra dimension in that they also operate in the sense like an economic mafia. Nobody really knows precisely what the real military budget in Indonesia is.

It is often commented that, in accounting terms, per capita the Indonesian military budget is rather low, and it is, if you look at what is written on the books. But estimates say that budget probably understates the real military funds by anywhere from 30, 40, to 50 percent, because the army has hundreds and hundreds of businesses that it runs on its own. KOPASSUS, for example. Right outside the KOPASSUS Headquarters in Sejahtera, when you go into the KOPASSUS Headquarters, you see this gate where they have these two gigantic sculptured knives that meet over the entrance. Right outside that is this beautiful modern shopping center, which is owned by KOPASSUS.

That is the KOPASSUS shopping mall. The other branches have similar operations. Many of them have criminal extortion businesses. They are very heavily into prostitution, rackets, for example. A former U.S. military attaché acknowledged to me that the Marines specialize in running prostitution in many of the Indo-

nesian cities. It is that kind of mafia-style operation which is an integral part of Indonesian military operations.

Mr. FALEOMAVAEGA. There is a very strong parallel, and similarly to the People's Republic of China. Its army also has businesses. In fact, it is very, very similar in its operations with the way the Indonesian army operates.

Mr. NAIRN. Yes. That would probably be the closest parallel.

Mr. FALEOMAVAEGA. The closest parallel?

Mr. NAIRN. The closest parallel economically. Probably the one difference would be that the PRC army is more in the big business mode, in terms of their style, like these vast conglomerates. Whereas, the style of the Indonesian army is more like the street extortionist.

You hear just constant complaints about this from, say, local business people, local merchants, anyone who is trying to do an honest business on the street level. In Indonesia, you have to contend with the army shakedowns. It is just a part of life.

If you happen to be ethnic Chinese, you have the added burden when times are tough, and when there is political tension in the air, the army will often turn on those very merchants they have been extorting. They will lead the mobs that will go in and sack the stores, and sack the warehouses. So you can see, there is tension. The people hate the Chinese. Therefore, you need the army there to protect the Chinese.

Mr. FALEOMAVAEGA. I just have one more question. One of the issues that is debated constantly, not only here in the Congress, but also in the Administration, concerns sales of military equipment. Do you know our Country currently ranks as the number 1 seller of military equipment to other countries of the world?

Do you not think that there should be a global policy limiting arms sales because who happens to be the ones that purchase most of this military hardware? It is third World countries, countries whose budgets are very limited, yet whose dictators and governments commit military rather than to meeting the economic needs of the given countries.

I suppose the current policy in our government is that if we do not sell our military hardware to these other countries, then the French, the British, and the Russians are going to take over. So, we have got to continue doing this. Do you think this is ever going to change?

Mr. KOHEN. Economics changed a bit regarding the French. Realize that most of the church in East Timor has been leveled. The French have taken actually a fairly strong position recently relative to what they used to. I did not mean to cutoff Allan, but I think we may be faced with a rather different situation.

There has never been a case like this where church buildings wholesale have been knocked down where Priests and Nuns have been killed. So, I think the position of various would-be arms salesmen may be a little different now than before. Allen.

Mr. NAIRN. Yes. I think it is absolutely crucial. Congress has to take the lead in this. The executive branch is never going to do it on their own, the U.S. mission of trying to peddle arms overseas. The Clinton Administration has been notable among military con-

tractors for being the most vigorous Administration, in terms of pushing U.S. weapons overseas.

They will all tell you that. They love the Clinton Administration because it has gone to greater lengths than its predecessors. As you say, in those situations when the U.S. is pushing these weapons, the best case, the best you can hope for, is that it is just a waste of money.

That some poor country gets their treasury drained and the weapon just rusts in the warehouse, that is the best case. The worst case, which often occurs, as in Indonesia, is that those weapons are actually used for internal repression, or to fuel a regional conflict, or to otherwise cause deaths. It is just something that has to be stopped.

The rationale for it is always, it creates jobs. Any economist will tell you, and this is not a controversial question in economics, one of the least efficient means of job creation is this kind of high tech military weapons investment.

If you really want to create jobs, you take that same amount of money and put it into other kinds of industry, other kinds of service, agriculture, whatever.

Any other channel you put it in, you will end up creating more jobs back home. Finally, one thing I forgot to mention and this is very much related to the economic front. This is quite important. It so happens that today, September 30th, is the implementation date for some military budget transparency legislation that was passed by the Congress 3 years ago.

This has been under study in the Embassy in Jakarta. I do not think it has gotten any public attention to this date. What this legislation says is, I will just read you the relevant section.

It says, "Beginning today, September 30, the Secretary of the Treasury shall instruct the U.S. Executive Director of each international financial institution to use the voice and vote of the U.S. to oppose any loan or other utilization of the funds of their respective institution, other than to address basic human needs, for the government of any country which the Secretary of the Treasury determines: First, does not have in place a functioning system for reporting to civilian authorities, audits of receipts and expenditures that fund activities of the armed forces and security forces, second, has not provided to the institution information about the audit process requested by the institution."

In other words, if a country's military is not transparent working on a sound accounting basis, completely accountable to the civilian authorities, then that country cannot get international financial institution funds. That is what is mandated. That goes into effect today. There is no way Indonesia can pass this test.

They have actually been agonizing about this in the Embassy for months. Since it starts today, I think it is now time for Congress to take a look at getting this implemented.

Mr. FALEOMAVEGA. Ms. Peres, gentlemen, I know it has been a long afternoon. I cannot thank you enough for making the time to come in and testify.

I ask unanimous consent that whatever records, materials, or statements that you wish to submit to be made a part of the record. It will be so, without objection.

Mr. FALEOMAVAEGA. Again, thank you very much.
The hearing is adjourned.
[Whereupon, at 5:15 p.m., the hearing was adjourned.]

A P P E N D I X

SEPTEMBER 30, 1999

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**COMMISSION ON SECURITY AND
COOPERATION IN EUROPE**
CHAIRMAN

Statement of Rep. Christopher H. Smith
Chairman, Subcommittee on International
Operations and Human Rights
September 30, 1999

Today's hearing is about the continuing humanitarian and human rights crisis in East Timor and about the past, present, and future of United States policy toward that country. I am particularly pleased that one of our witnesses will be East Timorese independence leader Xanana Gusmao, whom I first met in Cipinang Prison in May of last year. We will also hear from the State Department, from Nobel Peace Prize winner Jose Ramos-Horta, and from several other distinguished experts and human rights advocates.

When I visited Indonesia about a year and a half ago, just after the fall of the Soeharto regime, I hoped not only that democracy would come to Indonesia, but also that the people of East Timor would finally get the chance to exercise their right of self-determination. But I did not dream this exercise would occur so soon. Now that the referendum in East Timor is history and the people have spoken, it should be a time for congratulation and celebration.

Instead, however, the post-election period has become a time of mass killings, forced relocations, and other grave human rights violations. Although these atrocities were ostensibly committed by anti-independence East Timorese militias, it is clear that they were assisted and probably directed by important elements in the Indonesian military. Nobody knows how high the chain of complicity extends into the Indonesian military command, and nobody knows how many thousands of people have been killed. Even now, although the international peacekeeping force is doing great work in Dili and a few other locations in East Timor, in other places it appears that the brutal campaign of destruction carried out by the militias and their Indonesian military sponsors continues. The arrest this week in East Timor of a number of KOPASSUS soldiers is a clear indication of this. I have to wonder whether any of these killers were trained by our government, and I hope that Secretary of Defense Cohen will send a strong message during his visit that there will be no more training, no more military assistance, and no other nonhumanitarian assistance to the government of Indonesia until the perpetrators of these atrocities, however high-ranking they may be, are held accountable. In the meantime, the United States must provide whatever assistance is necessary to get the peacekeeping force in full and immediate control of the entirety of East Timor. Specifically, I understand the Administration has requested \$140 million for a contribution to peacekeeping in East Timor. I understand this

amount would be fully offset by reductions in various non-humanitarian accounts. Although this request has come in subsequent to both House and Senate passage of the Foreign Relations Authorization Act for FY 2000, I will work to get it included in the conference report, and I urge my colleagues on the Appropriations Committee to provide the necessary appropriations.

We also need to step up humanitarian assistance to prevent people who are still hiding in the hills, as well as those who have returned to their burned-out homes, from dying of starvation and disease.

Finally, international humanitarian organizations including the U.N. High Commissioner for Refugees must be given immediate and complete access to the refugees in West Timor. There are credible reports that people are being murdered in these camps by the same militias and the same Indonesian soldiers who were murdering them a few days ago in East Timor, and that many of the refugees may be forced to relocate in other parts of Indonesia. We must insist that a transparent and secure process be set up immediately to find out how many of these refugees wish to return to East Timor and to assist them in returning.

I understand there are also East Timorese living in Jakarta and elsewhere in Indonesia who are in grave danger. I hope the United States will assist in arrangements for the immediate evacuation of these people. It may be possible to find temporary asylum for them in safe countries in the Asia-Pacific region. If not, we should offer them a safe haven in the United States until it becomes feasible for them to return to East Timor.

Every day these urgent measures are delayed, more people will die. So our immediate emphasis must be on addressing these elements of the current humanitarian crisis. I hope, however, that our witnesses will speak not only to the immediate present, but also to the past and the future. First, we must analyze and learn from the mistakes we have made, particularly in our relationship with the Indonesian military. We armed them, trained them, conducted joint exercises with them, even gave them honors and awards, on the theory that this would make them less likely to violate the internationally recognized and God-given human rights of their own people and of the people of the captive nation of East Timor. It now seems clear that we were wrong. The recent suspension of the U.S.-Indonesia military-military relationship is a positive step. An even more positive step would be for Congress to enact, and the President to sign, legislation which would set forth clearly the conditions on which that suspension will either continue or be lifted, including full compliance with Indonesia's international agreements regarding East Timor, immediate release of the refugees in West Timor, top-to-bottom reform of the military, and accountability for those who committed human rights violations. The Feingold-Helms bill, which should soon pass the Senate, contains all these provisions, and I am a co-sponsor of the companion House bill introduced by Congressman Pat Kennedy, H.R. 2895. I promise to work for the passage of this legislation in the House, and I urge the Administration to endorse it and work for it as well.

As for the future, we must discuss how to rebuild East Timor and to set the new country

on the road to self-sufficiency. One benchmark for how much help we should give East Timor could be the amount of our past assistance, including bilateral aid as well as World Bank and IMF money, that contributed directly or indirectly to suppression and then destruction in East Timor.

Finally, I want to emphasize that Indonesia is not the enemy. Individual murderers and thugs, and whatever structures within the military and the government of Indonesia allowed them to remain and prosper, are the enemy. Whatever his weaknesses, President B.J. Habibie deserves credit for agreeing to the referendum in the first place. I am also pleased that Megawati Sukarnoputri, who will probably be Indonesia's next President, has issued strong statements accepting the results of the referendum and condemning the violence. So it is important to make clear that the United States should look forward to a continued friendly relationship with the Indonesian people and even the Indonesian government --- but only on the clear conditions that the killing must stop, the killers must be brought to justice, and the system must be reformed to ensure that nothing of this sort ever happens again.

I look forward to hearing the testimony of our distinguished witnesses.



**Testimony of
Assistant Secretary Julia V. Taft
Bureau of Population, Refugees, and Migration
U.S. Department of State**

September 30, 1999

**House International Relations Committee
Subcommittee on International Operations and Human Rights**

Mr. Chairman and members of the Committee, I am particularly honored and pleased to be able to appear before you today to discuss the situation in Timor and the role the U.S. Government should play in responding to the humanitarian crisis there.

Last week, I organized a Multinational Humanitarian Mission to East and West Timor comprising senior humanitarian officials from the U.K., Japan, Sweden and Thailand. On Friday, we released our key findings.

East Timor

The mission was shocked at the level of widespread physical destruction of homes, commercial facilities, and public buildings in Dili. Seeing the damage wrought by weeks of wanton destruction is a compelling and sad commentary on the price that many people are forced to pay for their vote of independence. We were unable to move beyond Dili because of the security situation. However, subsequent UN assessment missions have found widespread damage throughout East Timor – Manatuto, which was previously home to 16,000 people is completely destroyed and depopulated; estimates are that 60-70% of the houses in the western region of East Timor are destroyed; the port of Suay was report to be 95% destroyed. Much of the damage was by fire, consistent with a "slash and burn" approach to the area.

With the deployment of the International Force for East Timor (INTERFET) under the able command of Australian Major General Cosgrove and the withdrawal of Indonesian troops, the security situation is slowly but progressively improving. Internally Displaced Persons (IDPs) who sought refuge in the hills of East Timor are now returning to Dili and elsewhere where security permits. UN agencies, non-governmental organizations (NGOs), and INTERFET are working together under very difficult circumstances in Dili to provide for immediate needs and anticipate future ones. And, slowly, relief efforts are beginning to extend beyond Dili.

Thousands of displaced persons, however, remain beyond relief. While we do not have evidence of starvation, these individuals clearly are in a vulnerable situation. WFP has been conducting food drops, with USG support. However, food drops can only reach a small proportion of these individuals. Relief agencies now plan to begin moving assistance by helicopter and truck to areas where security permits.

West Timor

We face different humanitarian challenges in West Timor. While the numbers are not precise, there may be as many as 230,000 displaced persons in camps located in West Timor as well as in churches, community facilities and host families. These innocent people sought refuge - or were forced to leave East Timor -- as a result of a brutal anti-independence campaign of intimidation and a scorched earth policy perpetrated by militia.

gangs which the Government of Indonesia did not or could not contain. In fact, there are credible reports that in many instances the militias were acting in concert with Indonesian Army forces.

Conditions in these makeshift camps in West Timor are very difficult. Civilian authorities are making efforts to provide food and there is little evidence of serious material needs. However, requirements for water, sanitation and health services will intensify with the onset of the rainy season.

Most pressing, however, is the security situation of the displaced persons in West Timor. Human rights activists with whom we met in West Timor told us harrowing stories of militia running rampant in the camps at night; of Indonesian army and police forces standing by while armed thugs in the camps forcibly recruited young men, kidnapping others, and even murdering with impunity. While we could not verify these stories, it is reported that up to 230,000 people have been forced to live in such conditions in West Timor.

In every humanitarian crisis, host governments have the key role in providing for the security and safety of their citizens, or those who seek refuge in their country. The Indonesian Government is aware of its obligations and the civilian side appears to be trying to care for and provide for camp residents. We were accompanied on our trip to Timor by Minister of Social Welfare Justika Baharsjah, who is working hard to ensure that water, sanitation, food and shelter are provided to those in need. In other respects, the Government is also making the right commitments. They assured us, for example, that they would not resettle camp residents immediately in West Timor or to other islands, as some had suggested they would. They also told us (and repeated this on Jakarta television) that the Government would permit and facilitate returns to East Timor for all who wished to return. Coordinating Minister Haryono told us that the Government would begin - this week - a public information campaign explaining to all who fled from East Timor what their options would be: to resettle permanently in Indonesia, to return to East Timor, or to stay temporarily in West Timor and return at some later date. Last week, President Habibie committed to allow the U.N. High Commissioner for Refugees (UNHCR) access to West Timor and to set up field offices in Atambua and Kupang. A UNHCR advance team arrived in Kupang yesterday to begin setting up the office and UNHCR has traveled to Atambua. These are encouraging first steps, but the Government must continue to provide effective cooperation.

In addition, we believe that the Government should allow the International Committee of the Red Cross (ICRC) in West Timor to exercise fully its mandate and assume responsibility to initiate tracing procedures for reuniting families torn apart during the conflict.

Only time will tell whether the Government can or will deliver on these commitments. In the meantime, conditions in the camps remain tenuous. The international humanitarian community should have full access to the camps and the Government and Indonesian

Army should ensure not only safe access by relief workers but also safety for the refugees. We have called upon the Government to ensure the civilian character of the camps. Access to the camps by international organizations and NGOs is essential to convince local authorities of the seriousness with which the international community takes the welfare of these people and our willingness to provide urgently needed assistance. We also stand firm on ensuring that those who would violate the fundamental rights of camp residents know they cannot act in secret and with impunity.

As I expressed directly to my Indonesian hosts, and as Secretary Albright, Secretary Cohen, and our Ambassador in Jakarta have stressed repeatedly, the camps must be off-limits to armed militias of any and all political persuasions. The refugee population in the camps represents no threat to outside forces but organized groups within the camps do present a danger to fellow refugees.

We must also be prepared to facilitate the return of refugees to the East under the auspices of UNHCR. At present, it is not possible to determine how many may want to repatriate. We are hopeful that the Indonesian Government effort to encourage repatriation will be coordinated with UNHCR and we will assist in funding safe passage back for those who wish to return. And we will make every effort to help returnees reestablish their livelihoods with time to plant in advance of the rainy season. Failure to succeed in the next few weeks will force people to remain in uncertain and insecure areas, at the mercy of the militias or in a state of complete dependence on international humanitarian aid for another year or more. We must not fail. For those desiring to stay in West Timor rather than repatriate to East Timor, we will assist their resettlement through NGOs.

In closing, let me say that our attention is clearly focused on the humanitarian needs of the displaced and affected populations in East and West Timor. We are participating in the multi-national force, which is the international community's best hope for ending the humanitarian crisis, restoring security and ensuring that the will of the East Timorese people prevails. We have already provided \$10 million, primarily through USAID, to support humanitarian needs. Yesterday, the State Department announced a contribution from my Bureau of \$5.1 million to support the humanitarian operations of UNHCR, ICRC, the World Food Program, and the U.N. Office for the Coordination of Humanitarian Affairs. We are making sure that other countries, including Asian nations, are actively engaged in pushing on access issues and providing assistance, as evidenced by the multi-donor mission that we spearheaded. And, in concert with other donors, international and multilateral organizations, and NGOs, we expect to provide substantially more to address humanitarian needs in the future.

Thank you very much for the Committee's interest in the region and support for U.S. Government humanitarian action. I would be happy to answer any of your questions.

Testimony on the Situation in East Timor by Arnold S. Kohen
 (President, The Humanitarian Project, and Author of "From the Place of the Dead:
 The Epic Struggles of Bishop Belo of East Timor," St. Martin's Press, New York,
 1999)

Before the Subcommittee on International Operations and Human Rights
 Committee on International Relations
 U.S. House of Representatives

September 30, 1999

On Saturday, September 4, 1999, only moments after the result of the August 30 United Nations-sponsored referendum was made public, I received a voice message from East Timor's Nobel Prize winning Roman Catholic Bishop of Dili, Carlos Ximenes Belo. There was jubilation in the bishop's voice. Despite months of intimidation and violence, nearly 80 percent of registered voters in East Timor had cast their ballots for independence, in a stunning display of courage and democracy. Bishop Belo had maintained a certain neutrality over the years until quite recently. What changed the bishop's stance was the campaign of killing and mayhem designed to force East Timorese people to vote for continued Indonesian rule. When I saw Bishop Belo in Los Angeles in mid-July of this year when he came to that city to speak at the Jubilee Justice gathering sponsored by Cardinal Roger Mahoney and the U.S. Catholic Conference, he seemed visibly shaken by the assassinations that had claimed so many young lives. Such vicious violence, clearly orchestrated by Indonesian military authorities, left the East Timorese people little choice but to establish their own nation.

It was poignant and haunting to listen once again to Bishop Belo's voice message of September 4 before I came here to testify today, for it is a reminder of how brute force can seek to work its will over the sacred right of a people to choose their own destiny. Only hours after the bishop placed his call to me on September 4, an even more systematic campaign of killing and destruction than the one that had taken place earlier in the year was undertaken by paramilitary forces with clear support and participation of elements of the Indonesian army, if not the connivance of high-level commanders as well.

This ghastly effort to demolish East Timor's infrastructure, and to harm and disperse its people, including thousands who had mistakenly thought they were safe in the residential compound of Bishop Belo and other church buildings, must be opposed by any means possible. Though international peace keeping forces led by Australia have entered East Timor, enormous problems remain; many are still in danger, whether they be in East Timor, West Timor -- the undisputed Indonesian side of the island -- or in other parts of the archipelago. The overwhelming majority of East Timorese forcibly moved to other islands since early September remain unaccounted for, including members of Bishop Belo's own family. Many more, both

within East Timor, in West Timor and elsewhere, still are in severe need of food and medical assistance. Others in peril include East Timorese students within Indonesia being persecuted by militia gangs operating with some degree of official sanction.

I feel a special obligation to share what information I can with this distinguished committee today. From March 14 through 21, 1999, I visited East Timor, my third visit to the territory. In recent weeks, some of those I met, clergy and laity alike, have been killed. There were clear signs of trouble during my visit, and the sense of foreboding was overwhelming as I traveled around the island. Bishop Belo was sure that there was a well-orchestrated effort by Indonesian Special Forces to foment violence. Everywhere I heard detailed accounts of brutal intimidation by the Indonesian army. Many East Timorese had either forced or paid to join paramilitary groups, which were centered around plainclothes Indonesian troops and other irregulars, including blatantly criminal elements. In a chilling threat, Indonesian military commanders had made it clear that if they had to leave East Timor in the end, they would not do so peacefully: "We came in blood, and we will leave in blood," one local commander had told people.

In the weeks that followed -- that is, from March 22 until now -- the Indonesian military made good on this dreadful promise. On April 6, for instance, dozens were slaughtered by militiamen after taking refuge at a church in the coastal town of Liquica, while Indonesian security forces either assisted the killers or simply stood by. Church sources affirm that thousands were assassinated by the militias in the six to eight months prior to mid-July 1999; many more have been killed since, including priests and nuns whose only crime was to defend the people from attack.

The events of recent weeks and months are a terrible repeat of what took place in East Timor in the first few years after 1975, when Indonesia forces launched their initial invasion of the former Portuguese colony. An estimated 200,000 persons perished during that period, the vast majority from war-related starvation and disease. By the time the world reacted, it was too late for many.

The world must not fail the East Timorese once again. Though Indonesian troops are apparently in the process of withdrawing from East Timor's capital of Dili, it is far from certain that the same is true everywhere. The United States must insist that Indonesian troops make a total and orderly withdrawal, rather than continue killing and burning as they have been doing. The killings of several church workers last weekend is a case in point. Indonesian troops on their way out of East Timor did not hesitate to fire upon the vehicle of the church workers, including nuns and seminarians. Such barbaric attacks must cease at once.

Similarly, threats by militia groups acting with Indonesian army backing indicate that they intend to contest East Timor's independence in rural areas near the Indonesian border, which has been almost completely depopulated. We must insist that the Indonesian army terminate these operations immediately. The safe

return of all displaced East Timorese people in West Timor and elsewhere, and relief assistance for the many in need, must be high on the official American agenda in Jakarta. Above all, any remaining Indonesian troops must be speedily withdrawn, and they must cease all acts of violence and destruction, or face tough economic sanctions by the United States. The Clinton Administration was slow to respond to the crisis in East Timor, at the very least creating the impression that it was treating Indonesia with kid gloves. But there is still time to save innocent lives.

The United States -- and that means the Congress, the Clinton Administration, the various presidential contenders as well as our military leaders -- must make it plain to Indonesia, in unison, that our nation will not tolerate further savagery against the people of East Timor. We must find every possible means to convey that message to Jakarta.

We are at a crucial moment. Many hundreds if not thousands of East Timorese have perished in the past three weeks alone, including the aforementioned Roman Catholic nuns and seminarians delivering relief supplies on Saturday who were shot dead by Indonesia troops. Some of these attacks may have been prevented had the United States and other nations with close ties and a long record of support for the Indonesian army stated from the outset that Indonesia would pay a stiff price for such atrocities. Indeed, some visits to Jakarta this year by American officials have tended to create the impression that the United States is more interested in preserving its ties with Indonesia than in the fate of the East Timorese. Hard-line military elements might not be blamed for believing that Indonesia has little to fear from the United States and other nations, despite the fact that Jakarta now needs tens of billions of dollars in foreign loans to stabilize its teetering economy. In addition, some retired army generals who took part in the initial stages of the Indonesian invasion of East Timor are said to be playing a backstage role in the current operations, and remember that the world did little the last time. Though the Clinton Administration and several other NATO nations plus Japan and Australia have applied some degree of pressure on Indonesia during the current East Timor crisis, it is far from clear how seriously this was taken by the Indonesian armed forces until recent weeks. Nonetheless, it must be made crystal clear to the Indonesian army leadership now that further violence and persecution and violence against the East Timorese, or against the courageous members of the clergy who serve them, will not be tolerated by the United States government or the American people.

Thank you for your attention.

Amnesty International Testimony

Humanitarian Crisis in East Timor

**Before the
House Committee on International Relations
International Operations and Human Rights
Subcommittee**



Presented by

**T. Kumar,
Advocacy Director For Asia & Pacific
Amnesty International USA**

September 30, 1999

Amnesty International Testimony

Humanitarian Crisis in East Timor

Before the

**House Committee on International Relations
International Operations and Human Rights
Sub Committee**

Presented by

**T. Kumar
Advocacy Director for Asia & Pacific
Amnesty International USA**

September 30, 1999

Thank you Mr. Chairman and distinguished members of the Committee. Amnesty International is pleased to testify at this important hearing.

The Indonesian armed forces are responsible for the current crisis in East Timor, and were responsible for gross and systematic human rights abuses in other parts of Indonesia for over three decades. Because, they were able to get away with their abuses, they continued. We all witnessed their latest adventure in East Timor this month.

The 1965 coup, when half a million to a million people were killed, helped shaped the mindset of the Indonesian armed forces. Because the military was able to get away with the slaughter in 1965, they had no hesitation committing mass murder during their occupation of East Timor, resulting in 200,000 people- one third of the population- dying. This time too they were able to walk free.

They continued their mass killings in Aceh and Irian Jaya without any hesitation and without fear of punishment. The message was clear: dissent of any form will not be tolerated and will be dealt with by deadly force. The Indonesian Military was accustomed to getting away with mass killings without few complaints, either from their own government or from the international community.

There is no surprise that they didn't hear any complaints from their boss President Suharto, since he himself was a military general and gave political support and cover for their killings. Military's brutal actions were necessary for him to be in power. Military officers not only escaped punishment, they were rewarded for their "great" actions. The Military became part and parcel of the Suharto government.

There is however a simple reason for the lack of effective action from the international community. From the beginning President Suharto's New Order government, which came into power through the 1965 coup, was seen as an important friend and ally in stopping the spread of communism. Suharto not only escaped criticism from non-communist countries he also played his cards well in helping to keep his Asian neighbors and the Non-Aligned Movement (NAM) silent. The brunt of the indifference was borne by defenseless civilians in Indonesia and East Timor. Suffering in silence became their only companion.

President Suharto was welcomed and honored by several countries, including visits to the White House. Many countries provided lavish economic, military, and political support to Indonesia, and found it expedient to ignore clear evidence of systematic human rights violations. Army personnel and members of elite military units, such as the Special Forces Command (Kopassus) were given "training" by several countries, including our country. According to arms transfer experts, since 1975 invasion the US provided more than \$1 billion worth of weaponry and millions more in military aid and training.

Even though Congress voted to cut off military support, the Pentagon found "loopholes" to continue their support. Even though Indonesia did not face any external threat, military training continued. Whatever its formal purpose the JCETs training the US military included small arms combat, sniper training and other lethal techniques which can only have contributed to the effectiveness of Indonesian troops in East Timor.

Moreover, the growing international investment in Indonesia, taking advantage of both its abundant natural resources and its brutally suppressed labor force, undoubtedly influenced both Western attitudes toward Indonesia and Indonesian expectations concerning the likely vigor of Western reactions to human rights atrocities in East Timor.

This was the state of affair when President Habibie announced that he would allow East Timorians to vote on their own destiny. The armed forces responded by creating or beefing up already existing militias to thwart the process. When they realized they were losing, they unleashed a reign of terror. The reason why they felt so comfortable doing this was the fact that the international community's silence for over thirty years and international communities lack of meaningful actions against gross abuses taking place now in Aceh, Irian Jaya and other islands including Java.

Some of the worst human rights violations occurred in recent weeks after the East Timorese voted for independence. Thousands of civilians have been forced from their

homes, beaten, tortured, abducted and slaughtered. The grim situation warranted us to issue an Urgent Action fearing for the safety of the entire population of East Timor- one of its kind in our 38 years of work.

US Policy

We applaud President Clinton's strong statement on stopping the fighting on September 9th and cutting off US military relations. . Unfortunately, less than a week after President Clinton made his welcome announcement, National Security Advisor Samuel R. Berger declared that the President might change his decision if Indonesia allowed peacekeepers in. Even though this statement was not repeated, the fact that the administration was prepared to consider softening its stand within a week is disturbing. We appeal to President Clinton to stand firm until human rights standards are met.

The Clinton administration has worked to support a democratic transition in Indonesia and, no doubt, strongly encouraged President Habibie in his decision to permit vote. The State Department spokesman has said that senior Administration officials have taken fewer than 19 trips to Jakarta in recent years. All this is welcome, as is the Administration's role in stopping the fighting and winning agreement on a UN Peace keeping force.

But here is the essential question: If US leverage was ultimately the critical factor in persuading Indonesia to stop the killing and permit peacekeepers, why weren't these steps taken sooner? Everyday between the vote and President Clinton's 9th statements meant more corpses, more burned buildings, more refugees.

Indeed, when Amnesty International released a report more than two weeks before the vote showing clear collusion between the Indonesian military and the militias and calling on the Clinton Administration to step up diplomatic pressure by sending a senior representative--once again to Jakarta--we were denounced by the State Department Spokesman, saying that Amnesty "has an idea a minute and if I were to respond to every one of their ideas, we wouldn't have time to do any business around here".

Administration officials now claim that they knew all along that the militias were controlled by the Indonesian Military and that they had issued clear warnings against violence. We recognize that "hindsight is 20-20" and we understand that warnings were given, including a letter from President Clinton.

But it is now sadly all too clear that the situation was not really so well in hand as the State Department thought and we are all entitled to ask: If the messages that were finally conveyed during the week of September 6th had been conveyed unequivocally before the vote and then acted upon immediately when the killing erupted after the vote, how many lives would have been saved?

We would like to applaud Assistant Secretary for Bureau of Population, Refugees and Migration for her swift action to deal with the refugee crisis. Her visit to the region within days of the crisis speaks volumes of her commitment.

The Terror Continues

As the multinational force arrives in East Timor this week, the situation of tens of thousands of displaced East Timorese outside the territory becomes more critical every day.

While there is now some prospect that peacekeeping and humanitarian operations may bring security and relief to internally displaced persons (IDPs) in East Timor itself, it is imperative that international agencies and humanitarian organizations are also granted access to the estimated 200,000 others who have fled or been forcibly displaced to West Timor and other parts of Indonesia including Jakarta, Yogyakarta, Surabaya, Malang, Flores and Bali. These refugees face not only dire humanitarian conditions, but are also extremely vulnerable to intimidation, threats and attacks by the Indonesian National Army (TNI) and militia groups, who continue to operate with impunity.

Over the past two weeks few people have witnessed the human rights tragedy that has unfolded in East Timor. Journalists, human rights workers and UN workers have been forced to leave East Timor, fearing for their safety. This report draws together information available to Amnesty International throughout this period, including eyewitness accounts and interviews with refugees, in an attempt to reconstruct patterns of mass human rights violations, forced displacement and flight, and to assess the continued risks faced by East Timorese people in West Timor and other parts of Indonesia. Given the difficulty in obtaining and confirming information, it does not purport to present more than part of the total picture. The report concludes with an outline of the responsibilities of the Indonesian Government and members of the international community to assist and protect these people and some recommendations for action.

Flight and forced displacement to West Timor

Tens of thousands of East Timorese are living in a precarious situation in West Timor, both pro-independence and pro-integration supporters alike. They are housed in make-shift camps, including military and police installations, have sought sanctuary with relatives and friends, or are living out in the open. Local aid workers have reported serious sanitation problems, a lack of food and water and very little medical provision. The delivery of humanitarian aid has been hampered by official restrictions on access

and the activities of the pro-integration militias. The United Nations High Commission for Refugees (UNHCR) and international humanitarian organizations have to date been given very limited access to the camps - their workers have faced harassment and attack. On 22 September, the UN High Commissioner for Refugees announced that she had received assurances from President Habibie and other senior officials that UNHCR will be given "security and access to all the people in need of assistance". UNHCR warned, however, that it remained to be seen how the commitments given in Jakarta would translate into practice on the ground, particularly in West Timor.

Many of these people left East Timor after being subjected to a systematic campaign of threats and intimidation by pro-integration militias, with the active support of Indonesian police and military forces. Throughout the popular consultation process, Amnesty International had documented a pattern of harassment and attacks against independence supporters¹, but this reached new levels of intensity in the aftermath of the overwhelming majority vote rejecting the proposed autonomy model. As the United Nations Mission in East Timor (UNAMET) itself observed in its report to the Security Council, this process bore all the hallmarks of a well-prepared and orchestrated program aimed at massive displacement and relocation. Additional weight is given to this view by the Indonesian Government's announcement, within days, of a major new program for transmigration and resettlement of East Timorese people in West Timor and other parts of Indonesia.

Most of the testimonies Amnesty International has collected come from people who left Dili and the surrounding area. Little is known about what happened in other districts because of the lack of access for independent observers, but there are sufficient reports to suggest a similar pattern.

In Dili, threats and intimidation by militia groups grew increasingly intense in the aftermath of the ballot. People have been forced to leave their homes and find sanctuary elsewhere, often with the church or international agencies. In some cases, militia came to places of sanctuary and threatened people again, telling them to go to the Regional Police Command (POLDA) for their own security. A staff member from an orphanage in Dili described how he and 55 orphan children left after their building was fired on by the militia. He was quoted as saying, "*We started to feel threatened because of bullets which began to graze off the orphanage*".

Throughout this period, police failed in their duty to protect people and often colluded in attacks. Several thousand people sought shelter at POLDA during this time,

¹ See AI Documents :

East Timor: Paramilitary Attacks Jeopardise East Timor's Future. AI Index ASA 21/26/99, 16 April 1999.

East Timor: Seize the Moment. AI Index ASA 21/49/99, 21 June 1999.

East Timor: Violence Erodes Prospects for Stability. AI Index ASA 21/91/99, 18 August 1999.

but police gave militia members free access to the compound. The authorities reinforced people's sense of insecurity by telling them that their safety could not be guaranteed if they remained. With no other choice, many people opted to leave East Timor by the military transport, ships and chartered aircrafts provided. There are some reports of people being forcibly transported against their will.

Reports from Aileu District indicate a well-organized plan to remove local residents from one area even before the ballot result was announced. On 31 August, Police Mobile Brigade (Brimob) personnel arrived in four villages in the Liquidoe Sub-district in Aileu District, and began firing into the air. Militiamen then arrived, ordering people to leave and burning houses down. They gathered people together and forced the people to state whether or not they had voted for independence. Those who had were told that they would have to stay in East Timor and that they would "die". In the town of Aileu itself, an observer reported that local TNI officials ordered people to leave their homes, register their names and state which way they had voted in the ballot. They were then told to gather their belongings and move towards the police headquarters in Aileu. According to the observer, one group of people claimed they had been told they would be going to the towns of Atambua or Kupang in West Timor; if they refused to go they would be considered to have voted for independence and would die. The population began to be moved from Aileu in trucks on 3 September.

People fleeing both East Timor and Indonesia are reported to have been checked at border crossings and departure points by militias, and sometimes the TNI, apparently searching for independence supporters. These checks have been taking place in East Timor, West Timor and on the island of Bali. In West Timor there have been unconfirmed reports of militia using lists of names believed to be of independence supporters and others at risk. There have been several reports of people being registered by the police at checkpoints. Those in favour of independence have been singled out and in some cases detained.

One pro-independence activist told Amnesty International that he and his family were lucky to escape:

"There were seven checkpoints between Dili and Atambua. They were manned by members of Besih Merah Putih (BMP). BMP was trusted to this job while the other militias focused on looting and the army was sent to the eastern parts of Timor to round up people there. My family was able to pass through the checkpoints by pretending we were part of the militia convoy ahead."

Letters of authorization to travel (*surat jalan*), signed by the Commander of the militia group Aitarak, have reportedly been issued to others to enable them to pass militia checkpoints.

Militia operations in West Timor

...The terror has not ended with their displacement. We have reliable and corroborated reports that the militia/TNI are at this moment combing the refugee camps with lists looking for students, intellectuals and activists, then taking these people away.²

An unknown number of militia are now operating with impunity in West Timor. These militias appear to exercise at least some degree of control over the refugees and are said to be conducting regular checks on camp residents and hotels in order to find pro-independence supporters. A member of the pro-independence group, the National Council of Timorese Resistance (*Conselho Nacional da Resistencia Timorense* - CNRT), who managed to leave Indonesia, has been told by his family who are in a camp in Kupang, that members of TNI visited the camp asking refugees if they have seen him. There are also reports of house searches by militia in Kupang and Atambua.

The majority of militiamen appear to belong to the group Aitarak and to be located in the border area of Atambua, in Kupang and in Kefamenanu District. Some have been seen driving around in vehicles known to have been stolen from East Timor - including UNAMET vehicles stolen from the UNAMET compound in Dili (though these have reportedly now been confiscated by police).

On 16 September, five men from the TNI and a militia group arrived at a religious compound in Kupang and demanded that all East Timorese and non-East Timorese religious workers who had worked in East Timor be handed over to them. They later left but threatened to return. Another witness reported seeing militia at a hotel in Kupang checking on who was staying at the hotel.

A woman who fled to West Timor described how she was hunted down from Dili to Kupang but managed to escape. As she boarded a ship out of Dili, she was stopped by a militia member, but persuaded him that she was not from East Timor. She had to hide on the boat during her passage while the militia continued to look for her. When she arrived in Atapupu, West Timor, she found that all the exits were guarded by police and militia, but succeeded in getting through a militia checkpoint by pretending to be from Atapupu. On arrival in Kupang, she had to leave the house where she was staying after militiamen came to search for her by name. Another man who fled to West Timor described how a knife was held to his throat by militia after he arrived in Atambua.

Reported abductions and killings

² Destruction of East Timor since 4 September 1999: Report prepared by UNAMET on 11 September 1999

Amnesty International has received many reports of militia abducting and then killing people believed to be pro-independence supporters in East and West Timor. The majority of reports are impossible to investigate and confirm because of the lack of access for independent monitors.

There is credible evidence that 35 East Timorese were killed on 11 September on board a ship, the Dobon Solo, which was leaving Dili for Kupang that day. The identities of those killed are not known but all are believed to be young men. According to an eyewitness account, the bodies of the victims were dumped overboard.

One man is also known to have been killed and another severely beaten on a boat travelling from Kupang to Bali on 13 September 1999. The two men were taken from their cabin by armed police officers wearing t-shirts of *Kontingen Lorosae* (a special police contingent sent to East Timor to oversee the popular consultation). A member of Aitarak later boasted to one of the victim's wives that he had killed her husband.

Amnesty International has received other reports of the unlawful killings of East Timorese refugees on boats, but has so far been unable to confirm them. Such reports, however, are contributing to the mounting fear of refugees inside Indonesia and are discouraging many from trying to leave.

There are also credible reports that unlawful killings have taken place in camps in Atambua and that some people have been abducted from the camps by militia or detained by the military. One refugee recounted to Amnesty International the detention of his cousin in Kefamenanu:

"The next day my family were forced to leave Kefamenanu... When they were leaving, a civilian who works for the military in Atambua stopped my cousin Leonio Guterres from leaving with the rest of my family. I do not know why he was picked - whether it was because he is a young, strong man or whether there was some suspicion about his background. He was detained at Kodim [District Military Command] in Kefamenanu. I fear he may be dead or in grave danger."

There has been no information on Leonio Guterres' whereabouts since his detention and Amnesty International has issued an Urgent Action appeal on his behalf.

There have been conflicting reports of the death of Marcus Lafaek, the head of CNRT in Manatuto on either 9 or 10 September. According to one account, he was arrested in Dili, taken to Atambua and there executed by the militia. Another report suggests he was killed by police in a shooting incident with militia.

Human rights and humanitarian workers at risk

Many of those who have fled and remain at grave risk are human rights and humanitarian workers. One local humanitarian worker travelled to Atambua dressed as a member of a militia. When he arrived in Kupang he was told that the militia were searching for members of his organization.

Some international humanitarian workers, including UNHCR staff, have been attacked during attempts to visit the displaced persons. Three East Timorese staff members of the International Committee of the Red Cross (ICRC) were abducted in Atambua on 11 September; two remain missing and Amnesty International has issued appeals on their behalf. Students helping with the distribution of food to refugees in Kupang were also reported to have been threatened by militia in Oesapa on 17 September. Several doctors working at the Atambua Hospital have reportedly left the hospital after they were threatened by militiamen. One doctor who stayed is reported to have said, *"How do you expect them to work when there's someone with a cocked weapon standing by every time they operate?"*

Journalists in Kupang have also been faced with intimidation. One Indonesian journalist who tried to film the displaced persons was prevented by militia from gaining access to the camps and was threatened with a machete. His film was confiscated. An Italian journalist claimed that he was beaten up by members of Aitarak on the night of 16 September in Kupang.

East Timorese in other parts of Indonesia at risk

In other parts of Indonesia, including Jakarta, Yogyakarta, Flores and Bali, East Timorese are facing serious threats and intimidation. Independence supporters have been forced into hiding, moving from safe house to safe house to avoid detection by the militia and security forces. Militia members and officials are checking identities at ports of entry and exit throughout the archipelago, some reportedly using lists of identified targets. In Jakarta, there have been reports of militia members conducting searches for people believed to be independence supporters. In Yogyakarta, East Timorese students have been subjected to intimidation and threats. In a climate of rising xenophobia, East Timorese are easily identifiable for discrimination and attack.

In Bali, which is the seat of the Indonesian military command for East Timor, the authorities have ordered local hotel owners and villages to report the presence of newly arrived East Timorese guests and the TNI frequently check the houses where East Timorese are staying. Military and police are believed to have also threatened East Timorese seeking refuge there that they will soon begin an operation to arrest or force out the displaced persons. On 17 September, TNI personnel reportedly fired their weapons in a military post adjacent to where some East Timorese had been staying.

Protection of refugees

As the international community seeks to restore security and basic needs for people in East Timor, it must also urgently address the question of how to assist and protect those who have been displaced, many of them forcibly, to West Timor and other parts of Indonesia.

Given the special legal status of East Timor as a non-self-governing territory, Amnesty International is of the view that the boundaries of the territory are effectively an international border, and therefore those people crossing it have the right to international protection as refugees.

Recommendations:

President Clinton should maintain the current cut off of military aid, training and arms, until:

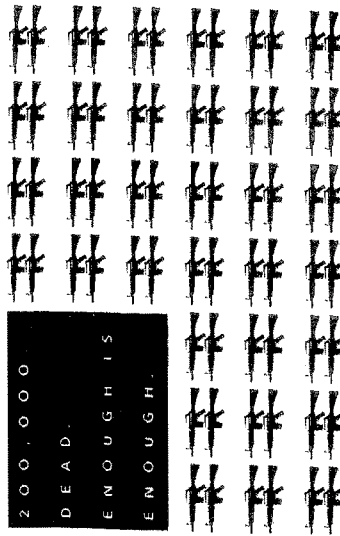
1. Security forces and militia groups who committed atrocities are brought to justice.
2. The Indonesian Government has fully cooperated in bringing those who are identified as perpetrators to justice.
3. East Timorese who were forcibly taken to West Timor is given safe passage to East Timor.

Thank you Mr. Chairman for inviting us to testify.

T.Kumar
Advocacy Director for Asia & Pacific
Amnesty International USA.

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Encl: Amnesty Int'l Ad. In New York Times.



THE NEW YORK TIMES
Thursday, September 23, 1999

**PRESIDENT CLINTON:
DON'T RESUME ARMS SALES
TO INDONESIA UNTIL HUMAN
RIGHTS STANDARDS ARE MET.**

The scale of the human tragedy in East Timor defies belief. Since Indonesia invaded in 1975, 200,000 East Timorese have been killed by the Indonesian military or have fallen victim to starvation and disease.

That's a third of the total population.

"Ever since President Gerald Ford and Secretary of State Henry Kissinger gave General Suharto the green light to invade East Timor in 1975, America has turned a blind eye to Jakarta's human rights abuses while providing more than \$1 billion worth of weaponry and millions more in military aid and training."

Some of the worst human rights violations occurred in recent weeks after the East Timorese voted for independence. Thousands of civilians have been forced from their homes, beaten, tortured, abducted, slaughtered.

In response to the crisis, on September 9 President Clinton ordered a complete halt to aid, training and arms sales to Indonesia, thus reversing a long-standing US policy of supplying arms to Indonesia.

Unfortunately, less than a week after President Clinton made his welcome announcement, National Security Adviser Samuel R. Berger declared that the President might change his decision if Indonesia allows peacekeepers in.**

We say that the cut off of military aid, training and arms must stand. President Clinton should maintain this policy until:

1. security forces and militia groups who committed atrocities are brought to justice
2. militia groups are disarmed and disbanded
3. security forces co-operate with UN peacekeepers

If you agree, then please call President Clinton on 202-456-1414. Ask him not to resume US military aid and arms sales to Indonesia. Call now. There really isn't any time to lose.

For the latest on East Timor and other crises around the world and for information on how you can help combat human rights abuses, visit our web site at www.amnestyusa.org or call 1-800-AMNESTY.

*Obed to Justice: Human Rights, Justice and U.S. Policy
Humanitarianism, Washington Times, September 13, 1999, p.17, A-2.
**Washington Post, September 14, 1999, p.14, A-2.

AMNESTY INTERNATIONAL USA
WWW.AMNESTYUSA.ORG OR CALL 1-800-AMNESTY



ATTENTION:

**Miss EMILIA PIRES
ROOM 17 B**

EAST TIMOR REUGEES IN KUPANG

Until today truck loads of refugees are entering the Kupang district. Many of them are being unloaded in the village of Noelbaki (which is 30 minutes ride from Kupang city), where the conditions are appalling, with about 50 thousand refugees scattered in a swampy field. Some government-run refugee centres in Kupang are provided with water, food rations and medical facilities. These are the places where foreign visitors are able to visit so as to get a good impression. But there is a lot of bureaucracy that impedes the assistance in far away places.

However, in the outskirts of Kupang and even further away, there are refugee camps that are in pitiable conditions. Journalists are discouraged to enter and the entrances are swarming with belligerent men wearing milita-like clothes. Taking pictures is risky. In some camps, the militia just enter and go around searching for young men and Timorese leaders, during the day and even at night.

In Sulamo, which is about four hours ride from Kupang, the place is a wilderness, no food, no water and hostile environment. Many of the thousands sent there had abandoned that place and gone into the city. According to eyewitnesses, only a small number of refugees have remained.

In Amfoang, about two thousand refugees have walked (25 kilometers) into that village. They lack water, shelter and food.

In Taupukan there are about 12 thousand refugees. This place is one hour by car from Kupang. They are in need of water and food.

Despite the goodwill and efforts of the local government, the influx of refugees is just too much for their capabilities. Some refugee camps in the city have received shelter, plastic sheets (for tents), mats and water containers from other NGO's like the Red Cross and other local groups and Churches.

To obtain protection, shelter and food rations many families pretend to be related to the militia and pro-integrationist faction. The city is teeming with refugees and police /soldiers from East Timor.

Although the hunger and the shelter of East Timorese refugees are main concerns, there are still reports of open and subtle searches-terrorization done against East Timorese refugees. Members of the militia and special forces are hunting down persons who can be potential witnesses in the pending war crimes investigation of the UN. Other Timorese are also running away from those who are forcing them to join the militia.

Insert from Assistant Secretary Julia Taft

Statement by U.S. Defense Secretary William S. Cohen after meeting with Gen. Wiranto

The United States strongly supports Indonesia's transition to democracy. Our goal is an Indonesia that is democratic, prosperous, united and stable.

The Indonesian military has an important contribution to make to that process as it reforms itself. The separation of the armed forces from the police was a significant step toward enabling the Indonesian armed forces to concentrate on their primary role of national defense. During the elections in June, the Indonesian military played a positive role by remaining neutral.

But in recent months elements in the military have aided and abetted violence in East Timor.

I told General Wiranto that the military is at a critical turning point.

If it supports the government's policy, contributes to a peaceful solution in East Timor, investigates and punishes those guilty of improper behavior, disarms the militia in West Timor and prevents them from destabilizing East Timor, they will be acting in a manner consistent with Indonesia's national interests and international obligations. If, on the other hand, they permit or participate, openly or behind the scenes, in further aiding and abetting violence in East Timor, they will do severe damage to the country they are sworn to defend.

I urged General Wiranto to make the right choice.

In response to violence in East Timor, the U.S. has suspended military programs with Indonesia and begun a review of economic and other bilateral assistance.

In our discussion, I made it clear that the U.S. will not consider restoring normal military to military contacts until the TNI reforms its ways. The military must show restraint and respects for human rights throughout Indonesia. It must be clear that the military operates under civilian control.

When the MPR convenes tomorrow, Indonesia will take an important step in its transformation toward democracy as it selects a new president. The military can play a key role by allowing a process that is legitimate and credible, or it can destroy hope for a peaceful transition by refusing to respect human rights and the rule of law.

If the military can help restore order and opportunity in East Timor and aid a successful democratic transition by respecting human rights and operating under civilian control, the U.S. will enthusiastically support Indonesia through the difficult challenges of economic restructuring and institution building.

U.S. DEPARTMENT OF STATE
Office of the Spokesman

For Immediate Release
#99/840

September 29, 1999

STATEMENT BY JAMES B. FOLEY, DEPUTY SPOKESMAN

U.S. Provides \$5.1 Million for East Timor Assistance

The Government of the United States is pleased to announce a contribution of \$5.1 million for the humanitarian needs of the people of East Timor. The United Nations Interim Inter-Agency Appeal for East Timor will receive \$4.1 million, and the International Committee for the Red Cross (ICRC) will receive \$1 million. This initial, FY 99 donation to the U.N. appeal provides \$2.6 million to the United Nations High Commissioner for Refugees (UNHCR), \$1 million to the World Food Program (WFP), and \$500,000 to the Office for the Coordination of Humanitarian Affairs (OCHA).

This contribution is part of a larger U.S. government response to the violence and subsequent displacement of hundreds of thousands of East Timorese following the August 30 vote for independence. The U.S. government has already provided over \$10 million to the relief effort. USAID will provide \$4.9 million in food provisions that will arrive in mid-November. United Nations agencies are also responding with food, medical supplies, shelter, and water for more than 200,000 internally displaced persons in East Timor and another 170-200,000 refugees in camps in West Timor.

The contribution will help establish OCHA's Humanitarian Assistance Coordination Unit (HACU) in Dili that will help ensure a timely and effective response to emerging humanitarian requirements. The contribution to WFP will help fund the creation of a UN logistics unit in Dili. UNHCR's activities will include emergency interventions in shelter, water and sanitation, refugee protection and repatriation. USG funding will also support ICRC activities in emergency relief, medical services, protection, and tracing. Additional contributions will be forthcoming from the USG in the new fiscal year.

This funding comes from the State Department's Bureau of Population, Refugees, and Migration (PRM). It follows on the heels of PRM Assistant Secretary Julia Taft's recent visit to the region with senior humanitarian aid officials from Japan, Thailand, the U.K., and Sweden.

Statement from the Multinational Humanitarian Mission

A humanitarian mission representing the Governments of Japan, Sweden, Thailand, United Kingdom and the United States visited Jakarta, West Timor and East Timor on 20 – 24 September 1999. We would like to express our appreciation to the Government of the Republic of Indonesia as well as to the United Nations and INTERFET in East Timor for their co-operation in facilitating our programme.

As concerned members of the international community, our mission's objective was to assess first hand the critical humanitarian situation in East and West Timor and to mobilise international protection and assistance for the affected populations. We had productive discussions with Indonesian Government ministers, the Governor of Nusatenggara Timur Province, UN agencies, ICRC, international non-governmental organisations, various civil society groups including the local churches, human rights groups and some representatives of the East Timorese people. We visited several locations in Kupang and Atambua in West Timor that are hosting refugees. We also toured Dili including the ICRC-assisted hospital, and met with the Secretary General's Special Representative, UN Humanitarian Co-ordinator, representatives of international agencies, Commander of INTERFET, and TNI leaders. We also appreciated the briefing from the UN High Commissioner for Refugees who was in Jakarta at the same time as us.

Our principal findings and conclusions are as follows:

We recognise the efforts being made by the national and provincial authorities as well as host communities to assist the refugees in West Timor (currently estimated to be in the region of 150,000 to 200,000). They quickly mobilised essential shelter and food through the Ministry of Social Welfare and provincial authorities. We believe that these efforts can be enhanced through greater direct access to the affected populations by UN agencies, ICRC and NGOs. The UN High Commissioner for Human Rights has expressed concern at the continuing reports of intimidation and disappearances affecting some of the refugee groups, on top of the severe emotional and physical traumas already suffered by them in their departure from East Timor. Finally, the imminent rains will lead to a significant deterioration in conditions under which the refugees are sheltering and will endanger their health and well-being.

A durable solution to the issue of population displacement will include several options. Of the refugees with whom we spoke, almost all wished to return to their home areas in East Timor immediately or as soon as possible. Others prefer to remain temporarily in West Timor or permanently re-settle elsewhere in Indonesia. The Government of Indonesia also made us aware of its relocation plans under its transmigration programme. They also acknowledged that recognised international humanitarian norms require that all refugees and displaced persons should first be given the opportunity to make free and informed choices on whether or not to return to East Timor. Therefore, we encourage the Government of Indonesia to create urgently the necessary conditions whereby the populations of current concern can do this with security and confidence through UNHCR. Access by the refugees to objective information about news and developments in relation to East Timor will be helpful to this process.

Allied to the above, refugees that have freely expressed the wish to return to East Timor should be supported to do so, quickly. This would help to relieve the burden on refugee hosting communities and local authorities in West Timor. Timely return would also allow the opportunity to catch the forthcoming planting season in East Timor, thus promoting essential recovery. The return programme should be conducted under UNHCR auspices to areas deemed secure by INTERFET, including special reception centres set up for this purpose.

The humanitarian character of all refugee centres should be respected and every effort made by the Government of Indonesia to separate armed elements from the civilian population. In this context, we also welcome the Government of Indonesia's recent offer to facilitate an increased presence by international agencies, especially UNHCR and ICRC, in West Timor, to expand humanitarian assistance as well as to initiate family tracing and reunification efforts. We also support the request of local authorities in NTT province for technical assistance with capacity building on relief programmes management and promotion of humanitarian principles. We welcome the readiness of UNDP to facilitate such assistance drawing particularly on international expertise available in the region.

In our visit to Dili we were shocked to observe the widespread physical destruction of homes, commercial facilities and public buildings. INTERFET has made a positive start in establishing security but it is early days yet, and the situation remains volatile. Co-operation between the peacekeeping forces and aid agencies shows promise but will need to be further developed to assure appropriate priority being given to humanitarian and other civilian operations. Planning for the United Nations -led transitional administration in East Timor needs to be accelerated so that an appropriate framework to guide rehabilitation and recovery is put in place as soon as possible.

All international agencies recognise the urgency of obtaining access throughout East Timor, including Ambeno. Immediate needs assessments should then be conducted and humanitarian assistance and protection made available, especially to the estimated 100,000 or more who are displaced in East Timor. Work on this has started led by the UN Humanitarian Co-ordinator and involving UN agencies and NGOs. The resulting Consolidated Interagency Flash Appeal for both West and East Timor is expected to provide a good co-ordinated framework for addressing priority assistance needs; and we urge all donors to provide generous support.

In conclusion, we re-emphasise the over-riding importance of improving security and protection in both East and West Timor. This is essential to assure the provision of adequate humanitarian assistance and to safeguard the basic rights of vulnerable groups.

Japan: Hiroto Hirakoba, Director Refugee Assistance, Ministry of Foreign Affairs
Sweden: Marika Fahlen, Ambassador Humanitarian Affairs, Ministry for Foreign Affairs
Thailand: Chuchai Kasemsaru, Deputy Permanent Secretary, Ministry of Foreign Affairs
UK: Mukesh Kapila, Head Conflict & Humanitarian Affairs, Dept Internat. Development
USA: Julia Taft, Assistant Secretary of State, Department of State

Jakarta, 24 September 1999

FRIDAY, SEPTEMBER 10, 1999 R

The Washington Post

AN INDEPENDENT NEWSPAPER

Another Messy Apartment

EARLIER THIS year, after NATO's bombing campaign persuaded Slobodan Milosevic to withdraw his marauding troops from Kosovo, President Clinton informed "the people of the world" that a new era had dawned. "Whether you live in Africa, or Central Europe, or any other place, if somebody comes after innocent civilians and tries to kill them en masse because of their race, their ethnic background or their religion, and it's within our power to stop it, we will stop it," the president declared.

Now just such a scenario is unfolding. The horror in East Timor is strikingly reminiscent of Serbia's despoliation of Kosovo. Innocent civilians are being rounded up, expelled and killed by soldiers and paramilitaries who do not want East Timor to leave their country of Indonesia. As in Kosovo, whole towns apparently are being leveled, stores and homes are being sacked and burned. Catholic priests, independence leaders and their relatives are reportedly being singled out for assassination.

But the administration's expansive view of its global responsibilities appears to have constricted considerably in the face of this first post-Kosovo challenge. "You know, my daughter has a very messy apartment up in college," Mr. Clinton's national security adviser, Sandy Berger, said on Wednesday. "Maybe I shouldn't intervene to have that cleaned up."

It's beyond question, as Mr. Berger was no doubt trying to suggest, that the United States cannot intervene everywhere and solve every problem. At one time, you could have made an argument that East Timor was one of those places, no matter how unfortunate, that didn't

merit U.S. involvement. It's a remote, relatively impoverished land of only 800,000 or so inhabitants, of far less strategic importance than Indonesia, the current aggressor, which has a population of 213 million and—as State Department spokesman James Rubin pointed out this week—sits astride some strategically crucial sea lanes.

But such calculations, whatever their earlier merit, became obsolete once the United Nations sponsored, at Indonesia's invitation, a referendum on independence. Virtually every eligible resident participated in that Aug. 30 vote, and nearly 80 percent voted in favor of independence. By staging that vote, by urging all East Timorese to participate, the United Nations—with the United States at the fore—assumed a moral responsibility to see the process through.

Mr. Berger contrasted the "humanitarian problem" of East Timor with the "strong security and strategic consequences" he said were at stake in Kosovo. He also pointed out that Kosovo is "in the middle of Europe," while "I think we have to recognize that Indonesia is in Asia." But surely a theme of the Clinton presidency has been the significance of Asia to America's future. Even more important, East Timor can no longer be viewed as only a human tragedy to be balanced against considerations of sea lanes and bank loans. If the world powers, having staked their prestige on self-determination for East Timor, can so easily allow their will to be flouted, the "security and strategic consequences" will be immense, and they will resonate far beyond Indonesia.

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Going home with Bishop Belo

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THIS IS what hell must be like, said Bishop Carlos Ximenes Belo when he first returned to Dili, capital of East Timor, on 6 October. It was one month after he had been forced to leave during an armed attack on his home and the people taking shelter there, the culmination of a campaign of mayhem orchestrated by Indonesian military forces in retaliation for the overwhelming vote of East Timor's people for independence from Indonesia. "If you don't want Indonesia, we will take everything", a local army commander had warned weeks before the ballot, and the seven-mile ride from the airport to the bishop's seafront home told part of the ghastly story of how that threat was fulfilled. Virtually all government buildings, businesses and many homes had been torched. There were charred ruins everywhere. The diocesan offices, called the Camara Ecclesiastica, the centre of the local Church and the repository of its history, had been set ablaze, with its archives dating back to the sixteenth century, when Dominican missionaries first landed on Timor. All told, the vengeance of the Indonesian army – observers said that most East Timorese militiamen had been coerced into taking part – was a monstrous fit of spite with few parallels in recent history.

The bishop was visibly shocked at what he saw as he moved through Dili upon his return – and battered as it is, Dili is in better condition than other places which have been totally razed. For several days Belo was almost disconsolate. How could people do such things?, he wondered aloud. Why had the world waited so long to act?

The condition of his former home, once considered a sanctuary, was emblematic of what had taken place. When I was able to walk through what remained of his modest Iberian-style residence early this month, it was evident that the masterminds of the assault, said to be Indonesian Special Forces, knew precisely what they wanted. The little chapel where the bishop and his parishioners had prayed nearly every morning since he took office in 1983 had been set aflame and gutted, as had all the bishop's rooms and offices. His papers and many of his books were lost. The statue of the Virgin Mary in the inner courtyard adjoining his study was badly disfigured, the face smashed. Also defaced was a woodcut of the Last Supper that had hung in the bishop's dining-room for nearly half a century: the head of Christ had been cut off. Perhaps this symbolised what had been done to the East

EYEWITNESS

ARNOLD KOHEN

Timorese Church itself. But it was the people at large who had suffered the most, with untold deaths and as many as 90 per cent displaced by Indonesian forces, their homes set ablaze. Under such conditions, Belo said, "a bishop has no special status".

Still, it was amazing that he was there at all. On his departure he had said that if something was not done only trees and rocks would remain. The orgy of burning, killing and forced removal of the population that had drawn the condemnation of the world might well have continued unchecked had international peace-keeping forces led by Australia, with British and American assistance, not entered the territory on 20 September. At a Sunday Mass in Dili cathedral on 17 October, attended by thousands, Bishop Belo thanked the Australian commander, Major General Peter Cosgrove, for rescuing East Timor from annihilation.

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Mercifully, some areas of East Timor were spared. Baucau, the territory's second-largest town, a lush and quaintly exquisite place where Bishop Belo grew up, escaped almost unscathed. Its bishop, Basilio do Nascimento, who remained behind while Belo travelled to Rome to inform

Pope John Paul II of the situation, had managed to negotiate an agreement with Indonesian forces and their militia cohorts. Belo, as the best-known person in East Timor, was Indonesia's main target while the capital, Dili, was the main focus of political tension, and the target of many outside groups who had converged there; in contrast, in Baucau, the militia was made up of local people who did not want to see their town destroyed.

It was to the environs of Baucau that Belo turned for succour. His 83-year-old mother, Dona Ermelinda, and his sister, Julieta, survived 13 days of hiding in the mountains until Australian troops arrived. Next, there was a religious ceremony in the hamlet of Wailili, where Bishop Belo was first a parish priest when he served as rector of a nearby Salesian school. He seemed transformed, especially when he saw how glad the young people were to be free of Indonesian rule. In a clearing graced by banyan trees sacred to the traditional religions of the region, one could see him being visibly reinvigorated. But he will need all the energy he can summon up for the reconstruction that lies ahead.

* Arnold Kohen, who supplied this report from East Timor, is a biographer of Bishop Belo.

WORLD REPORT



G'day, mate: Australian soldiers will lead the U.N.-authorized peacekeeping force.

A plea for peace from someplace near hell

A desperate race to aid tortured East Timor

BY JONAH BLANK AND STEVEN BUTLER

DARWIN, AUSTRALIA—In a refugee camp for East Timorese evacuated from the U.N. compound in Dili, a priest performs a long-awaited sacrament. Father Jojo is working a baptismal assembly line: 20 babies ushered into the faith one after the other, most of them born in the days since their homeland degenerated into anarchy. Nearby is a less joyful scene: table after table of Red Cross workers taking down details of missing family members. Life, and death, greet the latest arrivals down under.

Since voting by a margin of nearly 4 to 1 for independence from Indonesia, the people of East Timor have been killed, raped, and terrorized. Estimates of the death toll range from 7,000 to 20,000, and one third of the populace has been driven to refugee camps or to hideouts in the mountains.

Now, a U.N.-authorized, Australian-led peacekeeping force is trying to end the bloodshed. Indonesian President B. J.

Habibie reluctantly invited international troops to restore order, but his Army and its proxies may not be gracious hosts. One militia squad vowed to "eat the hearts" of any Aussies they encountered.

East Timorese refugees tell of babies tossed over the razor wire at a U.N. compound by parents trying to escape hatchet-wielding goon squads. They tell of thugs separating all males over the age of 10 from their families, leading them to still-unknown fates. They tell of corpses dumped into the sea or incinerated on the street, as the capital Dili is sanitized for the arrival of war-crime investigators.

The perpetrators come not only from Army-backed militias but from the Army itself. Armando Mano says the men who burst into his Dili home with knives, guns, and torches were not black-shirted irregulars but uniformed soldiers. Pedro Horacio describes the mayhem on the day after the vote: "They didn't care who they killed," he told *U.S. News*, from the safety of Darwin. "They didn't say anything. They just kept killing people."

Once Habibie accepted outside assistance, two dozen nations pledged troops, supplies, and funding. Australia is contributing over half of the 8,000 soldiers. To avoid the appearance of a Western invasion, Thailand has deputy command, and troops will come from at least seven other Asian countries.

Americans, too. The United States is providing support: about 200 personnel in fields like communications, logistics, and intelligence, plus strategic airlift, including CH-46 helicopters. Despite talk of assisting a loyal ally like Australia, the United States will send only one third as many soldiers as Canada or Italy. None of the U.S. forces are designated combat troops.

America's military ties to Indonesia may have both stoked the fires on East Timor and helped tamp them out. During the Suharto dictatorship, U.S. soldiers helped train Kopassus, the unit responsible for much of the terror in East Timor. The program was cut off last year, after officials concluded (as human-rights monitors had long charged) that Kopassus was implicated in torture. The Pentagon says, however, that close association with Indonesian generals was vital to the success of last week's negotiations.

East Timorese advocates are skeptical. Arnold Kohen, biographer of Nobelist Bishop Carlos Belo, notes that 10 days after Defense Minister Wiranto promised full cooperation, the Indonesian Army was still threatening to shoot down relief flights. "If this is success," Kohen told *U.S. News*, "I'd hate to see failure."

Even with international troops on the ground, failure lurks around every corner. According to the U.N., 200,000 refugees are in danger of starvation. As Australian Air Force C-130s dropped pallets of rice and blankets to Timorese who had gone without food for a solid week, a spokesman said the mercy flights could be disrupted by ground fire at any time. Even the withdrawal of Indonesian forces is no guarantee of peace: Local commanders may give the vigilantes (estimated to number up to 30,000) weapons and safe haven across the border in West Timor.

While acknowledging the danger of more massacres, President Clinton dismissed comparisons with 1994's genocide in Rwanda. In East Timor, he said, "Not everybody has a machete." For those who have already felt the blade's edge, and for those who will be cut down in the days to come, that thought is cold comfort. ■