

# HUMAN RIGHTS IN INDONESIA—PART II

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## HEARING

BEFORE THE

SUBCOMMITTEE ON INTERNATIONAL OPERATIONS  
AND HUMAN RIGHTS

OF THE

COMMITTEE ON  
INTERNATIONAL RELATIONS  
HOUSE OF REPRESENTATIVES

ONE HUNDRED FIFTH CONGRESS

SECOND SESSION

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JULY 24, 1998

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Printed for the use of the Committee on International Relations



U.S. GOVERNMENT PRINTING OFFICE

52-058 CC

WASHINGTON : 1998

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For sale by the U.S. Government Printing Office  
Superintendent of Documents, Congressional Sales Office, Washington, DC 20402  
ISBN 0-16-057789-6

H461-37

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FRIDAY, JULY 24, 1998

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON INTERNATIONAL OPERATIONS AND  
HUMAN RIGHTS,  
COMMITTEE ON INTERNATIONAL RELATIONS,  
*Washington, DC.*

The Subcommittee met, pursuant to notice, at 10:41 a.m., in room 2172, Rayburn House Office Building, Hon. Chris Smith (chairman of the Subcommittee) presiding.

Mr. SMITH. [presiding] The Subcommittee will resume its sitting.

This is the second day of the Subcommittee's hearing on human rights in Indonesia. [The first part of the hearing was held on May 7, 1998.] I, along with my staff director and chief counsel, Joseph Rees, recently returned from Indonesia, where we met with President B.J. Habibie and other top officials of his new government, as well as opposition leaders, human rights workers, and Muslim and Christian religious leaders. We were also able to meet with 21 political prisoners in Cinpinang prison.

We arrived only a few days after the resignation of former President Suharto, and we were surprised at how quickly the rhetoric of human rights and democracy, words that seemed to have subversive connotations under the old regime, had taken hold. Virtually everyone in the government, from President Habibie to the warden in the political prison was eager to confide that he personally had long been a reformer and a human rights advocate.

It is still unclear, however, whether the transformation of Indonesian political discourse will result in a similar transformation of the facts on the ground. Building a democracy requires not only good faith, but also hard work. Here are some of the benchmarks we believe for judging whether this work is succeeding in Indonesia.

On free and fair elections, the existing Indonesian election code gives an incumbent President, together with armed forces leaders, effective control over Presidential and parliamentary elections. President Habibie's initial estimate was that it would take 6 months to a year to revise these procedures and hold free elections. This timetable has since been extended. Under the latest plan, a new President would not take office until the year 2000. Many democracy advocates are suspicious that the delay may be part of an effort by the new government to consolidate and perpetuate its power. Their skepticism is shared by the students whose peaceful demonstrations were instrumental in bringing down the Suharto regime.

On prisoners of conscience, two political prisoners, labor leader Mochtar Pakpahan and democracy advocate Sri Bintang, were released on the first day of my visit. Fifteen East Timorese political prisoners were released a few days later, but hundreds remain in detention. Many of these prisoners of conscience, such as the young PRD democracy advocates arrested in 1996 after illegal ouster of opposition leader Megawati Sukarnoputri, are guilty of nothing other than the peaceful expression of their political opinions. Others, such as East Timor freedom fighter Xanana Gusmao, resorted to armed resistance only in response to massive violence by the Suharto Government, and should be released as a gesture of peace and reconciliation.

On legal reform, President Habibie has promised a thorough review of the laws and regulations used by the former Administration to curb dissent and prevent the formation of political opposition and independent trade unions. In particular, he has endorsed repeal of the subversion law under which so many peaceful opponents of the Suharto regime were convicted and imprisoned. Other reforms of the criminal justice system, in particular the elimination of torture and disappearance at the hands of government agents, are also essential.

The recent arrest of 11 members of the armed forces in connections with killings of student demonstrators and disappearances of human rights advocates is an encouraging sign. The successful completion of these legal reforms under the leadership of Justice Minister Muladi, himself a former human rights worker, will be a milestone on the road to freedom and democracy.

On ethnic and religious persecution, during the last days of the Suharto regime, the world was shocked at the reports of atrocities against Indonesia's ethnic Chinese population, including the rape of hundreds of Chinese women. It now appears that these atrocities may have been engineered by elements of the armed forces in a bizarre attempt to create a situation in which they themselves would therefore be called upon to restore stability.

Similarly, although Indonesia is a secular state with a long tradition of tolerance between its majority Muslim and minority Christian population, the Suharto Government never vigorously investigated the burnings of hundreds of Christian churches, some of which may have also been masterminded by politicians trying to play the religious card. It should go without saying that a multi-ethnic and multi-religious society such as Indonesia must not only guarantee the fundamental rights of all its citizens, but also shape its laws and institutions so as to make clear that all are full and equal members of society.

On East Timor and Irian Jaya, during my visit with President Habibie, I presented him with a letter signed by a number of Members of Congress urging among other reforms, the initiation of direct, good faith dialogs with the peoples of East Timor and Irian Jaya on human rights protection and a just solution to their political status. The letter was politely received, but just a few days later, an Indonesian official denounced it as irresponsible and tried to blame the U.S. Congress for clashes between pro-independence demonstrators and government forces in Irian Jaya, even though the letter did not endorse independence or any other particular out-

come, and even though the demonstrators were the victims rather than the aggressors.

Recent statements from President Habibie hold out the prospect of limited autonomy for East Timor, but seem to close the door on any real process of self-determination. Reluctance on the part of the Indonesian Government to address the political status of East Timor and Irian Jaya is understandable, but the fact remains that these territories were incorporated by force, not by processes that can be fairly described as democratic.

The process of self-determination will take time. It will be accomplished only by peaceful means, with restraint and understanding on all sides. But until all the peoples of these territories are given a free and fair opportunity to choose their own future, it will not be possible to say that democracy has truly come to Indonesia.

Finally, I want to say something about the role of the United States in all of this. As the Administration points out in its testimony today, during the last few years our government has provided moral and financial support to reform groups such as the Legal Aid Society, environmental groups, and independent labor associations. During all of this time, however, the principal message our government was sending to the world was that our highest priorities were trade, investment, and military cooperation. Human rights it appears did not come first, or second, or even third.

At a time when many thoughtful Indonesians believed that the Suharto kleptocracy's economic house of cards was likely to come crashing down, our government did little or nothing to discourage U.S. businesses and international financial institutions from facilitating the reckless and exploitative economic enterprises that ultimately caused the economic crisis. And the so-called JCETs, our joint exercises and training of military units that have been charged over and over again with the gravest kinds of crimes against humanity, including torture and murder, cry out for an explanation. How could we not have known who these people were? And what have we done to ensure that this never never happens again?

Many of us who opposed some of these terrible decisions are nevertheless hopeful for a new era of cooperation between our countries. But we must make clear that such cooperation depends on progress in bringing democracy and human rights to the people of Indonesia. Friends of Indonesia in the United States and elsewhere will be watching these indicators of whether Indonesia is on the road to freedom and democracy and therefore to stability. We will carefully consider such measures in deciding whether to support further non-humanitarian foreign aid to Indonesia from the United States, the Consultative Group on Indonesia, or multilateral financial institutions such as the IMF and the World Bank.

I want to thank our distinguished witnesses in advance for being here, for offering their very considerable expertise on this issue. I would like to recognize Mr. Faleomavaega for any comments and opening statement he may have.

Mr. FALEOMAVAEGA. Mr. Chairman, I want to thank you for your leadership and your earnestness in really pursuing the matter of human rights, not only here within our Nation, but throughout the

world. I can not say enough to commend you for your efforts in helping people who are being oppressed.

Mr. Chairman, many of our colleagues are familiar with Indonesia's dismal record of human rights violations in East Timor. The abuses have been well publicized, for example, the massacre in 1991, where hundreds of innocent Timorese were killed by government security forces. What has not received much attention, Mr. Chairman, is the tragic story of the people of West Papua New Guinea or as now labeled, Irian Jaya.

West Papua New Guinea borders the independent nation of Papua New Guinea and forms the western half of the world's second largest island. Mr. Chairman, within the past week and a half, Indonesian military forces have fired on peaceful demonstrations in West Papua New Guinea and East Timor. I don't think I have to worry about East Timor, as Portugal has made an excellent effort to make sure that regional international organizations are there to understand and appreciate what the people of East Timor have gone through after East Timor stopped being a colony of Portugal.

In a report issued on July 6, 1998, Amnesty International states, and I quote "The new era of reform and political tolerance promised by the new Habibie Government has clearly not filtered down to military commanders and their troops in the field. Reports of shootings in Irian Jaya bring to 21, the number of people in Indonesia and East Timor killed or wounded by the Indonesian armed forces in the last 10 days."

Amnesty International further reports, Mr. Chairman, and I quote "Despite an apology by the local military commander, for the shooting of two peaceful protestors, during a pro-independence demonstration at a university in Irian Jaya's capital city of Jayapura on July 3, the military are reported to have opened fire on another pro-independence demonstration just 2 days later, this time on a small island, Biak, just off the northern coast of Irian Jaya. The use of excessive and lethal force has been a feature of the Indonesian armed forces' response to both peaceful and armed opposition over the past three decades. These latest killings and injuries raise concerns over how slowly the military is responding to the promise of change made by the country's new leadership."

Mr. Chairman, Human Rights Watch has called for a full investigation into the shootings in Biak, Irian Jaya, where 140 citizens have been detained by the government. Human Rights Watch Director Sydney Jones reports that "Wounded detainees are being denied medical care and families are not being allowed to visit them. The problem is compounded by a pattern of intimidation and harassment, restriction of movement and clamp down on information. If the Indonesian Government is interested in easing tensions in Irian Jaya, it has got to ensure that the full facts of what happened in Biak emerges."

Mr. Chairman, the recent violence by the Indonesian Government against the people of Irian Jaya, or West Papua New Guinea is nothing new. It is part and parcel of a long history of Indonesian oppression of the native Melanesian people who live in West Papua New Guinea.

In 1961, the people of West Papua New Guinea, with the assistance of Holland and Australia prepared to declare independence

from Dutch colonial rule. This enraged Indonesia, which invaded West Papua New Guinea and threatened war with Holland. As a cold war maneuver to counter Soviet overtures for Indonesia to become a member of the Communist bloc, the United States intervened in the West Papua New Guinea issue. After the Dutch were advised that they could not count on the support of its allies in a conflict with Indonesia, Holland ceased involvement with West Papua New Guinea's independence. Indonesia thus took West Papua New Guinea by force, Mr. Chairman, in 1963, suppressing West Papua New Guinea's dreams of freedom and self-determination.

Mr. Chairman, in 1969, a referendum called the "Act of Free Choice" was held to approve the continued occupation of West Papua New Guinea by Indonesia. The people of West Papua New Guinea call it the "Act of No Choice" since only 1,025 delegates, hand-picked by the Jakarta Government, were allowed to vote and bribery and threats were used to influence them. The rest of the 800,000 citizens, indigenous native-Melanesians of West Papua New Guinea, had no say in the undemocratic process.

Despite calling for a one-person one-vote referendum, the United Nations, Mr. Chairman, recognized this defective referendum. Mr. Chairman, since Indonesia took over West Papua New Guinea, the native Melanesian people have suffered under one of the most repressive and unjust systems of colonial occupation in the 20th century. The Indonesian military has waged an ongoing war against the West Papua Free Movement and their supporters since the 1960's, and against a civilian populace that has objected to Indonesia's plans for development in West Papua New Guinea. An example of the latter are the untold number of killings associated with the expansion of the Freeport copper and gold mines in West Papua New Guinea.

Mr. Chairman, incredible as it may seem, estimates are that between 100,000 to 300,000 indigenous Melanesians of West Papua New Guinea have been killed or have simply vanished from the face of the earth during and throughout the Indonesian occupation.

Mr. Chairman, the depth and intensity of this conflict, spanning three decades, underscores the fact that the Melanesian indigenous people of West Papua New Guinea do not have common bonds with nor accept being a part of Indonesia. The indigenous Melanesians of West Papua New Guinea are racially, culturally, and ethnically different from the majority of the Indonesian people. West Papua New Guineans are Melanesians, Mr. Chairman, not Malay. West Papua New Guineans are practicing Christians, while most of Indonesia practices Islam. West Papua New Guineans have a unique language and culture, which is distinct and different from the rest of Indonesia.

Mr. Chairman, to make matters worse, the government in Indonesia has chosen a policy of transmigration and unilateral forced settlements, whereby the indigenous West Papua New Guineans are being inundated with an annual influx of over 10,000 families each year from the rest of Indonesia. Already almost 1 million Indonesian migrants threaten to overwhelm the 900,000 West Papua New Guineans in their own homeland.



The tragic situation in West Papua New Guinea greatly concerns me, Mr. Chairman. I sincerely hope it concerns our colleagues on the Committee as well as in this House. With the recent shootings of the pro-independence demonstrators in West Papua New Guinea, I would hope that all of our colleagues would join me in urging the Indonesian Government to immediately stop these human rights violations and take steps now to review the status of West Papua New Guinea as well as East Timor.

Mr. Chairman, the United States supports a recent resolution passed by the United Nations declaring this decade "The International Decade of the World's Indigenous Peoples." I submit, Mr. Chairman, 300 million indigenous peoples live on this planet. Nine hundred thousand of those indigenous peoples are these West Papua New Guineans, who have no ethnic or cultural relationship whatsoever with the Indonesian people.

I would ask, Mr. Chairman, that Senator Akaka's recent statement before the State Department, regarding the draft Declaration on the Rights of the Indigenous Peoples, be included in the research. I sincerely hope that our government will be a strong advocate, not only before the United Nations, but certainly among ourselves to understand and appreciate the oppression that indigenous peoples throughout the world have had to endure. The West Papua New Guineans, these native Melanesians are no exception. I sincerely hope that our friends who are going to be testifying here this morning will shed light on this.

My understanding, Mr. Chairman, is that the present position of the Administration is that they consider West Papua New Guinea as an internal matter for the Indonesian Government. Mr. Chairman, I submit that's a bunch of baloney. The only reason why Indonesia has connection with West Papua New Guinea is because both of these entities were former colonies of the Dutch Government. That's all. That is all. So now we have another foreign government become a colonial master again to these people. I sincerely hope our friend from the State Department are going to be responsive to some of the questions I want to raise about our position, not only in East Timor, but especially in West Papua New Guinea. Thank you, Mr. Chairman.

Mr. SMITH. Thank you, Mr. Faleomavaega. Without objection, the papers you asked to be made a part of the record will be so.

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman.

[The statement referred to appears in the appendix.]

Mr. SMITH. The Ranking Member of the Subcommittee, Mr. Lantos.

Mr. LANTOS. Thank you very much, Mr. Chairman. I want to commend you for holding this hearing. I also would like to explain at the outset that I am concurrently in a Burton Committee meeting that necessitates my occasional absence from this hearing.

First of all, Mr. Chairman, I would like to identify myself with your opening statement. I think it is a carefully crafted, well thought out and very appropriate statement. I wish to fully associate myself with the statement of my friend, my colleague, Mr. Faleomavaega, who has outlined this new colonialism, which is simply unacceptable as the plan to assist Indonesia at long last to develop along democratic lines.

I first visited Indonesia in 1956. It has been one of the most depressing aspects of the Asian political scene that this country, with untold natural resources, has been such an appalling lagger in the development of a free and open and democratic society because of the oppressive and dictatorial regimes that it has endured for decades. I honestly hope that these cataclysmic changes which are sweeping over Indonesia today and which will have enormously negative ramifications for tens of millions of Indonesians in an economic sense, will herald the opening up of a process of democratization and respect for human rights, particularly respect for the rights of the Chinese population living in Indonesia.

One of the sad aspects of our own human rights record predating Secretary Shattuck's assuming his job as Assistant Secretary for Human Rights, has been our failure to press for equal rights for the Chinese population of Indonesia, which has been pivotal in the economic development of that country.

I would like to say a word, if I may, Mr. Chairman, since this may be Secretary Shattuck's last appearance before our Subcommittee prior to assuming his new post as our ambassador in the Czech Republic. I would like to state for the record that in the history of this job, Assistant Secretary for Human Rights, there is no one who has performed this all-important assignment with the intellect and the integrity and determination that Secretary Shattuck has displayed. He has been the conscience of the United States. Across the globe from Bosnia to Tibet, John Shattuck has been a voice of decency and sanity and civility. We shall sorely miss him in this most important assignment.

I couldn't think of a more appropriate country for Secretary Shattuck to represent the United States than the Czech Republic, the only country in Central Europe which between the two world wars maintained a viable and functioning political democracy, the leaders of which, Masaryk and Benes, have displayed extraordinary commitment to free and open and democratic societies. With the new coalition government and the Czech Republic's imminent entry into both NATO and the European Union, this will be one of the most important diplomatic assignments the United States has any place on the face of this planet. John Shattuck is uniquely qualified to fill that post. So may I on my behalf, and I suspect on behalf of every Member of the House of Representatives, express my deep appreciation to you, Mr. Secretary, for the job you have done and the job I know you will be doing in Prague.

Thank you, Mr. Chairman.

Mr. FALEOMAVAEGA. Would the gentleman yield?

Mr. LANTOS. I will be happy to yield to my friend.

Mr. FALEOMAVAEGA. I certainly would like to echo the sentiments and my absolute concurrence and endorsement in the gentleman's remarks attributed to our good friend, Assistant Secretary of Human Rights, Mr. John Shattuck. He couldn't have said it better. I want to wish Mr. Shattuck all the best and thank him for his excellent record in promoting and enhancing fundamental human rights throughout the world. Mr. Shattuck has certainly served well in this position.

I want to thank the gentleman from California for his kind remarks and would complement them with the best wishes for Mr. Shattuck from the Members of this Committee.

Thank you, Mr. Chairman.

Mr. SMITH. Thank you, Mr. Lantos and Mr. Faleomavaega.

Let me also add that I am sorry to see you go, Mr. Secretary. We have worked very well on a lot of issues. But we will stay in close contact. As you know, the Roma continues to be a major human rights issue in the Czech Republic. As a matter of fact, we had a hearing on that just last week. It's arguably the most discriminated against group in Europe and the Czech Republic regrettably has a very poor record on that. But I concur with Mr. Lantos, we have worked very well together. When we have disagreed, it has been in a very gentlemanly way, so I want to thank you for your good work on behalf of human rights.

Let me also say that Mr. Lantos is a very proud father-in-law of another ambassador designee, Dick Swett, who will be heading out to Denmark very shortly we hope, and I think we can expect that. So tis the season to be an ambassador. I want to thank Mr. Lantos for bringing this up early in the hearing, and again, I wish you well.

Mr. FALEOMAVAEGA. Would the chairman yield?

Mr. SMITH. Yes.

Mr. FALEOMAVAEGA. I just want to note that despite my earlier statement about the crisis and the problems in West Papua New Guinea, I have a tremendous love and affection for the Indonesian people. It is the Indonesian Government that I have very very serious problems with in terms of the policies that they have promulgated in the past 30 years toward the West Papua New Guineans. I just wanted to clarify that for the record. The Indonesian people, I love them. They are great friends. I have some very close friends who are Indonesian. But on the policy as a government they have toward West Papua New Guinea, it smells. It stinks. I don't know how else I can say it, Mr. Chairman. Thank you, Mr. Chairman.

Mr. SMITH. Thank you very much.

Let me introduce our distinguished witnesses. The Honorable John Shattuck—Mr. Hilliard, do you have an opening statement?

Mr. HILLIARD. I have no statement, Mr. Chairman.

Mr. SMITH. Thank you.

The Honorable John Shattuck has been Assistant Secretary of State for the Bureau of Democracy, Human Rights and Labor since 1993, and is U.S. ambassador designee for the Czech Republic. Before that, he spent 9 years as vice president of Harvard University where he taught human rights and civil liberties law. From 1976 to 1984, Mr. Shattuck was executive director of the Washington Office of the American Civil Liberties Union.

The Honorable Franklin D. Kramer has served as assistant secretary of defense for International Security Affairs since March 1996. Previously, he served as Deputy Assistant Secretary of Defense for European and NATO Affairs, and is a partner in the Washington DC law office of Shea and Gardner. Mr. Kramer, who earned his B.A. from Yale University and his J.D. from Harvard Law, has written and testified on numerous defense and foreign policy issues.

I would like Secretary Shattuck, if you could begin. Without objection, your full statement will be made a part of the record. Please proceed as you wish.

**STATEMENT OF JOHN SHATTUCK, ASSISTANT SECRETARY OF STATE, DEMOCRACY, HUMAN RIGHTS AND LABOR BUREAU, DEPARTMENT OF STATE**

Mr. SHATTUCK. Thank you very much, Mr. Chairman, and thank you, Mr. Lantos, and Mr. Faleomavaega, for those very kind words. I sit before you recognizing your extraordinary leadership both individually and as this Committee in the field of human rights. It has been an enormous source of satisfaction to me personally to be able to come to you for advice, to work with you, and to often find you in countries where we end up traveling together. You certainly carry very high not only the banner of human rights, but the flag of the United States.

I know that this process that you have here in this Subcommittee is absolutely critical to the many many voices for human rights around the world. I often like to think that, as Mr. Faleomavaega said with respect to one particular government, the task of human rights promotion is a task of connecting with a great movement for democracy and human rights around the world. It is a movement of people. Governments certainly are welcome to participate in that movement and often do, but unfortunately, often they don't. Of course that is in large measure what our work is all about.

I want to thank you for the initiation to speak today about the human rights situation in Indonesia, and Mr. Chairman, to congratulate you on your recent trip which was at a very critical time in the Indonesian national process. Indonesia is undergoing a remarkable but very uncertain transition. It is emerging from decades under authoritarian rule. The Indonesian people have very little experience in self government and constructive dissent, or the complex give and take of democracy. They have a great interest in all of those issues and they are acting very bravely in moving forward. But unfortunately, the past has not allowed them to be as open and free as we and they would have liked.

Although we can see daily the evidence of change such as increasing free expression, the release of political prisoners, the formation of political parties and trade unions, and the early stages of preparation for new elections, we have to recognize that it is too early to say whether this process will continue over the long run, and whether it will lead to a genuine democratic transition. This is why the work that we are discussing here today is so important. This process deserves the support of the United States and all peoples around the world who care about human rights. There is much that we are doing now to help the forces of democracy and human rights.

The task that is before the Indonesian people, which is to emerge from decades of authoritarian rule and build a functioning representative democracy, is as great a challenge as the one they faced upon achieving their independence nearly half a century ago. Of course, this time we hope that they are more successful than in that earlier period.

I believe that all of us who have worked to promote democratization and greater respect for human rights around the world should recognize the difficulty of the road ahead for the people of Indonesia. This will not be easy. The role of Indonesians' friends, particularly the United States, will be to support this momentous transition. We will promote the development of civil society. We will assist through our funds, as I will describe in a moment. Organizations that are struggling to promote democracy and human rights. We will assist in the building of democratic institutions and respect for human rights through bilateral and multilateral programs and through our engagement with Indonesians across the spectrum of Indonesian politics.

As with the Members of this Committee, I have great personal interest in the changes underway in Indonesia, because of the work that I and my bureau have done over the past 4 years in support of human rights and democracy, as a part of our larger U.S. Government effort. I first traveled to Indonesia in April, 1995, to discuss human rights issues with both the government and non-governmental organizations. I returned in 1996 and 1997. During these visits, I met with journalists and press groups facing censorship and repression, and encouraged them in their campaign for freedom of expression. In Surabaya, I met with banned or restricted labor leaders. In Jakarta, I visited and pressed for the improved treatment and release of labor leader Mochtar Pakpahan on two separate visits.

I pressed Indonesian officials to take specific concrete steps to improve the overall human rights situation, especially in East Timor. During discussions with officials, I secured the release or improved treatment of several political prisoners, and pressed for the reduction of troop levels in East Timor. In Dili, East Timor, I met on several trips with Bishop Belo. I was deeply impressed by his commitment to human rights, his clear thinking about the problems facing East Timor and the desire he expressed to avoid violence and find a peaceful solution to the problem facing his people. I also discussed the issues of Irian Jaya with the people representing indigenous groups in Irian Jaya.

My missions were part of a broad U.S. policy to encourage Indonesian officials to improve their human rights practices and end abuses. The issue of human rights and political reform has been on the U.S.-Indonesian agenda consistently, and at the highest levels. During the crisis that broke this spring, reflecting the widespread opposition to another term of office for President Suharto and the deteriorating economic situation, we repeatedly emphasized to the Indonesian authorities the need for restraint on the part of the security forces, and the importance of a more transparent and accountable political process if Indonesia were to overcome both its human rights problems and the economic problems that threatened serious disruption to the well-being and livelihood of its citizens.

We also underscored at the highest level the need to avoid scapegoating ethnic minorities, particularly the ethnic Chinese minority. In the wake of the disappearances of democracy activists earlier this year, our embassy in Jakarta and other U.S. officials made clear to Indonesian officials the urgency of finding and releasing the missing activists and holding accountable those respon-

sible for their disappearance, and in some cases, torture. I met with the Indonesian ambassador in April to make these points myself. In May, I met with Pius Lustrilanang, the courageous young Indonesian who, at great risk to himself, came forward to tell the truth about his kidnapping, detention, and torture.

In the period since Suharto resigned, we have engaged in extensive discussions with Indonesians from President Habibie to student groups, to groups all over the country outside of the government. We have articulated a clear message to all. We value our relations with Indonesia and we want to support measures that will lead to a sustained economic recovery and the establishment of a democratically-elected, accountable government that respects human rights. We have strengthened our lines of communications to representatives of business, the military, non-governmental organizations, and members of all political factions to encourage each to contribute to the solution to the problems Indonesia now faces.

We have also conveyed the message that Indonesia does not face these problems alone. The international community now has a wealth of experience in assisting economic and democratic transitions of the kind that Indonesia is experiencing. Moreover, in recent years, long before this year's surge for democracy in Indonesia, the United States has been a major contributor to efforts to support development of civil society, the foundation on which new democratic government can be built. Our assistance is not intended to provoke instability as some in Indonesia have alleged, but rather the opposite, to help Indonesians themselves address the problems of their society in peaceful, responsible ways, through civic education, community development, and responsible actions.

Specifically through USAID's democracy program, the Administration has assisted the development of Indonesian non-governmental organizations involved in advocacy on a wide range of issues, including governmental accountability, citizen participation, law reform, environmental protection, land rights, and the rights of indigenous peoples. For example, we have supported LBH, the Indonesian Legal Aid Association, in its efforts to investigate corruption within the Indonesian Government, and in representing students, journalists and labor leaders before the courts.

Through our support, a nationwide environmental organization, WALHI, uncovered and publicized severe problems with industrial waste disposal and illegal land acquisition. In Irian Jaya, we assisted the largest indigenous Irianese community development non-governmental organization (YPMD) to spotlight problems relating to human rights, land tenure, and the environment. As Indonesia's political and economic transitions proceed, we will continue to support the development of civil society through assistance to an increasing number of non-governmental organizations that are promoting greater accountability, transparency, and effectiveness at all levels of government.

While there is broad agreement in Indonesia about the need to reform the political system to enable citizens to have a real voice in their governance, there is less consensus about how to address the questions of local self government and decentralization. In Indonesia, these questions are further complicated by ethnic and cultural divisions, and by historical problems in outlying areas, cer-

tainly by the kinds of problems that Mr. Faleomavaega was describing earlier.

In East Timor, the United States has long supported the U.N.-mediated tripartite talks spearheaded by the Secretary General's personal representative, Ambassador Jamsheed Marker. We have encouraged both parties to look for measures that they could take to demonstrate their renewed commitment to resolving the problem of East Timor. Last week, Ambassador Marker met with Xanana Gusmao, the prominent East Timorese leader imprisoned in Indonesia. I would note reports that Mr. Gusmao urged Indonesia and Portugal to exchange interest sections without making his own release a precondition.

We have also made this point, reinforcing Ambassador Marker's message. The opening of interest sections would be a small but meaningful step forward, demonstrating that both sides are committed to working together to resolve East Timor's status. It would be a tangible result of the tripartite process. The United States has continued to urge troop reductions—and I would note reports today that 1,000 troops are in the process of being reduced from East Timor—as well as accountability for abuses committed by troops in East Timor and elsewhere in Indonesia, including prominently Irian Jaya.

We have also stressed the importance of further prisoner releases. In our contacts with East Timorese who oppose Indonesian rule, we have also underscored the importance of abstaining from the use of force and the commitment to peaceful negotiation as the way to achieve a solution.

Irian Jaya and Aceh also present major special human rights problems. Earlier this year, church groups from Irian Jaya released a deeply disturbing report, detailing abuses that took place there in late 1996 and 1997. Earlier this month, protestors in several areas of Irian Jaya engaged in pro-independence demonstrations, leading in some cases to security forces acting against demonstrators. Reports indicated that several protestors were killed, more injured, and many arrested. While the situation in Aceh has recently been quieter, this region also has a history of anti-government activity that has led to heavy military presence and in many cases, major human rights abuses by the government.

Our embassy in Jakarta is paying close attention to the situation in these regions. Embassy officers, including the Ambassador, travel periodically to each. I met earlier this week with the Indonesian ambassador specifically to raise and protest the major human rights abuses that have occurred in parts of the outlying areas, particularly in Irian Jaya.

Indonesia's response in the past to activity by opponents of Indonesian rule in these areas had been to increase its military presence and bear down hard on all manifestations of opposition. In addition to the human rights violations that resulted from this policy, it was clearly not effective. We are urging Indonesian authorities to recognize that they can not resolve these issues by force of arms. They must enter into dialog with the population and find ways to address legitimate grievances. Progress toward decentralization, devolving more authority to local government, will help not only to

diffuse tensions, but will ultimately benefit Indonesians across the country.

We must be aware, however, that decentralization may be viewed as a threatening concept by some Indonesians, who remember the disorder and the centrifugal forces that buffeted Indonesia in the earlier days of independence.

In addition to these serious human rights problems in outlying areas, Indonesia also has a lot still to do in Jakarta, where the pace and direction of the democratic reform will be set. As Indonesia tries to move forward, it will have to address certain difficult but crucial problems. As I said earlier, I had a chance to speak this week about many of these problems with Indonesia's Ambassador Dorodjaton, and I know that other U.S. officials are also making these points in their regular meetings.

At the top of our agenda is the problem of accountability and an end to human rights abuses by the security forces. In order to move toward this goal, the government will have to continue to investigate kidnappings and disappearances that occurred earlier this year, and to bring to justice any officials at any level who were involved in these crimes. There are about a dozen activists still missing. The authorities must account for them and release those still in detention. There must be a full investigation of the alleged role of elements of the military in the May riots. I have been particularly appalled by the terrible accounts of widespread use of rape against ethnic Chinese women and girls during the rioting, and deeply concerned by allegations that elements of the military may have been complicit in these attacks.

At the same time, I am encouraged by greater restraint shown by the military during demonstrations and protests this year, and by the increased willingness of leading officials to acknowledge errors and conduct investigations and prosecutions in those tragic cases that have led to injury and loss of life. You are probably aware that 11 members of the security forces were recently arrested due to evidence that they were involved in the disappearance of activists. This is again, an unprecedented step. When I met earlier this week with the Indonesian Ambassador, I emphasized the importance of restraint by the military, and accountability for abuses. He in turn laid out a program proposed by the government to investigate and try those guilty of criminal acts and human rights violations. The government has established a commission to investigate charges against the military. The Indonesian Human Rights Commission is also pursuing an investigation, and some women's groups working with the Minister for Women's Affairs are also playing an active role. Some will be here, I believe, in the next week.

The government will set up both military and civilian courts charged with trying these cases, and plans to proceed quickly to prosecutions by mid-November. We welcome the commitment by the Indonesian authorities to find and punish the perpetrators of these horrendous crimes. We will be following these developments very very closely.

Indonesia needs to take action to promote reconciliation to the ethnic Chinese minority, and to reassure them that as citizens, they will receive equal protection by the forces charged with main-



taining law and order. The government's recent decision to remove ethnic designations from official identification cards, also unprecedented, is a good step in this direction, as was President Habibie's recent public statement condemning the vicious attacks on Sino-Indonesians.

We have also encouraged Indonesian officials to ensure that members of all religious faiths enjoy equal protection of the law. This has been one of my messages during my recent trips, and I know, Mr. Chairman, you made that same point very forcefully when you were there in June.

Indonesia has worked to promote a spirit of religious tolerance, but there are recurring and serious problems with attacks on churches and with incidents of discrimination. Especially in a time of heightened tensions stemming from political changes and economic hardship, we are urging the government to demonstrate leadership in promoting respect for minorities.

The military leadership has been a recent supporter of change in Indonesia. We need to maintain our lines of communication to military leaders such as General Wiranto and other supporters of the reform process. We must be certain our contacts with the military serve to promote greater respect for human rights. Within the State Department, and in cooperation with the Defense Department, as Mr. Kramer will outline, we have been working on the procedures for reviewing military training deployments to ensure that no training is provided to units that have permitted gross human rights violations, unless the host country has taken effective measures to bring perpetrators to justice.

Indonesia must also look for ways to build public confidence that the new openness will be lasting, and will be genuine, and can be supported by the people. We are concerned that many political prisoners remain incarcerated, including those who are in jail solely for the peaceful expression of their political views. There are people imprisoned in Indonesia today for saying things in the past that today could be published in any newspaper or announced from any podium. The continued imprisonment of these individuals casts a shadow over the progress made so far in many areas.

As we look at difficulties ahead, it is critical to begin assessing the elections process. Revamping the electoral system will be difficult. But neither Indonesians nor the international community will have confidence that the political transition is complete until a new government is formed through free and fair elections.

In order to assist the democratic transition, the Administration is currently developing a program to support the laying of a groundwork for free and fair elections. The State Department and USAID are working very closely on this expanded democracy program. As you know, USAID Administrator Brian Atwood led an assessment mission to Indonesia last month; and the director of my bureau's Program Office, Elizabeth Clark, is presently in Jakarta on a followup mission to that earlier one.

In particular, we are planning to expand our support for Indonesian non-governmental organizations involved in civic education and electoral monitoring. We have initiated assistance for the promotion of political dialog; for the revision of laws on elections, political parties and Presidential selection; for the training of journal-

ists covering the political and economic transition; and for the development of independent labor unions.

No discussion of the problems ahead is complete without reference to the economic situation. I will not go into detail about the stunning economic decline, which I know is of great concern to everyone here today. The dramatically growing poverty in Indonesia represents a humanitarian crisis of enormous scope. I would only like to note that a continuation of the economic decline is perhaps the greatest threat to a transition to a genuinely democratic system. When people are unemployed, hungry, frightened, and hopeless, they are less well equipped to make rational and responsible political choices. For this reason, I believe it is essential to support economic assistance through the international financial institutions. We have not, however, given the Indonesians a blank check. We will monitor the situation very closely.

As we look ahead, we will continue to deliver a strong message on the importance of democratic reform and respect for human rights. We will continue to orient our assistance programs to helping Indonesia toward that goal. We appreciate the strong and constructive interest shown by Members of Congress, and by you in particular, Mr. Chairman, in this process. We have a tremendous opportunity to help the Indonesian people at this historic moment, and we must work together to meet the challenge.

Thank you very much.

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

Mr. SMITH. Thank you, Mr. Secretary. I appreciate your testimony. I would like to ask Secretary Kramer if he would make his presentation.

#### **STATEMENT OF FRANKLIN D. KRAMER, ASSISTANT SECRETARY OF DEFENSE FOR INTERNATIONAL SECURITY ISSUES**

Mr. KRAMER. Thank you, Mr. Chairman. You have my full statement. I will try to summarize briefly because I know we want to have time for questions.

I appreciate the opportunity to appear here. As you know, it is my first chance to testify before this Committee. I thought I would take just a minute to indicate how we approach our overall efforts for security in the area and then relate those to Indonesia.

We are part in the Department of Defense of the U.S. Government to promote an overall security strategy. One thing that we have found over the years is that the U.S. military presence is a basis for stability and security in the region, and that that stability has been a basis for the very good economic growth that has occurred over the past 20 years until recent times. That growth has been good, of course, for the region. It has also been good for the United States.

The financial crisis obviously impacts substantially on that stability. It is important in our judgment for the United States to continue to be there to help maintain a stable environment so the countries can deal with the many political and economic challenges that are now facing them. We do this through what we call four pillars: forward presence of U.S. military forces, of the establish-

ment of bilateral alliances and friendships. We have engagement with China of course, and we utilize multilateral efforts such as the ASEAN Regional Forum. We do this not only to deal with the economic kinds of issues, but because there are potential threats. There are large armies in the region, some are nuclear armed. There are historical challenges between countries. There are boundary claims. There are ethnic differences. Of course all these countries are undergoing fundamental change. So we see Indonesia from our perspective through that prism, if you will, Mr. Chairman.

Indonesia of course has a pivotal role in regional security. It has been a critical influence with the countries in the region, and it has a unique geo-strategic position. It is the gateway between the Pacific and Indian Oceans. It sits on unique sea lines of communications, and it has supported U.S. engagement in the region long-term. It's been a backbone of ASEAN. It's been involved in the ARF. It's worked on the South China Seas problem. We have engaged for those reasons. Our engagement, as Assistant Secretary Shattuck indicated, is just part of the overall U.S. engagement. What we do is in the inter-agency context.

Secretary Cohen was there of course in January at the time when the economic stability and the political stability were quite uncertain. He spoke to then President Suharto about economic stability, about the need for reform, and about the desire of the United States to continue engagement in the region. Admiral Prueher, who is the commander in chief of our forces in the Pacific command was there more recently after the change in the Presidencies. He encouraged continuation of political reform. He encouraged and said it was very important to have a thorough investigation of course of the shootings at the university.

The vice chairman of the Joint Chiefs of Staff, General Ralston was there approximately 2 weeks ago. He likewise talked about the need to continue political reform, the need to have respect for human rights, and he underscored the critical need for investigation into the university shootings and to the disappearances and to the riots, and into the rapes in which, as Assistant Secretary Shattuck has said, there have been unfortunate allegations of military involvement.

In the department itself, we have undertaken a review of our activities with Indonesia, military activities. In May, Secretary Cohen put a temporary hold on all activities in Indonesia subject to a case by case review by Under Secretary of Defense for Policy, Mr. Slocombe, from whom I directly work. We have now approved going forward in fiscal year 1998 with a number of activities that are focused on things like engineering, humanitarian, medical, logistics. There are also outside Indonesia some Indonesian students who receive so-called E-IMET in our schools. The Indonesians still come to conferences and engage in dialog with the U.S. military.

One aspect that is not going on but that has received a lot of attention and I want to spend a minute on it, Mr. Chairman, is the so-called JCETs, which you mentioned in your opening statement. Those are all on hold now, but we have not only in the context of Indonesia, but worldwide, actually changed our procedures. I

thought I would take a minute to discuss this because you referred to it directly in your opening statement.

We have talked with Members of the Congress, with the staff, including your own staff about this. As you probably know, there is a reporting requirement on JCETs to the Congress. We have undertaken to improve the reporting. We sent forth the first report. I expect that next year's will be broader than the first improved report already. These I believe now are coming not only to the Armed Services and Appropriations Committees, but I believe I am correct to say they are coming to your Committee, and then again, I am sure you have copies.

Inside the Department of Defense, we have also undertaken to improve the oversight by the Office of Secretary of Defense, that is, the Secretary's own staff of which I am a member. We have required that we get in advance on a quarterly basis a statement of all the JCETs that will occur worldwide. There is an office, the Office of the Assistant Secretary of Defense for Special Operations and Low Intensity Contact, who directly supervises the special forces. That office will get those. Then in consultation with my office, which is International Security Affairs, we'll review the quarterly reports prior to the activities taking place.

We will send those quarterly reports to the Department of State. We will review them with respect to all relevant policy issues. If we do find that we have possession of credible evidence of gross violations of human rights by a unit, we will not undertake training with that unit, except perhaps in extraordinary circumstances, unless appropriate corrective actions have taken place. We will continue of course to rely upon the Ambassador. If it is the Ambassador's judgment that we should not train with the unit, we will not. We will seek the Ambassador's judgment as we have.

We are in early days in making these revisions, Mr. Chairman. We will doubtless be able to improve on the process over time. But we are fairly confident that these changes in policies will make the JCETs process a better one. I will underscore what I said before. There are no JCETs now for Indonesia, but this is a worldwide approach. If it became appropriate at some point to do it for Indonesia, it would apply.

Obviously Assistant Secretary Shattuck has indicated the tensions generated by Indonesia's economic problems and the political transition have been accompanied by human rights problems. We are particularly troubled by the allegations of military involvement in the disappearances, in the shootings, possibly in the riots and in the rapes. We, as part of the overall U.S. Government effort, will press for credible investigations of those incidents, both publicly and in private meetings with Indonesian officials. There are investigations ongoing and we are awaiting the findings.

In the meantime, we have a strong interest in seeing that the Indonesian military manage future unrest throughout Indonesia with restraint. We have consistently urged that restraint to officials in Jakarta, most recently during the visit of the vice chairman of the joint chiefs, General Ralston.

As Assistant Secretary Shattuck has stated, we think it is critical that the ethnic Chinese minority be fairly treated, and with full equal protection under law. We are pleased that a way seems open

for progress on East Timor, though obviously it will take a lot of work. General Ralston raised this issue on his recent visit.

As Assistant Secretary Shattuck has stated, it should be noted that the Indonesian military has acted with some restraint since the outbreak of the crisis. General Wiranto and the new leadership do appear to be concerned that rules of engagement are adhered to and that the Indonesian military acts professionally. Every individual lapse obviously harms the reputation and credibility of the armed services, and more importantly, is inappropriate for anyone to undertake and should be fully dealt with and accounted for. But we do have some greater indications that this new leadership will want to have the majority or will want to have the full armed services act in a disciplined fashion, and that they will want to do so even understanding the very difficult situations that they have faced.

We in the Department of Defense fully support our human rights objectives in Indonesia. We think that the DOD interaction with Indonesian armed forces is a key tool with which to do so. We do not assume that individual U.S. policies or actions taken toward the Indonesian military will by themselves produce fundamental changes in the military's behavior. But we do believe that over time, we can influence human rights improvements through dialog, through access, and through training. The U.S. military is an exemplar military. It is highly professional. We believe that by helping professionalize the Indonesian armed forces, we can help, not alone, but can help reduce human rights abuses.

There is obviously a great deal for the Indonesians to do for themselves. They have a huge amount of economic turmoil and political evolution to be done. We are very supportive to help them on the political reform effort and we have worked very closely with the Department of State and others in the U.S. Government to do so. Secretary Cohen will be visiting there, as you know, next week. He will carry similar messages, as I have indicated.

Thank you very much, Mr. Chairman.

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

Mr. SMITH. Thank you very much, Secretary Kramer. Let me begin the questioning. As we all know, Congress cut off IMET in 1992 as a direct response to the massacre of 200 East Timorese protestors, including school children, in November 1991. That is about the time, I understand, that JCETs kicked into action. There have been some 41 joint exercises since then. Many of the U.S. JCET exercises in Indonesia involve training members of the Kopassus special forces, the arm of the military accused of committing some of the gravest human rights violations against the Suharto regime's political opponents.

On July 12, there was a very incisive article in *The Washington Post* by Dana Priest. Just to quote very briefly from it, she writes, "In October 1997, in a housing project under construction by the Lippo Group conglomerate about 18 miles outside of Jakarta, 12 U.S. Army Special Forces diagrammed a straight-forward mission. Find the enemy somewhere in a warren of plywood rooms, blow a hole in the wall, and kill and capture as many as possible while trying not to shoot each other. The participants in a staged drama

were 60 troops from Indonesia's Special Forces unit, Kopassus, and the Jakarta area military command. Using U.S. Army's laser tag equipment and for atmospherics, a couple of Puma and Super-Puma helicopters, American commanders were teaching the Indonesians how to plan and conduct close quarters combat and other finer points of urban warfare."

She pointed out further in the article in interviews, Indonesians emphasized the practical application and status connected to the exercises. Several officers with the closest American ties are at the top of the institution. "Our real opponent is the internal riot," said a three-star Indonesian general interviewed in Jakarta this spring as the student-led riots were in full bloom. "The United States," he goes on to say, "teaches us how to stop civilian disturbances."

As I believe Mr. Shattuck pointed out just this week, 11 Kopassus members have been detained in connection with the kidnapping, torture, and disappearance of numerous political activists. We, as you know, heard testimony just several weeks ago from Pius Lustrilanang. He was tortured, and thankfully made his way to this country. He now is back at home, and is OK.

But given the longstanding accusations of human rights violations by Kopassus members, I would ask you, why was the United States involved in training Kopassus troops? Did the U.S. military training of Kopassus members include interrogation techniques? Who are the 11? Do we know their names? Do we know their ranks? How high up the chain of command is this likely to go? And did any of the 11 Kopassus members now in detention ever receive U.S. training as JCET participants? And do you have any way of finding that out at this particular time? Were Indonesian military personnel screened in any way prior to participating in U.S. JCET exercises? And what kind of records do we have on this?

Finally, and this is rather lengthy, but I would ask you, and I know you are taking notes, and I appreciate that. Could you describe the following types of exercises: sniper training, including camouflage and stealth approach, close quarters battle, combat swimmer operations, special reconnaissance, including long range infiltration and exfiltration, subject matter expert exchange, light infantry tactics, psyops, and military operations in urban terrain.

I know it is a very lengthy question, but I am hoping that there will be a comprehensive answer, Secretary Kramer.

Mr. KRAMER. Yes. We can give you a comprehensive answer. Probably to do that I think I might have to supplement this answer by some material for the record, which I would be pleased to do. Some of the information I don't think I actually have.

[The information supplied by Mr. Kramer can be found in the appendix.]

Mr. KRAMER. Let me start at the beginning and then try to go back.

I think it is probably a good starting place to understand what the JCETs are designed to do, how they came about, and then talk about some of these particulars perhaps. The JCETs are designed to train our special forces. Our special forces are designed in a sense to do what you think that they would do, if you will, from old movies, to drop behind the lines and work with the indigenous forces in a country. So that when you train our forces, they have

to train with the forces of the country in order to do what they do. They have what are called mission-essential task lists. Those are developed by the special forces command. Then they are supposed to train to meet those mission-essential tasks.

Up until approximately May, the procedure for having this training go forward in a country, was to have the special forces command develop training efforts that would meet these mission essential tasks, to have the component commanders check with the embassy in the country as to whether or not it was appropriate to come in. If they received the authority from the embassy, then to train with the appropriate unit.

To answer, and I am happy to answer all your questions, Mr. Chairman. If I leave any out, just tell me. To answer your question, I believe that it is accurate to say that the vetting process up until recently, and I'll go over that in a minute, really depended on working with the embassy, that there was no, if you will, independent vetting process by the Department of Defense. In other words, we would let the embassy know with whom we wanted to train. Then they would have to tell us if there was a problem. Just bear with me.

What we do in all these things is to do things that are important for us to do from a military point of view. I think it probably saves time for the record to go over each of these things with a description for the record in terms of sniper training, close quarters, combats swimmer, et cetera. To use an example though, just to take one, sniper training. That would normally involve, it's an advanced marksmanship type course. It involves camouflage. It involves making sure that you understand the rules of engagement for when you would fire and when you wouldn't fire. But we have programs of instruction. I think it would be better for me to make sure that the experts are giving you the exact precise things rather than give you a mistake.

Just so you are clear, however, subject matter exchanges is a category that can include a lot of things. You can have exchanges on the law of war. You can have exchanges on actually how to conduct an operation. So that would cover a whole series of things.

It sounded to me like what you were describing or what Ms. Priest described in October 1997, although I can't be absolutely sure from the description. It sounded like operations in urban terrain, but again, I would have to get you that information. As I said, I did take notes and I can work with your staff to make sure that you get a full explanation.

With respect to the 11, I believe that one name has been mentioned in the newspapers. I don't recall it. So far as I am aware, we are not certain who they are, nor how high up it goes. I have seen indications that it may go up high, but I don't know. But again, we would be getting into some intelligence information—we can give you everything that we have and I am happy to do that. Mr. Shattuck may have more information than I do on those particulars.

Mr. SMITH. If I could just interrupt. Pardon me for doing so. But on the 11, are we trying to ascertain their identities and to juxtapose it with those whom we trained to find out whether or not they were among them? If not, I am making that request to find

out whether or not any of those individuals were ever trained by JCETs.

Mr. KRAMER. I'll have to refer to John as to what we are doing with the 11.

Mr. SHATTUCK. Well, we are obviously watching very closely to see everyone who was arrested and formally charged in the proceedings which are going to be unfolding. We expect further arrests to occur, incidentally, as a result of this process that has been set in motion. The 11 arrests took place just last week or 10 days ago. We do not now have their identities. But we are certainly going to try to get them. Obviously the vetting process that is being described here is one that will be very important in terms of who is arrested for particular kinds of charges, and any further consideration of training. I mean this is absolutely at the core of our vetting process, not only in Indonesia, but in other countries as well. For example, in Colombia. But we will be getting that information.

Mr. SMITH. This isn't the first time the Subcommittee, nor I as chairman, have raised this. I have been concerned about this for some time. During the trip, I raised these issues with Colonel McFettridge. It was roundly dismissed as barking up the wrong tree. I raised the point that the human rights organizations that we on the Subcommittee listened to in a bipartisan way, they have no ax to grind other than standing with the victims. They came forward and have continually pointed the finger at Kopassus. Yet Kopassus was a beneficiary of this training. Again, in the Dana Priest article, it is elaborated upon in a very real way that it may actually have aided and abetted the controlling of the riots and the use of force. That training might have been employed with chilling and lethal consequences.

We really would like to know that as quickly as possible. I think it's very important whether or not any of these individuals have been U.S.-trained. Many of us had deep reservations and concerns about General Prabowo, the head of Kopassus, not just for recent actions but for past actions that go back years. We would hope that there would be an aggressive attempt to determine whether or not he was complicit in any of these things.

Mr. KRAMER. Mr. Chairman, if I might say, we really will work with your staff. I want to not have any misimpression. We do not have, as far as I am aware, lists of people who actually participated in the JCETs training. Again, let me just make sure of that. Unlike people who come to this country for IMET training, where we obviously do have lists. Those lists have been provided to the—well, I know they have been provided to the Congress at least to Congressman Evans and several others. That doesn't mean we can't try to answer your question. I just don't want you to think that we have a data base that we can just go to and—

Mr. SMITH. Well I would hope, first of all, that is a very serious flaw. It certainly gives plausible deniability when things like this erupt to say well we don't know who we trained. I would hope that with cooperation with the Indonesian armed forces, we could reconstruct such a list to determine whether or not. That may even mean interviewing those who are under, if they get to the point of being under indictment, to determine whether or not they have been interviewed.



You know, this is an issue that I have raised as well, and wrote a rather lengthy letter about Rwanda. Because we saw a similar pattern and had similar concerns about whether or not sniper training and other training had aided and abetted in the killing of refugees, in that case Hutus.

Mr. KRAMER. Yes. In this case, assuming we do get the names, you are in a different posture than having to do the whole universe. I am not suggesting we can't do anything. I just don't want you to have a misunderstanding as to the information we do have.

Mr. SMITH. I do hope there will be the political will, the aggressive will, because you have access to that. We do not. We are making that request because I do think we need that information.

You know, and even in looking at your testimony and your statement for an apparent remedy where you say that if we are in possession of credible evidence of gross violations of human rights by a unit, we will not except in extraordinary circumstances train with that unit until we are satisfied that all corrective steps, necessary corrective steps have been taken.

First of all, the issue of gross violations has a real meaning in law, and certainly is a very very high bar. I would hope that if a unit interrogates in ways that may not be characterized as gross but involve force, coercion, or some other means, that we would think is out of bounds from a human rights perspective, again, I think "gross" is far too high a bar. As to the phrase "in possession," what is being done proactively to determine whether or not that evidence exists? We were largely ignored—me as chairman of the International Operations and Human Rights Subcommittee, and Members of the Committee—when we raised concerns about Kopassus. I did it to the man in charge at our embassy, who I guess is Mr. McFettridge, who is the point person.

Mr. SHATTUCK. Mr. Chairman, if I could just—

Mr. SMITH. Yes, please.

Mr. SHATTUCK. Interject one, just as a point of information. I wanted to check and I did confirm that the standard in the Leahy amendment section 570, which is where this vetting is now mandated by Congress, and which we take very seriously, is gross violations.

We could go through the various types of human rights abuses that gross violations include, for example, torture. But the legal standard is indeed gross violations.

Mr. SMITH. But again, "in possession of," sometimes there needs to be a subjective but an informed and educated guess that, when there is a credible evidence being proffered by human rights organizations as there has been for many many years regarding Kopassus, that should not be dismissed. Even when you don't have a smoking gun, necessarily. Even Pius Lustrilanang when he came before us, talked about how he was blindfolded and heard bugle sounds in the morning and all of the atmospherics that would suggest that he was at a military base, he couldn't say absolutely he knew who his interrogators and torturers were. But he certainly knew he was being tortured and it was very systematic and obviously very horrific.

So you know we need to use reasonable man, reasonable woman standards. But "possession," you know, it would seem that there is

wiggle room in this new remedy that could very easily lead to more mistakes in the future. So I just offer that, hopefully in a constructive way.

I have a number of questions, but I will only ask a few before yielding to Mr. Faleomavaega.

Mr. Secretary, during the consultative group donor meeting on Indonesia in Paris, which is as you know is slated for July 29th to the 30th, will the U.S. delegation urge the Indonesian Government to speed up the current time table for elections and will any benchmarks, any human rights criteria be laid down as prerequisites or at least encouragements to the Habibie Government prior to additional aid?

Mr. SHATTUCK. Well, as I said in my statement, we have been watching very closely the steps that have been taken. They are the kinds of steps that we were looking for in terms of trying to begin the process of assisting on the economic side.

We also believe, and this will be the position of our delegation at the donor conference, that there has to be parallel progress on the political front and the economic front. They must go together. If there is only progress on the political front and none on the economic front, then there is a real risk that the political developments that we are welcoming here, could in fact be reversed. On the other hand, obviously if there is only economic assistance with no political development, that would have the reverse effect and would be very detrimental to the process of developing more democracy and human rights.

For that reason, we are very much attuned to the will of the Indonesian people as to the election process and the consensus that is developing about the importance of early elections. I think in recent months, there has been a growing consensus about the importance of earlier elections than was contemplated about 2 months ago when you were in Indonesia. We welcome that. We don't want to force the process in such a way that it is impossible to actually prepare adequately for the elections. Here again, some of the target dates for elections are fairly reasonable. For example, the process of developing electoral reform and electoral technical provisions enacted in a legislative context as early as this fall, is a very important development.

So to summarize, we think there has to be simultaneous political reform and economic reform. We support the political reform in so far as it continues on track. We will follow it very closely and we will assist the Indonesian Government economically in that process, but we will be keeping our eyes very wide open in the event that things completely take a reverse turn. That has been the record that we have established over the last 6 months.

Mr. SMITH. Secretary Kramer or Secretary Shattuck, could you tell us what proportion of expanded IMET training for members of the Indonesian armed forces has been devoted to human rights and civilian control of the military? Could you provide the Subcommittee with what the curriculum on human rights is? And have human rights NGO's been asked to review that curriculum to see how it stacks up with what they might consider to be a proper curriculum?

Finally, has there ever been a review done of the Indonesian program to determine whether or not on a human rights basis progress was made, whether it actually affected the recipients of that training?

Mr. SHATTUCK. I am going to let Mr. Kramer answer that question.

Mr. SMITH. OK. Sure.

Mr. KRAMER. I have a list here, Mr. Chairman, of the courses that people have taken, but I do not have, if you will, the program of instruction. So let me just give you a sense of the types of courses briefly. Then I think we can supplement for the record.

We have courses in civil-military relations, a law of war workshop, civil-military strategy for internal development, resource planning and management for international defense masters program, information technology, financial management. We'll make this list available.

With respect to a review in the terms that you have stated, I would say that I am not aware that any one has taken place. John.

Mr. SHATTUCK. No. I don't mean to turn history into a review, but I do think the relative restraint and leadership of the more progressive elements of the Indonesian military in recent months points to a significant degree of recognition by the Indonesian military that the democratic process is essential to the government, that restraint must be used in dealing with demonstrations, that accountability is critical, and that this process of bringing to justice those responsible, even those at high levels and even those from elite ranks in the military, is going to go forward.

That, to me, is some evidence, albeit not as scientific and systematic perhaps as we would all like, but significant evidence that our engagement on this E-IMET training process has been valuable. Our continued contact, especially with elements such as General Wiranto, is essential to keep this process on track and to ensure that there is less use of the kind of force that Mr. Faleomavaega was very eloquently describing in the tragic situations in Irian Jaya, in East Timor, and other places.

So I personally believe, as our government's highest human rights officer, that now is a critical time for us to continue engagement with the military, to make sure that we know who are the bad actors. That is why this justice process is so important.

Mr. SMITH. Mr. Secretary Shattuck, as our government's highest human rights officer, given the fact that Kopassus had a terrible reputation for torture—hard to prove, but there certainly were scads of evidence pointing fingers at Kopassus, was it right for us to train Kopassus and elements of Kopassus in close quarters battle and all of these other things that we gave them training in? Especially when you have a three-star Indonesian general, if this Dana Priest article is correct, and I have no reason to believe it's not, suggesting that it was very very helpful in riot-type mitigation. Was it right to train them in retrospect?

Mr. SHATTUCK. I think it has been right to engage with the Indonesian military, but I am not an expert in this kind of training. I believe you have gotten a good answer from Mr. Kramer on this. The situation now, where there is a higher degree of transparency and a greater ability to engage with those progressive elements in

the military is going to provide even greater opportunity to make sure that the training is not used by those who might misuse it in abusing human rights.

Mr. SMITH. But again, not to belabor the point, I am not alone in this, we were like voices in the wilderness yelling as loud as we could. We saw a problem before the 11 were apprehended. Kopassus, that was the group that continually was mentioned. I mean how many of the 41 training missions or exercises were with Kopassus? Most? Some? All?

Mr. KRAMER. There were certainly some. We have the exact information, so I could give that to you.

Mr. SMITH. If that could be provided for the record, that would be helpful.

Again, we get to vetting, and then I'll yield to Mr. Faleomavaega. We believed we were training thugs. The human rights community spoke in one accord on that. I would hope that certainly the suspension will be very long lasting and aggressive vetting is accomplished before we ever go back into the field with them again. But I would hope that we would again, Mr. Shattuck, if you did want to respond, again, in retrospect, did we do the right thing in training them?

Mr. SHATTUCK. I am not going to second guess anything that was done in the past. I think the goal here is to get this process as firmly on track as we can. I do think that the engagement with the Indonesian military is an element of that.

Mr. SMITH. I just hope that past isn't prologue. I make a million and one mistakes myself personally and I try to learn from every one of them. So I hope we learn from this.

Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman. I do have a couple of questions, and certainly want to thank Secretary Shattuck and Secretary Kramer for their testimony before our Subcommittee.

I want to ask Secretary Kramer a question to follow up on what the Chairman had asked earlier. Maybe I didn't get it right, but do we go to Indonesia volunteering ourselves to conduct sniper training and commando raids and all of that with the Indonesian security forces or did this result from the Indonesian Government requesting that we help them in the training process?

Mr. KRAMER. We all do JCET training in the first instance for our own purposes. In fact, the statute in section 2011 title 10, requires that the primary purpose of what we do be for our own purposes.

The reason that there is a special statute is because of the nature of special forces, which basically interact also with local forces. So there is not only a training component for us, but it's also a training component for the local forces because the special forces are designed to work with them. There was a period of time in I believe, I wasn't in the government then, in the late 1980's and early 1990's, where there was a question of whether we could do it because we were providing security assistance, so the Congress passed a statute.

It is my best understanding that we have our own list, as I said, a mission-essential task list. Obviously the Indonesians would have

to want to engage with us. I am not saying that they don't want it also, but it is supposed to be done in the first instance for us. Since we work with them, they would want to likewise.

Mr. FALEOMAVAEGA. How does our sniper training, commando raids and all of that compare to other countries as far as the training process? Are we in the top three in the world? How do we rate among the other countries as far as training in these specialties?

Mr. KRAMER. I always rate our forces as the best in the world.

Mr. FALEOMAVAEGA. I think as I remember former Secretary of State Christopher said that our foreign policy is our trade policy, and that you can not separate one from the other, that they go hand in hand. With that in mind, I would like to ask what is the approximate economic investment that our country has with Indonesia? How much corporate investment do we have in Indonesia?

Mr. SHATTUCK. I am sure we can get you that answer. I don't have it at hand. Obviously there is private investment of various kinds. Some of it has been withdrawn.

Mr. FALEOMAVAEGA. I would ask, Mr. Chairman, for unanimous consent that it be submitted, that it be made part of the record.

Mr. SMITH. Without objection, so ordered.

Mr. FALEOMAVAEGA. I have another more specific question that, Secretary Shattuck, maybe you can help me on. I am curious and wanted to know for the record what is the estimated value of mining operations for gold, minerals and oil contained in West Papua New Guinea that American companies are currently in the process of mining in concert with the Indonesian Government and Indonesian companies? Can we have that as a matter for the record?

Mr. SHATTUCK. We can certainly try to provide that one for you too as well.

Mr. FALEOMAVAEGA. I would also ask you to submit the names of the American companies that are currently doing business, specifically mining operations by U.S. companies in West Papua New Guinea. I am told that the estimated value of oil, gold, and other valuable minerals that are possibly contained in this region is in the billions.

Another question I would like to pose to both of you gentlemen is what distinguishes East Timor from West Papua New Guinea?

Mr. SHATTUCK. In my testimony I gave quite a bit of attention to both of those very very tragic and difficult human rights situations. They are both parts of Indonesia. They are both places where there is a history of very significant human rights abuse. They are in the case of East Timor, a situation where there is now a U.N. process which we strongly support and as to which we have seen some positive developments in the last month and half or so in terms of greater autonomy.

In both the case of Irian Jaya and East Timor, it is U.S. policy to press and urge the Indonesian Government for greater autonomy and greater opportunity for people living in Irian Jaya and East Timor, as well as other places. Incidentally, I mentioned Aceh as another example of an area where there is a high degree of human rights abuse, and where the heavy hand of government has been very repressive.

In all of these areas, the U.S. Government supports a greater degree of local autonomy, local self-governance and an opportunity for

people to participate in the affairs of their own lives, in addition to the reduction of the use of force by the military authorities. I mentioned in my testimony that we welcomed this week's announcement that there will be a troop reduction. The U.S. Government, for which I have frequently carried the message myself personally, has been calling for this for a number of years.

Mr. FALCOMA. I appreciate Portugal's tenacity and persistence in carrying the issue of East Timor to various regional international organizations including the United Nations. Many Americans don't know that East Timor was a former colony of Portugal. The fact is that some 200,000 East Timorese have been killed, tortured or have disappeared as a result of their efforts to seek independence and freedom from the colonial rule of Indonesia. Where we are at now, two individual leaders coming out of East Timor have been awarded the Nobel Peace Prize for their efforts in alerting the international community to the tragedy of East Timor. Now every major paper in the United States, Mr. Chairman and Secretary Shattuck, writes about East Timor, the inhumanity and the torture that has gone on there. What is totally absent in this equation, and I want to submit again for the record, Mr. Chairman, is that our government has hardly said anything about West Papua New Guinea. The tragedy of West Papua New Guinea when Indonesia forced itself into becoming the new colonial master of these indigenous Melanesians, 900,000 Melanesians that live on West Papua New Guinea has been given little attention.

My question is, how assertive is, what exactly is the State Department or the Administration's position in dealing with West Papua New Guinea?

Mr. SHATTUCK. Well, we have given it a great deal of attention. In fact, I think your championship of the rights of the people in that area is legendary. I commend you for it. We have in our human rights reports focused much more actively on this over the last several years. Our ambassador has begun regular trips to Irian Jaya and that region. We regularly send our political officers there to gather information.

As far as I know, and this is not a definitive statement, no other governments spend anywhere near as much time on the human rights crisis in Irian Jaya as we do. We have raised these issues very forcefully with the government, with the new government in particular. It is in the context of this decentralization process that we are pressing for a greater degree of recognition of the opportunities of self-governance by all in those areas, not only Irian Jaya, but as you mentioned East Timor. I mentioned also Aceh and other places as well.

There is, of course, as I also said in my testimony, a great deal of uncertainty in Indonesia about how to deal with the tremendous diversity that that country represents. That terrible period in 1965-1966 when there was a huge loss of life throughout the country and enormous instability, obviously rests heavily on the minds of many Indonesians. Thankfully this time the forces of democracy are at work in the country.

I believe very firmly, and I know you do as well, that what has so far saved Indonesia from the kind of chaos of 30 years ago, is that those forces of democracy are finally being allowed to speak.

They are being permitted. Yes, there have been terrible incidents such as the ones that we talked about in terms of Irian Jaya, but there is a greater degree of freedom of the press. The labor unions have finally begun to operate freely when they were banned just a few years ago. There is movement toward the democratic elections. This is the process by which you build confidence among the people that they can allow a much greater degree of local autonomy of the kind that has already been actively discussed in the case of East Timor, and one would certainly hope that it will occur in Irian Jaya and other places as well.

Mr. FALEOMAVAEGA. I suppose, Mr. Secretary, that if as a matter of policy by the Indonesian Government they treated the Melanesians, the indigenous peoples of Irian Jaya or West Papua New Guinea, on an equal basis and honored their ownership of native lands, the millions of acres that are being taken over by transmigrants from the other areas of Indonesia who have forced themselves upon these areas that have been always known to be part of the Melanesian people living there for aeons before the Indonesians ever came on board. But that has not been the case.

I understand that President Habibie has expressed interest in wanting to come to Washington, DC. Do you think that will be a positive factor, where the gentleman could come and meet with us here in Washington? Obviously some of us have a problem with funding \$18 billion for the IMF, much of which goes to Indonesia. I just wanted your comments on that.

Mr. SHATTUCK. Yes. I don't know of any specific plan for Mr. Habibie to come to the United States, but of course it is not out of the question at all. Obviously we'll keep you very closely informed on that.

Our view, incidentally, on the issue of democratic leadership in Indonesia is that we don't support any individual. We are supporting the process. We certainly will welcome anyone who is a strong supporter of the process in Washington.

Mr. FALEOMAVAEGA. Another area that I wanted to share with both of you gentlemen. You know we have declared this decade as the International Decade of the World's Indigenous People. I understand that our country has been a cosponsor of this legislation in the United Nations. I just wanted to raise the question, and maybe you can share this, Secretary Shattuck, with Secretary Albright, how serious are we with being an active participant to recognize the rights of these indigenous people, the Melanesians who are indigenous to West Papua New Guinea, and then human rights and right of self-determination? I sincerely hope that the message could be taken to our friends in the State Department that this International Decade of the World's Indigenous People definitely is going to be taken very seriously by this Member. I realize that I am a delegate, Mr. Secretary, but if I have a voice to share with my colleagues here in the Committee, I definitely want to make it known that I think we should take these resolutions very seriously.

The status of non self-governing territories, I don't know if Secretary Shattuck is familiar with that, but several territories currently under the United Nations fall into that category. Do you think it possible that both East Timor and West Papua New Guinea could attain status as non self-governing territories by U.N. dec-

laration? At some point in time, the right of self determination could then be given to the indigenous people of these two areas to see where their preferences lie—whether they want to continue on being part of Indonesia or pursue greater autonomy and independence?

Mr. SHATTUCK. Well, just two quick responses to your two separate points there. On the issue of the declaration on indigenous peoples and the U.S. strong interest in that process, you referred I think in your opening statement to remarks that were made at Secretary Albright's consultations on this subject. She had an unprecedented meeting last week with indigenous peoples and tribal government leaders from all over the United States and from as far away as Guam, Alaska and Hawaii. She made a very strong statement I would be glad to make available, because she is very interested in this subject.

Mr. FALEOMAVAEGA. Please. I would like to ask it be made a part of the record, Secretary Albright's. I would appreciate it if you could also send me a copy of the Secretary's statement.

Mr. SHATTUCK. Yes. That's what I mean. We will certainly do that.

[The statement referred to appears in the appendix.]

On the issue of the future of areas such as East Timor, Irian Jaya and others, this is really a matter for peaceful discussion and negotiation. That indeed is the process that has begun quite recently and effectively under a U.N. context in the case of East Timor. It is not something where the United States is going to do more than support the process. But it is important that the process go forward, a process whereby there is more opportunity for people at the local level to have a strong say over their future.

Mr. FALEOMAVAEGA. Thanks. I believe as my good friend former Secretary Armitage has noted, our friends in the Asia Pacific region don't appreciate that, while we may not give a lot in foreign aid to these countries, our country provides security and stability for this region, which is not cheap.

I would love to put the estimated cost in the record. I believe it's somewhere over \$100 billion a year that our country expends just to provide for the security of the Asia Pacific region. We have got the largest naval fleet presence there in the world. We have got CINCPAC operating out of Hawaii, and some 230 vessels and over 100,000 sailors and soldiers simply to provide security for this region. It seems to me that some of our friends in the Asia Pacific region should appreciate what we are doing.

One question I want to raise to Secretary Kramer. In how we deal with the security interests of Indonesia, do you have any breakdown of how much we expend in our dealings with Indonesia?

Mr. KRAMER. Let me respond to both those points.

Mr. FALEOMAVAEGA. Please.

Mr. KRAMER. We undertake the activities that we do throughout the world, including in the Asia Pacific, first and foremost for the interests of the United States. But we have allies and friends and we have mutual interests, which is why we are so successful really, because we work together on joint interests.

With respect to the point that you made, one of the reasons that we are effective of course is a number of those countries likewise



have militaries and defense establishments and assist us. We really couldn't do all we do without their assistance. I don't think you can call any of the reports we provide to the Congress interesting, but informative. We have a so-called burden sharing report which really goes through a lot of this kind of thing.

A great many of the people that we work with really do understand this. I will tell you, I have been throughout this region in this job a number of times. The countries by and large really want us there and they do see us as a force of stability and want to contribute.

On the very point that you have made, there are a number of countries that do provide not only forces, but they actually provide host nation support and the like; Japan for example, is about \$5 billion a year. I have pointed out to the Japanese that that is a pretty good trade. For \$5 billion a year investment, they get the \$265 billion Defense Department behind it, not only the 100,000 people who are more or less continually in the region but all the capabilities that go with that. So that is a long way of saying yes, I fully agree with you. I think it is important for us to make that point. I think it is important frankly, not only for the Defense Department to make that point, but for the Congress especially to in these kinds of engagements.

With respect to the costs in Indonesia, we normally don't break down by country. I am not sure that it's really meaningful because if you are talking about overall security, then everything we do in the region in a certain sense is for the security of each country in the region. If you are talking about the amount of money that we spend on IMET, obviously I can give you a number. But I don't think that is really what you are focused on.

We obviously do the particular exercises that we have talked about, although again I don't think that's the meaningful number. When you are really talking about security, it is both the presence, the capabilities, and the willingness to utilize the forces that we have, and especially if we have a close relationship with the countries who have the same kind of overall interests, then we are really effective. I would say by and large in the Asia Pacific we really are quite effective.

Thank you, Secretary Kramer. Thank you, Mr. Chairman.

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

Let me ask a few followup questions. Secretary Shattuck, in meetings in Jakarta, after talking to government leaders who told us and tried to stress how tolerant they were of Christians, it being a predominantly Muslim nation as we all know, some of the religious leaders pointed out that in order to build a church, a potential congregation had to get the 100 percent approval of all those who would be in proximity to the church, giving one family, one person veto power over church construction.

I pressed that issue with President Habibie very vigorously, and got nowhere. Is there something that the Administration, particularly now that we are focusing more on religious freedom issues, might do to advance that ball?

Mr. SHATTUCK. Well, I think in our coming visits to Indonesia, the issue of religious freedom is going to be critical, both in the context of persecution and in the context of reconciliation. I mean

we have, as has been said throughout this hearing, a real challenge to make sure that there are no religious and ethnic clashes of the kind that occurred 30 years ago in Indonesia.

But I believe this also applies to the issue of denial of religious freedom. I am not familiar with the specific example that you cited, where everybody in the area has to give approval to the building of a church. But, when I was there, I actually met with a number of Christian groups, particularly those of Chinese background, who had faced the burning of religious structures and, in some cases, their homes. This was in 1997.

So I think this is going to be a major task ahead. I might just use this occasion to indicate that starting next week, I believe on August 1, our new special envoy and coordinator for religious freedom issues—who will be working directly in the Bureau of Democracy, Human Rights, and Labor, and directly with the Secretary of State and the President—is going to begin his work. Certainly, Indonesia will be one of the countries that we will want him to focus on.

Mr. SMITH. Just for the record, we heard it from some of the Christians we met with, including the National Council on Churches. It was one of their strongest protestations against the current policy. So it is something that I do think needs to be addressed.

As you know, the National Human Rights Commission, which I do think has real credibility and is seeking to do an honest job, did accept the May report about the atrocities committed in those villages in Irian Jaya where 11 people were killed through extrajudicial means, a number of churches were burned, homes were burned, in excess of 100 people were displaced because of that, and some apparently have been killed.

I understand that our embassy personnel have not had success, have not been able to travel unfettered to those villages. Is there something the department can do to try to facilitate that access?

Mr. SHATTUCK. Sure. Yes. We certainly want to be able to get as broad access throughout the country as we can. There is no inhibition on our part. That is, we are not trying not to go to certain places. I think if there are some difficulties in getting access, we can pursue this at higher levels by talking directly to government agencies.

Mr. SMITH. It is something that I think that we would consider to be very important.

Mr. FALEOMAVAEGA. Would the Chairman yield?

Mr. SMITH. I would be happy to.

Mr. FALEOMAVAEGA. I would also like to add a suggestion that if we have any Americans living there in West Papua New Guinea, I would very much like to know.

Mr. SMITH. Let me ask you a question. As you know in the past, the official policy of the U.S. Government has been to encourage talks among the United Nations, Portugal, and Indonesia on the status of East Timor, but also to recognize the incorporation of East Timor into Indonesia. Many of us in Congress have opposed this position on the ground that the people of East Timor have never really been given a fair opportunity to choose their political status.

I note that last week, the Foreign Ops Subcommittee of the House Appropriations Committee approved report language calling for an internationally supervised referendum to determine the political status of East Timor. Would the Administration consider endorsing such a referendum?

Mr. SHATTUCK. Well as you know, and as we have been saying throughout this hearing, we have focused the spotlight on the human rights crisis in East Timor. Our actions and our efforts have been stronger than perhaps those of any other country. We are also very strongly supportive of the process that is now beginning to move on the U.N. front.

We believe that the exact mechanisms for any ultimate resolution for East Timor are matters for the parties in the negotiations to decide. That certainly means very actively the Timorese as well as the Indonesians and of course the Portuguese are very active in this as well. We welcomed the recent proposal by the Indonesian side for broader autonomy for East Timor, but we don't necessarily think that's the final word in these negotiations.

The main point is that the negotiations and the process under which the United Nations is pursuing them are the best hope for a resolution and are in the interest of the people of East Timor. For the United States itself to impose its own view of where this ought to all lead would not be helpful. But we will make sure that this process continues. The confidence building measures of the kind that I have been discussing—a reduction of troops, the exchange of interest sections, the release of political prisoners—these are all critical elements to moving this thing forward so that the Timorese voices can be better heard.

Mr. SMITH. Let me ask you, Pius Lustrilanang, as you know, returned on July 19th. Has the embassy confirmed that he is safe and not under any threat while the army's investigations and prosecutions are underway?

Mr. SHATTUCK. I am not aware that he is under any threat. He is of course somebody with whom the embassy is in close contact because he has not only been here, but he has been frequently in contact with the embassy. We can certainly provide you with any information that we have that suggests there is a problem.

Mr. SMITH. The 12 democracy activists, have they been released, you know, the ones that disappeared? Do we know their whereabouts?

Mr. SHATTUCK. As I said in my testimony, there are still 12 individuals whose whereabouts are still unknown. We are still pressing for their release if they are held. We are pressing to find out what happened to them. That is a critical issue and a very major bilateral question for us with Indonesia.

Mr. SMITH. Let me ask you about the 168 women, most of them ethnic Chinese, who were raped during the riots last May. There have been reports that both the rape victims and the human rights workers investigating the abuse have been threatened by unidentified men. What do we know about that? What is being done to try to protect both victims and the investigators?

Mr. SHATTUCK. Well, the investigative process that is underway is itself unprecedented. It is going to focus on the atrocities that were committed against civilians during those riots, in particular,

women. I might say that the Minister of Justice has formed a team to address this issue. The National Commission on Human Rights is also very actively involved. We pressed at the highest level with Mr. Habibie for a public denunciation of what occurred, particularly rapes. President Habibie did make a very strong public statement.

So there are a number of things that are causing this issue to be seriously addressed. Certainly any information that we have about individuals being threatened will be brought to the authorities and we will certainly incorporate into our demarches with the Indonesian government.

Mr. SMITH. Thank you.

The Chair recognizes Chief Counsel, Mr. Rees.

Mr. REES. I just want to follow on a couple of the Chairman's questions. Secretary Shattuck, you said that with respect to East Timor, we shouldn't be imposing a solution. That is certainly correct. But there are a lot of people who study that question who think that the United States has not been neutral on the question in the past. I think as recently as a couple of months ago there was a reaffirmation that we regard East Timor as part of Indonesia. When congressional delegations bring this up, who don't agree with that, they are always told, "Oh, but your official government policy is that East Timor is part of Indonesia."

Now in your testimony today, you seem to recognize that the electoral system now in place in Indonesia is not truly democratic. You don't say that in so many words, but certainly there is talk of a transition to democracy. If that is true, and I think most people would acknowledge that it is, then how is it consistent with the official U.S. position that the people of East Timor and of Irian Jaya were given a free and fair chance to choose whether or not they wanted to be part of Indonesia? Or don't we need to go back, not to impose a solution, but just to undo the damage we may have done by insisting that there was self determination when there really wasn't? Wouldn't that be a positive step to at least publicly state that we're neutral on the question of whether the people of East Timor and the people of Irian Jaya had a fair chance to exercise their right to self determination?

Mr. SHATTUCK. Well, I think you know that the precise formulation of our position is that we do not believe that an act of self determination has been committed by the people of East Timor. But on the other hand, we recognize that East Timor is part of Indonesia.

The most important point to be made here, and I have been making it over and over again, is that there is now a U.N. process, a very important process. It is a process that can lead in any number of directions. We support that process. We are going to assure that the voices of the East Timorese are heard, along with those of Portugal and Indonesia so that a peaceful resolution of this issue can be brought about.

The last thing we want to do is to be in a position where we are not supporting a peaceful resolution, because a peaceful resolution, I think we would all agree, is the thing that would be most in the interest of the people of East Timor. There is a process through which they can work. I think the developments recently with the

statements by President Habibie, which are quite different from earlier statements made by President Suharto, should give us even greater cause to support that process.

Mr. REES. I apologize. I did not know that we were formally on record as saying that there had not been an act of self determination. I will not engage you in a complicated discussion about the tension between that position and our position that it is part of Indonesia anyway, but I would ask whether the Administration has taken a formal position on the question of the release of Xanana Gusmao and of his potential role in helping to reach a political solution in East Timor.

Mr. SHATTUCK. Well, we have called for the release of prisoners in connection with East Timor. Certainly Mr. Xanana Gusmao is a prisoner. We think it would be extremely helpful to the process were he to be released. We have made that statement both publicly and privately.

Mr. REES. Thank you. Secretary Kramer, with respect to expanded IMET. First, it is important not only that Congress know and that you know what the list of courses is, but also the proportion, how much of this expanded IMET is really about human rights and civilian control of the military and so forth versus resource management and so forth. Because the justification for the program that is brought to Congress year after year is that we are really moving these people forward on human rights.

When I was there on a somewhat longer trip than the one that the Chairman and I took last month—about a year and a half ago with a Democratic staff member—we tried to get to the bottom of this. We tried to figure out whether this is really helping, because we both had an open mind about it. We suggested, for instance, that perhaps Indonesian NGO's, human rights NGO's should be involved in the process of educating their own military on human rights or at least international NGO's. We were told by an American official, and I think I am quoting pretty accurately from memory. "These officers are not going to sit there and be lectured like schoolboys by NGO's about human rights."

So what we have is a disconnect—what we may have, because I have really never found out the answer. We may have a disconnect between the rhetoric and the reality, between the justification for the program and what it really is.

In the Rwanda context, we did get some resource management curricula. The good news is that if we are educating human rights violators, the violators are being bored to tears. But we didn't find anything that really had a lot to do with human rights. So if this is just going to be a resource management course with a thin veneer of human rights to get it through Congress, let's be open about that and have a fair vote one way or the other.

If it is going to be about human rights, though, let's figure out ways to really make it about human rights and about civilian control of the military and aggressively move to make that the core curriculum. At present we don't have any evidence that it is.

Do you have any comment on that?

Mr. KRAMER. Yes. First of all, as I said, I gave you a list of the planned courses so you have some immediate sense. We'll give you the full list so you have a better sense, including some idea of the

program of instruction in a useable way so you can focus on the issue.

Second, I would say for myself that it is important not to bore these people to tears, but what it is important to do is to make them understand how to operate a military in a democracy. I worked that issue throughout the world, not just in Indonesia, but for example in Central and Eastern Europe. Some of the things that we undertake to do there are as simple as explaining to them that the military has to be subject to civilian control, including control of their parliaments. In order to do that, they have to manage resources in such a way that it is transparent and open, they have to provide reports, if you will, or come up and testify and give information, and they have to interact.

So I think it is a false premise to say that every advancement with respect to working in a democracy, and that is what I would say E-IMET is about, not just about human rights. Maybe I misunderstand. I wouldn't just have to have, if you will, a human rights core curriculum in the way I understood your statement. I think we can do some very very valuable things and at the end of the day we do very well for the country and we meet the intent of the Congress. But we ought to obviously have a meeting of the minds. It's knowable what these courses are about. I am happy to tell you what they are. If you think they ought to go more to the right or more to the left and I think they ought to go in a different direction, we'll sit down and talk about it. So let me give you the information.

But let me challenge your premise a little bit and ask you to think about the benefits that the militaries get by understanding how to work in a regularized way; in control. That is, as I told you, a worldwide concern.

Mr. SMITH. Would the gentleman yield? Earlier that was part of my question, as to whether or not there was an analysis of whether or not there were positive tangible consequences that could be quantified in any way, especially since under Suharto we were not dealing with an emerging democracy. We were dealing with a military dictatorship.

Mr. KRAMER. Yes, sir. I again, with respect to quantifiable, I think that is very hard. Mr. Shattuck pointed out some of the benefits that we think we have gotten by having a military and a leadership that is willing to talk to the United States and talk about issues of restraint and seemingly act on that, I am not here to tell you in the slightest that either what was done in the past or even everything that is being done now is all perfect. There have been some very powerful statements made, for example, about what has happened in Irian Jaya. There are plenty of things that are going wrong, including in recent months.

What I think we can do, however, is we can with the right kind of training make progress. As I said in my statement, and I won't rehash that, we don't think that this kind of training in and of itself can do everything that needs to be done. We just think that the Indonesians really first and foremost have to do it themselves. Any assistance the United States can give, and the Defense Department is part of that, we think we can make some advancement.

Mr. FALEOMAVEGA. Would counsel yield?

Mr. REES. Sure.

Mr. FALEOMAVAEGA. I just want to maybe clarify, Secretary Kramer, the concern that I had previously, the fact that these are special forces units that are doing the training. Wouldn't it have been a better option for our government to invite Indonesian security people to come and see how we do it through our police officers training programs rather than have U.S. special forces teaching them sniper and commando techniques and mine laying? It sounds very very disturbing; it's not putting down civilian disturbances. This is just outright killings.

If they want to learn how to do proper training to disperse riots or the sort, I would think that perhaps a better option would be to have them come and we can train them properly using civilian police force methods rather than special forces units. Could you comment on that?

Mr. KRAMER. I appreciate the point. I want to clarify two different things. When we started off the conversation, we were talking about E-IMET.

Mr. REES. IMET and JCET.

Mr. KRAMER. And now of course we are talking about the JCETs. The point I was making about the benefits of the training and working with respect to how to work inside a civilian democracy were focused on the IMET.

With respect to the JCETs trainings, as I said in the first instance, this is supposed to be for us. It is true that we are the Department of Defense and we do military things. You understand that as well as anyone, being a Member of the Congress and dealing in your capacity. We have, as I said, suspended all the JCET training. That is where we are. We have allowed to go forward limited kinds of training now focused on engineering, medical, logistics and the like. We will keep looking at this carefully. We have created a review process which brings this back to Washington precisely to give it greater scrutiny. We will continue to work with the Ambassador. We will continue to work obviously with the commander in chief of Pacific command. But we will also be focusing on Washington. We will be providing the information directly to the Department of State, although they could have gotten it from the Ambassador. We are trying to create a better and more transparent process.

So we can't undo what has been done. What we can do is we can try and go forward and create a good presence in the future and see if we can't get this country where its citizens, as you pointed out in your discussion, it's not so much the government, it's what the citizens of the country deserve. And we will try to use to the limited extent we can, the Department of Defense interaction to get to the same place.

Mr. FALEOMAVAEGA. I just want to add one more comment, if it's all right.

A classic example of this, as I recall when I was here and a Member of the Committee, when the Tiananmen Square crisis occurred, there was a lot of disagreement on the problem and how the Chinese Government mishandled it. One of the interesting things that we noted was the fact that in contrast, the South Korean Government was so used to riots, that they knew how to han-

dle them. They had riot materials and they prepared procedures to handle riots involving tens of thousands. They knew how to do it.

But the problem with the Chinese was that they had no idea how to handle demonstrators numbering about one million. The only recourse that they had was the military. What does a military do? They shoot at people. If it is the desire of the Indonesian Government to stop civilian disturbances, not to the point of killing demonstrators, Secretary Kramer, then maybe we ought to look a little closer at other options in putting down riots. There must be a better way than having U.S. special forces teaching Indonesians sniper fire and that kind of thing. I just wanted to share that with you.

Mr. KRAMER. I appreciate that. The Chairman and I have talked about talking informally. I would be happy to sit down, and I say, have a cup of coffee and really have a chance to talk about some of these things.

Mr. REES. I just have one more question. It sort of follows up on something you said earlier about challenging the premise. I think we all agree that a course that would not be solely about human rights, but that would be designed to bring people along, teach them to operate a military with civilian control in a democracy is a valuable thing. You face similar decisions about police forces and what kind of training we are going to give to police forces through the UC tap program and others.

But don't you agree that there has to be a threshold decision? That there really is willingness to believe those things. That there is a threshold, that at least at the top of the units you are training, they have to be people who really want to transition into a democracy or to have civilian control of the military.

With respect to at least some of the people we were training up until a couple of months ago in the Suharto regime, I don't know how hard we ever asked that question. I do want to get into the JCETs. I had a parallel question to the IMETs.

Now we are saying don't worry. Of course we aren't doing any JCETs now, but if it were ever restored, we would do it very carefully. It is important to go back and look at how we went wrong because some of us were asking these very questions at least a year ago. We were told don't worry, we're training the progressives. We were asking the questions about E-IMET because actually some of us didn't know about the JCETs. We were told don't worry, it's the progressives that we're training. We met some of the people and frankly, it wasn't always easy to tell the progressives. In the old cold war days, those were the ones who listened to jazz, so maybe that's who it was. But it now turns out that in the JCET program we were training some of the worst people.

When we first asked this question at a staff briefing, we were told there was a committee on the embassy. Every embassy had a committee that was supposed to vet these things and approve. So then when Chairman Smith and I went to Indonesia, we tried to find the committee. There wasn't any committee. As nearly as we could tell, it was one individual. That individual—I don't want to personalize this because that is not what it's about, but that meant that you were letting the most important decision about who to train, you were risking that the weakest link in the chain could break and that that decision could be made badly.



Shouldn't it really be everybody's job to decide whether we're complying with the first rule of moral human behavior, which is first do no harm? Were we doing that and are we conducting a review of whether we were doing that in Indonesia and elsewhere? I mean it really is kind of remarkable when you realize how bad these guys were and how much information there was about them, that when Secretary Cohen, if I'm not wrong, when he took a trip to Indonesia, there was a public inspection of a Kopassus unit and they poured scorpions on their heads and he was probably without knowing the details of some of the awful things they had been charged with.

What message did that send to the world? What are we going to do to make sure we avoid that in the future?

Mr. KRAMER. Let me try to answer as clearly as I can in light of the time. Obviously what we have done is we have tried to look at what has happened. We have talked with you. You and I have actually talked informally previously, and I have talked to other people up on the Hill, as you well know, and tried to create a review process that will allow us to take full account of what we think are the appropriate factors. I have tried to lay out some of those in the testimony, the written testimony, as well as in the oral testimony. I think if you compare what Assistant Secretary Shattuck and I have said with respect to this, it is really quite congruent.

We do try to put good people into our embassies. So I understand your point about where was the committee and the like, but we do have to in some sense rely on the embassies to give us information and we will. We are going to hold a review back here because we think we can do a little more with respect to that and make sure that all the factors are taken into account.

I can't promise you a perfect process. What I can tell you is that I know that at the highest levels of the Department of Defense what I have said has been approved. I have talked myself, as you would expect, to senior military officers also. We all want to go forward in the same direction. You are entitled to see what the results are. We should stay in contact and do that and we will.

Mr. REES. I just have one last question if it's OK. This has to do with access to those areas Aceh, Irian Jaya, East Timor. Of course there have been some refugee repatriations or asylum seeker repatriations from Malaysia to Aceh. As far as I know, we haven't been able to get in to find out what is happening to those people. Our ambassador does travel around Indonesia. But in terms of access to the real action, the real places where things are happening, the standard response is well it's unsafe to go there. That is a war zone or there are disturbances there.

Congressman Smith and I got the impression when we were there that our political section is really very eager to go in and look at these things. We really do have some good intelligence. The human rights report on Indonesia was great. It was honest and it was detailed. Those people really want to go in and find out about these things. I hope that the department at very high levels, at least as high as the Ambassador, will be pressing very hard for unfettered access by our human rights monitors in the embassy and perhaps people you would want to send from Washington, to just

get the truth about what is happening in Aceh, what's happening in Irian Jaya, what's happening in East Timor. That also goes for monitoring these troop withdrawals, to make sure that they are not just moving 1,000 people out and moving 1,000 people in.

Mr. SHATTUCK. Yes. I agree with all of that. In fact, you have got to remember that you were there probably during one of the most unstable and uncertain periods. It was very good, Mr. Chairman, that you were there then because I think it sent a very strong signal.

In the period since then, our embassy has sent quite a bit of reporting from a number of areas. They have certainly made a trip to East Timor. I believe there was a report that came in from Irian Jaya. I am not saying this as a certain matter, but I believe that our refugee officers have gotten into Aceh as well.

You are absolutely right. The embassy is first rate. The political officers are raring to go constantly. They will take me anywhere I want to go when I'm there. Of course I wasn't there during the period that you were there, which was an uncertain period.

I think now there is a great deal more access. We'll make sure that it continues. I think the quality of the reporting is critical for us to be able to assess whether this is real progress and how much it continues. I am glad to hear what you say about the human rights report. I think it is one of the most important reports.

In the past we often have been a little less clear about tough reporting on our friends. I personally take great pride in the fact that two of the toughest reports that we have put out are on Turkey and Indonesia. Of course our reports on China are pretty tough too. China is in a different category. But on the case of Turkey and Indonesia, we have had strong and friendly relations, but we have certainly continued to put out very tough human rights reports and gone to many difficult parts of those two countries, as well as other countries.

Mr. SMITH. Thank you very much, Mr. Rees. I want to thank our two very distinguished Secretaries for their excellent testimony. Even when we disagree, it is only in the pursuit of truth, and hopefully, the protection of the weak and most vulnerable of human life. So I thank you and look forward to following up on the answers to those additional questions and those that require some amplification.

The hearing is adjourned.

[Whereupon, at 1:03 p.m., the Subcommittee was adjourned, subject to the call of the Chair.]



# APPENDIX

CHRISTOPHER H. SMITH  
U.S. House of Representatives

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Congress of the United States  
House of Representatives  
Washington, DC 20515-3004

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COMMISSION ON SECURITY AND  
COOPERATION IN EUROPE  
CL. CHAIRMAN

## Statement of Representative Chris Smith Chairman, Subcommittee on International Operations and Human Rights *Human Rights in Indonesia* *July 24, 1998*

This is the second day of the Subcommittee's hearing on Human Rights in Indonesia.

I recently returned from Indonesia, where I met with President B.J. Habibie and other top officials of his new government as well as opposition leaders, human rights workers, Muslim and Christian religious leaders. I was also able to meet with 21 political prisoners in Cipinang prison.

I arrived only a few days after the resignation of former President Soeharto, and I was surprised at how quickly the rhetoric of human rights and democracy --- words that seemed to have subversive connotations under the old regime --- had taken hold. Virtually everyone in the government, from President Habibie to the warden in the political prison, was eager to confide that he personally had long been a reformer and a human rights advocate.

It is still unclear, however, whether the transformation of Indonesian political discourse will result in a similar transformation of the facts on the ground. Building a democracy requires not only good faith but also hard work. Here are some of the benchmarks for judging whether this work is succeeding in Indonesia:

**Free and fair elections.** The existing Indonesian election code gives an incumbent President, together with armed forces leaders, effective control over Presidential and Parliamentary elections. President Habibie's initial estimate was that it would take six months to a year to revise these procedures and hold free elections. That timetable has since been extended: under the latest plan, a new President could not take office until the year 2000. Many democracy advocates are suspicious that the delay may be part of an effort by the new government to consolidate and perpetuate its power. Their skepticism is shared by the students whose peaceful demonstrations were instrumental in bringing down the Soeharto regime.

**Prisoners of conscience.** Two political prisoners, labor leader Mochtar Pakpahan and democracy advocate Sri Bintang Pamungkas, were released on the first day of my visit. Fifteen East Timorese political prisoners were released a few days later. But hundreds remain in detention. Many of these prisoners of conscience --- such as the young "PRD" democracy advocates arrested in 1996 after the illegal ouster of opposition leader Megawati Sukarnoputri --- are guilty of nothing other than the peaceful expression of their political opinions. Others, such as East Timor freedom fighter Xanana Gusmao, resorted to armed resistance only in response to massive violence by the Soeharto government, and should be released as a gesture of peace and reconciliation.

**Legal reform.** President Habibie has promised a thorough review of the laws and regulations used by the former administration to curb dissent and prevent the formation of political opposition and independent trade unions. In particular, he has endorsed repeal of the "subversion" law under which so many peaceful opponents of the Soeharto regime were convicted and imprisoned. Other reforms of the criminal justice system, in particular the elimination of torture and "disappearance" at the hands of government agents, are also essential. The recent arrest of eleven members of the armed forces in connections with killings of student demonstrators and disappearances of human rights advocates is an encouraging sign. The successful completion of these legal reforms under the leadership of Justice Minister Muladi [moo-LAH-dee], himself a former human rights worker, will be a milestone on the road to freedom and democracy.

**Ethnic and religious persecution.** During the last days of the Soeharto regime, the world was shocked at reports of atrocities against Indonesia's ethnic Chinese population, including the rape of hundreds of Chinese women. It now appears that these atrocities may have been engineered by elements of the armed forces, in a bizarre attempt to create a situation in which they themselves would therefore be called upon to restore "stability." Similarly, although Indonesia is a secular state with a long tradition of tolerance between its majority Muslim and minority Christian population, the Soeharto government never vigorously investigated the burnings of hundreds of Christian churches, some of which may also have been masterminded by politicians trying to play the religious card. It should go without saying that a multi-ethnic and multi-religious society such as Indonesia must not only guarantee the fundamental rights of all its citizens, but also shape its laws and institutions so as to make clear that all are full and equal members of the society.

**East Timor and Irian Jaya.** During my visit with President Habibie I presented him with a letter from a number of members of the U.S. Congress urging, among other reforms, the initiation of "direct, good faith dialogues with the peoples of East Timor and Irian Jaya on human rights protection and a just solution to their political status." The letter was politely received, but a few days later an Indonesian official denounced it as "irresponsible" and tried to blame the U.S. Congress for clashes between pro-independence demonstrators and government forces in Irian Jaya --- even though the letter did not endorse independence or any other particular outcome, and even though the demonstrators were the victims rather than the aggressors. Recent statements

from President Habibie hold out the prospect of limited "autonomy" for East Timor, but seem to close the door on any real process of self-determination. Reluctance on the part of the Indonesian government to address the political status of East Timor and Irian Jaya is understandable, but the fact remains that these territories were incorporated by force, not by processes that can fairly be called democratic. The process of self-determination will take time. It can be accomplished only by peaceful means, with restraint and understanding on all sides. But until the peoples of these territories have given a free and fair opportunity to choose their own future, it will not be possible to say that democracy has truly come to Indonesia.

Finally, I want to say something about the role of the United States in all this. As the Administration points out in its testimony today, during the last few years our government has provided moral and financial support to reform groups such as the Legal Aid Society, environmental organizations, and independent labor associations. During all this time, however, the principal message our government was sending to the world was that our highest priorities were trade, investment, and military co-operation. Human rights did not come first, or second, or even third. At a time when many thoughtful Indonesians believed that the Soeharto kleptocracy's economic house of cards was likely to come crashing down, our government did little or nothing to discourage U.S. businesses and international financial institutions from facilitating the reckless and exploitative economic enterprises that ultimately caused the economic crisis. And the so-called "JCETs" --- our joint exercises and training of military units that have been charged over and over again with the gravest kinds of crimes against humanity, including torture and murder --- cry out for explanation. How could we not have known who these people were? And what have we done to ensure that this never, never happens again?

Many of us who opposed some of these terrible decisions are nevertheless hopeful for a new era of cooperation between our countries. But we must make clear that such co-operation depends on progress in bringing democracy and human rights to the people of Indonesia. Friends of Indonesia in the United States and elsewhere will be watching these indicators of whether Indonesia is on the road to freedom and democracy, and therefore to stability. We will carefully consider such measures in deciding whether to support further non-humanitarian foreign aid to Indonesia from the United States, the Consultative Group on Indonesia, or multilateral financial institutions such as the International Monetary Fund and the World Bank.

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

STATEMENT OF U.S. SENATOR DANIEL K. AKAKA  
AT THE U.S. STATE DEPARTMENT ON THE RIGHTS OF INDIGENOUS PEOPLES

July 14, 1998

Aloha kahakiaka. Good morning. Welcome to all of the indigenous peoples who have travelled great distances to be here, including those from my home state of Hawaii.

I feel fortunate that Secretary Albright will be with us today. Her interest can trigger a fresh and new approach to U.S. policy on the rights of indigenous peoples. We certainly can use her help.

The political issues confronting indigenous peoples, including those in the United States, are daunting, but they are not new. As we commemorate the International Decade of the World's Indigenous Peoples, I believe that the United States should be at the forefront in advocating for a strong position on the U.N. Draft Declaration on the Rights of Indigenous Peoples. U.S. policy currently is based on Federal Indian Law and the government-to-government relationship with federally recognized American Indians and Alaska Natives. However, the U.S. must also establish a mechanism to deal with other indigenous groups in this country, including Native Hawaiians, American Samoans, and Chamorros.

That is why I will be introducing legislation to establish a U.S. Advisory Committee on Indigenous Rights within the U.S. State Department to be composed of tribal leaders and distinguished indigenous peoples and individuals with expertise in the fields of human rights law, international law, foreign affairs, environmental and natural resources law, Federal Indian law, Native Hawaiian rights, insular affairs, and constitutional law.

I would also like to see the appointment of a Special Advisor on Indigenous Rights on the Domestic Policy Council at the White House. This individual will be responsible for coordinating U.S. policy among federal agencies and will work with the U.S. Advisory Committee on making recommendations to the President and the Department of State, Justice, and Interior on the rights of indigenous peoples.

One goal of the Special Advisor is to coordinate U.S. policy on the draft Declaration. A second would be to make recommendations on improving relations between the Federal government and indigenous peoples in the United States. Third, the Special Advisor will implement specific plans for increased U.S. involvement on commemorating the International Decade of the World's Indigenous Peoples, including greater participation of tribal leaders and Pacific indigenous peoples.

As a Native Hawaiian, I understand neglect and being on the backburner of domestic policy issues. I am hopeful that President Clinton's remarks about American Indians during his dialogue on race relations is a sign of better relations with federal policymakers.

If the United States can be a leader at the international level on women's issues, the environment, religious freedom, refugees, and other important issues, I see no reason why the rights of indigenous peoples should be any different.

With over 300 million indigenous peoples in the world, it is time that the rights of indigenous peoples be given international consideration. However, this should not be the minimum standard by which U.S. policy is based.

When the United States was created, the founding fathers did their best to establish hard fought principles of freedom, democracy, and justice. In recent times, we have taken the lead on countless of human rights issues abroad and there is no reason our country should not serve as the model nation on indigenous rights as well.

In order to do this, however, federal policymakers have to do right at home first, particularly on the issue of self-determination. Out of the five indigenous groups under U.S. jurisdiction - American Indians, Alaskan Natives, Native Hawaiians, American Samoans, and Chamorros - it appears that Native Hawaiians are the only group who are denied the right to self-determination under current law. American Indians and Alaskan Natives have the federal recognition process at the Interior Department's Bureau of Indian Affairs. Other ways for federal recognition for these two groups have been through past treaties, Presidential executive orders, statutes, and case law. Under current international law, as citizens of non self-governing territories, American Samoans and Chamorros have self-determination rights to pursue full independence from the U.S., seek free association with the U.S., or remain a part of the U.S.

The only ways of remedying the lack of self-determination rights for Native Hawaiians, I believe, will be ultimately through Congressional action. However, Congress cannot do this alone. Executive Branch consultation with Native Hawaiians is a necessity. There must also be established within the Department of Interior a designated official to address the political status of Native Hawaiians and to coordinate with the Congress on potential remedies.

It is one thing to advocate U.S. policy on self-determination at the international level based on domestic law. However, since Federal Indian law does not apply to groups like Native Hawaiians, the U.S. should engage these groups in frank discussions on self-determination that are uniquely tailored to their histories and needs so that we can find ways to address these contentious issues.

In conclusion, I would simply like to reiterate that I support greater leadership by the United States on the Draft Declaration. I encourage greater participation by indigenous groups in this country during the consultation process on indigenous rights. And finally, if the U.S. is to provide world leadership on issues such as self-determination and land rights, then domestic policymakers must have a mechanism to deal with these complicated matters. That is the role that I envision for the U.S. Advisory Committee and Special Advisor on Indigenous Rights which my legislation would create.

I look forward to working with tribal leaders, Pacific indigenous groups, and the Executive Branch in making these things possible.

Mahalo nui loa. Thank you.



STATEMENT OF  
THE HONORABLE JOHN SHATTUCK  
ASSISTANT SECRETARY OF STATE  
DEMOCRACY, HUMAN RIGHTS AND LABOR BUREAU  
DEPARTMENT OF STATE

AT A HEARING ON  
HUMAN RIGHTS IN INDONESIA

BEFORE THE  
HOUSE INTERNATIONAL RELATIONS  
SUBCOMMITTEE ON INTERNATIONAL OPERATIONS AND HUMAN RIGHTS

JULY 24, 1998

Mr. Chairman, thank you for the invitation to speak with you today about human rights in Indonesia. Indonesia is now undergoing a remarkable, but uncertain, transition. Emerging from decades under authoritarian rule, the Indonesian people have little experience in self-government, constructive dissent, or the complex give and take of democracy. Although we can see daily the evidence of change -- increasing free expression, the release of political prisoners, the formation of political parties and trade unions, the early stages of preparation for new elections -- we have to recognize that it is too early to say whether this progress will continue over the long run, and whether it will lead to a genuine democratic transition. But we know that it deserves our support, and there is much that we are doing to help the forces of democracy and human rights. We should begin any examination of the situation in Indonesia by recognizing how radically the situation has changed in recent months. We should acknowledge that Indonesia, today, enjoys the most open political climate it has known in 30 years. We should also bear in mind that it continues to change rapidly, and not always in ways that can be anticipated, or even quickly understood. Indonesia's present political and economic crisis -- a product of many domestic and

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international factors -- does not lend itself to easy analysis or prescription.

Indonesia is a vast, ethnically diverse nation spread over 13,000 islands that are home to over 200 million people. It is the fourth largest country in the world, and includes the world's largest Muslim population. It is facing a grave economic crisis. The task before the Indonesian people today -- to emerge from decades of authoritarian rule and build a functioning, representative democracy -- is as great a challenge as the one it faced upon achieving its independence nearly half a century ago. I believe that all of us who have worked to promote democratization and greater respect for human rights around the world should recognize the difficulty of the road ahead for the people of Indonesia. The role of Indonesia's friends, particularly the United States, will be to support this momentous transition. We will promote the development of civil society, democratic institutions and respect for human rights through bilateral and multilateral assistance programs, and through our engagement with Indonesians across the spectrum of political opinion.

I have a great personal interest in the changes underway in Indonesia because of the work that I and my Bureau have done over the past four years in support of human rights and democracy, as a part of the larger U.S. government effort. I first traveled to Indonesia in April, 1995, to discuss human rights issues with the Indonesian government and non-governmental organizations. This trip was the result of the human rights discussions President Clinton and then-Secretary of State Warren Christopher had held with President Soeharto the previous November. At that time, Secretary Christopher had expressed his commitment to a continuing human rights dialogue, and my trip was the next step. I returned to Indonesia in 1996 and 1997. During these visits, I met with journalist and press groups facing censorship and repression, and encouraged them in their campaign for freedom of expression. In Surabaya, I met with banned or restricted labor leaders, and in Jakarta, I visited and pressed for the improved treatment and release of labor leader Muchtar Pakpahan on two separate visits. I pressed Indonesian officials to take specific, concrete steps to improve the overall human rights situation, especially in East Timor. During discussions with officials, I secured the release or improved treatment of several political prisoners and

pressed for the reduction of troop levels in East Timor. In Dili, East Timor, I met on several trips with Bishop Belo. I was deeply impressed by his commitment to human rights, his clear thinking about the problems facing East Timor, and the desire he expressed to avoid violence and find a peaceful solution to the problem facing his people.

My missions were a part of a broad US policy to encourage Indonesian officials to improve their human rights practices and end abuses. The issue of human rights and political reform has been on the U.S.-Indonesia agenda consistently, and at the highest levels. During the crisis that broke this spring, reflecting the widespread opposition to another term of office for President Soeharto and the deteriorating economic situation, we repeatedly emphasized to the Indonesian authorities the need for restraint on the part of the security forces, and the importance of a more transparent and accountable political process if Indonesia were to overcome its human rights problems - and the economic problems that threatened serious disruption to the well-being and livelihood of its citizens. We also underscored, at the highest levels, the need to avoid scapegoating the ethnic Chinese minority. In the wake of the disappearances of democracy activists early

this year, our Embassy in Jakarta and other U.S. officials made clear to Indonesian officials the need to find and release the missing activists, and to hold accountable those responsible for their disappearance and, in some cases, torture. I met with the Indonesian Ambassador in April to make these points myself. In May, I met with Pius Lustrilanang, the courageous young Indonesian who, at great risk to himself, came forward to tell the truth about his kidnapping, detention and torture.

As grassroots pressure for democracy has grown in Indonesia, our communications have been pointed and supportive of major changes, as have our public statements. We have worked with our key partners to reinforce our message. One result of this was the strong, unified call for military restraint, human rights improvements and political reform by the G-8 in Birmingham in May. Secretary Albright's strong statements in support of political reform were widely reported in Indonesia and have been cited by Indonesians as extremely influential at a critical time. In the period since Soeharto resigned, we have engaged in extensive discussions with Indonesians from President Habibie to student groups. We have articulated a clear message to all: we value our relations with

Indonesia, and we want to support measures that will lead to a sustained economic recovery and the establishment of democratically elected, accountable government that respects the human rights of its citizens. We have strengthened our lines of communications to representatives of business, the military, non-governmental organizations and members of all political factions, to encourage each to contribute to the solution of the problems Indonesia now faces.

We have also conveyed the message that Indonesia does not face these problems alone. The international community now has a wealth of experience in assisting economic and democratic transitions of the kind that Indonesia is experiencing. Moreover, in recent years, long before this year's surge for democracy in Indonesia, the US has been a major contributor to efforts to support the development of civil society, the foundation on which a new democratic government can be built. Our assistance is not intended to provoke instability and unrest, as some in Indonesia have alleged, but rather the opposite: to help Indonesians themselves address the problems of their society in peaceful, responsible ways, through civic education, community involvement, and responsible actions.

Specifically, through USAID's democracy program the Clinton Administration has assisted the development of Indonesian non-governmental organizations involved in advocacy on a wide range of issues—including governmental accountability, citizen participation, law reform, environmental protection, land rights, and the rights of indigenous peoples. For example, we have supported LBH, the Indonesian Legal Aid Association, in its efforts to investigate corruption within the Indonesian government and in representing students, journalists and labor leaders before the courts. Through our support, a nation-wide environmental organization, WALHI, uncovered and publicized severe problems with industrial waste disposal and illegal land acquisition. In Irian Jaya, we assisted the largest Irianese community development non-governmental organization (YPMD) to spotlight problems relating to human rights, land tenure, and the environment. And as Indonesia's political and economic transitions proceed, we will continue to support the development of civil society through assistance to an increasing number of non-governmental organizations that are promoting greater accountability, transparency and effectiveness at all levels of government.



As I said at the beginning of my testimony, we must be keenly aware of the potential dangers that lie ahead. Indonesia faces daunting challenges. Like so many countries making their way from authoritarianism, every effort to move forward is hampered by the continuing effects of past repressive practices and attitudes. I would like to point to a few areas, which I believe present the greatest potential pitfalls, and state what the Administration is doing in response.

While there is broad agreement in Indonesia about the need to reform the political system to enable citizens to have a real voice in their governance, there is less consensus about how to address the questions of local self-government and decentralization. In Indonesia, these questions are further complicated by ethnic and cultural divisions, and by historical problems in outlying areas.

In East Timor, the US has long supported the UN mediated tri-partite talks spearheaded by the Secretary General's personal representative, Ambassador Jamsheed Marker. Until recently, we had seen little progress from the talks, conducted between the representatives of

Indonesia and Portugal, which the UN recognizes as the protecting power for East Timor. The current changes underway in Indonesia have opened the door, however, for revitalization of the talks. We have encouraged both parties to look for measures they could take to demonstrate their renewed commitment to resolving the problem of East Timor. Last week, Ambassador Marker met with Xanana Gusmao, the prominent East Timorese leader imprisoned in Indonesia. I would note reports that Mr. Gusmao urged Indonesia and Portugal to exchange interest sections without making his release a precondition. We have also made this point, reinforcing Ambassador Marker's message. The opening of interests sections would be a small but meaningful step forward, demonstrating that both sides are committed to working together to resolve East Timor's status. It would be a tangible result of the tri-partite process. The US has continued to urge troop reductions, as well as accountability for abuses committed by security forces in East Timor and elsewhere in Indonesia. We have also stressed the importance of further prisoner releases. In our contacts with East Timorese who oppose Indonesian rule, we have also underscored the importance of abstaining from the use of force and the commitment to peaceful negotiation as the only way to achieve a solution.

Irian Jaya and Aceh also present special human rights problems. Earlier this year, church groups from Irian Jaya released a deeply disturbing report, detailing abuses that took place there in late 1996 and 1997. Earlier this month, protesters in several areas of Irian Jaya engaged in pro-independence demonstrations, leading in some cases to clashes with security forces. Reports indicate that several protesters were killed, more injured, and many arrested. While the situation in Aceh has recently been quieter, this region also has a history of anti-government activity that has led to a heavy military presence. Our Embassy in Jakarta is paying close attention to the situation in these regions, and Embassy officers, including the Ambassador, travel periodically to each.

Indonesia's response in the past to activity by opponents of Indonesian rule in these areas had been to increase its military presence and bear down hard on all manifestations of opposition. In addition to the human rights violations that resulted from this policy, it was clearly not effective. We are urging Indonesian authorities to recognize that they cannot resolve these problems by force of arms. They must enter into a dialogue

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with the population and find ways to address legitimate grievances. Progress toward greater decentralization, devolving more authority to local government, will help not only to defuse tensions in these trouble spots, but will ultimately benefit Indonesians across the country. We must be aware, however, that decentralization may be viewed as a threatening concept by some Indonesians, who remember the disorder and the centrifugal forces that buffeted Indonesia in the early days of independence.

In addition to these serious problems in outlying areas, Indonesia also has a lot still to do in Jakarta, where the pace and direction of the democratic reform will be set. As Indonesia tries to move forward, it will have to address certain difficult, but crucial, problems. I had a chance earlier this week to discuss many of these problems with Indonesia's Ambassador Dorodjatun, and I know that other U.S. officials are also making these points in their regular meetings with Indonesians.

At the top of our agenda is the problem of accountability and an end to human rights abuses by the security forces. In order to move toward this goal, the government will have to continue to investigate the

kidnappings and disappearances that occurred earlier this year, and to bring to justice any officials who were involved in these crimes. There are about a dozen activists still missing; the authorities must account for them, and release those still in detention. There must be a full investigation of the alleged role of elements of the military in the May riots. I have been particularly appalled by the terrible accounts of widespread use of rape against ethnic Chinese women and girls during the rioting, and deeply concerned by allegations that elements of the military may have been complicit in these attacks.

At the same time, I am encouraged by greater restraint shown by the military during demonstrations and protests this year, and by the increased willingness of leading officials to acknowledge errors and conduct investigations and prosecutions in those tragic cases that have led to injury and loss of life. You are probably aware that eleven members of the security forces have been arrested, due to evidence that they were involved in the disappearance of activists. This is, again, an unprecedented step. When I met earlier this week with the Indonesian Ambassador, I emphasized the importance of continued restraint by the military, and accountability for

abuses. He, in turn, laid out a program proposed by the government to investigate and try those guilty of criminal acts and human rights violations. The government has established a commission to investigate charges against the military. The Indonesian Human Rights Commission is also pursuing an investigation, and some women's groups, working with the Minister for Women's Affairs, are also playing an active role. The government will set up both military and civilian courts charged with trying these cases, and plans to proceed quickly to prosecutions by mid-November. We welcome the commitment by the Indonesian authorities to find and punish the perpetrators of these horrendous crimes.

Indonesia needs to take action to promote reconciliation to the ethnic Chinese minority, and to reassure them that, as citizens, they will receive equal protection by the forces charged with maintaining law and order. The government's recent decision to remove ethnic designations from official identification cards is a good step in this direction, as was President Habibie's recent public statement condemning the vicious attacks on Sino-Indonesians. We have also encouraged Indonesian officials to ensure that members of all religious faiths enjoy equal

protection of the law. Indonesia has worked to promote a spirit of religious tolerance, but there are recurring and serious problems with attacks on churches and with incidents of discrimination. Especially in a time of heightened tensions stemming from political changes and economic hardship, we are urging the government to demonstrate leadership in promoting respect for minorities.

The military leadership has been a recent supporter of change in Indonesia, and we need to maintain our lines of communication to military leaders such as General Wiranto and other supporters of the reform process. We must be certain our contacts with the military serve to promote greater respect for human rights. Within the State Department, and in cooperation with the Defense Department, we have been working on the procedures for reviewing military training deployments to ensure that no training is provided to units that have committed gross human rights violations, unless the host country has taken effective measures to bring perpetrators to justice.

Indonesia must also look for ways to build public confidence that the new openness will be lasting and genuine. We are concerned that many political prisoners

remain incarcerated, including those who are in jail solely for the peaceful expression of their political views.

There are people imprisoned in Indonesia today for saying things in the past that, today, could be published in any newspaper or announced from any podium. The continued imprisonment of these individuals casts a shadow over the progress made so far in so many areas.

The Indonesian government has rightly earned praise for the release of imprisoned labor leader Muchtar Pakpahan, and for permitting his independent trade union to function. Other union activity is also on the rise. The government must now also learn to live with trade unions. Recent government intervention in strikes by security forces is a cause for concern. As the economic situation declines, responsible trade unions can help workers to get a fairer deal, and so, perhaps, ameliorate the resentment and anger that can lead to further instability.

As we look at difficulties ahead, it is critical to begin assessing the elections process. Revamping the electoral system will be difficult. But neither Indonesians nor the international community will have



confidence that the political transition is complete until a new government is formed through free and fair elections.

In order to assist the democratic transition, the Administration is currently developing a program to support the laying of a groundwork for free and fair elections. The State Department and USAID are working very closely on this expanded democracy program. As you know, USAID Administrator Brian Atwood led an assessment mission to Indonesia last month; and the director of my bureau's program office, Elizabeth Clark, is presently in Jakarta on a follow-up mission.

In particular, we are planning to expand our support for Indonesian non-governmental organizations involved in civic education and electoral monitoring. And we have initiated assistance for the promotion of political dialogue; for the revision of laws on elections, political parties and presidential selection; for the training of journalists covering the political and economic transition; and for the development of independent labor unions.

No discussion of the problems ahead is complete without reference to the economic situation. I will not go

into detail about the stunning economic decline, which I know is of great concern to everyone here today. The dramatically growing poverty represents a humanitarian crisis of enormous scope. I would only like to note that a continuation of the economic decline is, perhaps, the greatest threat to a transition to a genuinely democratic system. When people are unemployed, hungry, frightened and hopeless, they are less well equipped to make rational and responsible political choices. For this reason, I believe that it is essential to support economic assistance through the international financial institutions. We have not, however, given the Indonesians a blank check, and we will monitor the situation closely.

As we look ahead, we will continue to deliver a strong message on the importance of democratic reform and respect for human rights, and we will continue to orient our assistance programs to helping Indonesia toward that goal. We appreciate the strong and constructive interest shown by members of Congress -- and by you in particular, Mr. Chairman -- in this process. We have a tremendous opportunity to help the Indonesian people at this historic moment, and we must work together to meet the challenges. Thank you.

**Human Rights in Indonesia****Statement of the Honorable  
Franklin D. Kramer****Assistant Secretary of Defense for International Security Affairs****House Committee on International Relations  
Subcommittee on International Operations and Human Rights****July 24, 1998**

Mr. Chairman and Members of the Subcommittee, thank you for this opportunity to provide the Department of Defense perspective on human rights in Indonesia. Indonesia is important to a broad range of US interests—political, economic and security. For the Department of Defense, Indonesia is particularly important because of the key role it has played and will continue to play in the stability and security of the Asia Pacific region.

To understand our defense perspective on Indonesia, it is important to understand our overall security strategy in the region. For half a century, America's military presence and engagement has been the basis for stability in East Asia. That stability has been the key to the region's remarkable economic growth – a prosperity in which the American people as well as those of the region have a direct national interest. Our interests require that we continue that engagement in the future.

In January, I accompanied Secretary Cohen on his visit to Asia, at a time when Asia had entered a period of financial crisis – a crisis which has security implications as well. As he met with leaders grappling with this period of turmoil, which emerged so swiftly and unexpectedly, he sought to assure them that the American commitment to the region will continue now and into the future, serving as an anchor of stability in times of economic, as well as security, challenge. As Secretary Cohen said, we returned with a renewed appreciation of two fundamental truths. The first is that Asia is a region of great and growing global importance economically, politically, and strategically. Even in this crisis, the sense of dynamism survives. The second is that Asian leaders want the United States to be involved during this crisis and especially to maintain its strong security presence in the region. They value American engagement in good times and bad.

Security is even more important in times when nations must take the tough decisions to surmount economic problems than in times of prosperity. In this time of financial crisis in the region it is even more important for us to continue to recognize the stabilizing role that only America can play. We have a continuing interest in adhering to four basic strategic tasks: We must maintain the vitality of our bilateral alliances and friendships.

We must maintain our forward presence to ensure stability that has been the basis for the historical success of the economies of the region. We must promote a stable, sound, lasting relationship with China, recognizing that both countries have a fundamental interest in regional and global peace. And we must seize the opportunities offered by multilateral fora, such as the ASEAN Regional Forum, which advance transparency, resolve tensions, and improve confidence between regional powers.

The US government is working, diplomatically and through the economic agencies, to help see that the financial crisis will be resolved quickly and that the new economic structure that emerges will be more open, more democratic, and more sound. With American leadership, these results are certainly possible. At the same time, beyond the necessary connection between security and prosperity, the United States obviously has a great number of direct security interests and challenges in the Asia-Pacific. Among our concerns are that Asia remains a concentration of powerful economically competitive states with the world's largest militaries, some of which are nuclear armed. Historical rivalries, set aside in times of prosperity, may re-emerge in times of distress. Relations between nations with competing territorial claims periodically show strains; unresolved claims to disputed small insular areas and boundaries may prove especially dangerous. Deep-seated ethnic tensions could increase perceptions of unfair economic burdens; political turmoil and social unrest could result. And, finally, key nations in the region are going through periods of fundamental political, social, and economic transition.

In short, the current economic crisis reinforces the fundamental, long-standing strategic policy the US has pursued for decades. Now more than ever the United States has an interest in helping to keep the peace and maintain stability.

Indeed, we now have an opportunity to strengthen American leadership. The region's leaders are looking to America. We have an opportunity to work with Asia's leaders to resolve long-standing sources of instability and head off potential future problems.

In the Defense Department, we view Indonesia within this broad strategic context. The world's fourth most populous nation and home to the world's largest Muslim population, Indonesia has played a pivotal role in fostering regional stability and will continue to have a critical influence in the Asia-Pacific region into the next century. Indonesia's geostrategic position and regional influence make it important for United States security interests to have a cooperative bilateral defense relationship over the long-term. Its vast span of thousands of islands form a gateway between the Pacific and Indian Oceans, and straddle some of the world's most critical sea lines of communication. Indonesia's support for long-term U.S. engagement in the region also has been an important factor in our overall regional security strategy.

In the security arena, as in political and economic affairs, the US and Indonesia share important, broad interests in promoting stability and peaceful resolution of conflict

both regionally and internationally. Indonesia has been the backbone of ASEAN, has served as an influential participant in the ASEAN Regional Forum and APEC, and has demonstrated leadership on regional security problems such as Cambodia and the South China Sea. Indonesia has also established a long tradition of supporting UN peacekeeping operations and has been heavily involved in global disarmament efforts.

The importance of Indonesia and our bilateral engagement is why Secretary Cohen visited Jakarta in January, and why he will visit again next week. Indeed, among the visits of Administration officials such as Assistant Secretary of State Roth, Treasury Deputy Secretary Summers and Agency for International Development Administrator Atwood, has been a series of visits by DoD officials as we seek maintain open and candid dialogue with this important country and this important military institution. In January, as Jakarta was gripped by the financial crisis, Secretary Cohen stressed the importance of economic stability to regional security and reiterated continued strong United States engagement during this difficult period. ADM Prueher, Commander-in-Chief, US Pacific Command, visited Jakarta in June, after the presidential transition. Meeting with Defense Minister and Armed Forces Chief General Wiranto, he urged military support for continued reform and the need for a thorough investigation of the Trisakti University shootings. Vice Chairman of the Joint Chiefs of Staff General Ralston visited Indonesia earlier this month, again, carrying the message that a long-term security relationship is important to the United States, the reform process must continue, the importance of human rights, and the need for thorough and credible investigations into military involvement in the political disappearances, university shootings, and riots and rapes of Sino-Indonesian women. These are messages that Secretary Cohen will also carry.

At present, the Defense Department is taking special care to ensure adequate policy-level review of all DoD activities with the Indonesian armed forces, especially in light of the still unsettled conditions in the country. In early May, Secretary Cohen placed a temporary hold on all activities in Indonesia, subject to a case-by-case review by Under Secretary of Defense for Policy Slocombe. We have reviewed all activities previously planned, as well as some newly proposed, for the rest of Fiscal Year 1998. We have approved activities that generally fall into the categories of medical/humanitarian, logistics and engineering, subject matter expert exchanges, and senior-level visits. We can provide your staff a list of these activities. In addition, Indonesian military personnel are participating in Expanded-IMET courses, conferences and seminars outside Indonesia. We will continue to review the situation in Indonesia and to determine which activities to approve in light of that situation. Our near-term objective is to maintain contact and candid dialogue with this important institution as it copes with the many challenges that stem from the political and economic changes now taking place, and to support the reform process.

One particular type of activity – Joint Combined Exchange Training events, those conducted by US Special Operations Forces (SOF) under the authority of section 2011 of Title 10, United States Code with the primary purpose of training US SOF – remain on hold in Indonesia. I would like to note for the Subcommittee, however, new procedures which the Defense Department has adopted on how JCET activities are planned and conducted worldwide, changes that were developed after DoD consultations with Congressional staff members on our JCET deployments to Indonesia. The Office of the Secretary of the Defense (OSD), the Joint Staff, and the United States Special Operations Command reviewed the depth and breadth of the reporting efforts on the program, as well as the degree of OSD oversight present in the training deployment review process. We are improving the content of the annual report to Congress that is submitted on Special Operations Forces training with foreign forces in accordance with section 2011. Additionally, OSD oversight of all section 2011 training deployments has been expanded. All planned activities conducted under section 2011 must now be reported in advance, on a quarterly basis, to OSD for review. We will provide this quarterly information to the Department of State. The OSD review of this quarterly projection will be conducted by the Office of Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict Allen Holmes in consultation with my Office of International Security Affairs. Our review will encompass all relevant policy issues surrounding each training deployment and the host nations' forces with whom US Special Operations Forces would be training. If we are in possession of credible evidence of gross violations of human rights by a unit, we will not, except in extraordinary circumstances, train with that unit until we are satisfied that all necessary corrective steps have been taken. Further, DoD will continue to accept the Ambassador's judgment on the host nation units with which it is appropriate to train. While we are in the early days of making these revisions and will doubtless be able to improve on the process over time, we are confident that these changes in policy oversight and reporting of Special Operations Forces training under section 2011 will improve the visibility and transparency of this vital training activity.

The tensions generated by the Indonesia's economic problems and political transition have been accompanied by human rights problems. We are particularly troubled by allegations of military involvement in the disappearances of students and other political activists earlier this year as well as the May 12 shootings of the students at Trisakti University. We are likewise aware of similar troubling allegations of military involvement in the recent riots. DoD, as part of the overall USG effort, will press for credible investigations of these incidents, both publicly and in private meetings with Indonesian officials. Indonesian government investigations are ongoing, and we are awaiting the findings. Meanwhile, we have a strong interest in seeing the Indonesian military manage current and future unrest throughout Indonesia with restraint. We have consistently urged restraint to officials in Jakarta, most recently during the of Vice Chairman of the Joint Chiefs of Staff General Ralston. As Assistant Secretary Shattuck has stated, we think it critical that the ethnic Chinese minority be fairly treated, with full

equal protection under the law. Finally, we too are pleased that a way seems open for progress on East Timor, and General Ralston raised this issue on his recent visit.

As Assistant Secretary of State Shattuck has stated, it should be noted that the Indonesian military has generally acted responsibly since the outbreak of the crisis. Gen Wiranto and the ABRI leadership appear to be concerned that rules of engagement are adhered to, and that ABRI acts professionally and with restraint. While every individual lapse harms the reputation and credibility of ABRI and should be fully accounted for, we should not fail to acknowledge the discipline of the majority of the armed forces in dealing with the range of very difficult situations they have faced.

The Department of Defense fully supports our human rights objectives in Indonesia. As Assistant Secretary Shattuck has said, it is the US Government's belief that DoD interaction with the Indonesian armed forces is a key tool with which to do so. We do not assume that individual US policies or actions taken toward the Indonesian military will by themselves produce fundamental changes in the military's behavior. We believe, however, that over time, we can influence human rights improvements through dialogue, access, and training. All forms of training that we can provide to members of the Indonesian armed forces, whether technical, operational, or professional in nature, expose Indonesian service members to not just to a professional, civilian-controlled military institution, but to the best in the world. In short, we believe professionalizing the Indonesian armed forces will help reduce human rights abuses by the military, a view that has been supported in the past by Indonesian human rights activists.

The unprecedented economic crisis and political transition with which Indonesia is currently grappling will focus Jakarta's energies on internal stability and recovery for the foreseeable future. The outcome of the economic turmoil and political evolution nonetheless have high stakes for regional stability and security. Economic restructuring and the opening of the political system pose serious challenges for the Indonesian leadership and have the potential for significant effects on many nations in the region. Continued US engagement in Indonesia, and with the Indonesian defense establishment, will help promote stability necessary to manage this difficult period.

**USCINCPAC RESPONSE TO ASD/ISA TESTIMONY ON JCET EXERCISES IN INDONESIA (U)**

**1. Question 1 (part 1 of 10): Why was the United States involved in training Kopassus troops?**

**Answer 1 (part 1 of 10):** US Special Operations forces (SOF) train with their Special Operations counterparts in execution of their Foreign Internal Defense mission. Training with their Special Operations counterparts provides US SOF access to diverse training areas, allows US SOF to develop and use language skills, and learn new tactics, techniques and procedures, such as tracker, counter tracker, and survival skills in a jungle/tropical environment from their hosts. Secondly, it provides an opportunity to expose our hosts to the standards of the most highly trained and professional Special Operations forces in the world. Within Abri, Kopassus had the influence required to begin training with the US (when other units either could or would not) and the resources to contribute to this training. Kopassus opened the door to allow us to train with other Indonesian units.

**Question 1 (part 2 of 10): Did the US military training of Kopassus members include interrogation techniques?**

**Answer 1 (part 2 of 10):** No, US forces did not provide any training in interrogation techniques nor did we discuss the issue.

**Question 1 (parts 3 thru 8): Who are the eleven? Do we know their names? Do we know their ranks? How high up the chain of command is this likely to go? Did any of the Kopassus members now in detention ever receive US training as JCET participants? Do you have any way of finding that out at this time?**

**Answer 1 (part 3 thru 8):** The Indonesian armed forces have not disclosed the names of all eleven personnel involved in the abductions of the political activists. We are certain of the involvement of LTG Prabowo, MG Muchdi and COL Chairawan; LTG Prabowo has retired and MG Muchdi and COL Chairawan have been relieved of all their duties and responsibilities. They were all in command of the units that participated in JCET activities. At this time we do not have any reliable information on the remaining personnel implicated in the abductions.

**Question 1 (parts 9 thru 10): Were Indonesian military personnel screened in any way prior to participating in U.S. JCET exercises? What kind of records do we have on this?**

**Answer 1 (parts 9 thru 10):** Although the Defense Attache emphasized to senior Indonesian military leaders that we do not allow personnel who have been convicted of or charged with human rights abuses to participate in our combined activities, DoD did not routinely screen Indonesian participants in JCETs, nor were training rosters routinely maintained. The embassy human rights committee has implemented new procedures to develop a database and review training.



**Question 2:** Could you describe the following types of exercises: sniper training, including camouflage and stealth approach, close quarters battle, combat swimmer operations, special reconnaissance, including long range infiltration and exfiltration, subject matter expert exchange, light infantry tactics, psyops, and military operations in urban terrain?

**Answer 2:** All the training in question 2 took place on a regular basis with the exception of close quarters battle and sniper training. The last time sniper or close quarters battle training was conducted with Indonesian forces was in 1995.

(1) Sniper training instruction focused on entry-level sniper techniques stated below which are taught in various US Army and USMC sniper schools. Advanced rifle marksmanship (M-16 and bolt action rifles).

- Shooter/observer relationships (target discrimination) extreme range (long distance) shooting and calculations
- Camouflage and concealment of sniper firing position movement techniques (stealth approach) of individual sniper live fire exams (known and unknown distances)

(2) Close Quarters Battle (CQB) instruction focused on counter terrorism. CQB instruction includes the following:

- Movement techniques
- Tactics, techniques and procedures involved in moving in and around urban obstacles/danger areas (walls, windows, doors, corners, open areas etc.) building entry & clearing techniques
- Tactics, techniques and procedures for initial entry and securing of immediate areas
- Squad offensive/defensive shoot, move and communicate procedures for small units in an offensive and defensive role in urban terrain
- Instinctive shooting techniques
- Use of small arms in immediate danger areas
- Breaching
- Clearing obstacles (windows, doors, etc.)
- Multi-level structure clearing techniques
- Procedures for entering, clearing and securing multi-floor structures
- Obstacle vault & clear
- Combined movement in/around obstacles with the securing of immediate areas.

(3) Combat swimmer operations involve both individual and collective tasks. This type of training, when culminated into a field training exercise involving a raid or ambush (direct action mission), demonstrates the ability to infiltrate by water and neutralize a fixed military target (i.e., communication site). This type of training also has applications for counter-terrorist, search and rescue and recovery operations, of both personnel and or equipment, such as: recovery of a downed aircraft or aircraft voice cockpit recorder. Training typically includes the following subjects:

- Safety/hazard awareness Combat Swimmer Course (CSC) introduction swimmer & equipment familiarization
- Draeger LAR V scuba operating procedures
- Buddy work and signals
- Individual swimmer skills
- Underwater navigation tide and current theory and computation

- Offset navigation contour navigation
- Harbor defense
- Mission planning equipment Draeger procedures dive formations
- Submarine trunk lock-in/lock-out procedures surface launch and recovery
- Underwater searches
- Combat swimmer tactics

(4) Special Reconnaissance (SR) is: reconnaissance and surveillance actions conducted by SOF to obtain or verify, by visual observation or other collection methods, information concerning the capabilities, intentions, and activities of an actual or potential enemy or to secure data concerning the meteorological, hydrographic, or geographic characteristics of a particular area. It includes target acquisition, area assessment, and poststrike reconnaissance. The focus is on external threats and not internal threats. SR includes the following:

- Environmental reconnaissance: operations conducted to collect and report critical hydrographic, geological, and meteorological information.
- Armed reconnaissance: locating and attacking targets of opportunity, i.e., enemy materiel, personnel, and facilities, in assigned areas or along assigned ground Lines of Communications (LOCs). Special Operations Forces have a highly developed capability to get in and out of hostile or denied areas. Armed reconnaissance is not conducted for the purpose of a preplanned attack of specific targets.
- Coastal patrol and interdiction: area denial, interdiction, support, and intelligence operations in coastal regions. The objective is to halt or limit the enemy's warfighting capability by denying movement of vital resources over coastal and riverine LOCs. Seaward perimeter and harbor security and escort duties are typical support operations. Coastal patrol and interdiction may be a stand-alone mission or may support other fleet and joint efforts such as riverine, amphibious assault, blockade, and counterdrug operations.
- Target and threat assessment: operations conducted to detect, identify, locate, and assess a target to permit effective employment of weapons or the survey of a target to measure the results of a conventional or nuclear, biological, and chemical strike.
- Poststrike reconnaissance: missions undertaken for the purpose of gathering information used to measure results of a strike.

(5) Long range infiltration/exfiltration is the undetected movement through or into an area or territory occupied by enemy forces. Infiltration/exfiltration may be by air or sea assets. Rotary/fixed wing aircraft may require in-flight refueling to further extend the range of infiltration and exfiltration.

(6) Subject Matter Expert Exchange (SMEE) is an exchange of subject matter expert to teacher or exchange of information on a given subject. It is normally classroom instruction. Recent exchanges have covered subjects such as military law, map exercises, computer battlefield simulations, women in the military and military and the media.

(7) Light infantry tactics (direct action (1)(a)) are short-duration strikes and other small-scale offensive actions to seize, destroy, capture, recover, or inflict damage on designated personnel or equipment. In the conduct of operations, units may employ raid, ambush, or direct assault tactics; emplace munitions and conduct standoff attacks by fire from air, ground, or maritime platforms.

Activities falling within the DA mission include:

- Raids, ambushes, and direct assaults: operations designed to achieve specific, well-defined and often time-sensitive results of strategic or operational significance. They frequently occur beyond the reach of tactical weapon systems and selective strike

capabilities of conventional forces. Such operations typically involve an attack on critical targets such as: the interdiction of lines of communications (LOCs) or other target systems; the location, capture, or recovery of designated personnel or material; or the seizure, destruction, or neutralization of enemy facilities in support of conventional forces or in advance of their arrival.

-Standoff attacks: attacks by extended range weapon systems, such as mortars or shoulder fired missiles. Standoff attacks can be conducted by air, maritime, or ground forces. Standoff attacks allow the target to be sufficiently damaged or destroyed without the commitment of close-combat forces, these attacks can be performed as independent actions.

-Recovery operations: operations to locate, recover, and restore personnel or material held captive, isolated, or threatened in areas sensitive, denied, or contested to friendly control. Special Operations (SO) recovery missions are often characterized by detailed planning, rehearsal, and thorough intelligence analysis.

-Precision destruction operations: operations against targets where minimal collateral damage is acceptable, requiring highly sophisticated and/or timed detonation of specific amounts of explosives emplaced in exact locations to accomplish mission objectives. Precision destruction operations are conducted against targets where precision-guided munitions can not guarantee required results.

-Operations against a hostile or potentially hostile shore include preassault cover and diversionary operations, naval gunfire support, initial and/or terminal guidance for landing craft, surf observation, obstacle clearance, and other advance force operations.

-Mine warfare: the strategic and operational use of sea mines and their countermeasures. Operations include offensive and defensive mine laying, detection of enemy minefields, and detection and neutralization of very shallow water mines.

(8) PSYOP training introduced the US system of Psychological Operations to include unit organization, doctrine, and equipment.

(9) Military Operations in Urban Terrain (MOUT): MOUT was a course that provided US tactics for conventional infantry operations to clear an armed and determined enemy from a built-up or urban environment. It involved a company-sized objective of some 25 simulated buildings. Although it involved instruction on close quarters battle techniques, it was not at the level of sophistication of a surgical strike employed in a counter-terrorist (hostage rescue) mission or the techniques one would use to evacuate protesters from a government building. This is the conventional-type training used to conduct conventional operations in general war, or as a precursor to peace enforcement/peace keeping operations.

**Question 3:** On the 11, are we trying to ascertain their identities and to juxtapose it with those that we trained to find out whether or not? If not, we are making that request to find out whether or not any of those individuals were ever trained by JCETs.

**Answer 3:** At this time we do not have any reliable information on the remaining personnel implicated in the abductions and are therefore unable to determine if they participated in the JCET program. We continue to ask GOI for this information; however, they are unwilling to disclose the names while cases are still under investigation. We will pursue this information; however, it will be difficult, as rosters of personnel involved in JCETs were not routinely maintained in the past. They have been since mid-1998.

**Question 5:** Again, not to belabor the point, myself and others, I am not alone in this, we are like voices in the wilderness yelling as loud as we could. We saw a problem before the eleven were apprehended. Kopassus that was the group that continually came. I mean how many of the 41 training missions or exercises were with Kopassus? Most? Some? All?

**Answer 5:** Approximately 22 of the 41 military training missions or exercises included participation from Kopassus. However, more than half of these events also included participants from various other Indonesian units as well, such as: Kostrad, Pusenif (army infantry training center), Kopaskhasau (air force special forces), Pudikzi (army engineer training center), and Penrbaq (army aviation squadron). Our strategy was to integrate other training partners in our training events whenever possible, prudently leveraging the access provided by Kopassus.

2. POC for this action is LTC O'Neill, J-3 Special Operations Division, (703) 695-8102.

**SUBJECT: LIST OF EXPANDED IMET (E-IMET) COURSES**

The attached Expanded IMET (E-IMET) Handbook for 1998 provides the entire list of E-IMET courses available. All courses included in this handbook have civilian control of the military and human rights training components; a requisite standard for E-IMET consideration.

The following provides you with a brief synopsis of the key sections:

- Section I includes all courses considered to be the core of the E-IMET program. These courses are either new initiatives developed specifically to support the E-IMET program, or existing courses where the subject material overwhelmingly supports the E-IMET program.
- Section II includes all courses taught by Mobile Education Teams (METs). These courses were specifically developed to support the E-IMET program. Teams are requested by the SAO after coordination and approval by the Ambassador, Unified Command, and State Department. Each team will travel to the approved country and provide instruction in English or in the host nation language either through translators or by instructors qualified to teach in that language.
- Section III includes courses that will meet E-IMET Objectives if attended by civilians. These courses support the E-IMET objectives; however, they do not meet the criteria established to be included in a country's E-IMET Program. In accordance with Congressional emphasis on the training of civilians, these courses will be included in a country's E-IMET program if attended by a government civilian or a member of a country's legislature or parliament involved in military matters.
- Section IV outlines MET Guidelines, Procedures and Responsibilities.

**Q: How many Americans are living in Irian Jaya? With whom are they affiliated?**

**A: APPROXIMATELY 800 AMERICANS LIVE IN IRIAN JAYA. ABOUT 350 ARE MISSIONARIES. THE MAJORITY OF THE REMAINING 450 ARE AFFILIATED WITH THE FREEPORT MINING COMPANY. ARCO HAS NO ONE PERMANENTLY BASED IN IRIAN JAYA, BUT MAY HAVE UP TO FIVE JAKARTA BASED PERSONNEL IN IRIAN JAYA AT ANY GIVEN TIME. IRIAN JAYA IS COVERED BY JAKARTA-BASED PERSONNEL AND AT ANY GIVEN TIME THERE MAY BE ZERO TO FIVE PEOPLE ON THE GROUND. SANTA FE HAS ONE CONTRACTOR, AN AMCIT, WHO IS BASED IN IRIAN JAYA.**

**Q: I understand that the U.S. embassy was not allowed to travel to areas of Irian Jaya discussed in the church group's report on the atrocities in 1996-1997. What can the U.S. embassy do to obtain access to these areas?**

**A: WHEN THE INDONESIAN MILITARY CLOSES AN AREA FOR WHAT IT DESCRIBES AS SECURITY REASONS, AS IT DID IN THE MAPENDUMA AREA OF IRIAN JAYA'S CENTRAL HIGHLANDS FOLLOWING THE FREE PAPUA MOVEMENT'S (OPM) KIDNAPPING OF FOREIGNERS IN JANUARY 1996, IT IS GENERALLY DIFFICULT FOR ANYONE, INCLUDING FOREIGN DIPLOMATS, TO GAIN ACCESS TO SUCH AREAS. NEVERTHELESS, EMBASSY DEFENSE ATTACHES WERE ABLE TO MAKE A BRIEF VISIT TO GESELEMA, A VILLAGE IN THE AREA, IN OCTOBER 1997. THEY DID SO UNDER THE ONLY CONDITIONS POSSIBLE AT THE TIME, I.E., WITH INDONESIAN MILITARY ESCORT AND USING A CHARTERED HELICOPTER. THEY WERE ABLE TO TALK TO LOCAL PEOPLE (NOT IN THE PRESENCE OF THEIR ESCORTS) AS WELL AS**

INDONESIAN MILITARY PERSONNEL ASSIGNED TO THE AREA, BUT WERE NOT ABLE TO MAKE AN EXTENSIVE INDEPENDENT ASSESSMENT.

IN GENERAL, HOWEVER, EMBASSY PERSONNEL HAVE BEEN ABLE TO TRAVEL TO IRIAN JAYA, AND HAVE BEEN ABLE TO OBTAIN INFORMATION FROM A WIDE VARIETY OF SOURCES ABOUT CONDITIONS IN THE PROVINCE, INCLUDING HUMAN RIGHTS ABUSES. IN LIGHT OF INFORMATION CONTAINED IN THE CHURCH GROUP'S REPORT, THE EMBASSY WILL ATTEMPT TO TRAVEL TO THE SOUTHERN HIGHLANDS DURING AN UPCOMING VISIT TO IRIAN JAYA. THE EMBASSY'S MOST RECENT VISIT TO IRIAN JAYA, IN MID-JULY, FOCUSED ON THE RECENT VIOLENCE IN NORTH COAST TOWNS.

**Q: Have embassy officials been able to travel to Aceh? What restrictions do they face on travel there?**

A: EMBASSY OFFICIALS TRAVEL TO ACEH SEVERAL TIMES A YEAR. THE MOST RECENT VISIT OCCURRED IN JULY 1998. ON ONE OCCASION IN 1997, THE GOVERNMENT OF INDONESIA ASKED THAT A VISIT BE POSTPONED DUE TO A VISIT AT THE SAME TIME BY SENIOR INDONESIANS OFFICIALS. THE EMBASSY VISIT WAS SUCCESSFULLY CARRIED OUT LATER. NO OTHER RESTRICTIONS HAVE BEEN LEVIED.

**Q: What is the value of U.S. corporate investment in Indonesia?**

A: THE CUMULATIVE VALUE OF U.S. DIRECT INVESTMENT IN INDONESIA REACHED \$7.395 BILLION IN 1997.

**Q: What is the value of resources mined/extracted in Irian Jaya. What U.S. mining/extraction companies are working in Irian Jaya?**

A: COMING UP WITH FIGURES ON THE VALUE OF UNSPECIFIED RESOURCES MINED AND EXTRACTED IN IRIAN JAYA OVER AN UNSPECIFIED PERIOD

WOULD TAKE CONSIDERABLE TIME. IN ADDITION, THE COMPANIES THROUGH PRODUCTION SHARING CONTRACTS (PSC'S) AND MINING CONTRACTS OF WORK ONLY RECEIVE A PORTION OF THE COMMODITY REVENUE. THE REMAINDER PLUS RENTS AND ROYALTIES ACCRUE TO THE GOI. FOR A QUICK RESPONSE, WE THINK INVESTMENT FIGURES ARE A BETTER INDICATOR.

FREEPORT IS BY FAR THE LARGEST INVESTOR IN IRIAN JAYA, WITH A NOMINAL CAPITAL INVESTMENT OF ABOUT \$4 BILLION OVER MORE THAN THREE DECADES. THERE IS NOT MUCH FIXED INVESTMENT BY U.S. OIL COMPANIES IN IRIAN JAYA. WE DO NOT HAVE A BREAKDOWN OF PRODUCTION BY INDIVIDUAL PRODUCTION SHARING CONTRACTS OR FIELDS. NEVERTHELESS, WE ESTIMATE THAT CONOCO, ARCO AND SANTA FE HAVE SPENT ABOUT \$100 MILLION TO DATE ON EXPLORATION IN FIELDS ON/OFFSHORE IRIAN JAYA. THE TOTAL FOR EXPLORATION EXPENDITURES OVERSTATES THE U.S. SHARE BECAUSE U.S. COMPANIES ARE PARTNERS WITH THIRD COUNTRY COMPANIES IN THE PSC'S.

#### **Freeport**

BASED ON 1998 COPPER PRODUCTION ESTIMATES, INDONESIA IS THE WORLD'S THIRD LARGEST PRODUCER OF COPPER AND MOST OF THAT COPPER COMES FROM FREEPORT'S GRASBERG COPPER MINE. FREEPORT, WHICH HAS BEEN ACTIVE IN IRIAN JAYA SINCE THE 1960S, OPERATES THE WORLD'S LARGEST COPPER AND GOLD DEPOSIT MINE IN IRIAN JAYA. IT HAS PROVEN RESERVES OF 2.17 BILLION TONS OF COPPER, GOLD AND SILVER ORE IN AND AROUND ITS GRASBERG CONTRACT AREA. FREEPORT CURRENTLY PRODUCES MORE THAN 200,000 TONS OF ORE DAILY. PRODUCTION IS EXPECTED TO EXPAND TO 230,000 TONS PER DAY BY THE END OF THE FOURTH QUARTER 1998.



IN A PACKET OF INFORMATION DISTRIBUTED TO THE PRESS ON JULY 10, 1998, FREEPORT SAID THAT IN THE PERIOD 1973 TO 1997, 80 PERCENT OF THE TOTAL VALUE OF SALES OF \$10.2 BILLION HAD STAYED IN INDONESIA IN THE FORM OF DIVIDENDS, ROYALTIES AND TAXES AND THROUGH SALARIES, LOCAL PURCHASES AND OTHER BENEFITS. FREEPORT'S DECLARED SALES REVENUE WAS \$3.4 BILLION BETWEEN 1973-1991 AND \$6.8 BILLION BETWEEN 1992-1997. (FREEPORT DID NOT PROVIDE AN ANNUAL BREAKDOWN.) CAPITAL INVESTMENT WAS \$923 MILLION BETWEEN 1973-1991 AND \$ 3 BILLION BETWEEN 1992-1997. BECAUSE OF DEPRESSED WORLD COPPER PRICES, FREEPORT EXPECTS REDUCED PROFITS IN 1998. THE PRICE OF COPPER IS ABOUT U.S. 70 CENTS PER POUND, DOWN FROM OVER \$1.00/LB IN THE FIRST QUARTER OF LAST YEAR. THE PRICE OF GOLD IS \$290 PER OUNCE, DOWN FROM LAST YEAR'S PRICE OF OVER \$350 PER OUNCE.

FREEPORT IS 81.28 PERCENT OWNED BY FREEPORT MCMORAN COPPER AND GOLD INC (RIO TINTO HAS A 12 PERCENT STAKE IN FREEPORT MCMORAN COPPER AND GOLD INC). THE GOVERNMENT AND PT INDOCOPPER INVESTAMA CORPORATION EACH HAVE A 9.36 PERCENT SHARE IN FREEPORT INDONESIA. FREEPORT MCMORAN ALSO HAS A 49 PERCENT SHARE OF INDOCOPPER, IN WHICH NUSAMBA MINERAL INDUSTRI HOLDS A 51 PERCENT STAKE. NUSAMBA MINERAL IS A UNIT OF THE NUSAMBA GROUP, OWNED 80 PERCENT BY THREE CHARITIES HEADED BY FORMER PRESIDENT SOEHARTO, AND 10 PERCENT BY BOB HASAN AND SIGIT HARJOJUDANTO (SOEHARTO'S ELDEST SON).

#### **ARCO**

IN SEPTEMBER 1997 ARCO ANNOUNCED THE DISCOVERY OF ABOUT 13 TRILLION CUBIC FEET OF PROVEN AND PROBABLE NATURAL GAS RESERVES

IN IRIAN JAYA. ARCO HAS SAID IT WILL INVEST \$3 BILLION TO DEVELOP THE "TANGGUH" GAS FIELD PROJECT ON THE WIRIAGER AND BERAU BLOCKS ONSHORE AND OFFSHORE NORTHWEST IRIAN JAYA. TOTAL EXPLORATION EXPENDITURES TO DATE BY ARCO-OPERATED PSC'S IN IRIAN JAYA (FIELDS: BERAU, BABO AND WIRIAGER) ARE OVER \$ 38 MILLION. NONE OF THE ARCO-OPERATED FIELDS ARE CURRENTLY PRODUCING OIL OR GAS. ARCO IS ALSO A PARTNER WITH KOREA PETROLEUM COMPANY IN ITS WOKAM BLOCK IN IRIAN JAYA.

#### **SANTA FE AND CONOCO**

A SIGNIFICANT PORTION OF SANTA FE'S ANNUAL PRODUCTION OF OVER 18,000 BARRELS PER DAY (B/D) COMES FROM ITS FIELDS IN IRIAN JAYA. TOTAL EXPLORATION EXPENDITURES TO DATE BY SANTA FE-OPERATED PSC'S IN IRIAN JAYA (FIELDS: SALAWATI, KLAMONO AND SORONG) ARE CLOSE TO \$17 MILLION. IN CONTRAST, MOST OF CONOCO'S DAILY PRODUCTION OF OVER 100,000 B/D COMES FROM ITS WEST NATUNA AND EAST KALIMANTAN FIELDS. EXPLORATION EXPENDITURES TO DATE BY CONOCO-OPERATED PSC'S IN IRIAN JAYA (WARIM) ARE ABOUT \$45 MILLION.



**Secretary of State Madeleine K. Albright**  
 Remarks at Consultation with American Indian and Alaska Native  
 Tribes  
 Washington, D.C., July 14, 1998  
 As released by the Office of the Spokesman  
 U.S. Department of State

**SECRETARY ALBRIGHT:** Thank you very much, Wendy [Wendy Sherman, Department Counselor]; it's always nice to be introduced by one of your best friends.

I am pleased to welcome all of you to the State Department for our third annual consultation with American Indian and Alaska Native tribes. I want to thank everyone for coming -- especially those of you who have traveled great distances to be here in Washington. I can identify with that. Lately my job seems to consist mostly of traveling long distances to visit Washington.

In recent weeks, it included overseas meetings with our allies about the South Asia nuclear tests and a trip down a Chinese river in 100-degree heat. So as I look around this room at all of you this morning, I really do feel as if there's no place like home.

The State Department is not one of the federal agencies that deals routinely with American Indians, Alaska Natives, Native Hawaiians or other indigenous Americans. Our job is foreign policy -- representing the United States in our diplomacy with other countries. But what we do nonetheless matters for every person in this room.

As Wendy has said, I do believe that it's essential that Americans understand the impact of foreign policy; because no US foreign policy can long be sustained if it doesn't enjoy the support of the American people. That means America's foreign policy must be representative of our citizens -- all of them.

It has to take their interests into account, which include for many of you, such things as tribal rights and natural resources issues. It must draw upon American ideals and insights, which is why we stress human rights in our diplomacy and look forward to talking with you about international efforts to advance the status of indigenous peoples.

Consultations such as this one have always made sense; but they haven't always taken place. That changed in 1994, when President Clinton made a historic commitment to improve the Federal Government's relationship with the tribal nations. The President has reaffirmed clearly that every federal agency should consult with the tribes when we make decisions that affect your interests.

That's why we're here. That's why I'm convinced the State Department can do a better job of advancing our views with foreign governments if we first spend time listening to the views of tribal governments. That's why I'm proud to be the first Secretary of State to open these consultations.

American foreign policy today seeks to make our country more secure, more prosperous and more free. These three goals overlap and more and more, they involve global challenges such as environmental protection, international crime and sustainable development, which cannot be met without cooperation across borders, languages and cultures.

I want to mention several areas where your contributions are critical to our common success: environmental protection and natural resources management; the rights of indigenous peoples; and international cooperation that breaks down old barriers and builds

new trust.

The first category encompasses our bilateral negotiations with Canada over Pacific salmon fishing. Here, some two dozen Indian tribes have been full and equal players in a complex process. We still have some tough issues to resolve with Canada, but this year we've secured a sound and sustainable agreement on salmon fisheries in Washington State, Oregon and lower British Columbia. We have also worked for years at the International Whaling Commission to secure the right of Alaska Inuit to take bowhead whales. This past year, in the same body, the United States secured the right of the Makah tribe of Washington State to take four gray whales annually.

Whale hunting is controversial in the environmental community, and the United States opposes commercial whaling. But the age-old cultural traditions of the Inuit and Makah which are built around sustainable whaling also ought to weigh in the balance. In these cases, we felt they ought to have a heavy weight indeed.

I also want to mention the Biodiversity Convention, which I signed on behalf of the United States in June 1993. We strongly support the convention, and are working for its approval by the US Senate. We welcome its strong protections for indigenous knowledge and practices.

I have been made aware of some tribal concerns that ratifying the convention could threaten treaties between the tribes and the United States. Recognizing the vital importance of this issue, I personally asked that the matter be rechecked with the Department's lawyers. We're confident that ratification of the convention would not in any way diminish Indian treaty rights.

But let me assure you that we have heard your concerns loud and clear, and will take steps to ensure that positions we take internationally will be consistent with federal Indian law. Department officials will be available during these consultations to answer your questions about the convention.

Defending the rights of indigenous populations is an important goal of US foreign policy. We focus on it in our human rights reports; we raise violations with foreign governments; and we bring outside attention to bear.

One recent example is the plight of the Yanomamo Indians in the border area straddling Brazil and Venezuela. They're facing incursions by would-be gold miners, and they're not receiving all the assistance they need following the area's terrible fires. So I'm sending to Venezuela one of the Department's human rights officials, Gare Smith, whom you'll be meeting later, to look into the human rights and humanitarian issues that this situation raises.

Tibet is another part of the world where we are very focused on indigenous rights. In his recent trip to China, President Clinton made protection of Tibet's unique religious, cultural and linguistic heritage a high priority. The President and I both raised this issue in our meetings with Chinese officials at the highest levels. And in a press conference broadcast live to the Chinese people, President Clinton urged face-to-face talks between Chinese President Jiang and the spiritual leader of the Tibetan people, the Dalai Lama.

Beyond our concerns with specific nations and regions, the United States is taking an active part in negotiations at the United Nations and the Organization of American States on declarations that would spell out a broad range of protections for indigenous peoples, indigenous groups around the world. These negotiations have been difficult, and some provisions are highly controversial, including in this room.

I understand you will discuss these issues at length tomorrow; and I look forward to hearing

about what you have to say. I want to make clear that the United States seeks an outcome which does full justice to the rights and distinctive identities of indigenous peoples in this country and throughout the world.

Finally, I want to mention a relatively new body where the State Department and Native Americans have worked well together -- that's the Arctic Council. We were pleased to support the Council's inclusion of the Aleuts as permanent participants. The Council's efforts should help improve use of Arctic resources; guide sound and sustainable economic development; and direct more attention to the special health and other concerns of Alaska natives.

The Arctic Council demonstrates how I'd like to see more of our foreign policy problems solved in the 21<sup>st</sup> Century: countries that were once rivals realizing that they are not playing a zero-sum game; governments and non-governmental organizations working not with their elbows out, but their arms linked; and Native people whose interests are affected playing an integral role in the process.

I'm convinced that as we shape our ties with other nations, America needs to listen to the Indian nations in our midst. So let me welcome you once more to the Department of State. Let me congratulate you for holding our feet to the fire. And let me invite you stay in touch with us not just today and tomorrow, but every day of the year.

Thank you all very much for letting me appear before you; and I hope you have extremely consultations.

(Applause.)

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