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# East Timorese captivate world attention

*In a stunning act of awesome bravery, 29 East Timorese students and workers staged a sit-in at the US embassy in Jakarta while President Clinton was on a visit to Indonesia. Within hours, demonstrations were under way in Dili. These events won world attention, overshadowing an Asia-Pacific forum that was to have been the crowning glory of Suharto's 30-year dictatorship. Coming so soon after the Manila conference, the East Timorese have again shown how they can influence international events and humiliate their oppressors.*

Altogether ninety East Timorese students and workers planned to enter the US embassy early on Saturday, 12 November, the third anniversary of the Santa Cruz massacre when some three hundred East Timorese were shot down in cold blood. This was also the day before President Clinton was due to arrive in Jakarta to attend the Asia-Pacific Economic Co-operation summit and hold bilateral talks with Suharto.

They wrote a petition for President Clinton, the full text of which we reproduce on page 2. It calls on the US President to press for the release of the East Timorese resistance leader, Xanana Gusmao, and urge President Suharto to enter into dialogue with the true representatives of the people of East Timor.

While East Timorese staged their sit-in in Jakarta, their compatriots in Dili took to the streets in rallies and demonstrations that continued for days. Pro-independence banners were unfurled, with slogans calling for the release of the jailed leader, Xanana Gusmao. There were scores of foreign journalists in the capital, under a special dispensation from Jakarta that all journalists -- well, not quite all -- covering the APEC meeting would be allowed to visit East Timor. This meant that the protests in Dili were shown on television screens around the world, alongside footage of the events at the US embassy in Jakarta.

## Breaching tight security

Not all ninety reached the embassy which is located in the heart of Jakarta, along the south side of *Medan Merdeka*; the presidential palace is located on the west side of the square. The largest contingent, coming from East Java, were caught as they alighted from a train in the capital. Three dozen or so were arrested and hauled away to the headquarters of the

Jakarta military command. Others managed to escape and went into hiding.

Twenty-nine East Timorese arrived at the embassy in taxis and immediately scaled the 2,6 metre iron railings.

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A Timorese who got caught, trying to enter the US Embassy.

They were quickly able to settle in the compound of the embassy, leaving the police on duty outside powerless to prevent their sit-in. Only one person was captured as he was near the railings. According to one report, he was captured while being interviewed by journalists. In fact, at first 28 gained entry; a few hours after the sit-in began, another East Timorese scaled the railings in full view of the police and the many journalists who were by then gathered outside the embassy to cover this spectacular event.

Several weeks before the APEC meeting, the armed forces had staged a show-of-force warning 'trouble-makers' not to 'disrupt' the event. [See separate item.] The East Timorese were clearly unimpressed and correctly judged that a feat of this magnitude, staged during an international meeting that was being covered by some two thousand foreign journalists, would grab world attention and force the East Timor question onto the agenda of an event that had been carefully designed by the Indonesian hosts to exclude any mention either of East Timor or the more general question of rights in Indonesia.

While Indonesian officials tried to shrug off their achievement -- Foreign Minister Ali Alatas complained that "they are trying to embarrass us" and foreign ministry spokesman Irawan Abidin accused them of "staging a publicity stunt" -- most world press and television reporting focused on the 29 throughout Clinton's stay in Indonesia, relaying their demands to the four corners of the world. It was the key topic when Secretary of State Warren Christopher met the press on the day the sit-in began and the key question which Clinton had to respond to during his several encounters with the press.

As for reporters in Jakarta, the embassy sit-in had become such a hot story that many spent the nights sleeping on the road near the railings, with their cameras, not wanting to miss any new development.

## Christopher and Clinton forced to speak out

US Secretary of State Warren Christopher who was in Jakarta on the day the sit-in started, initially confined himself to giving assurances that the 29 East Timorese would not be

removed from the embassy by force. "We will deal with them with sympathy and understanding," he told the press. Later, when US officials announced that they had been given assurances of the safety of the 29 East Timorese by Indonesian officials if they left the embassy, Domingos Sarmiento Alves, speaking to journalists through the railings, said: "We did not come here for guarantees that we could leave the embassy freely. We came to demand the release of Xanana Gusmao." They also turned down an offer to meet the US ambassador, Robert Barry, saying that they wanted to present their petition to President Clinton or Secretary of State Warren Christopher.

On his arrival in Jakarta the day after the sit-in began, President Clinton was forced to address the issue immediately. At this stage he told the press that he felt "comfortable" with assurances from the Indonesian authorities that there would be no retribution against the East Timorese if they left the embassy. Later, at a press conference held on Tuesday, after the APEC summit, Clinton inched further forward,

now saying that "the people of East Timor should have more say over their own affairs". He also promised to discuss East Timor the following day, during bilateral talks between the two heads of state. According to *Reuter* [15.XI.1994], Clinton "publicly pressed Indonesia to ease its grip on East Timor".

According to Warren Christopher after the talks between Clinton and Suharto, half the time was devoted to the US President's concerns about human rights, particularly East Timor, press freedom and labour rights. According to Christopher, the US President was "firm and forceful". Suharto was warned, he said, that bilateral relations "will never reach their highest level if people in the US do not have the confidence that there is an effort to respect human rights". According the *Economist* [19.XI.1994] Christopher "even appeared to welcome the embassy protest, remarking that it was 'an opportunity for us to make our case for human rights here in Indonesia'".

## Suharto refuses to budge

Assessments by commentators in Jakarta that Clinton came away empty-handed from his talks with Suharto are borne out by the accounts of the meeting given by Suharto's State Secretary, Murdiono, reflecting that the Indonesian dictator remains pig-headed on East Timor.. According to Murdiono, "The president expressed clearly to Clinton that there will be no special autonomy accorded to East Timor, in the sense of a different autonomy from that of other regions." Suharto, according to Murdiono, lashed the embassy as a "provocation mounted by those who do not like integration, and we fell for that provocation".

The East Timorese chose to present their demands to the US President because Washington has a special responsibility to help end the crimes against their country during the past 19 years. It was US President Ford which gave Jakarta the nod, the day before the invasion on 7 December 1975. It is the US that has provided most of the aircraft and weapons used to kill a third of the population and impose a seemingly impregnable grip over the occupied country. Speaking for the 29, Domingos Sarmiento Alves said: "America is the only superpower in the world. We think that America can use its influence to save the situation in East Timor." Sitting it out in the embassy parking-lot, they have given the lead for a

powerful campaign especially in the US for pressure on Jakarta to enter into meaningful talks on a referendum.

### Seeking security in Portugal

After holding out at the embassy for ten days, the East Timorese announced that they had decided to accept an offer from the Portuguese government to go to Portugal. Two days before, one of the 29 who was injured when he scaled the railings and was running a high temperature probably suffering from typhoid fever, was rushed to hospital; another friend accompanied him there for protection. While in hospital, they were under guard from ten policemen and not allowed to receive visitors except for US embassy staff.

Another twenty, some of whom escaped arrest at the train station and others who came to Jakarta from other parts of Java, also appear to have gone into hiding. Their safety must be a matter of grave concern.

Other Timorese studying at universities in Java have also been harassed. A group of students in Bandung who are members of Impettu, the officially-recognised association of East Timorese students, were summoned by the security forces and ordered to issue a public statement denouncing the 29 who were staging a sit-in at the embassy. They refused to do so and went to Jakarta to seek protection from the Legal Aid Institute.

There was also harassment of East Timorese living in Jakarta. Amnesty International listed the names of eleven Timorese who were picked up in the capital, possibly because of their suspected links with those who entered the embassy. East Timorese in Denpasar, were also summoned by the local military. [ASA 21/53/94, 15.XI.1994]

In an Update of its 15 November document on the situation in Jakarta,

throughout Java and also in Dili, Amnesty International presented a series of demands to the Indonesian Government:

- \* to promptly clarify the name and fate of all those detained, however briefly, by its security forces in connection with the 12 November protests;

- \* to clarify the precise charges to be brought against those detained in Jakarta and Dili in connection with the protests and unrest;

- \* to release immediately and unconditionally anyone detained solely for their non-violent political activities or beliefs;

- \* to conduct prompt and impartial investigations into all reports of ill-treatment, torture and arbitrary detention, and ensure that those believed responsible are brought to justice [ASA 21/56/94, 23.XI.1994]



At the fence of the US Embassy in Jakarta

Speaking for the group, Domingos Sarmiento Alves said: "It's a hard decision for us because we want to go back to East Timor. But based on our experience here, where Indonesian intelligence officers have continually been threatening us, we feel we should leave Indonesia." He said this would be the best way for them to continue their fight for the release of Xanana Gusmao and for wider peace talks between the resistance movement and Jakarta, [Reuter, 22.XI.1994]. He insisted that they would not leave until the two who were at the hospital were allowed to rejoin them

### Fate of the others in doubt

The Timorese who are most at risk are those who failed to make their way into the embassy. At first, the forty who had come to Jakarta by train from East Java were known to have been taken into custody by the Jakarta military command. Within two days however, the command professed ignorance about their whereabouts. Some sources said they had been taken back to East Java by truck, under military escort. The army claimed that they had been released but there has been no independent confirmation. There are reports that after arriving back in East Java and being given 'guidance' they were allowed to return to their homes, following which some were again arrested. Some of the forty, fearing for their personal safety, have gone into hiding. The whereabouts of the others are unclear.

#### Notice of bulletin price increase

Due to increased printing costs we must, most unfortunately, increase the price of the bulletin. This small price increase will take effect from issue 127 of the TAPOL bulletin in February 1995. Readers will be notified as their current subscriptions elapse. We at TAPOL trust this notice will not be an inconvenience and thank you for your support.

# Protests rock East Timor

*As many commentators have said, not since 12 November 1991 have there been such large protests on the streets of Dili. Unlike that tragic day in 1991, however, the protests this year have gone on for weeks. The people of East Timor have made it crystal clear that they totally reject 'integrasi'.*

On 12 November, an incident occurred that unleashed pent-up anger among East Timorese against Indonesian immigrants who now dominate the commercial and administrative sectors. An East Timorese trader in Becora market was stabbed to death by a Buginese businessman during a heated argument. According to one report, the victim, **Mario Vicente**, was stabbed in a restaurant, by the restaurant owner who, the authorities claim, is now in custody.

This may have been a provocation, intended to instigate ethnic conflict between Timorese who have made very little headway in the commercial sector, and Buginese who have come to East Timor in droves and who run many stalls and shops in the capital. But the Buginese are not the only Indonesians prominent in commerce. There are also scores of Javanese, Menadonese and West Timorese, not to mention the Javanese and Balinese now settled in 'transmigration sites' on land seized from the East Timorese. These are the people who now keep the wheels of commerce running in

barracks and offices which continued on the next day, Sunday. Becora market was burnt down as well as motor-car and motor-cycle garages in the suburbs of Audian and Kuluhan. Some Indonesian-owned kiosks were also destroyed. Another place hard hit in this out-pouring of anti-Indonesian sentiment was Senghol market which is the centre of prostitution in the city. The prostitutes have all been brought in from Indonesia while the main customers are members of the armed forces.

On Sunday, there were religious observances to mark the third anniversary of the Santa Cruz massacre, including a Mass attended by 700. Afterwards dozens marched peacefully on the streets with banners proclaiming *Viva Xanana, Viva Clinton* and calling for support from the US. During the day, a large number of young people overran Turismo Hotel where many foreign journalists were staying.

On Monday, the unrest continued with a mixture of attacks on Indonesian establishments and organised political protest. The homes and shops of Indonesians came under

attack in many parts of Dili, including Audian, Balide, Becora, Bidau Santana, Colmera, Kuluhun, Manleuana and Santa Cruz. Photos appeared in the world's press of police being chased by defiant East Timorese: According to the police chief, Colonel Andreas Sugianto, *"The mob was wild. They were running after the police and throwing stones at them. If we were not wearing helmets, we might have been injured as well."* [Reuter, 14.XI.1994] The police chief later admitted that he needed a force of 600 security officers in Dili "to take care of any problems". This figure would not include the troops being held on stand-by and intelligence officers scouring the capital for 'trouble-makers'.

For the very first time, the people in Dili have started turning on the Indonesians living in their homeland. This new form of protest has clearly worried the

authorities. Governor Abilio Soares said, after three days of attacks on Indonesian property, that the authorities might ask recent immigrants from Indonesia to leave. The district head of Dili, Domingus Soares, announced that officials had met with a committee of protesting students who put forward three demands: that all newcomers from Sulawesi (mainly



*The Falintil flag unfurled in the streets of Dili*

occupied East Timor. But as the security forces know, talk of Timorese-Buginese conflict would distract attention from the political issue, as the deliberately provoked anti-Chinese riots in Medan did during workers' unrest last April.

The murder of Vicente led to many attacks on Indonesian-owned shops and property as well as attacks on some military

Buginese) should be expelled, that the number of troops and riot police should be reduced and that talks be started between the East Timorese and the government [Indonesian Observer, 16.XI.1994]

## University students protest

On 15 November, some 600 students at the East Timor



Film-maker/writer John Pilger addressing the 12 November demonstration outside the Indonesian Embassy in London. The focus was on Britain's sales of arms to Indonesia.

University staged a demonstration inside the campus with pro-independence banners and chanting *Viva Xanana*, and *Visa Timor Leste*. The university was cordoned off by the army to prevent others joining in. However, a large group of secondary school pupils from SMEA-Dili marched to the university to join the students but as they neared Mahkota Hotel, they were surrounded by two truckloads of police. Many fled; twenty reached the safety of the Catholic diocese compound while some thirty others were arrested. Diocese staff refused to allow any security forces into the compound and the youngsters were eventually escorted to their homes after priests had negotiated with the security people. A priest interviewed by *UPI* in Jakarta [15.XI.1994] said the situation was very bad, with many troops on the streets. He also spoke of "five or six East Timorese" having been killed since Saturday. "The trouble is continuing, the troops have taken many prisoners."

The University was ordered to close for the whole week. Helder da Costa, the University's Director of Planning and Development, upheld the right of students to make their voice known to foreign journalists:

*As a Timorese, I see this as the right moment for the young people to express themselves because they have lived under such extreme circumstances for the past 18 years. (They) know it has been in the news if foreign journalists come to East Timor so it is the right moment for them.* [Voice of America correspondent in Dili, 23.XI.1994]

Reports of deaths were carried in several wire-service accounts but information about their identities and the places where the deaths took place has been difficult to obtain. One casualty has been named as **Fernando** (alias **Nando**), from Suai who was living in Kuluhan, a suburb of Dili. He was

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reportedly killed by a soldier from Battalion 745 on Sunday, 13 November. Two other deaths occurred on the same day in the suburbs of Laclubar and Santa Cruz. In all cases, the victims are thought to have been stabbed.

The numbers arrested during the first days of the unrest may have reached 250, with about 100 arrested in the Colmera area of Dili, 80 in the vicinity of Santa Cruz and at least 70 rounded up after the students' protest at the University. Some may have been held for short periods and released after being heavily beaten and intimidated. Throughout the week, there were reports of late-night house-to-house searches, with people being dragged off, out of sight of the journalists. The police chief Colonel Andreas Sugianto, would only confirm that 83 had been arrested, of whom 69 were later released. The remaining 14 would be held for further questioning, on suspicion of 'master-minding' the protests, he said.

On 23 November, it was announced in Dili that 30 East Timorese would be prosecuted for alleged involvement in the pro-independence protests since 12 November.

## The Cathedral protest

By mid-week, the authorities were claiming that conditions in Dili had 'returned to normal'. This myth was exploded on 17 November when hundreds of people who had gathered at Dili Cathedral for a Mass celebrating Christian martyrs, unfurled pro-independence banners on the cathedral steps. The Mass had been cancelled on the instructions of the police who believed that a protest might occur. [The police had earlier insisted that the body of Mario Vicente, murdered on Saturday, should not be buried in Santa Cruz but taken to his home-town in Bobonaro for burial to avoid any protests during the funeral.]

As the protest got underway on the steps of the cathedral, some people in a crowd in the street opposite started hurling stones and rocks at the East Timorese protesters. All the reports by foreign journalists who witnessed the event confirmed that this was an attack by police agents, to create mayhem in the streets. As fighting broke out, the police used tear-gas to disperse the protesters. Many of the East Timorese were holed up inside the cathedral which was sealed off for a couple of hours. Together with the crowd inside was Australian photographer Andrew McNaughton who was later deported.

McNaughton told Reuter [19.XI.1994] that he was inside the Cathedral, seeking shelter from the mayhem outside, along with many East Timorese.

*The situation inside the Cathedral was very tense. Everyone was scared because we kept hearing loud noises outside the church. The East Timorese began singing hymns and praying as they waited.*

Outside, foreign journalists were caught up in the confusion and had to flee to safety, chased by the police.

## Bystander brutally beaten

The BBC's Far East correspondent, Philip Short gave the following graphic account:

*The demonstration was peaceful until, suddenly, from the road that runs around the Cathedral grounds, there was a volley of rocks thrown by plain clothes police, which turned the whole thing violent. Squads of riot police in full riot gear came up - they had obviously been waiting just close by. Tear gas grenades were fired and then the army moved in in reinforcements.*

Short then described an act of police brutality perpetrated against a passer-by, not involved in the Cathedral protest. He was later named as Domingos da Silva:

*A young man came up to the German (TV) crew and helped them to find their way back to the hotel. When they got there, he was worried that the police might have seen him and thought he was somehow involved with the demonstration. So he said to them:*

*'Please will you come with me and I'll explain that I was simply helping you.'*

*So with some reluctance they agreed, and went with him. As soon as he started explaining, plain clothes special branch people came and beat him. He's just come back to the hotel. He has blood streaming down his back and one side of his face is so swollen it's unrecognisable.*

*They thrashed the living daylight out of him. He owes his life to the German crew who seized him and dragged him away from the police as they were beating him. They dragged him back here.*

*Now, if the Indonesians mete out that kind of violence to people who were not involved in the demonstration, one can only too readily imagine what they do to people who were. [BBC World Service 'Newshour', 18.XI.1994. Footage of the scene and the bloodied victim of this brutal attack was shown on BBC-1 news on 19.XI.1994]*

The German TV crew later told Amnesty what happened when they reached the military headquarters with Domingos:

*"... From the first moment, he did not have a single chance. After aggressive verbal reactions by the soldiers, he was taken by plainclothes agents and severely beaten up and kicked by these terrible men who really reacted in a fascist manner. After eight to ten minutes we succeeded to pull our bleeding companion out of the struggle and bring him, followed by a stone-throwing gang of agents, to our hotel. There, we informed a Swiss doctor from the Red Cross, who is now taking care of him. [AI Update, ASA 21/56/94]*

## More unrest at University

Renewed unrest exploded at the East Timor University on 24 November when scores of students clashed with security forces. Students were reacting to the presence in their midst of plainclothes officers. According to *Reuter* [24.XI.1994], students started stoning nearby houses and the security forces who replied by using tear-gas. (It should be noted that the university backs on to the barracks of Company C, in charge of security in Dili.) After the incident, some 400 students were barricaded inside the university which was surrounded by security officers armed with riot shields and batons.

## No protection after journalists leave

Although conditions during the week starting 12 November were extremely tense and many arrests took place,

the presence of a large number of foreign journalists in Dili acted as a deterrent for the troops who seem to have been under orders not to use gunfire against protesters. Even so a great deal of brutality took place. By the end of the week, the military authorities were expelling foreign journalists and making it difficult for others to go to Dili. Out of sight of the world's press, the repression in Dili and other parts of East Timor is certain to intensify. The army of occupation can be expected to clamp down hard on the East Timorese for organising so many protest demonstrations.

## EU Presidency on labour rights

The European Union Presidency issued a statement on 24 November noting with concern the jailing of labour leader, Muchtar Pakpahan and calling on the Indonesian Government to comply with the principles in the ILO Charter protecting workers' rights and enabling labour organisations to operate freely

*continued from page 11*

Australian photographer, Andrew McNaughton, who entered East Timor as a tourist, was deported after the cathedral protest for allegedly "*becoming involved in local politics and taking part in Friday's demonstration outside the cathedral*". [*Reuter*, 19.XI.1994] However, the immigration chief in Dili, Johannes Triswoyo gave the story a different twist. McNaughton had been found, he said, being beaten by "*several East Timorese who oppose the presence of foreign journalists in East Timor*". [*AFP*, 19.XI.1994]

## Blaming the foreign journalists

Following a week of intensive reporting of events in Dili, the authorities turned on the foreign journalists, effectively blaming them for the shocking reports that have reached the outside world.

The military command spokesperson in Dili, Major Simbolon, alleged that "*journalists had intentionally linked up with the demonstrators*" and even that "*some journalists had helped stage the demonstrations*". To prove their point, the military authorities in Dili claimed that, on the day of the Cathedral protest (see separate item), journalists had gathered at the site several hours before, indicating that the protests may have been "*pre-arranged*". [*Jakarta Post*, 21.XI.1994] Whether the journalists knew or not is a moot point. What is certain is that the security forces knew something was afoot which is why the police ordered the church to cancel the Mass and police agents were ready with stones to provoke the Timorese in the Cathedral.

The armed forces commander, General Feisal Tanjung, lashed out at foreign journalists, accusing them of publishing "*inaccurate reports about Indonesia and ABRP*". Perhaps he thought he was softening his criticism by saying that it was all "*due to a lack of knowledge on the part of the journalists*". [*Jakarta Post*, 20.XI.1994]

According to wire-service reports, five foreign journalists have been ordered to leave East Timor. They are Associated Press photographers Jeff Widener and Craig Fuji, Reuters photographer Jonathan Drake, all of them British, Simon Beardsell, an Australian cameraman with World Television News, and a senior producer with Associated Press TV, the Frenchman, Francois Touron. According to unconfirmed reports, altogether nine journalists have been told to leave.

Allan Nairn told TAPOL after returning to the US from East Timor that the level of surveillance of both East Timorese and foreign journalists is very high indeed, with journalists being followed the whole time.

# Petition to President Clinton

*The following is the text of the petition for presentation to President Bill Clinton from the East Timorese students and workers who entered the US Embassy in Jakarta on 12 November. It is remarkable that they included demands about burning issues in Indonesia as well as demands related to East Timor.*

The Honourable President of the United States of America, Mr Bill Clinton,

On behalf of the East Timorese student and worker communities, we come to you today, Mr President, to present the following petition.

It is our wish, on this occasion of the Third Anniversary of the massacre of 12 November 1991, to remind the world that demands for a serious and independent investigation of the Santa Cruz slayings have gone unheeded purely and simply as a result of the West's economic relations with Jakarta and that a systematic violation of human rights in the form of the repression of students, persecution, intimidation, detention and torture continue in East Timor to this day.

Given that we are rapidly approaching the year 2000, set as the time limit for the total eradication of all forms of colonialism and oppression of Peoples;

Given that under your Administration, the United States has proven once again to the world its moral responsibility in relation to the defence of the universal principles of freedom, justice and peace with the successes it has achieved in the difficult Middle East peace process, in the prevention of a second invasion of Kuwait by Iraq and your government's support of the restoration of democracy in Haiti;

We wish to remind you, Mr President, of the 19 year old conflict in East Timor.

It is our hope that, in an effort to redress the error of President Ford who, during his stay in Indonesia just days prior to the fateful day of 7 December 1975, gave the green light to Indonesia's military invasion and occupation of East Timor, you will be prepared to make use of the great moral stature achieved by the United States of America through its condemnation of the violation of the fundamental rights of human beings and peoples to make the following demands of President Suharto:

1. The release of East Timorese Resistance Leader, Kay Rala Xanana Gusmao, and of all East Timorese political prisoners.

2. That the President of Indonesia, who has stated his preparedness to engage in dialogue with anti-integration elements, agree to the participation in such talks of the true representatives of the People of East Timor, including members of the four components of the Resistance: the East Timorese Church, CNRM, UDT and Fretilin.

3. That Jakarta grant access to an independent and impartial mission with the aim of conducting a serious investigation into the Santa Cruz massacre.

The Jakarta regime fails to acknowledge the universal nature of Human Rights, arguing that cultural considerations and those of a socio-economic nature must be taken into



*Some of the 29 at the fence of the US Embassy*

account. It is this understanding of Human Rights which the regime relies upon to justify its violation of the same in Indonesia. We therefore appeal to you, Mr President, to remind President Suharto,

1. of the existence of elderly and incapacitated Indonesian political prisoners who should, as a matter of urgency, be granted amnesty;

2. of the existence of Indonesian political prisoners who after 30 years in jail continue to face the death penalty.

Finally, we appeal to you to exert pressure upon Jakarta,

1. to recognise the right of Indonesian workers to organise, to assemble and to freedom of expression,

2. to free union leaders Muchtar Pakpahan and Amosi whose "crimes" are their defence of the rights of Indonesian workers.

We firmly believe that the ethical concerns which have guided America's foreign policy in relation to other countries extend also to Indonesia, and thus we deposit great hope in the decisive influence which the United States of America is able to bring to bear in realising a solution to the East Timor case which constitutes a flagrant violation of universal principles and of International Law.

Jakarta, 12 November 1994

With the highest consideration,

On behalf of East Timorese workers and students,

*[The names of the 29 who gained entry to the embassy were not available when we went to press.]*

# Xanana Gusmao writes to President Clinton

*The following is part of a letter from East Timor resistance leader, Xanana Gusmao, to President Clinton, on behalf of CNRM, the National Council of Maubere Resistance. The letter was smuggled out of Cipinang Prison in Jakarta, days before Clinton arrived in Jakarta.*

Honourable President,

East Timor continues to be a territory under the responsibility of the International Community. The good offices of the UN Secretary General have been engaged with a view to reaching a solution to the problem.

The case of East Timor faces a dialogue process and it is our desire to bring to an end the 19 years of suffering of the Maubere People. However, Jakarta, as ever, is wishing to impose its own law, its own definition of values, upon the world, just as Iraq did and has attempted again in relation to Kuwait. A clear parallel exists in the basic facts between the invasion and military occupation of East Timor by Indonesian forces and Iraq's invasion of Kuwait. However, one colossal difference exists: one section of the International Community supported Indonesia's policy while Baghdad was taught a lesson for violating International Law.

to Indonesia, ahead of a referendum to be conduct under international supervision.

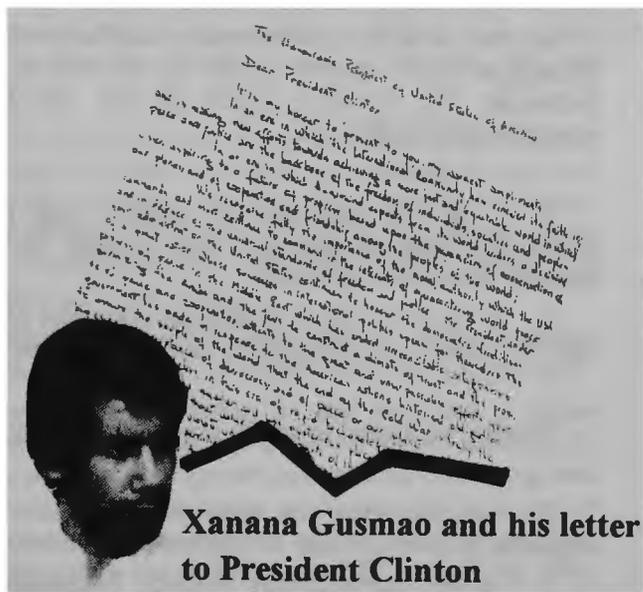
Allow me to remind you, Mr President, of another striking parallel between the Gaza and West Bank Autonomy Plan and CNRM's own plan which aims at achieving a just and internationally acceptable solution to the East Timor problem. If, with the influence and laudable efforts of your government Israel and Palestine have come to an understanding that it is time to lay down their weapons and to make peace, bringing to an end a case defined as intractable and characterised by a wide range of complexities, we believe the USA is capable of contributing decisively to the search for a solution to the East Timor problem, encouraging the Jakarta regime to engage in dialogue with the Resistance.

I come to you now to appeal for your support in raising with President Suharto on the occasion of the APEC Summit the need for Jakarta to display greater political goodwill in addressing the problem, acknowledging the essence of the problem and the legal and political status of the territory of which the United Nations continues to recognise Portugal as the Administering Power.

With the highest consideration,

Signed by Kay Rala Xanana Gusmao, Commander of FALINTIL, on behalf of the CNRM.

Cipinang Prison, Jakarta, 1 November 1994



## European Parliament resolution

A resolution on the question of East Timor, adopted by the European Parliament at its November session, took note of the violent repression by the army of occupation against demonstrators in Dili who were marking the third anniversary of the Santa Cruz massacre on 12 November.

It condemned the behaviour of the Indonesian armed forces in East Timor and expressed support for the people of East Timor. It fully supported Amnesty's recommendations to the Indonesian Government in its report, "Power and Impunity"

The resolution called on the EU Council to take firm measures to help solve the problem on the basis of negotiations under the aegis of the UN with representatives of the East Timor resistance and by means of a referendum.

The Parliament urged Member States to halt military aid and arms sales to Indonesia and urge the EU to suspend all economic co-operation with Indonesia as long as its illegal occupation of East Timor persists.

The resolution also asked the Commission to investigate the alleged link between aid and arms from the British Government and to propose a regulation that would prevent such a linkage in future.

Finally, it reiterated its view that a parliamentary delegation should be sent to East Timor.

Jakarta has been difficult in its handling of the East Timor question. The economic, military and, therefore, political importance of Indonesia in Southeast Asia and the Pacific region has allowed it to become today a member of the UN Security Council, in spite of its failure to honour the resolutions passed in relation to East Timor by this organ of the UN. It is this same importance which has allowed Indonesia to assume the role of host of the forthcoming APEC Summit and which now stands in the way of a successful solution to the East Timor problem being found. Jakarta has shown itself to be intransigent in its attitude to the problem, whilst Minister Ali Alatas continues to focus his efforts upon drawing attention away from the need for a plebiscite for the people of the territory.

CNRM which I represent has proposed a solution in the form of a three-phase Peace Plan which will permit a climate of political stability, both within the territory and in relation

## Talks: Alatas meets resistance leaders

*A turning-point was reached in international moves to resolve the East Timor question when Indonesian foreign minister, Ali Alatas, held talks in New York with representatives of the East Timorese resistance.*

The meeting which went on for two and a half hours followed an agreement reached between the Portuguese and Indonesian foreign ministers at talks in May this year in Geneva that each minister would meet East Timorese representatives on the opposite side.

Attending the talks with Alatas were Jose Ramos-Horta, external representative of the CNRM (National Council of Maubere Resistance), Jose Luis Guterres of FRETILIN and Joao Carrascalao for the UDT.

Ramos-Horta told the press that he had attended the talks with the personal authorisation of Xanana Gusmao, the leader of the CNRM, who is currently in jail in Jakarta. He described the historic meeting as "the first step".

*"This is the first time that we started our dialogue at the highest level between the resistance and the Indonesian foreign minister. We did not expect, nor did the minister expect, on this occasion to reach agreement.*

*"We had an encouraging and thorough discussion with the minister. We touched on issues on which the two sides disagree and expressed our views that the issue of East Timor is an issue of self-determination, and that we are prepared to move step-by-step towards addressing the underlying causes of the conflict"*

Proposals raised by the resistance included (1) an internationally (UN) verified military withdrawal from East Timor, (2) reduction of the Indonesian civil service, (3) the permanent presence of specialised UN agencies in East Timor, and (4) the release of Xanana Gusmao and other political prisoners.

Responses from Alatas on some of these proposals were: western military attaches visit Timor regularly and the territory is too small to hide anything, UN agencies can visit whenever they wish and the freeing of Xanana Gusmao was a matter for Indonesian law and an early release was unlikely.

### Suharto's diversionary tactics

Whilst going along with the talks agreed within the UN-sponsored framework for a settlement, Indonesia is pursuing a separate agenda that appears designed to undermine these talks. In early November, Suharto, speaking through the mouth of his ambassador-at-large for East Timor affairs, Lopes da Cruz, announced that he is willing to meet with "East Timorese resistance leaders overseas". He referred specifically to Abilio Araujo, former leader of FRETILIN, who was expelled from the party earlier this year, and Rogerio Lobato, also an expelled member of FRETILIN.

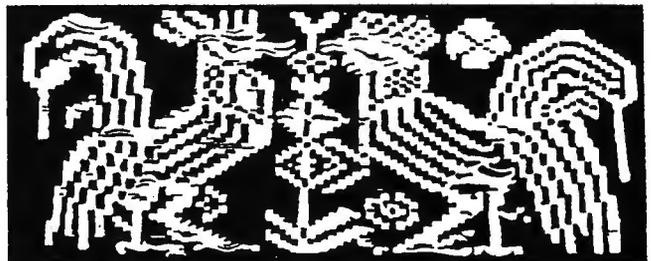
Suharto is pursuing a quite distinct track, responding to the so-called reconciliation talks held some months ago in the UK between teams of East Timorese at home and abroad, led by Lopes da Cruz and Abilio Araujo. The talks are the project in particular of Suharto's eldest daughter, Siti Hardiyanti Rukmana. Now one of Indonesia's richest tycoons, she has poured cash into the scheme. She also chairs the Indonesian-Portuguese Friendship Association which, together with its counterpart in Lisbon, backed by Portuguese businessmen, is

working to undermine Portugal's current policy on the question of East Timor.

The Suharto initiative has not been universally welcomed in Indonesia, even by senior East Timorese who, formally-speaking, side with the position taken by Jakarta. Salvador Ximenes Soares, one of four East Timorese members of the Indonesian Parliament, attended the talks in the UK somewhat reluctantly, according to some circles. His response to Suharto's announcement was to say that Indonesia should talk with all anti-integration groups, "otherwise they would not be effective". He stressed that besides Abilio Araujo, there were three other 'anti-integration' groups represented by Jose Ramos-Horta, Joao Carrascalao and Jose Luis Guterres. Salvador Soares also thought that informal leaders like Bishop Belo should be included because he knows so much about the problems being confronted by the people. [*Kompas and Jakarta Post*, 5.XI.1994]

As for Bishop Belo, he was even more dismissive of the prospect of Suharto having talks with Abilio Araujo.

*"He doesn't represent the East Timorese community. He's just a businessman,"* he told the BBC. Significantly, this remark was also published in *Kompas* [5.XI.1994]



### The myth of autonomy

Another issue that has been used to muddy the waters is that of 'autonomy' or 'special status'. There were reports some months ago that a mission led by Suharto's son-in-law, Colonel Prabowo, held talks with Bishop Belo about 'autonomy' and the word has been floating around ever since. Such talk creates the impression that Jakarta is adopting a softer approach towards East Timor.

Indonesia is a top-down, heavily centralised state which allows no leeway for any local autonomy. Only two regions have ever been granted 'special status': Yogyakarta to preserve the special role in government of the sultan, and Aceh where a move was taken to quash a Muslim rebellion there in the 1950s. No-one gives any credence to Aceh's 'special status' even in those areas where it is supposed to apply, education and religious affairs.

During talks in Jakarta with President Clinton on 15 November, the question of autonomy was raised. State Secretary Murdiono told the press after the talks: *"The President expressed clearly to Clinton that there will be no special autonomy accorded to East Timor, in the sense of a different autonomy from that in other regions in our homeland."* [AFP, 16.XI.1994]

## Clandestine activist on trial

*A senior activist of the East Timorese clandestine movement has gone on trial in Malang, East Java. His trial highlights the fact that East Timorese who are engaged in the work of keeping contact with the outside world are liable, if caught, to heavy sentencing under charges of rebellion.*

Jose Antonio de Jesus das Neves was arrested on 19 May this year as he was faxing messages and information to contacts outside Indonesia. He had just returned from East Timor where he had been collecting information about the human rights situation there.

Neves went on trial in early October, charged under Article 106 of the Criminal Code for 'rebellion' which carries a maximum penalty of life imprisonment or twenty years.

### Defendant's actions are legitimate

A defence team of four Indonesian lawyers from the Legal Aid Institutes in Jakarta and Surabaya submitted a rebuttal on the second day of the trial, stressing that the activities of the defendant were totally legitimate. [The rebuttal comes immediately following the indictment and provides the defence with the chance to challenge the legality of trial.] The strength of the rebuttal lies in the fact that a team of Indonesian lawyers base their arguments firmly on the rights of the people of East Timor to fight for their independence under international law.

The lawyers upheld the right of their client to carry out activities as a member of *Renetil*, the National Resistance of East Timorese Students which is an integral part of CNRM, the National Council of Maubere Resistance "which is lawfully recognised under international law and also by the Government of the Republic of Indonesia."

They then argued that the proceedings could not be divorced from international law insofar as it concerns the acquisition of the territory of East Timor by the state of the Republic of Indonesia.

*"It is undeniably true that what happened can be classified as an acquisition of territory that does not conform with international law or respect for the right of every nation to be independent. The juridical consequence is that the struggle of the people of East Timor for independence, for their own government - not under the Republic of Indonesia - as has been waged by the accused as an activist of RENETIL which is an integral part of the CNRM that has been legally recognised under international law, is justified according to the principles of international law."*

The lawyers then firmly rejected the 1976 law according to which East Timor's formal 'integration' was enacted.

*'Law 7/1976 affirming the integration of East Timor into the territory of the Republic of Indonesia based on the Balibo Declaration of four parties that did not have the support of the majority of the people of East Timor and did not include Fretilin which enjoyed majority support of the people of East Timor, is juridically flawed because the aforesaid Declaration was adopted by an assembly that did not conform with UN Resolution No 3537 of 1976, meaning*

*therefore that the afore-mentioned law was adopted by an assembly that had no authority to do so, and furthermore, was enacted while the country was in a state of war.'*

Turning then to the status of the CNRM and RENETIL, the Rebuttal states that the prosecutor argues that the accused's organisation is illegal and therefore asserts that all his activities on RENETIL's behalf are criminal acts. It is essential, the Rebuttal argues, to have a correct understanding of the status of the organisations of resistance of the people of East Timor referred to in the indictment.

*The struggle of the people of East Timor for their independence is organised by the CNRM. In 1987, Xanana Gusmao brought all existing political forces, the UDT, Fretilin and independent groups favouring independence into the CNRM under the concept of 'National Unity' and adopted a strategy of winning the sympathy of the international community.*

*'The CNRM, by means of a Peace Plan proposed by Xanana in 1992 initiated a series of proposals for peace in East Timor. This Peace Plan was presented by the spokesperson of the CNRM, Jose Ramos-Horta, to senior officials of the United Nations Secretariat in New York.*

*'In political terms, Indonesia has recognised the existence of the CNRM by commitments it has made under the tripartite consensus between Indonesia and Portugal under UN auspices. It was agreed on 6 May 1994 that dialogue would take place with various East Timor factions, including those that are pro-integration and those that are pro-independence. In realisation of this, the Indonesian Foreign Minister, Ali Alatas agreed to hold a dialogue with representatives of the CNRM, led by Ramos Horta.*

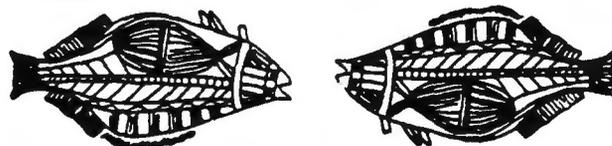
*'These above facts mean: First, the dispute over East Timor is a dispute about the acquisition of the territory of East Timor which has not yet been resolved.*

*'Second, the Government of the Republic of Indonesia has, under law, recognised that the CNRM and all its organs, including RENETIL, must be respected as a form of struggle under international law which has the legitimate right to take action and undertake efforts to seek support, as was done by the accused.*

*'It therefore follows the activities of the accused as a Renetil activist are not criminal acts.*

### Aditjondro to testify

George Aditjondro, lecturer at the Satya Wacana Christian University, Indonesia's leading expert on East Timor, who is himself under investigation by the police (see separate item) will testify as a defence witness at a hearing on 3 December.



## Coping with the foreign media

*When Jakarta announced in October that all foreign journalists covering the APEC Summit would be allowed to visit East Timor, the authorities could hardly have realised how this exercise in greater openness would rebound. Scores of journalists took advantage of the offer to go to Dili, making sure that all the protests that occurred there were shown whenever the APEC meeting was reported. But there has since been a backlash with many journalists being ordered to leave.*

There were two US journalists for whom the open sesame did not apply. **Allan Nairn** who writes for *The New Yorker*, *Vanity Fair* and *Multinational Monitor* among others, and **Amy Goodman**, news editor of WBAI Pacifica Public Radio Programme in New York, were prevented from entering East Timor not once but twice.

### Excluded journalists sneak in

Nairn and Goodman are well known to the Indonesian authorities. They narrowly missed being murdered during the Santa Cruz massacre of 12 November 1991 and have since devoted much time and energy, speaking of the murder and mayhem they witnessed with their own eyes.

After being blacklisted against returning to Indonesia, the ban was lifted and they were granted permits to enter East Timor by the Indonesian embassy in Washington as part of a visit to Indonesia to cover the APEC meeting. However, on arrival in Atambua, West Timor, on their way to Dili, they were arrested and taken to the army command in Kupang, West Timor. After being held and interrogated for several hours, they were ordered to return to Jakarta.

Back in Jakarta, they made their way to the US embassy to make contact with the 29 East Timorese inside. With access to facilities at the Jakarta Convention Centre, used by foreign journalists, they called a press conference of their own, at which they wanted to hand out leaflets. They were prevented from doing so and the press conference was disbanded.

Having been assured, again, in Jakarta that their papers were in order for a visit to East Timor, they again took a plane for the territory. But when they tried to board a plane in Denpasar, Bali, they were hauled off and told they could not proceed. Persistent to the end however, the couple managed to shake off the agents who followed them everywhere in Bali and finally sneaked into East Timor for a visit lasting several days.

### Tailor-made press conference goes wrong

President Suharto is not in the habit of giving press conferences or even speaking to journalists. His style is that of a feudal chieftain, passing down his decisions to underlings and leaving it to them to deal with the press.

So, what to do about APEC? He was, after all, chairing the event and would have to 'meet the press' after the extravaganza was over. But he is not a man to allow himself to be publicly humiliated by answering awkward questions about human rights, still less East Timor. The only solution was to "engineer" the event. Indonesians call it *direkayasa*.

What happened next was described by Thomas W. Lippman, writing for the *Washington Post Service*. In a memorandum to all delegations attending APEC, the Indonesian Foreign Minister set out the rules:

*President Suharto would like to take questions only with respect to the APEC process. (He) will field only seven questions... Each of the main geographic areas represented in APEC will be entitled to ask one question. [International Herald Tribune, 17.XI.1994]*

This meant one question each for Indonesia, North America (US and Canada), Latin America, Europe, China, Japan and ASEAN.

The trick almost worked. Unfortunately for Suharto, one journalist broke ranks. When Elaine Sciolini of the *New York Time* rose to ask her question about APEC, she tagged on another question Suharto least wanted to hear. "How do you intend to resolve the question of East Timor, once and for all?" Visibly embarrassed and angered, Suharto could only mumble something about there being "no time" to deal with the question.

Even more unfortunately for the dictator, this was the only exchange during the entire press conference that was shown on TV screens world-wide.

### Dealing with the press in Dili

Scores of foreign journalists made their way to Dili during the APEC meetings in Jakarta. This provided plenty of footage of the protests there. It also forced the security forces to restrain themselves and order the troops not to shoot at protesters. It was left to the police to 'maintain order', with the army watching in the background, as long as journalists were still around.

For several days during APEC, every single CNN news programme showed footage of protests in Dili or of the embassy saga in Jakarta. For this they got a slap on the wrist from armed forces spokesperson, Brig.General Syarwan Hamid who complained that their news reports did not accurately depict the situation. He said:

*"Through their camera techniques, they made close-up shots which made it look as if the demonstration was joined by a lot of people. Actually, there were only a handful of them." [Jakarta Post, 15.XI.1994]*

It was not until the protest demonstration at the Dili Cathedral on 18 November that the security forces showed their frustration by turning on the press. In the scuffles that occurred after police agents started throwing missiles at the East Timorese on the steps of the cathedral, foreign journalists were chased by police and had to seek protection in a private residence.

The military spokesperson, Major Simbolon, accused a Japanese crew from the country's leading channel, NHK, of "stirring up trouble", alleging that they gave a banner to East Timorese so as to take shots of it. Simbolon even accused foreign journalists of "engaging in actions outside their journalistic functions. They deliberately linked up with the protesters."

*continued on page 6*

# The struggle for press freedom continues

*The struggle for press freedom in Indonesia is now taking a variety of forms, following the founding of an independent association of journalists and the appearance of one and the suspension of another weekly to replace the three journals banned by the government in June this year.*

The *Aliansi Journalis Independen* (AJI) which was set up on 7 August (see *TAPOL Bulletin* No. 125, October 1994) has quickly won international recognition with the decision of the International Federation of Journalists to accept it as a member within two months of its establishment. The Brussels-based IFJ is the world's largest organisation of journalists, with 350,000 members in 89 countries.

## AJI is not alone

The IFJ wrote to President Suharto on 12 November, in advance of the APEC Summit, saying: "We have seen in the past weeks a scandalous disregard for democracy on the part of the Indonesian authorities"

If the IFJ General Secretary, Aidan White, also said in a statement that the independent journalists of Indonesia "are not isolated and will not be left at the mercy of the Government and their friends in the media. We shall mount an international campaign to ensure that all media and journalists of the world fully appreciate the limits to freedom being imposed by the Indonesian state."

A journalist working for *The Jakarta Post*, Andreas Harsono, was sacked after expiration of his one-year probation; all the other journalists taken on at the same time were given permanent contracts. Harsono is a well-known member of AJI, which is certainly the real reason for his dismissal. A senior editor told him frankly that the editors had no complaints about his proficiency as a journalist but would only admit that they were only worried about his "lack of balance" vis-à-vis the reports about the government.

In a statement on 28 October strongly denouncing the dismissal, AJI said this could set a precedent for other newspapers and strike fear among other journalists who are being made well aware of the possible repercussions of taking a stand in favour of the new organisation. "Terror tactics against AJI members has started to occur via pressure from chief editors at various publications. The *Jakarta Post* has triggered the action," it said.

## Reborn DeTik stifled at birth

A move by journalists of the very popular *DeTik* tabloid which until it was banned had a circulation of more than 450,000, to create a new journal named *Simponi* was stifled at birth. When the first issue hit the streets on 4 October, the 400,000 print-run was snapped up within hours by a public eager for the return of the banned journal.

*Simponi* was a defunct title whose editor, Syamsu Hadi, agreed to take over the editorship of the new journal, using his paper's licence. Years ago, he obtained the necessary endorsement as an editor from the government-backed journalists' union, the PWI. But the media manipulators struck back fast. The PWI immediately withdrew its endorsement of Hadi and after a day of haggling with the PWI over the composition of the journalists, the management

had to announce the suspension of their efforts; the PWI has yet again been exposed as a tool of the Information Ministry.

Efforts by a group of *Tempo* journalists, who set up their own journalists' co-operative, to launch a new journal called either *Opini* or *Berita*, have also be thwarted and are not likely to get off the ground. The only thing left for the *Tempo* journalists is to push their complaints against the Information Ministry through actions in court. Although such actions have the advantage of getting publicity in the heavily muzzled press, the courts are unlikely to find against a government minister.

## Plain sailing for timber tycoon's weekly

By contrast, *Gatra*, the weekly that claims to be filling the void left by the banning of *Tempo*, was given red-carpet treatment. *Gatra*, whose largest share-holder is Bob Hasan, timber tycoon and one of Suharto's closest business associates, obtained its licence in record time. The management succeeded in enticing a small number of former *Tempo* journalists to join its staff, telling them that any attempt by their former employers to set up a new magazine would not succeed. Those who really feared for their livelihoods took the option of accepting jobs from Hasan's outfit. However, the majority of *Tempo* journalists spurned Hasan's offer.

Other hawks are waiting to swoop down and take over the licences of the two other banned journals. One will probably be called *Proaktif* which will 'replace' *Editor*, with the Labour Minister, Abdul Latief, as one of the main proprietors. Another journal likely to appear soon, to 'replace' *DeTik*, will probably bear the title *Target*.

## Article XIX lambastes censorship

The London-based International Centre Against Censorship, *Article XIX*, issued a 31-page report which appeared in English and Indonesian at the time of the APEC meeting in Jakarta. Entitled, "The Press Under Siege: Censorship in Indonesia", it gives a detailed account and analysis of the June bans, the formation of AJI and censorship since the bans.

The organisation calls on the Indonesian Government to rescind the bans, to revoke 1984 Ministerial Decree empowering the Information Minister to ban publications, to amend the 1982 Press Law so as to ensure full press freedom, to remove the power of the PWI to veto the registration of publications and restrict the activities of journalists, to cease harassment of AJI, to allow journalists free access to counter-insurgency areas, East Timor, Aceh and Irian Jaya and to end prior censorship of foreign publications by the Information Ministry and allow such publications to circulate freely in Indonesia and East Timor.

Copies can be obtained from Article XIX, 33 Islington High Street, London N1 9LH. Fax: +44-71 713 1356

## Thirteen Pematang Siantar workers sentenced

*Thirteen workers who were arrested after a violent clash with the military at the industrial complex in Pematang Siantar, North Sumatra, 120 kms south-east of Medan, have been found guilty of 'hostage-taking' and jailed for one year each. Six of the convicted workers are women. Their lawyer has also been jailed.*

These trials came in the wake of the most violent assault on workers in Indonesia since labour disputes began to hit the industrial sector several years ago. There has been virtually no reporting of this dispute in the Indonesian press; information about the first eleven sentences reached TAPOL only after a delay of several weeks.

Eleven workers were sentenced on 7 October 1994.:

**Rosnauli Sipayung, 24**, employed by STTC  
**Hotmauli Situmorang, 27**, employed by SSU  
**Roince Sagala, 24**, employed by SSU  
**Roslince Nainggolan, 28**, employed by SSU  
**Khairani Lubis, 24**, employed by SSU  
**Helen Tio Sigalingging, 22**, employed by SSU  
**Tobasan Siregar, 22**, employed by STTC  
**Teruna Wahyudi, 25**, employed by STTC  
**Togar Janter Marbun, 23**, employed by STTC  
**Kholil Siregar, 28**, employed by STTC  
**Utusan Manao, 26**, employed by STTC

The first six are women.

The incident occurred when workers occupied the premises of the cigarette factory, STTC. [See *TAPOL Bulletin* No. 124, August 1994] The occupation came in the wake of a series of confrontations between workers and management during which workers were set upon by security guards. A number of workers were injured in the clashes. No-one has been charged for these assaults on the workers.

Two other workers, both men, who were arrested earlier in June went on trial afterwards and have both also been jailed for one year. They are:

**Abdul Ikhwan Siagian, 30**, employed by STTC

**Efendi Simbolon, 20**, employed by STTC

They were accused of 'inflicting bodily harm'.

The lawyer who was arrested and tried in connection with this conflict has been jailed for eight months. He is:

**Ronsen Purba, 28**

Purba was seized by a unit of 15 soldiers on 2 July from the lawyers' firm, *Pantun Sirait Associates*, where he works; while under interrogated he was beaten. He was tried on charges of 'incitement' under Article 160 of the Criminal Code.

### Brief account of the dispute

The dispute flared up on 2 June when workers at four cigarette factories at the industrial complex in Pematang Siantar received wages that did not comply with an agreement reached only days before, regarding overtime and



*The six jailed women workers in Pematang Siantar prison*

the procedure for calculating their pay. Six thousand workers were involved in strike actions and sit-ins.

The next day, after negotiations with the management broke down, the workers staged a sit-in outside the office and were attacked by security guards armed with sticks and knives. Eight people were injured and taken to hospital. When workers protested at the violence, troops arrived and a worker, **Abdul Ikhwan Siagian**, was arrested. The workers then held rallies to demand the release of their colleague.

Further actions ensued. After returning to work on 8 June, another worker, **Efendi Simbolon** was taken into custody, which led to further clashes with security guards. Having experienced so much violence at the hands of the army and security guards, the workers occupied the factory and held three staff employees inside the office. There is no evidence that any harm came to these people. The workers hoped that by restraining these members of staff they could convince the authorities to release Abdul Ikhwan Siagian and Efendi Simbolon.

A day later, anti-terrorist troops from the airforce arrived by helicopter and, along with several detachments of troops from the local military command, stormed the factory and took away about two hundred workers. Most were later released but the thirteen workers have since been jailed.

The decision to press charges for hostage-taking against the thirteen workers and to jail their lawyer is totally unwarranted. It is clearly intended as a warning to workers who have a legitimate grievance regarding their negotiated pay deal. The workers had been provoked by the heavy-handed methods used against them, the injuries caused and the arrest of their colleagues. The injustice of the charge is

further aggravated because no-one has been called to account for the violence against the workers.

### Reign of terror

According to a report on 18 August 1994 from the Communications Forum for Social Development (FKPM), a

reign of terror and intimidation has engulfed the workforce at the factories involved in the dispute since June. About five hundred workers have been forced to quit their jobs after intimidation by troops and security guards who maintain a constant presence on the premises. A number of women have suffered sexual harassment at work by officers from the local military; two women thus treated explained in hand-written testimony that they had been targeted because they were trying to raise solidarity funds.

## SBSI leader jailed for three years

*On November 7, Muchtar Pakpahan, the chair and founder of Indonesia's largest independent trade union, the Indonesian Prosperous Trade Union (SBSI), was jailed for three years by a court in Medan, North Sumatra. By removing him from circulation for such a long time, the regime hopes to stifle independent trade unionism in Indonesia. His conviction called forth a major world-wide campaign for his release, spearheaded by the International Confederation of Free Trade Unions.*

In a trial that was riddled with infringements of the defendant's rights, Pakpahan was found guilty under Article 160 and 161 of the Criminal Code of 'inciting' workers to commit actions that were against the law. In fact, what he was doing was organising workers to take action in defence of their right to create free trade unions and to fight for an increase in their starvation wages.

The Legal Aid Institute warned that Articles 160 and 161 of the Criminal Code 'are now being used to de-legitimise the right of association (including, for workers, the right to strike)'.

Pakpahan's trial was part of a series of trials to punish union leaders and activists for organising the mass rally and strikes in Medan in April this year when thousands of workers took to the streets to demand a more equitable minimum wage, the right to organise, an investigation into the death of a worker during an earlier strike and severance pay for workers dismissed by a local company.

Given that Pakpahan himself was not in Medan when the action took place and had even advised against any action in the city until October this year, his trial was clearly a frame-up aimed at smashing the SBSI and halting workers' actions in defence of their rights.

All five leaders of the Medan branch of the SBSI who were arrested soon after the April events have now been convicted on similar charges: **Amosi Telaumbanua**, chair of the branch, has been jailed for 15 months, the treasurer **Hayati**, has been jailed for seven months, the secretary, **Riswan Lubis** has been jailed for eight months, **Soniman Lafao**, deputy chair, has been jailed for nine months and **Fatiwanolo Zega**, deputy secretary has been jailed for seven months. Three labour NGO activists are also on trial on similar charges. They are: **Maiyasyak Janes** (a lawyer), **Jannes Hutahean** and **Parlin Manihuruk**.

### Infringements during the trial

There were so many infringements of the defendant's rights that his team of lawyers which included some of the most experienced lawyers in the land, walked out in protest. The following are some of the more glaring infringements:

i. The defendant's pre-trial challenge (*pra-pengadilan*), accusing the regional police chief of unlawful arrest, was thwarted when the court opened the trial on the day his challenge was due to be heard, automatically annulling the



*The defiant Muchtar Pakpahan*

challenge. This is a trick frequently used by the courts to avoid having to declare the arrest unlawful which would mean having to release the accuse.

ii. The defence lawyers were denied access to prosecution documents for several days after the trial commenced.

iii. The court ignored the fact that on several occasions, the defendant was too unwell to attend. He collapsed during the second hearing after court doctors had certified that he was fit enough to attend. At a later hearing, the defendant insisted that he was unwell although doctors had declared him fit. On this occasion, the presiding-judge angrily denounced him for using 'delaying tactics'.

iv. The defence team was refused permission to call expert witnesses, lawyers well versed in labour law. They rejected a proposal by the court that these witnesses be called as defence witnesses which would have altered their status under law. By contrast, the court allowed the prosecution to call expert witnesses.

It was this dispute over expert witnesses that was the final straw for the defence team, prompting them to withdraw from the case in protest.

v. President Suharto abused his position as head of the executive by stating while the trial was in progress that the charges had nothing to do with union rights but were 'purely criminal'. This unwarranted intervention came in the wake of mounting international pressure, which the Minister for Manpower referred to several times publicly. He declared several times that he had been 'inundated' with calls for Pakpahan's release.

## Hayati testifies for Pakpahan

The Indonesian press paid very little attention to the evidence in favour of Pakpahan although the indictment and summing of the prosecution were reported at length. One



*Riswan Lubis (left) behind bars*

witness who spoke out for Pakpahan and whose words were reported at some length was Hayati, the SBSI Medan branch treasurer. Perhaps journalists felt that her appearance made 'good copy' as she was so distraught the first time she appeared, which was the day after her only conviction, that the hearing had to be suspended.

At a subsequent hearing, she told the court:

i. Workers in Medan were unable to contain their anger at the failure to seek redress from employers who paid starvation wages. At times when the government-fixed minimum wage was Rp. 2,500 (less than 80 pence) a day, workers at some factories were receiving as little as Rp 1,000 or Rp. 1,500 a day.

ii. Workers who complained about wages or conditions were denounced by employers as 'trouble-makers' and in some instances dismissed.

iii. Many workers joined the SBSI because they saw it as the only organisation that would defend their interests. Workers who joined the government-backed SPSI had Rp. 500 docked from their pay-packet every month, with no idea how the money was spent.

iv. She confirmed that the Medan branch had received instructions from the SBSI central board not to launch any actions until October 1994.

## Pakpahan's defence

We have had to rely on the brief reports of Pakpahan's own defence statement that appeared in the local press.

Speaking in his own defence in what observers in court described as a 'spirited defence plea', **Muchtar Pakpahan** said:

i. If he was convicted as the one responsible for the 14 April workers' action, he would proudly accept any sentence. 'But if the court sentences me for inciting workers to commit criminal acts, the whole world will laugh. History will record that (this court) has failed to uphold the law.'

ii. The evidence used in court against him did not relate to the 14 April action. [As readers will see from *TAPOL Bulletin* No 125, October 1994, the indictment charged him for a number of activities as SBSI chair over a two-year period since its foundation in April 1992. The only charge that related specifically to the events in Medan in April was that he was kept informed of the action by phone. He was not in Medan at the time.] He told the court that the Medan branch should not have launched the action which was in breach of SBSI discipline as the central board had instructed all regional branches not to launch any actions until October 1994. 'However, as leader, I take full responsibility for the actions of my people.'

iii. The Regional Minimum Wage is based on Basic Physical Needs. 'This means treating workers like animals who have no spiritual or social needs, housing and the like. This is why the SBSI has called for an increase in the Minimum Wage to Rp. 7000 which is based on Decent Living Needs.'

iv. Why should I and others be dragged before the courts for demanding better conditions for workers when companies that break the law have the protection of the security forces in return for a fee. 'There has long been collusion between companies and those in power, civil and military, in this region.'

*continued from page 24*

refugee living in Britain. The next day Indro was in Scotland where he spoke at a public meeting in Glasgow. Back in London, Indro attended and spoke at the Third World First National Conference at the London School of Economics. He was later interviewed by the BBC World Service.



*Indro Sukmadji*

Indro's visit to the UK helped boost campaigning in this country against arms sales to Indonesia. It also provided him with a good understanding of the importance of this kind of campaigning. The visit will certainly enrich the co-operation between campaigners here and the human rights movement in Indonesia.

## Massive support for Arief Budiman

*The decision by Universitas Kristen Satya Wacana to sack Dr. Arief Budiman has provoked an uproar on campus. The popular academic, one of Indonesia's most outspoken intellectuals, has won mass support from colleagues and students at the University in Salatiga, Central Java.*

The Protestant Satya Wacana University has an international reputation, not least because of the academic performance and social commitment of teachers like Dr. Arief Budiman, Dr. George Aditjondro and Dr. Ariel Heryanto. Despite being situated in out-of-the-way Salatiga, a small town in Central Java, this small group of academics are frequently quoted in the national press, in particular Arief Budiman, 53 years, who has been socially engaged since his early student years. Political analysts say it is no coincident that both Arief Budiman and George Aditjondro [see separate item] have been targeted by the authorities.

### Uproar at Satya Wacana

Ever since he received his letter of dismissal by the University Foundation in October, the campus grounds have been in turmoil, with continual protests, demonstrations, strikes and sit-ins. Although Arief was attached to the department of Post Graduate Studies, support has come from all the other departments and from teachers, students and university employees. Classes have been boycotted for several weeks in protest at Arief's dismissal. There have been mass meetings in each faculty and students have demanded that the decision be reversed. Petitions have been signed by an overwhelming majority of people on campus. Students went to Jakarta to demonstrate in front of the national parliament to demand a retraction of the university decision. A special committee was set up, *Kelompok Pro-demokrasi UKSW* [Satya Wacana Pro-democracy Group], to co-ordinate the actions.

The issue of democracy has now become the rallying point. There have been two mass rallies, *rapat akbar*, attended by thousands of people. Arief is one of the few Indonesian academics with an international stature. Since his dismissal, he has received numerous letters of support from countries like Vietnam, Australia, the US and Hongkong.

The origin of the conflict at the Satya Wacana goes back several years when Arief made public some unsavoury facts about the business dealings of some members of staff. He was first warned by the university authorities as long ago as 1988. The smouldering conflict never died down and re-emerged in May this year around the election of the new rector of the university. The majority, including Arief, supported the candidacy of Professor Liek Wilardjo, an academic with impeccable credentials and known for his opposition to the construction of a nuclear plant in the vicinity of Salatiga. Instead John Ihalauw was chosen, a person well known for his skills at combining academic with commercial activities. Many at the university were unhappy with the choice but it was Arief, being a well-known public figure, who became the focus of the protest.

### Arief, the activist

Arief Budiman has a long history of activism; in the early sixties, as a young student and writer, he protested against controls over cultural life under President Sukarno's Guided Democracy and signed *Manikebu*, the Cultural Manifesto. In

the early days of Suharto's rule, he supported the general but soon realised his mistake.

In the late sixties he initiated actions against corruption and the *Taman Mini* (Fun Park) project of Madam Suharto for which she collected huge contributions from businessmen. In 1971 Arief was one of the initiators of *Golongan Putih* (*Golput*, the blank voting-slip group) movement, calling on protest voters to deposit blank slips during elections. A year later he was briefly detained after a protest against the building of a luxury hospital. After being blacklisted, his position became untenable so he decided to go abroad. He first went to France then to the US and in 1980 he got his PhD at Harvard for a thesis on the socialist experience in Chile under Salvador Allende. Arief Budiman is a firm believer in socialism and expresses this openly in his lectures.

The decision to go to a relatively small university in Salatiga after their return home was a deliberate choice for Arief and his wife, Leila. It was a way of avoiding the atmosphere of intrigue in a big city like Jakarta. In recent interviews Arief has admitted that he has now become tired of the petty intrigues at Satya Wacana, in small-town Salatiga. He has received moving letters of support from ordinary Salatiga citizens and many job offers inside Indonesia and abroad. He will probably stay in Salatiga as his base but travel a lot more than before for guest lecturing in other university cities.

### Pressure from above?

Arief's friends are convinced that he is being used by the authorities as an example of what happens to anyone who opposes authoritarian rule. The same has happened recently to: the press, trade unionists and NGOs. Not many Indonesian academics have shown their mettle. Arief has become the moral conscience of Indonesian intellectuals. He has often infuriated the authorities, in particular the military authorities.

Well-informed sources say that Major-General Soeyono, the present military commander of Central Java, poked fun at Arief: "*Sacking is nothing unusual. If my driver has too many accidents, I also will sack him*". Other sources say that Arief's backing for Liek Wilardjo as rector was the prime motive for his dismissal. The nuclear plant project at Mount Muria remains a controversial issue. The pro-nuclear lobby led by Djali Ahimsa and Technology Minister Habibie is very powerful.

Whether it is an internal university conflict or involves outside meddling in university affairs, the fact remains that the government is more than happy with Arief's dishonourable dismissal.

### Boycott Gatra!

The dismissal has not undermined Arief's morale; on the contrary, massive support from the students has convinced him that he is on the right track.

At the very time his dismissal was announced, he called for a boycott of *Gatra*, the new magazine owned by timber tycoon, Bob Hasan. The banning of three major political weeklies: *Tempo*, *DeTIK* and *Editor* last June left a huge gap in the market which is being filled by *Gatra*, a sanitised (i.e.loyal) version of *Tempo*. Bob Hasan, arguably Suharto's closest crony, was ready to jump in the moment the bans were imposed. A printing permit was granted in no time by Harmoko, the Information Minister.

Arief feels very strongly about the bans. Not only was he a columnist for *Tempo*, but he also joined *AJI*, the new union of independent journalists. He made his call for a boycott of *Gatra* in protest against injustice and to give expression to his own support for press freedom and democracy.

**John Ihalauw out ?**

The huge outcry at Satya Wacana University has hit everyone, not least the Protestant churches who sponsor the uni-

versity. A special council, organised in Kaliurang to discuss the problem, held a marathon session. Church representatives and people from different sections of the university were present. Rector John Ihalauw tried to attend but was politely told that his presence was not welcome. The results of the two-day session were that Prof. Haryono Semangun who chairs the university's governing body was withdrawn and a Presidium was established which includes several members of the pro-democracy group. The new body has in effect pushed John Ihalauw aside. There are signs that democracy may now be prevailing in Satya Wacana.



**Academic may be charged for giving a lecture**

*One of Indonesia's best-known academics has been hauled before the police and interrogated for a gruelling 15 hours about a lecture he gave at an on-campus seminar about political renewal in Indonesia. The Aditjondro case also has broader implications for the fate of academic freedom in Indonesia.*

Dr George Aditjondro was summoned for interrogation as a 'suspect' for possible charge under Article 207 of the Criminal Code which makes it an offence to "insult a government official deliberately". If charged, he could be jailed for up to eighteen months.

**The Timor connection**

George Aditjondro who lectures with the Post-Graduate Programme of the Satya Wacana Christian University in Salatiga, Central Java, has become well known in the past year for his research on the political, social and economic situation in East Timor and for his outspoken denunciation of Indonesia's invasion and occupation of the territory. When some of his East Timor papers were made public in Australia earlier this year, he and his family were harassed and it appeared likely that he would be disciplined or even sacked. But the campaign of vilification died down.

The police in Yogyakarta, backed by the security authorities in Central Java, are now after him for a lecture he delivered at a seminar at *Universitas Islam Indonesia* in Yogyakarta, in August. The topic of the seminar was "The Urgency of Political Renewal in the Democratisation Process in Indonesia" and Aditjondro was originally asked to appear as a discussant for a lecture by former Minister of the Interior, General Rudini. Shortly before the seminar, the conveners asked him to perform the same role for a lecture by another panel speaker, General Soemitro, former chief of the army's security command, Kopkamtib as others asked to do so were unable to come.

While the seminar was in progress, the students made yet another request, asking him to fill a gap in the programme caused by the delayed arrival of General Rudini. Hundreds of students followed his talks with a great deal of enthusiasm, delighted by his refreshing political analysis delivered with clarity and wit. But among the audience there were also police or army intelligence officers taping his words, eager to arm themselves with 'incriminating evidence' with which to charge him under this remnant of the repressive legal code from the Dutch colonial era.



*George Aditjondro (right) with Prof. Barbedo Magelhaes, in Portugal, shortly after receiving news of the police summons.*

It so happens that when the summons was first served, Aditjondro was in Lisbon attending a conference on East Timor. He returned home immediately and, after several further summonses were served -- including two faulty ones - the interrogation began on 22 October and continued on the following Monday. The first session came to an end after six hours because Aditjondro complained of exhaustion and doctors confirmed that his blood pressure was unduly high.

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## Operation Clean-up and the APEC Conference

*The APEC (Asia Pacific Economic Co-operation) Conference was intended to be the crowning glory of President Suharto's 30 years of statesmanship. Preparations were unprecedented. Here was an opportunity to demonstrate Indonesian hospitality and superb organising skills to an array of world leaders. No effort was spared to make the event a faultless diplomatic occasion.*

The APEC Conference was an extravaganza. Four thousand participants and more than 2,000 foreign journalists were in Jakarta for the event. Thousands of officials were put to work. Civil servants, municipal workers and soldiers worked for weeks to 'clean up' the roads from the Sukarno-Hatta airport to the five-star hotels in the city centre. Thousands of hawkers and food-sellers were removed, the pavements were tidied up and repaired. Flower beds and plants were installed along the main highways. People familiar with the bustling and lively Jakarta could not recognise it. The Jakarta streets looked as sterile as Ceasescu's Bucharest or Kim Il Sung's Pyongyang.

The APEC summit took place at the *Buitenzorg* Palace in Bogor, a mountainous resort 60 kms from Jakarta. It was built by Dutch colonial rulers and is on the fringe of the well-known Bogor tropical botanical gardens. In preparation for APEC, the palace underwent a complete overhaul. The *Garuda* conference hall was fitted with a massive table and

President Suharto declared 14 and 15 November official holidays for schools, factories, government offices in Jakarta and Bogor. This two-day compulsory holiday will cost the economy at least US\$ 75 million. The major roads were closed to the general public for the two days.

### Organising the weather

Bogor is notorious for its heavy rain so Suharto hired a *pawang hujan*, a rain-oracle, to make sure that Bogor remained dry for the event; thankfully, it did.

The informal character of the APEC summit was exemplified last year in Seattle when the heads of states showed up in open-neck shirts and casual jackets, which made Suharto look decidedly uncomfortable. In Bogor, Suharto had his own back. He insisted on everyone wearing tailor-made batik shirts, prompting *The Sunday Times* to call it 'The Summit of Bad Taste'.

This was an occasion to outdo Sukarno's historic Afro-Asian Conference in Bandung in 1955, and it almost worked.

### Strict security measures

Security measures during the APEC were intense. On 25 October Major-General Hendropriyono, the Jakarta military commander, had a show of force, with 42,000 combined troops of the three armed forces and police. On this occasion he issued a stern warning to anybody planning to create disturbances during the APEC meeting:

*We will treat anyone who tries to cause disturbances during APEC not just as criminals but as national traitors whose level of patriotism and nationalism has reached rock-bottom [Kompas, 26.X.1994]. This was followed by an impressive display of light tanks, armoured personal carriers and other anti-riot equipment. To make sure everyone got the message, photos of the display appeared in all the newspapers.*

The APEC security measures were a continuation of *Operation Clean-Up* which started in April this year. The Jakarta police commander, Major-General Hindarto explained that the Operation would: "start cleaning up the city.....of bandits and other kinds of street criminals to safeguard the security of APEC meetings".

Weeks before the event intelligence officers visited the offices of human rights organisations to warn them not to even think of doing anything during APEC. Some activists were advised to quit the capital for a holiday during those days. The government-backed trade union SPSI went so far as to issue an instruction to workers not to launch disturbances or strikes during APEC. Bomer Pasaribu, the SPSI



*The Batik boys posing for the world press: The Summit of Bad Taste*

18 gold-white luxury chairs for the heads of states. Special Mercedes S600 bullet-proof limousines were purchased for the occasion plus 160 luxury cars, jeeps and motor vehicles for the other honoured guests, security guards and fore-riders.

Suharto's son Bambang Suharto was granted the licence to import the vehicles tax-free, with the post-APEC option of selling them at a huge profit to Indonesia's super rich. The cars, driven by army officers, were fitted with computers to make sure that the drive from Jakarta to Bogor would work with up-to-the-second accuracy. During the final rehearsal those in charge realised that traffic jams might gridlock the operation. To add to the problems, heads of states staying in different hotels were planning to conduct bilateral talks. So-

secretary-general, warned that foreign journalists would be keen to cover labour disturbances while Indonesia; he was intent on not giving them an opportunity to do so.

## The APEC Conference

The APEC summit itself was quite a boring event. A pledge to improve trade links between the Pacific Rim nations was made but the creation of the world's largest area of free trade and investment was postponed till 2020. China and Malaysia were the most reluctant to enter into binding agreements and insisted on flexibility. A sentence in the APEC communiqué reflects the differences between APEC members:

*"The pace of implementation will take into account the differing levels of economic development among APEC economies, with the industrialised economies achieving the goal of free and open trade and investment no later than the year 2010, and developing economies no later than the year 2020".*

The conference also failed to reach agreement on defining a common code on foreign investments in APEC countries.

## HUMAN RIGHTS

### A colossal embarrassment

It was obvious that the APEC conference would also be an occasion to focus on Indonesia's woeful human rights record, in particular East Timor, the trials of trade union leaders and the clampdown on the press. Major reports about these issues appeared to coincide with APEC: Amnesty International and Human Rights Watch/Asia issued special reports. The ICFTU, the International Confederation of Free Trade Unions, issued a special report on the trials of labour leaders, and London-based Article XIX launched a report on press freedom in Indonesia.

Nobody expected huge rallies or protest demonstrations in the streets in Jakarta. It was the action of the intrepid Timorese who entered the compound of the US Embassy that transformed the APEC conference into a world exposure of the intolerable situation in occupied East Timor. Suharto's neat scenario was left in shreds. The focus was on the actions of the Timorese.

## The EXXON deal and human rights

*Of the many faces of the Clinton administration, it was the ugly one that showed during APEC. While President Clinton addressed the need for Indonesia to improve its human rights record, a more powerful message came from Ron Brown, US Secretary of Commerce and Mickey Kantor, US Trade Representative. The day after APEC, EXXON, the US energy giant, signed a mega deal worth up to US\$ 35 billion with Indonesia, witnessed by Ron Brown.*

However forceful the language used by Clinton when he met Suharto about the US-Indonesia relationship "never reaching the highest levels if the people of the United States don't have confidence that there is an effort here to respect the human rights of all the citizens", it pales into insignificance against Ron Brown's speech a day earlier, at the Pacific Basin Economic Council in Jakarta. Brown has a simple credo: the improvement of human rights ultimately depends on economic advance. Or in his words, forging economic and business ties is a better way of improving human rights than the 'feel-good policy' of holding a press conference and making bellicose statements, which turn out to be fruitless.

*"We are using commercial engagement to pursue non-economic goals as well as economic goals around the world".*

Cynics know that this language pushes human rights to the sidelines. Most APEC members from Asia, in particular China and Indonesia, combine rapid economic growth with intolerable human rights records. The Clinton/Brown Pacific tour was a commercial success. Before leaving for Jakarta, the US entourage clinched deals in Manila worth more than US\$400 million and another US\$250 million in Kuala Lumpur.

### Contract of the century

The Natuna island deal has been in the pipeline for ages but the Clinton visit provided the perfect opportunity to sign the Natuna sea-gas deal between EXXON and the Indonesian State Oil Company Pertamina worth US\$ 35 billion. Another US\$5 billion went to contracts for a power project PAITON project in East Java worth US\$ 2.6 billion by Mission Energy and General Electric. Other projects included a coal-fired

power plant of 200MW by Heard Energy Corporation, a consortium, and Indonesia's Directorate of Electricity and the private company PT Panca Seroja Pradhana; AT&T's contract with PT Telkom for communications equipment worth US\$65 million and Motorola's MoU with the Indonesian forestry ministry for a forest radio communications system worth US\$104 million. The latter projects fall under the new US 'tied-aid' credit offers, which means G-to-G concessional financing linked to the purchase of donor country exports. The UK is also increasingly using the 'tied-aid' construction.

But the biggest of them all is the Natuna field project in the South China sea. For many years it has been known that Natuna contains gas reserves of 160 trillion cubic feet of which 40 trillion cubic feet are commercially exploitable. Natuna is the largest natural gas field in Southeast Asia. Indonesia is already the world's biggest gas producer/exporter and the Natuna project will make Indonesia the Saudi Arabia of gas exports. The development costs are enormous but the demand for gas in the region is huge, particularly from Japan, Taiwan and South Korea, which will make Natuna economically more than feasible.

Another multinational, Mobil will be asked to join this mega project, to share the huge development costs.

### Kantor, the flamboyant one

Ever since Mickey Kantor accepted the job as US Trade Representative, he seemed prepared to take a harder line on Indonesia's bad record on labour conditions. In June 1993 he announced that the US was reviewing GSP benefits (exemption from import duties on certain manufacturing goods) because of the lack of workers' rights and the absence of freedom of association. Indonesia was given eight months

to improve its record. The GSP threat did appear to be a useful weapon to force Minister of Labour Abdul Latief to improve the position of the workers.

In February 1994 Kantor said the review was no longer under way although the final decision on whether to remove GSP would be taken later in the year. He did not specify what kind of improvements Washington wanted. It was already clear by then that the GSP weapon had been blunted and the Indonesians realised that Kantor's threats were nothing more than hot air.

During 1994, labour conflicts have soared, trade unionists have been arrested and put on trial [see separate items]. Far from improving, labour rights have deteriorated. This time Mickey Kantor arrived in Jakarta hoping to obtain a paper on

steps Indonesia would take to improve workers' rights. The following day, Minister Abdul Latief, eager to oblige, came up with a document, 'Comprehensive Industrial Relations Programme'. While practically the entire international trade union movement looks on in dismay at what is happening on the labour front in Indonesia, Mickey Kantor exuded satisfaction with Abdul Latief's empty promises. The fundamental issues of military intervention in labour conflicts and freedom of association (repressive measures against leaders of SBSI) are ignored in Latief's programme. It contains vague promises of a revision of existing legislation, a review of minimum wages and the restructuring of the official union SPSI into a federation. What we have is a repetition of how the US has handled human rights concerns in China.

The Clinton administration has basically turned its back on human rights and has adopted the Ron Brown credo as the guideline.

## Clash between peasants and security police

*A major clash between peasants and police in Ngawi, East Java went unreported in the muzzled Indonesian press. The incident happened on 10 November, when APEC ministerial meetings were underway. The only reports available are from wire services and reports from SMID (Solidaritas Mahasiswa Indonesia untuk Demokrasi, Student Solidarity for Democracy in Indonesia)*

The action occurred in the small rural Javanese town of Ngawi, some 500 km east of Jakarta. More than 1,300 peasants and 150 students marched to the local Sub-district Office in the town square, demanding that the government return 320 ha of land which had been handed over to a plantation called PD Sumber Bakti. One peasant explained: "For decades we have been tilling the land."

November 10 is a special day in Indonesia, commemorating the heroes that died on that day 49 years ago during clashes with British troops in Surabaya. The demonstration carried banners saying "Give us back our land. It has been taken away from us for big business." Peasants and students chose the day in the hope that the authorities would behave decently but they were wrong.

The peasants arrived early in the morning from two villages, Cepuko and Mendiro, some 30 kms from Ngawi. A kind of free forum was set up on the village square, with banners and chanting children and women. Earlier, the peasants complained to the National Human Rights Commission but in vain, nor were complaints to the Home Affairs Ministry any more successful. Statements of solidarity came from different organisations including SMID.

Around 10.00 a.m. military from the local district and sub-district command assisted by the local police started to encircle the village square. They used force against the crowd, clubbing them with rattan sticks. Protesters yelled at the security forces, urging them not to use force, "Indonesia is now the focus of APEC", yelled one student. Instead of paying heed, the police and military became even more brutal, using their bare fists, army boots and tear-gas. Reports say up to five protesters were beaten and carried away.

### Kedung Ombo verdict annulled

It was too good to be true. A decision by the Supreme Court to award peasants victimised by the Kedung Ombo dam decent compensation has now been declared null and void by the Supreme Court. [See TAPOL Bulletin No. 124, August 1994]. The Chief Justice Purwoto Gandasubrata, who was just about to retire, came under heavy pressure from President Suharto himself and from the Central Java provincial government.

The Kedung Ombo campaign was Indonesia's first major land dispute which had an international dimension. World Bank involvement in the project was criticised world-wide. For President Suharto, the project was a matter of honour and prestige and more than 6,000 peasant families were driven off their land. Only 34 determined families rejected the paltry compensation offer and decided to sue the Central Java governor and the Department of Public Works.

### Political intervention

Although Chief Justice Purwoto now denies that the annulment was political, he is not kidding anyone. The Central Java government insisted on a review of the Court's verdict. Suharto publicly expressed his dismay at the verdict. Purwoto was summoned by President Suharto to discuss the case. The brief period of hope that the judiciary would stand by its independence from the executive, was shattered.

Purwoto now argues that the Supreme Court failed to take into account a 1993 Presidential decree allowing appropriation of land and argues that the decree supersedes a 1975 law on which the Court's decision was based. The decree allows a project to proceed even if a compensation agreement has not been reached. Lawyers of LBH Semarang, the body which represented the 34 families, are deeply disappointed. In judicial terms, the whole case has now collapsed and it would mean starting all over again to get redress. In a press communiqué the LBH strongly condemned the annulment, seeing it as an act of suicide by the Supreme Court. Forum LSM/LSPM, a broad federation of NGOs in Yogyakarta said in a statement that the decision is a display of the arrogance of power and gives irrefutable proof that the independence of the judiciary does not exist. The Yogya chapter of IKADIN, the Bar Association, said there was clear evidence of political manoeuvres behind the scenes. They argue that a review of any Court ruling usually takes 2 to 3 years., but the speed with which this matter was handled is unprecedented. In parliament some MPs also expressed their discontent. Soetardjo Soerjogoeritno from the PDI described it as "an irony for Indonesia as country under the rule of law". He said the decision would make people feel as if they were still living under colonial rule.

# British arms deals with Jakarta forge ahead

*Huge new arms deals between the UK and Indonesia under negotiation will make Britain Indonesia's leading supplier of weapons. The deals are part of a massive expansion in Britain's commercial relations with the Suharto dictatorship.*

London's leading Sunday newspaper, *The Observer*, reported on 13 November 1994 that "Britain is assembling a huge arms deal with Indonesia, in defiance of international calls for a weapons embargo because of the country's appalling human rights record. The secret deal is worth an estimated £2 billion."

The *London Times* [14.XI.1994] said Britain is competing for deals worth up to £6.1 billion. Whatever the figure, British exports of weapons of death to the Indonesian armed forces are set to forge ahead on an unprecedented scale.

In October, Britain's chief of defence staff, Field-Marshal Sir Peter Inge, announced in Jakarta that Indonesia was planning to purchase another 16 Hawks, on top of the deal worth £500 million for 24 Hawks in June 1993. Sir Peter Inge said Indonesia would buy Scorpion light tanks, highly mobile vehicles, suited for use in heavily wooded territory like East Timor or Aceh, or on the streets against demonstrators.

Without a moment's thought for the political implications of these arms deals, the Field-Marshal said, when confronted by reporters with the issue of East Timor:

*"It is not for me to get involved in the politics of another country."* [*Jakarta Times*, 13.X.1994]

Armed forces commander, General Feisal Tanjung later said that Indonesia was seeking procurements from the UK and Germany. He spoke of 50 Scorpions though foreign military sources in Jakarta said the deal could eventually reach one hundred. [*Reuter*, 19.XI.1994]

## The 'shopping list'

The *Observer* revealed that Britain is working hard to reach agreement on the supply of a huge range of other military equipment. The 'shopping list' includes armoured personnel carriers, medium-range ballistic and air-defence missiles and naval patrol vessels, together with the construction of a big new naval base at Bandar Lampung, Sumatra. British Aerospace, an old hand in the weapons trade with Indonesia, will take the lead in the Memorandum of Understanding being drafted between the two countries.

Quoting Paul Beaver of *Jane's Sentinel*, *The Observer* wrote that the MoU will cover major defence systems:

*"Indonesia is always on the look-out for technology transfer from the West and any deal will almost certainly involve a degree of barter, such as mineral and logging concessions. In Thatcher's day, Malaysia was number one. Now it's Indonesia."*

## Aid-for-arms scandal

The news of these deals came at a particularly sensitive time in the UK. A small non-governmental organisation, the *World Development Movement*, had just won a High Court

action against the Foreign Secretary, Douglas Hurd, declaring his decision to grant aid of £234 million to fund the Pergau dam project in Malaysia illegal. The project was the focus of huge controversy after it became known earlier this year, following the leaking of a secret agreement between London and Kuala Lumpur, that the aid had been agreed in 1987 by the Thatcher government as a 'sweetener' to pave the way for massive arms deals with that country. The

'aid-for-arms' scandal has been a hot political issue ever since.

This has turned the spotlight on the UK's aid and arms dealings with Indonesia. While documentary proof of any link has not been forthcoming, many commentators have pointed to the parallel rise in the UK's aid commitments to Indonesia and the upward curve of its arms sales. It was a link highlighted in *TAPOL Bulletin* No. 124, August 1994 on the increase in UK aid commitments at CGI meetings since 1992.

*The Observer* noted that the deal for 24 Hawks had been under negotiation for several years. In March 1993, Chancellor of the Exchequer Norman Lamont promised Indonesia a big increase in export credits. A month later, Foreign Secretary Douglas Hurd, on a visit to Indonesia, announced a £65 million concessional loan for a new power station in Samarinda, East Kalimantan, the biggest single aid donation to Indonesia in 20 years. This, and a promise that British aid would not be linked to Indonesia's human rights conduct, unlocked the Hawks negotiations, paving the way for the Hawks deal announced two months later.

*continued on page 23*



*Today newspaper, 14 November 1994*

# The origin of the forest fires

*For several months practically the entire western region of the archipelago has been hit by serious forest fires. Neighbouring Malaysia, Brunei and Singapore endured weeks of continuous haze, reaching unhealthy levels of dust and particles. In mid September several public health warnings were issued in Singapore and Malaysia. Flights to and from Kuala Lumpur airport had to be cancelled.*

It was not till late September that extensive reporting of the fires appeared in the Indonesian press. We have heard of no ban on the reporting of forest fires but press coverage was far below standard. President Suharto cancelled a trip to Kalimantan to inaugurate a new factory because of the thick smoke. Information Minister Harmoko had to cancel a visit

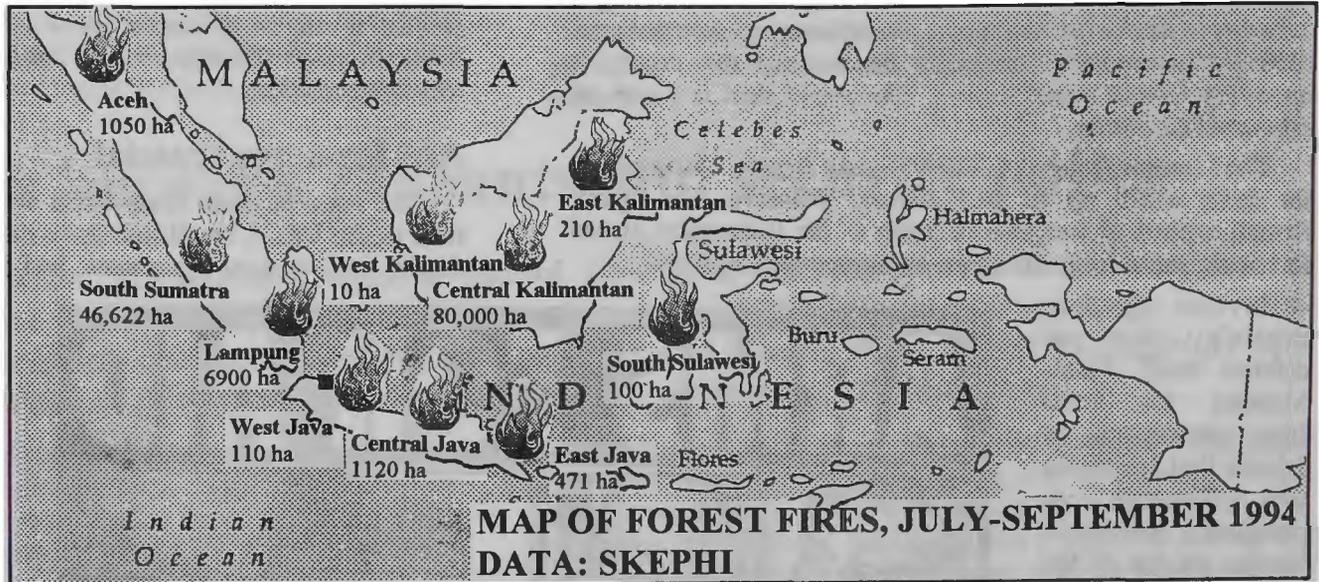
to Palangka Raya in South Kalimantan for the same reason. On 29 September Singapore Prime Minister Goh Chok Tong met Suharto to discuss the fires. Earlier, Singapore officials expressed irritation at Indonesia's apparent inability to fight the fires. The effects for people living near the disaster areas are obvious: in parts of Kalimantan, the thick haze made even road transport impossible because of limited visibility.

## The extent of the fires

Kalimantan was the most severely hit island. In 1983 the island lost an estimate of 3 million ha to the menace, one of the largest forest fires this century anywhere in the world. While the Forestry Department said that till August 1994, 5,111 ha were destroyed, SKEPHI, the forestry network, said that in South Kalimantan alone, 80,000 ha have been destroyed, while fires in East Kalimantan razed 210 ha and in West Kalimantan another 10 ha. SKEPHI also recorded fires in Sumatra: in South Sumatra 46,622 ha were destroyed by fire, in Lampung 6,900 ha and Aceh another 1,050 ha. In densely populated Java fires destroyed 110 ha in West Java, 1,120 ha in Central Java and 471 ha in East Java. Fires were also recorded in the eastern part of the archipelago: in South Sulawesi 100 ha and another fire near Jayapura, the capital of Irian Jaya (West Papua). The figures compiled by SKEPHI are from June till September. It is likely that the damage is worse than the figures suggest as the rains only started in the latter part of October.

## What causes the fires?

While government officials blame shifting cultivators, environmentalists have come forward with more plausible explanations. Dedy Triawan from WALHI, the Indonesian Environmental Forum, spoke of a combination of factors: the greed of the logging companies, the new plantation schemes and the vast coal reserves beneath the soil. Indro Sukmadji of SKEPHI explained that shifting cultivators have a fine tradi-



tion in managing forests and have developed good, safe mechanisms for opening new plots of land.

After clear-felling, logging companies leave open spaces in the forest that dry up because the sun's rays now penetrate, causing branches and leaves that are left scattered to catch fire. Breeze or wind do the rest. The forest fires in 1983 and 1993 were caused by the negligence of loggers. Another serious cause is the existence of large quantities of coal beneath the exposed soil. After a fire dies away, smouldering timbers set the coal alight, especially in the dry season.

Another new phenomenon is the plantations called *HTI* (*Hutan Tanaman Industri*, Industrial Timber Estates) which are usually combined with transmigration. The *HTI*-schemes have become a priority for the Indonesian government to boost revenues from forest products. Big companies in Jakarta have been encouraged to invest in *HTI*-schemes which lead to the creation of mono-culture plantations using cheap transmigrant labour (mainly Javanese). The *HTI* schemes produce anything from pineapple to acacia trees or involve logging companies with reforestation schemes.

According to Indro Sukmadji, some fires have been man-made because of conflicts between the management of the *HTI* companies and the local population. Some of the conflicts resulted in the local people deciding to burn their own forests. He said: "If the fires are the result of natural causes or poor management of the forests, the people would be able to extinguish them if relations (with the *HTI* management, *TAPOL*) were good. Because relations are bad, they prefer the forests to burn" [Simponi No.001, 4-10 October 1994].

Reports in the Indonesian press about land conflicts in Kalimantan and Sumatra confirm Indro's claims. According to SKEPHI, 37% of the latest forest fires are in *HTI* areas, which only reveals the seriousness of the situation

*continued next page*

## Downplaying the fires

As for the notorious timber tycoon Bob Hasan, he doesn't give the matter any serious thought. He alleges that it is *alang-alang*, or elephant grass that is on fire; this plant spreads rapidly in clearances in the forests. He said: "I am quite certain that these are not forest fires. If such fires happened every year, there would be no forests left by now. It is primarily the *alang-alang* that is burning [Simponi, No.001, 4-10 October 1994]. Bob Hasan admits that the fires in South Kalimantan are more than just *alang-alang* fires but refuses to accept that bad management is a major cause.

The government basically did nothing to contain the fires, and simply waited for the rains to start. It has no means of handling such disasters. There is no effective monitoring system, no fire-fighting equipment while clear-felling goes on relentlessly for transmigration purposes, HTI-schemes or simply by logging tycoons. These annual forest fires which Bob Hasan wants to shrug off constitute a grave danger for Indonesia's invaluable forests.

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Still reeling from the Pergau dam defeat in the High Court, government spokesmen have been at pains ever since to deny that aid and arms deals are linked, either in the case of Indonesia or other countries. But the stark reality is that British aid is leaping ahead not for desperately poor countries like Tanzania but for countries like Indonesia and Nigeria, both of which have concluded major arms deals with the UK.

## Hawks used in East Timor

Jose Ramos-Horta of CNRM issued a statement on 16th November 1994 on the recent use of Hawks in East Timor.

*"During August and September 1994, two Hawk aircraft carried out at least six bombing raids in the eastern region of East Timor. Hawks and US-supplied Broncos are stationed at the Baucau airport which is capable of receiving commercial aircraft up to Boeing 707s. Since the invasion in 1975, the civilian airport has been converted to a military base. In the last three months, Hawk aircraft have been used extensively mostly in the eastern region with an average of six sorties a day, each bombing raid lasting 10 minutes with the launching of two missiles each.*

*Some raids seemed to be almost at random without the pilot aiming at guerrilla targets but at any remote hamlet. On 23 September, at 11.15am between Kelikai and Baguia, a missile hit a thatched-roof house setting it on fire and destroying six impoverished houses. There were no survivors observed among some 30 inhabitants, mainly women and children.*

The National Council of Maubere Resistance (CNRM) called on Portugal to take the British Government to the International Court of Justice and the European Human Rights Court for "providing economic, financial and military assistance to Indonesia which enables it to pursue the war of aggression against East Timor in violation of the UN Charter and relevant UN Security Council resolutions".

## Lecturing 'with intent'

Most of the first session was devoted to police attempts to prove that Aditjondro had set up the occasion on his own initiative, to give himself a platform to castigate government officials. In other words, he had pushed himself forward without having been invited, a 'deliberate' act as defined under Article 207. Should the case come to court, this is likely to be a major aspect of the indictment.

Most of the second session was devoted to playing back extracts of his speeches that had been taped, asking him to confirm that he had said such things and seeking further clarifications of the remarks. Aditjondro refused to answer any of these questions

In consultation with his team of lawyers, Aditjondro has announced that he will call five witnesses. They include former Interior Minister General Rudini, a well-known politician from the PPP party, Sri Bintang Pamungkas who also attended and spoke at the seminar, Arief Budiman, his close colleague from Satya Wacana University who he will ask to speak about organising seminars on campus, a German philosopher, Professor Magnis Suseno who lectures at a university in Jakarta, and two of the students who helped to organise the seminar.

It remains to be seen whether the police will decide to press charges. If they do so, they could live to regret it as Aditjondro will certainly wage a spirited defence not only of his own right to lecture on matters of relevance to political life in Indonesia but also in defence of academic freedom.

## Academic freedom under threat

The move to charge and jail Aditjondro is seen as being the opening salvo of a campaign by the security forces to clamp down on freedom of speech in the universities. This would be the fourth wave of repression against the pro-democracy movement in Indonesia, the others being repression of independent trade unionism, the crackdown on the press and greater restrictions on non-governmental organisations that speak out on human rights issues.

The day before the UII seminar, the Yogyakarta police chief sent a letter to the heads of tertiary institutions in the region, saying that all events organised on campus by student bodies would now require police permission. Until now, such events have been entirely at the discretion of the university administration. The police would also be empowered to vet the persons being invited to speak at such events.

A number of speakers, including university lecturers, legal aid activists and writers and poets have been forced to abandon appearances at meetings or seminars because of a last-minute police ban. This new regulation means that the police will have a more direct say over what can and cannot happen on campus or who can or cannot speak. This unwarranted interference suggests that the regime's 'security approach' will now encroach directly on campus life, a direct threat to academic freedom.

Another lecturer at Satya Wacana University, Dr Arief Budiman, was recently unceremoniously dismissed causing great turmoil on the campus. [See separate item.]

# Many villagers killed in army attack in Timika

*In reprisal for a West Papuan flag-raising ceremony in a village near Freeport, the huge copper mine in West Papua, scores, perhaps hundreds, of villagers were killed during an army operation last May.*

The flag-raising ceremony took place in the village of Tsinga, about 20 kms east of Freeport, organised by three local commanders of the *Organisasi Papua Merdeka* (OPM) on 2 May 1994.

There has been simmering resentment among tribal people whose lands were seized without compensation by the Freeport copper mine. The rivers and water supplies have also been contaminated by the mines activities. In 1977, there was a major attack on the mine's pipeline by units of the OPM, which led to widespread reprisals against the people.

After this year's Tsinga ceremony, the Indonesian army dispatched several hundred *Kopassus* (red-beret) troops to the area and conducted an operation against the village, backed by air-combat helicopters and US-supplied OV-10 Broncos. During the operation, indiscriminate attacks were launched against the village and many civilians were killed, including

the village chief.

The incident was reported in the Indonesian press in June. *Radio Jayapura*, in the capital of what Indonesia calls its province of Irian Jaya, broadcast an account, saying that 120 villagers had been killed.

TAPOL heard vague reports about this operation earlier this year but only received a rather detailed account from the OPM representative in Sydney as we were going to press. John Ondawama reported that many people have been detained, including Amungme land-owners and villagers. He added that security in the whole area, which has been closed to outsiders, is now very tight.

Contacts in Australia are trying to obtain eye-witness accounts of this serious armed attack against villagers in West Papua.

## Indonesian activist visits Britain

*Indro Tjahjono was in Britain as guest of the European Network Against Arms Trade (ENAAAT). A European tour took him to six European countries.. The Campaign Against Arms Trade (CAAT) in London arranged Indro's schedule in Britain.*

Indro Tjahjono has been a human rights activist since his student days in Bandung when he led the movement in 1978 that challenged Suharto's sole candidacy for president. He was arrested and sentenced to 15 months. He helped set up INFIGHT, a human rights organisation, in 1990, and coordinates the work of SKEPHI, the forestry conservation network.

Indro arrived in London on 31st October and met members of Down To Earth, the International Campaign for Ecological Justice in Indonesia and other environmental organisations Earth ARC, Small World, Environmental Investigation Agency and Forests Monitor.

Indro also met environmental film makers, Small World. On November 1st he spoke at a public meeting, along with Maureen Tolfree, whose journalist brother was killed at Balibo, East Timor in October 1975, and Will McMahon of CAAT.

Indro met Carol Robson, Deputy Head of the South East Asia Department at the Foreign and Commonwealth Office (FCO) on November 2nd. He stressed that weapons in the hands of the Indonesian armed forces had a three dimensional impact: the physical one of inflicting injury or death, the political one of reinforcing the armed forces' position in the power structure and the psychological one of intimidating anyone who opposes the government. This was why he urged the British government to stop allowing British arms sales to Indonesia. Carol Robson said she hoped to meet Indro again when she visits Jakarta.

Indro joined a demonstration outside a British Aerospace Extraordinary General Meeting of shareholders and was interviewed by London News Radio. Inside, at the meeting,

CAAT members challenged the company's policy of selling Hawk aircraft to Indonesia.

That evening Indro travelled north to Manchester and spoke at a public meeting. From there, Indro travelled to Preston where he attended a reception in his honour at the Town Hall. He spoke briefly at this reception which was also attended by the Council Leader and her Deputy and the Leader of the Liberal Democrats on the Council.

Third World First later had Indro address them in Lancaster, along with Estevao Cabral, an East Timorese political

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