

107TH CONGRESS
1ST SESSION

S. RES. 91

Condemning the murder of a United States citizen and other civilians, and expressing the sense of the Senate regarding the failure of the Indonesian judicial system to hold accountable those responsible for the killings.

IN THE SENATE OF THE UNITED STATES

MAY 21, 2001

Mr. NELSON of Florida (for himself, Mr. FEINGOLD, and Mr. LEAHY) submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

Condemning the murder of a United States citizen and other civilians, and expressing the sense of the Senate regarding the failure of the Indonesian judicial system to hold accountable those responsible for the killings.

Whereas on September 6, 2000, a paramilitary mob in the West Timor town of Atambua killed 3 United Nations aid workers, including United States citizen Carlos Caceres;

Whereas Caceres and the other victims were stabbed and hacked to death with exceptional brutality, and their bodies were then set on fire and dragged through the streets;

Whereas Caceres, an attorney originally from San Juan, Puerto Rico, whose family now resides in the State of

Florida, had e-mailed a plea for help saying that “the militias are on their way”, and that “we sit here like bait”;

Whereas on May 4, 2001, an Indonesian court in Jakarta meted out only token sentences to the murderers of Carlos Caceres and the other United Nations workers, and failed to allot any punishment whatsoever to the Indonesian military commanders alleged to have sanctioned this attack;

Whereas these token sentences have been condemned as “wholly unacceptable” by United Nations Secretary General Kofi Annan, and described by the Department of State as acts that “call into question Indonesia’s commitment to the principle of accountability”;

Whereas the self-confessed killer of Carlos Caceres, a pro-government militia member named Julius Naisama, was sentenced to spend not more than 20 months in jail, and remarked afterwards, “I accept the sentence with pride”;

Whereas the murders of Carlos Caceres and the other United Nations workers fit a pattern of killings perpetrated or sanctioned by the Indonesian military in Aceh, Irian Jaya, and other parts of the Indonesia, both during and since the end of the Suharto regime;

Whereas, despite Indonesian government promises of judicial accountability, since the initiation of democratic rule in Indonesia in 1998, no senior military official has been put on trial for human rights abuses, extrajudicial killings, torture, or incitement to mob violence; and

Whereas the Government of Indonesia could have prevented both the murder of the United Nations workers and the subsequent miscarriage of justice if the Government had—

(1) upheld its explicit commitment, made after the August, 1999 referendum in East Timor, to ensure that Indonesian military forces would safeguard United Nations workers and Timorese refugees from attacks by the paramilitary militias who had killed approximately 1,000 East Timorese civilians in the preceding weeks;

(2) brought charges of murder or manslaughter against the 6 men who proudly admitted to killing the United Nations workers in an unprovoked attack, rather than only the lesser charge of conspiring to foment violence; and

(3) brought charges against senior military commanders who, according to the United Nations, the Department of State, and the Government of Indonesia itself, are suspected of arming and directing the paramilitary militias responsible for the carnage in East Timor: Now, therefore, be it

1 *Resolved*, That (a) the Senate—

2 (1) condemns the brutal murder of Carlos
3 Caceres, a United States citizen;

4 (2) decries the inadequate sentences given by
5 the Indonesian judicial system to the self-confessed
6 killers of the 3 United Nations aid workers;

7 (3) calls on the Government of Indonesia to in-
8 dict and bring to trial the senior military com-

1 manders described in a September 1, 2000, state-
2 ment by the Government of Indonesia itself, as sus-
3 pects in the mass killings following the August, 1999
4 East Timor referendum; and

5 (4) offers condolences to the family, friends,
6 and colleagues of Carlos Caceres and the other vic-
7 tims of the September 6, 2000, attack.

8 (b) It is the sense of the Senate that—

9 (1) the President should, at every appropriate
10 meeting with officials of the Government of Indo-
11 nesia, stress the importance of ending the climate of
12 impunity which shields those individuals, especially
13 senior members of the Indonesian military, sus-
14 pected of perpetrating, collaborating in, or covering
15 up extra judicial killings, torture, and other abuses
16 of human rights; and

17 (2) the President should consider the willing-
18 ness of the Government of Indonesia to make rapid
19 and substantive progress in judicial reform when de-
20 termining the level of financial support provided by
21 the United States to Indonesia, whether directly or
22 through international financial institutions.

23 SEC. 2. The Secretary of the Senate shall transmit
24 a copy of this resolution to the President.

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