

108TH CONGRESS  
1ST SESSION

# H. CON. RES. 327

Calling on the Government of Indonesia and the Free Aceh Movement to immediately declare a ceasefire and halt hostilities in the Indonesian province of Aceh, end all human rights violations, and return to negotiations with significant Acehnese civil society and international involvement, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 2003

Mr. CROWLEY (for himself, Mr. SMITH of New Jersey, Mr. EVANS, and Mr. ENGLISH) submitted the following concurrent resolution; which was referred to the Committee on International Relations

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## CONCURRENT RESOLUTION

Calling on the Government of Indonesia and the Free Aceh Movement to immediately declare a ceasefire and halt hostilities in the Indonesian province of Aceh, end all human rights violations, and return to negotiations with significant Acehnese civil society and international involvement, and for other purposes.

Whereas the Government of Indonesia declared martial law in the province of Aceh on May 19, 2003, following the breakdown of the Cessation of Hostilities Agreement between the Government of Indonesia and the Free Aceh Movement (GAM);

Whereas the United States strongly supported the Cessation of Hostilities Agreement, which manifested dramatic reductions in human rights abuses and provided a promising framework for peaceful resolution of the conflict;

Whereas the Government of Indonesia's military campaign has displaced thousands of Acehnese civilians and extensive violations of human rights have been reported, including extra-judicial killing, torture, rape, sexual assault, arbitrary detention, forced displacement, and destruction of property;

Whereas the Indonesian Government, armed forces, and police have cracked down on domestic human rights and humanitarian nongovernmental organizations and agencies through extra-judicial killing, disappearance, physical intimidation, detention, and destruction of property in Aceh and elsewhere;

Whereas lawyers of Acehnese detainees have reportedly been threatened and in some cases assaulted, and many of the human rights and political activists detained have been denied legal representation;

Whereas those responsible for approving, planning, and carrying out the extrajudicial execution of Acehnese human rights lawyer Jafar Siddiq Hamzah—a United States permanent resident who testified before Congress, advocated human rights and a peaceful political solution for Aceh, and was later abducted, tortured, and murdered upon his return for a visit to Indonesia—have not been prosecuted and brought to justice;

Whereas the armed forces and police of Indonesia have yet to publicly release any surveillance files they may have maintained on Jafar Siddiq Hamzah, or materials they

may have pertaining to his abduction, torture, and execution;

Whereas Muhamad Nazar, one of Aceh's most prominent civilian leaders, was sentenced to five years in prison in an apparent revival of Suharto-era legislation for "sowing hatred and hostility" against the Indonesian Government for peaceful political activities;

Whereas the Indonesian Government has severely restricted access to Aceh by international humanitarian and human rights agencies and nongovernmental organizations, effectively precluding their operation in Aceh;

Whereas the Indonesian Government has curtailed the free flow of information on conditions in Aceh by severely limiting access by international and domestic journalists and intimidating local journalists, including the reported murders of several local journalists;

Whereas the Free Aceh Movement has been accused of serious violations, including the burning of schools, extortion, and taxation of many Acehnese residents;

Whereas President Bush and senior United States Government officials have stated that the conflict in Aceh is not amenable to a military solution, and leading religious figures, civil society leaders and politicians in Indonesia have called for a ceasefire in Aceh;

Whereas the Indonesian Government and the armed forces of Indonesia are likely to prolong the duration of martial law in Aceh, from the initial six months to the completion of nationwide elections in mid-2004;

Whereas the Government of Indonesia has publicly pressured the Government of Malaysia to forcibly return Acehnese seeking refuge in Malaysia;

Whereas the Government of Malaysia, in contradiction to international refugee law and United Nations High Commissioner for Refugees (UNHCR) guidelines on detention, has forcibly returned Acehnese asylum seekers to Indonesia where they are at risk of serious human rights violations and has further detained several hundred asylum seekers with the indication that they too will be forcibly returned, although some of them have been issued protection documentation by the UNHCR or have indicated a desire to seek protection from the UNHCR; and

Whereas a previous decade-long (1989–1998) military campaign in Aceh led to the death of more than 10,000 civilians and broad human rights abuses, while failing to resolve the conflict in Aceh: Now, therefore, be it

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

3                (1) Congress—

4                        (A) condemns past and ongoing violations  
 5                        of human rights by all sides in the Indonesian  
 6                        province of Aceh;

7                        (B) calls on the Government and armed  
 8                        forces of Indonesia to allow immediate, free,  
 9                        and unhindered access to Aceh by international  
 10                        humanitarian and human rights organizations  
 11                        and by international and domestic journalists;

12                        (C) calls on the Government and armed  
 13                        forces of Indonesia and the Free Aceh Move-  
 14                        ment (GAM) to immediately declare a ceasefire

1 and halt hostilities, end all human rights viola-  
2 tions, and return to negotiations with signifi-  
3 cant Acehese civil society and international in-  
4 volvement;

5 (D) calls on the armed forces and police of  
6 Indonesia to publicly release any surveillance  
7 files they may have maintained on Jafar Siddiq  
8 Hamzah, and all materials they may have per-  
9 taining to his abduction, torture, and execution;

10 (E) calls on the Government and armed  
11 forces of Indonesia to immediately end martial  
12 law in Aceh and withdraw all non-organic  
13 troops, intelligence forces, and special forces  
14 such as “KOPASSUS” and paramilitary and  
15 special police such as “BRIMOB”,  
16 “GEGANA”, and “SGI” components; and

17 (F) calls on the Government of Malaysia to  
18 refrain from the forcible return of Acehese  
19 asylum seekers to Indonesia, allow these asylum  
20 seekers full access to representatives of the  
21 United Nations High Commissioner for Refu-  
22 gees (UNHCR) to enable them to apply for asy-  
23 lum should they wish to do so, respect protec-  
24 tion documentation issued to refugees and asy-

1           lum seekers by the UNHCR, and release asy-  
2           lum seekers thus far detained; and

3           (2) it is the sense of Congress that the Presi-  
4       dent and Secretary of State should—

5                   (A) expeditiously increase efforts, in con-  
6       junction with the Government of Japan, the  
7       European Union, the World Bank and the  
8       International Monetary Fund (IMF), and oth-  
9       ers instrumental in securing the December  
10      2002 ceasefire, to press both sides to the con-  
11     flict to suspend hostilities and return to nego-  
12     tiations;

13                  (B) increase pressure on the Government,  
14      armed forces, and police of Indonesia, and the  
15      Free Aceh Movement, to cease all human rights  
16      violations;

17                  (C) press the Government of Indonesia to  
18      prosecute and bring to justice those responsible  
19      for approving, planning, and carrying out the  
20      extrajudicial execution of Acehese human  
21      rights lawyer and United States permanent  
22      resident Jafar Siddiq Hamzah;

23                  (D) press the armed forces and police of  
24      Indonesia to publicly release all surveillance  
25      files they may have maintained on Jafar Siddiq

1 Hamzah, and all materials they may have per-  
2 taining to his abduction, torture, and execution;

3 (E) urge the Indonesian Government,  
4 armed forces, and police to end repression and  
5 intimidation of nongovernmental organizations  
6 and to allow immediate, free, and unhindered  
7 access to Aceh by international humanitarian  
8 and human rights organizations and inde-  
9 pendent monitors;

10 (F) press the Government of Malaysia to  
11 release Acehese asylum seekers in detention,  
12 allow them full access to representatives of the  
13 United Nations High Commissioner for Refu-  
14 gees (UNHCR) to apply for asylum should they  
15 wish to do so, immediately refrain from forcibly  
16 returning Acehese seeking asylum in Malaysia,  
17 and cooperate fully with the UNHCR;

18 (G) increase efforts to assist in the reha-  
19 bilitation and economic development of Aceh;

20 (H) raise and protest human rights viola-  
21 tions committed in Aceh at all appropriate  
22 international fora and actively support involve-  
23 ment of the United Nations High Commissioner  
24 for Human Rights, through the dispensation of

1 special rapporteurs, to investigate human rights  
2 violations in Aceh;

3 (I) press the Government of Indonesia,  
4 working through the Indonesian National Com-  
5 mission on Human Rights (“KOMNAS  
6 HAM”), to identify those individuals within the  
7 Indonesian armed forces, police, and others who  
8 should be prosecuted for human rights crimes  
9 committed in the military campaign in Aceh  
10 and ensure that trials are conducted which  
11 meet international standards of justice;

12 (J) review its bilateral relationship and  
13 military assistance to Indonesia in light of seri-  
14 ous human rights violations committed by the  
15 Indonesian armed forces and police in Aceh;  
16 and

17 (K) urge the Indonesian Government and  
18 armed forces to refrain from using United  
19 States-supplied weaponry in Aceh.

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