

# EUROPEAN PARLIAMENT

1999



2004

*Session document*

4 June 2003

B5-0293/2003 }  
B5-0298/2003 }  
B5-0301/2003 }  
B5-0302/2003 }  
B5-0307/2003 }  
B5-0311/2003 }

RC1

## JOINT MOTION FOR A RESOLUTION

pursuant to Rule 50(5) of the Rules of Procedure by

- Hartmut Nassauer and Bernd Posselt on behalf of the PPE-DE Group
- Margrietus J. van den Berg and Proinsias De Rossa on behalf of the PSE Group
- Joan Vallvé and Elizabeth Lynne on behalf of the ELDR Group
- Matti Wuori, Patricia McKenna and Nelly Maes on behalf of the Verts/ALE Group
- Luigi Vinci on behalf of the GUE/NGL Group
- Bastiaan Belder on behalf of the EDD Group

replacing the motions by the following groups:

- PPE-DE (B5-0293/2003),
- GUE/NGL (B5-0298/2003),
- EDD (B5-0301/2003),
- PSE (B5-0302/2003),
- ELDR (B5-0307/2003),
- Verts/ALE (B5-0311/2003),

on Indonesia

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PE 332.966}  
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## European Parliament resolution on Indonesia

### *The European Parliament,*

- having regard to its previous resolutions on the situation in Indonesia and in the Indonesian province of Papua [resolution of 13 December 2001 on Papua (Irian Jaya) and Sulawesi in Indonesia (RSP/2001/2638); resolution of 16 May 2002 on Indonesia (the Moluccas, Aceh and Papua) (RSP/2002/2553)],
- having regard to the Commission communication of 2 February 2000 on developing closer relations with Indonesia (COM (2000) 50),
- having regard to the report of March 2002 of the EC conflict prevention assessment mission to Indonesia,
- having regard to its report of 7 November 2000 on the communication from the Commission to the Council and the European Parliament on developing closer relations between Indonesia and the European Union (A5-0323/2000),
- having regard to the EC-Indonesia Strategy Paper 2002-2006,
- having regard to the Cessation of Hostilities Agreement (COH), signed on 9 December 2002, between the Government of Indonesia and the Gerakan Aceh Merdeka (GAM),
- having regard to the EU Presidency's Statement on Aceh of 15 May 2003,
- having regard to the General Affairs Council's conclusions of 19 May 2003,
- acknowledging and supporting the importance which the Indonesian authorities attach to national territorial integrity, while underlining that the only viable way to guarantee the territorial integrity of Indonesia is for the Government to engage in a genuine dialogue with the provinces in order to tackle the root causes of separatism and emphasising the importance of interethnic, interreligious and interregional dialogue and successful decentralisation,

### ACEH

- A. whereas at the start of her Presidency Megawati Sukarnoputri vowed to solve the Aceh problem peacefully,
- B. having regard to the setting-up in 1976 of GAM, a movement which seeks the creation of an independent State, and whereas GAM is calling for a referendum on self-determination under the aegis of the UN,

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- C. whereas Malaysia is being used as a base by those fighting for independence,
- D. whereas about 12 000 Acehese civilians have perished during the 26 years of war, and whereas the Cessation of Hostilities Agreement (COHA) signed on 9 December 2002 between the Free Aceh Movement (GAM) and the GoI was an attempt to bring peace to the province,
- E. whereas last-minute talks in Tokyo on 17 and 18 May between the Government of Indonesia and GAM failed to reach a peaceful solution to the Aceh conflict,
- F. whereas President Megawati Sukarnoputri then announced Presidential Decree 28/2003 authorising for six months a state of military emergency in Aceh, putting an effective end to the internationally negotiated 'Cessation of Hostilities Agreement',
- G. whereas the Aceh military campaign by the Indonesian military (TNI) involves up to 40 000 military and police personnel,
- H. taking note of reports by several international NGOs that the Indonesian military has been attempting to crush the rebellion by means of serious human rights abuses and crimes against humanity,
- I. noting the international NGOs' reports referring to GAM's role in killings, unlawful detentions, forced expulsions of Javanese and dubious justice systems,
- J. whereas the conflict in Aceh is causing massive internal displacement and destruction, especially of schools,

#### PAPUA

- K. whereas the people of the province of Papua have repeatedly asked the Indonesian authorities to engage in a genuine dialogue to tackle the aspirations of and perceived injustices against the Papuan people,
- L. whereas the Indonesian national Parliament passed the Papuan Special Autonomy Law (Law No 21/2001) on 23 October 2001,
- M. whereas the international community, including the EU and the Pacific Islands Forum (PIF), has clearly expressed its support for Special Autonomy for Papua and whereas the EU is ready to give financial support and technical assistance for the implementation of Special Autonomy,
- N. whereas Articles 5.2., 19, 20 and 21 of the Special Autonomy Law for Papua describe the implementation of the Papuan People's Assembly (*Majelis Rakyat Papua or MRP*),

- O. whereas central government has so far failed to approve the governmental regulations needed for the establishment of the MRP and of the Commission for Truth and Reconciliation,
- P. whereas the provincial legislature, after strong protests by students, non-governmental organisations, religious leaders and the Papuan tribal council (Lembaga Masyarakat Adat), decided on 16 October 1999 to reject the division of the province into three provinces,
- Q. whereas Article 76 of the Special Autonomy Law for Papua states that any plan to divide the region into more provinces can only be executed after approval by the Provincial Government of Papua (DPRD) and the People's Representative Council (MRP),
- R. whereas human rights defenders as well as members of political organisations in Papua are receiving death threats and in some cases feel they have to seek refuge abroad,

#### ACEH

- 1. Is deeply concerned about the appalling violence and the persisting conflict in Aceh;
- 2. Urges the Indonesian Government and GAM to return to the negotiating table in order to reach an agreement on resuming the implementation of the COH;
- 3. Calls on GAM, on the basis of the Geneva Agreement, to pursue its cause through the democratic process and decommission its weapons, and calls on the Indonesian army to withdraw;
- 4. Underlines that the only viable way to guarantee the territorial integrity of Indonesia is for the Government to engage in a genuine dialogue with the provinces in order to tackle the root causes of separatism, and emphasises the importance of inter-ethnic and inter-regional dialogue and successful decentralisation;
- 5. Calls on the Indonesian Government to hold to account those responsible for violations of human rights in Aceh, as well as other parts of the country, whether committed by civilians, separatist groups, militias, paramilitaries or the military;
- 6. Calls on the Indonesian Government and GAM to ensure protection of and access for human rights defenders and to allow the UN Special Representative on Human Rights Defenders to visit;
- 7. Calls for religions and freedom of religion to be respected; deplores the restrictions on freedom of the press provided for under martial law;
- 8. Calls on the Government of Malaysia to take all requisite measures to ensure that its territory is not used as a base for guerrilla operations;

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9. Is deeply concerned about Presidential Decree 1/2003 on the Acceleration of the Implementation of Law No 45/1999 on the division of the Province of Papua into three new provinces, as issued by President Megawati Sukarnoputri on 27 January 2003;
10. Calls on the GoI to withdraw the said decree since it undermines the Special Autonomy Law for Papua and consequently the EU commitments regarding this Special Autonomy;
11. Calls on the Indonesian Government to urgently engage in a genuine dialogue with representatives of the people of Papua so as to prevent further violence;
12. Urges the Indonesian Government to work towards the full implementation of the Special Autonomy Law for Papua by finalising and approving government regulations regarding budgeting, legislative drafting and institutional development, including the implementation of the MRP and the Commission for Truth and Reconciliation;
13. Calls on the GoI to endorse a National Commission on Human Rights (Komnas HAM) investigation into the numerous Papua human rights violations past and present, and to establish a credible and independent inquiry team of international human rights experts to investigate the impunity of the security forces;
14. Urges the Indonesian Government to find a peaceful solution to the situation in Papua province, to protect any populations at risk, and to invite the UN Special Rapporteurs on torture and summary executions to visit the Indonesian provinces concerned;
15. Instructs its President to forward this resolution to the Council, the Commission, the Government and Parliament of Indonesia and the UN Secretary-General.