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The Indonesia Human Rights Campaign

TAPOL Bulletin No. 97

February 1990

Open defiance in East Timor and West Papua

There has been open defiance of the Indonesian forces of occupation in both West Papua and East Timor. Many hundreds demonstrated in Jayapura on 14 December, in support of the 1988 proclamation of a West Melanesian state. Several hundred were arrested. [See page 10.]

In Dili, the first act of defiance occurred when people unfurled pro-independence banners at the Pope's mass last October. Since then, young people have acted defiantly on several occasions, culminating in a successful bid to meet the US ambassador in Dili on 17 January.

Two deaths reported

At midday on Wednesday, 17 January 1990, about a hundred young people carrying banners calling for 'Peace, Justice and Independence for East Timor', 'Independence or Dead', and 'Integration No', converged on Hotel Turismo shortly after John Monjo, the US ambassador, had checked in. Details of what happened next have been made available in sworn affidavits of two Australian tourists, John Andrew McMillan, a writer from Darwin, and Jennifer Groves, a school-teacher, who were in the hotel beer garden at the time, discussing their travel plans in East Timor with a tourism official.

The demonstrators, many wearing masks, went upstairs to A-wing and occupied the balcony, chased by soldiers with rifles. The students started throwing stones at the soldiers below who threw the stones back at them. Three other students who ran into the beer garden were dragged away, kicked and punched. At this point, the two witnesses took refuge in the hotel entrance and saw dozens of soldiers and police taking up positions in the street outside. Andrew went to his room for his camera and tape-recorder.

When he returned, the ambassador and his aides were conversing with the students through megaphones. Another Australian tourist who understood Indonesian told them that the demonstrators were telling the ambassador about human rights abuses and calling for UN intervention in East Timor. They said they would be persecuted or killed for demonstrating in this way. This went on for about an hour, while Indonesian officials cooperated with the ambassador, as if free speech is a right in East Timor.

As riot police with shields and batons lined up on either side of the hotel, plainclothes men video-taped, recorded and photographed the students, and took a photo of the two eye witnesses. But they also man-

aged to photographs as well. After the talks ended, the demonstrators asked the US diplomat to secure safe passage for them. When the ambassador left by car to meet the governor at about 1.45 pm, demonstrators surged beside and behind his car for protection. But as the car drew away, the police and soldiers charged into the demonstrators, beating them

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A human mound of Timorese students surrounded by soldiers and riot police. The scene outside the Hotel Toursimo minutes after the US ambassador left. [Weekend Australian, 20-21 January, 1990]

same, except that Winning thought he saw two bodies thrown onto the truck. He said:

They were just pleading for the ambassador to do something for their cause. They knew full well that through demonstrating like this, they were going to get it in the neck from officials. When the ambassador went to leave, they were pleading with him not to. As soon as he did, the military got stuck into them with rifle butts, booting them and using batons.... I was just aghast. (Sunday Territorian, 21 January 1990.

with batons and rifle butts.

A human pile

By now they were all on the street in front of the hotel; some managed to escape while the remainder, about forty, were clubbed and beaten into a human pile against the hotel fence. Many were bleeding and in shock. Some scaled the fence, seeking refuge with five tourists and two diplomats who were sheltering at the hotel entrance, but they were chased, kicked and beaten with M-16 rifles.

As the students in the pile prayed, some crying, plainclothes officers dumped buckets of sand on pools of blood in the road. The two eye witnesses both testify to seeing a limp body thrown on a truck, with a red rag over his face. Police who climbed onto the truck kicked the body which did not respond.

At this point, as soldiers stood back, restrained by their officers who were aware that foreigners were present, an International Red Cross worker moved in. The students disentangled themselves from the pile and straggled to Bishop Belo's house, two doors away. Many were crying and streaming with blood. One student threw a blood-stained T-shirt to the on-lookers but this was grabbed by an official. By 2.10 pm, the streets were empty.

Back in the beer garden, the two witnesses were joined by two of the ambassador's entourage who had not accompanied him to the governor's office. They had seen the incident and also heard from the Australians what they had seen. Later, the tourists were told by a Catholic aid agency worker that two demonstrators had died. One was the man whose body had been thrown onto the truck; the other was a young man who died in the Red Cross building across the road from the hotel. He had stumbled in through the back door, then collapsed and reportedly died on the floor, after spitting up blood. Soldiers followed him into the building and dragged his body away.

After the incident, Jennifer hurried to her room and concealed her role of film; she had taken 37 shots. The next day they left the country, fearing trouble as they had been photographed by officials. Back in Darwin, they were interviewed by the press [Weekend Australian, 20-21 January]. On 23 January, they made sworn statements before a Commissioner of Oaths.

Two other Australian tourists, Justin Winning, a mine-worker from Pine Creek, and a freelance photographer who refused to give her name, also saw the incident and later gave their account to a Sunday newspaper in Darwin. The details are largely the

200 demonstrate the next day

Far from being cowed by army brutality, a crowd of youngsters went on the streets again the very next day to demonstrate outside the governor's office, calling for independence and declaring that they were supporters of the outlawed Fretilin resistance. [Reuter, 19 January 1990] Reuter quoted its source as saying: "Things are getting hot in Dili."

Ambassador Monjo hides the facts

The report about the 17 January demonstration in Dili was first picked up by foreign press agencies in Jakarta who quoted a US embassy spokesperson as saying Ambassador Monjo had a one-hour 'grievance session' with demonstrators in Dili and later asked the authorities not to arrest or detain any of the protesters as their demonstration was peaceful; the embassy added that, up to the ambassador's departure, there had been no arrests. Considering that embassy staff witnessed the army's violent crackdown inside and outside the hotel, the embassy's account can only be described as a deliberate distortion. It may well be that Monjo was visiting East Timor to repudiate concerns recently expressed by members of the US Congress. In this context, the demonstration to greet the US ambassador was particularly well-chosen and is bound to increase pressure on Washington.

114 Congress members concerned

Last December, a bipartisan group of 114 members of the House of Representatives wrote to Secretary of State James Baker, expressing concern at reported arrests of as many as forty people following the Pope's visit to East Timor. They expressed concern

about reports that several of those arrested were tortured to extract 'confessions'. While such reports are difficult to verify, they would fall into a well-established pattern... of mistreatment of detainees in the period immediately following arrest.

Calls for an inquiry

The Jakarta-based Institute for the Defence of Human Rights told the armed forces commander, Gen. Try Soetrisno in a letter on 24 January it had been told of 'at least three deaths' in Dili the previous week; six people who sought refuge in the Bishop's home had since been arrested. The Institute asked General Try for an explanation of the deaths and the arrests.

Opening up, a year on

On 29 December 1988, East Timor was officially opened up. Much has occurred since, not least Bishop Belo's call for a referendum and the controversial visit of the Pope. The opening up remains a thorny issue for the Indonesian authorities, sometimes working as a boomerang. There is much more reporting about East Timor in the Indonesian and foreign press, making it possible to take a closer look at conditions there.

The door slightly ajar

Some ABRI leaders, in particular General Murdani and friends, have always regarded opening up as futile and unnecessary; but Governor Carrascalao, Foreign Minister Ali Alatas and Interior Minister General Rudini convinced the President that it would be useful diplomatically, while helping to attract foreign and domestic capital to East Timor. None of these objectives appear to have been fulfilled. Indonesia's illegal presence in East Timor has been exposed to international scrutiny while capital investments have not materialised as no entrepreneurs want to invest a war-stricken region.

Opening up meant that gradually East Timor would be treated as a 'normal' province under the Interior Ministry, not a special project of the Indonesian army. But clearly, this would not happen overnight. As yet, only 8 of the 13 subdistricts are open to outsiders. Anyone staying more than 24 hours in one place must report to the authorities (in many places there are signs reminding people to report to the police or military). There are still numerous military checkpoints along the roads; between Dili and Baucau, a distance of 90 kms, 8 checkpoints were reported by *Kompas* reporters who quoted police chief, Lieut. Col. Ramli Surbakti as saying: "Sooner or later, people will get used to it".

In preparation for the Pope's visit, armed forces commander General Try Sutrisno promised visiting foreign journalists complete freedom. However, Roy Eccleston from *the Australian* wrote:

On the road we see 14 or 15 trucks filled with troops. We also notice a black jeep, which keeps us in sight all the way back to Dili. The same car is parked outside the military intelligence office the next day.

According to Louise Williams of the *Sydney Morning Herald*:

It is here (Los Palos) we meet the 'road contractors'. A bunch of overly friendly men with short haircuts. The sort of characters that shake your hand enthusiastically and hold on too long. There is no hotel, no-one comes here, and at night the road contractors are conveniently staying in the same house..... Curiously the black jeep filled with the jovial 'road contractors' is trailing behind. By nightfall, we seem to be playing chicken with the black jeep on the empty country road.

Most reports confirm human rights abuses, the huge presence of the Indonesian military and the atmosphere of fear the East Timorese have to endure. Quoting a local priest the *SMH* says: "The fear here is if you do anything you can be detained anywhere, for any time. People are very much afraid to talk. They just say they don't know, even if they know very well." An estimated 12,000 to 15,000 Indonesian troops are permanently stationed in East Timor and another 5,000 to 9,000 commandos are used to fight the gueril-



Indonesian soldier, posing with his family, outside army barracks in Taibisse, Dili. [Photo: Jan-Erik Forsberg.]

las. The military are involved in a variety of activities, from general security, social and construction work to the more specialised 'social control' of placing guards everywhere to catch those suspected of supporting the resistance.

The pervasiveness of the military is confirmed in all the reports. *Newsweek* reporter Rod Nordland wrote: "Indonesians - usually army officers in civilian guise - occupy all key government posts, even in local communities. They dominate Dili's commercial life".

Indonesia has for years applied a two-pronged strategy: fighting the guerillas and winning the hearts and minds of the people. The large number of territorial troops indicates that the hearts and minds strategy is the main objective while KOOPSKAM, the special military command for East Timor (disbanded in December, see separate item), was assigned to fight the guerillas. Colonel Prabowo's assignment in East Timor (see *TAPOL Bulletin* No 96) was to draw the two strategies closer together. Captured guerillas are not immediately killed any more, but used to spread the propaganda that Indonesians are human rights champions. The captured guerillas are (mis)used as hostages and often required to speak to foreign visitors. *The Australian* says Catholic nuns doubt whether the captives are in a position to speak the truth because of the threat of reprisals to relatives. According to the nuns,

'Here they are just instruments too. If they are ordered to kill, they have to kill.' They go with the military to fight? 'They fight also', say the nuns. Do they feel they are traitors? 'They feel they have to comply, they feel compelled to obey the orders... yes, they are threatened if they do not help.'

Opening the region to outsiders has always been a double-edged weapon; those responsible for security are the least happy. Police Lieut. Colonel Surbakti argues that opening up should be done slowly. It is not only a matter of inviting tourists and earning foreign currency; other factors should also be considered such as security, politics and culture.

The role of the church

It is interesting to see how the role of the church is described. Since Bishop Belo's call for a referendum, relations between the church on the one hand, and the military and local government, have deteriorated. East Timorese have shown that they are prepared to take risks to defend the church and its leader, Bishop Belo. *The Australian states:*

If stomachs are empty, the churches are full. 'In times of hardship, people turn to faith,' says another priest. The military realise the power of the Church. And they do not like it..... 'Maybe there are Fretilin sympathisers in the church,' says one officer. 'Maybe some priests are also sympathisers.'... In Jakarta a member of the Government goes further: 'Priests should tell the truth, but the world is full of priests not knee-deep, but neck-deep in politics. There is a small core, four or five priests of Portuguese descent who are violently political in East Timor.'

This observation is confirmed in a series of articles in Indonesia's leading daily *Kompas* which speaks of the church as the place where East Timorese find solace and protection. The role of the clergy is so influential that the government and military have to consider things very carefully. Wrong or hasty steps will cause the population to show their disagreement straight away. In other words, to approach the people, the two forces need to behave nicely towards

the clergy. Loekman Soetrisno, an Indonesian academic who has undertaken social studies in East Timor told a seminar in Yogyakarta recently that church leaders did not know how to protect the people without opposing the government.

The church's role is a difficult one. The recent calls for independence by students at the two major Catholic schools, Fatumaca in Baucau and Externato Sao Jose in Dili, have made the military even more suspicious of clergy who teach at the schools. The recent wave of arrests mostly affected pupils from the two schools. [See separate item.] The priests say they want to educate children as good Catholics while Jakarta wants good Indonesians first and good Catholics only second.

As Australian journalists note, the struggle for self-determination takes many forms and is not confined to the 14-year long guerilla war. Louise Williams writes:

The battle now is for freedom of speech and the retention of a local identity in the face of the all-pervasive security apparatus of the Indonesians and their imported Javanese ways. And behind that conflict lies the desperate need for economic development. Nowadays, that much more subtle battle is being fought largely by the local front-line campaigners for human rights - the priests and nuns of the Catholic Church.

Coffee and the economy

Coffee remains the prime commodity in East Timor accounting for about 60% of export earnings. According to Indonesian statistics, about 30% of Timorese peasants (38,788 out of 132,137 peasant families) are coffee growers, mostly concentrated in Ermera, Liquisa and Ainaro. Coffee is grown on plots and the 'provincial' revenue of Rp. 1.3 billion is almost all from the coffee tax. Thirty to 40% of all commercial vehicles are used to transport coffee.

But coffee faces many problems analysed by *Kompas*. In spite of more acreage, production is falling. In 1984, 8,600 tons (from 47,648 ha) were produced; in 1988 production fell to 6,179 tons from a larger acreage of 48,950 ha, giving an average yield of 125-130 kg per ha, compared with the pre-invasion yield of 500 kg. The main causes are the neglect of many plots due to abandonment, and the age of the coffee bushes. Many plots were abandoned when the population fled from their villages during the massive



Demonstrators in action at the end of the Pope John Paul's Mass in Taci Tolu, East Timor, 12 October 1989.

Indonesian invasion from 1975 to 1979. Gradually some returned to tend their plots but years of neglect have taken their toll.

The Indonesian administration has tried to boost production through rejuvenation and rehabilitation, promoting modern agricultural methods, the use of pesticides, insecticides and chemical fertilisers, but local growers are not interested. One grower said: 'Too much fertiliser will ruin the aroma of the coffee'. The project has apparently failed because of lack of planning and the failure to convince the Timorese who regard all Indonesian schemes with suspicion.

The coffee trade is even worse. Governor Carrascalao has issued 3 decrees in six months. As part of the Carrascalao family, owner of the biggest coffee plantations, he is keen to improve the coffee trade. While coffee growers in Indonesia are more or less assured a stable price, Timorese growers are at the mercy of the buyers, often plainclothes military or from PT Denok, the military-owned monopoly trading company. Although ten companies are registered as coffee buyers, only PT Denok actually functions. While the coffee price in Indonesia rose to Rp 4,000, the price in East Timor was held down to Rp 1,000. *Kompas* compares the situation with the monopoly position of the Portuguese in pre-1975 days.

Carrascalao has struggled hard to rid East Timor of its special status which meant that East Timor was run by the army. He tried to break the Denok monopoly by boosting (government-led) village cooperative units (KUD) which were given powers to buy coffee from the peasants at fixed prices, bypassing the roving 'traders'. But the KUDs gave their licences to the traders who continue to buy direct from the growers. In June 1989, the set KUD prices were Rp 2,300 a kilo for A quality and Rp 1,900 for B quality. The traders blame low quality and low world market prices. Instead of helping the peasants, the KUDs charge them a Rp 50 tax for every kilo of coffee sold to the traders. *Kompas* said that up to September, KUDs have raked in Rp 750 million in tax but no one knows where the money has gone.

Carrascalao's second decree in August 1988 established a team to fix the price of coffee but the prices were ignored by Denok traders. In October, Carrascalao withdrew both decrees and opened the trade to market forces, hoping to break the Denok monopoly by inviting anybody wanting to buy coffee to come to East Timor. Whether it will work is doubtful but the Carrascalao family interests have been jeopardised for too long.

Land conversion

Another problem is land ownership. Unless this is solved, new investors will not be interested. The Indonesian Constitution says that all natural resources 'belong to the people'. This is often (mis)used to confiscate or expropriate land for the state. The government wants to apply Indonesian laws (including the Basic Agrarian Law) in East Timor. As a former Portuguese colony, the 1961 Portuguese Agrarian Law is still regarded by East Timorese as valid. Jakarta decided not to add to international opprobrium by confiscating all the land and decided to move step by step. Since 1982, land ownership has been registered under Portuguese Law no 2001/1944. About 800 certificates have been issued as *alvara* (permanent), *alvara de concessao provisoria* (provisional) or *alvara indigena* (traditional) land rights.

Another complication is the uprooting of virtually the entire population, leaving huge tracts of land empty and untended. The chief of the National Land Board (BPN) for East Timor argues that land is the only possession the East Timorese have got left since their livestock and houses were destroyed. To obtain

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Military resort command 164, the territorial command in East Timor.

capital in order to trade, Timorese need proof of their land rights. The BPN is a new body, directly responsible to President Suharto, with the daunting task of handling explosive land issues all over the archipelago. On several occasions, East Timorese have demanded clarity about their land rights. Some East Timorese have openly asked for the Portuguese law to remain in force but officials from Jakarta insist that sooner or later, Indonesian laws must be enforced. According to the 1960 Agrarian Law, the right of conversion into different categories of land or land usage is regulated by Dutch law, further complicating procedures of converting land entitlement.

The land issue in East Timor is complex. *Kompas* gives the example of Aileu sub-district. Since 1975, the population has fallen by half, from 40,000 to 20,000. Thousands of hectares of agricultural land have been abandoned due to the war. Many East Timorese refugees abroad own land and have transferred it to relatives in Timor. According to a Laksusda regulation (Laksusda was the territorial command for the security body, Kopkamtib, dissolved in 1988), it is not possible to transfer land rights without Laksusda approval. Land previously owned by the Portuguese administration has become property of the local government and land owned by the Portuguese army has gone to the armed forces. It is not clear whether the dissolution of Kopkamtib (replaced by Bakorstanasda) means that this regulation is now invalid. But the BPN has yet to begin the work of defining the status of the different land certificates, in particular indigenous land rights which are mostly unsupported by documents. Since 1981 the administration has issued many certificates to people for land ownership or use, based on Portuguese documents, or to people without documents, land titles and redistribution documents. When Portuguese laws are eventually replaced by Indonesian laws, it is doubtful whether these certificates will still be valid, so the uncertainty will drag on.

According to Loekman Soetrisno, the process of land alienation is already under way. "Traders from outside," he said, "have already been able to buy up people's land, leading to the fear that sooner or later, all land in East Timor will be in the hands of non-Timorese Indonesians."

Indonesianisation

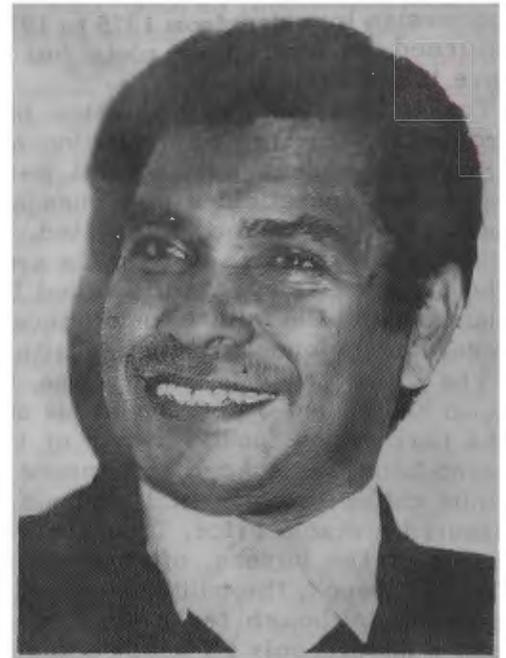
Indonesianisation is very evident in Dili. From a

sleepy provincial town of 30,000, Dili has grown to 100,000 inhabitants and is often compared with Yogyakarta, the bustling centre of Javanese culture. Many civil servants originate from Yogya, many senior civil servants are Gadjah Mada graduates, the university of Yogya and the newly-established Universitas Timtim is virtually a branch of Gadjah Mada University. Even the pace in Dili has become Yogyakarta, with a long siesta in the afternoon, though the Timorese, including Governor Carrascalao, prefer to skip the afternoon nap. The 'advancements' of Indonesian rule have brought little benefit for the Timorese. The shops, the supermarkets and high positions in local government are all in the hands of Indonesians. The supermarkets are mostly filled with Indonesian customers, civilians and military, as the average Timorese cannot afford to shop there. *Kompas* noted that only some street hawkers like cigarette sellers, shop employees and taxi drivers are indigenous Timorese. Governor Carrascalao is acutely aware of the domination of the Indonesians, in particular the Javanese, and is fighting like Don Quixote to introduce more East Timorese into the provincial administration.

Integrasi

The Bishop's call for a referendum did not fall from the sky. Timorese resentment towards Indonesian colonialism persists; open protest against integration has spread. In the late 1970s, the Indonesian authorities, realising the difficulties they had with the older generation, decided to bet on the young. With Indonesian education, it was argued, the younger generation would become true Indonesians. Ten years on, the younger generation who have grown up under Indonesian occupation are as defiant as ever. The voice of protest is growing and Governor Carrascalao's option to operate within the Indonesian system while retaining the Timorese identity, culture and identity, is fast losing ground. In November, Carrascalao travelled to villages in the south to convince people that the option of a referendum is closed. He called for unity among the Timorese and pleaded with those still fighting in the mountains to come down and unite with the rest of the people.

The Indonesian-appointed governor is fast losing influence; since his efforts to fight the army's coffee monopoly, he has made new enemies in the army. The recently appointed vice-governor, Colonel Saridjo, wields a lot of influence among fellow Javanese civil servants. Although Carrascalao often protects East Timorese from persecution, he has disappointed his



Bishop Belo

countrymen by rejecting the bishop's call for a referendum. More than ever, the governor confronts the fact that pre-1975 Timorese political and social structures still predominate. The Timorese reject Indonesian values; everything from Indonesia is second rate, argues the average Timorese. Efforts to attract foreign and Indonesian private capital have so far been futile. Land conversion, which is essential to attract capital, is still far from realised. The governor complains: "It's all just a lot of talk. Whenever I meet (potential investors), they say they are interested. But it's just lip service". ★

Sources: 'Resisting the stifling cloak of Indonesian rule', by Louise Williams, *Sydney Morning Herald*, 21 October 1989; 'The slow taming of Timor' by Roy Eccleston, *The Australian*, 21 October 1989; 'Catatan dari Timtim' (Report from East Timor), six articles by St. Sularto and Damyan Godho in *Kompas*, 29 November - 4 December 1989; 'Visiting a forgotten war' by Rod Nordland, *Newsweek*, 23 October 1989; 'Investor, baru asal omong' (Investors, just talk) by Ibrahim G. Zakir, *Editor* 9 December 1989; *Suara Pembaruan*, 9 and 23 November 1989. *Jakarta Post*, 6 January 1990; *Kompas*, 5 January 1990.

Clampdown follows the Pope's visit

New forms of struggle are emerging in Dili. Young people have come onto the streets to defend Bishop Belo, who has given sanctuary to people fearing arrest. Youngsters have defended themselves against troops with nothing more than stones. In Jakarta, people speak about 'Timor's intifada', not just because of the forms of struggle but also because, like the Israeli army, Indonesian troops use extreme violence against unarmed resistance in the cities.

Many arrests occurred in the wake of Pope John Paul's visit to East Timor on 12 October last year. Army intelligence alleges that the demonstration during the Pope's mass was organised by Catholic priests and the demonstrators were all from Catholic schools, in particular, Sao Jose in Dili and Fatumaca in Baucau. Several Indonesian publications have

accused Father Locatelli, an Italian priest at Fatumaca, of being the prime mover. Hence, the schools have been under severe pressure, while Bishop Belo's home has now become a sanctuary for many fearing arrest.

Immediately after the visit, about forty people were detained; others fled to the Bishop's residence. At one time there were 28 people taking sanctuary.

Anti-Belo demonstration

On 4 November, an anti-Belo demonstration organised by the pro-Indonesian Apodeti with the support of senior army officers, took place outside the Bishop's home. They demanded that Belo and four other priests leave the country, and demanded the surrender of people taking refuge in his house. Another crowd gathered, taking the Bishop's side. When troops intervened, the latter crowd started throwing stones at the soldiers' vehicles. According to one report, some students inside the Bishop's house were taken away by troops during the turmoil. When the crowds dispersed, troops chased the pro-Belo demonstrators.

The next day, several students who had allegedly taken part in the demonstration at the Pope's mass were arrested and taken to Wisma Senopati II. Two of the detainees are known to be students at Sao Jose school in Dili. Both were tortured with electric-shock treatment and beaten. Meanwhile, two teachers and two students from the school had gone into hiding, while another four Sao Jose students were being held at another detention centre.

Catholic school attacked

Shortly after this incident, all the 28 people in sanctuary with the Bishop had left his house though whether by force or voluntarily is not clear. According to a message from Bishop Belo in December, at least eight of them were immediately arrested.

Frustrated by their failure to find the four people in hiding, the army launched an attack on Sao Jose school on 15 November. The school was surrounded by troops from Kodim, the district military command, reinforced by a military police platoon and four platoons from Battalion 744, composed of Timorese troops. A clash ensued, with students hurling stones at the soldiers who advanced on the building with their bayonets at the ready. Some students fled as troops started firing M16s. On hearing of this attack, Bishop Belo rushed to the scene and was able to rescue one student who had been taken into custody by the soldiers and took him to his residence.

The troops forced their way into the school and searched the building. A student found hiding in the toilets was beaten and fainted from the blows.

Following this armed attack, more people fled to the Bishop's house. The number of people seeking refuge this time reached thirty. In an interview with the Portuguese weekly, *Expresso* [6 January 1990], Bishop Belo said that they had all left his home.

Many names of detainees have now become available. According to one reliable source, twenty people were in detention in mid-December. Another source reports that eight detainees are due to be tried in January. However, outside observers are unlikely to know the exact number in custody as they are not being held in the two Dili prisons where convicted prisoners are held, but in several buildings and private houses. These include the headquarters of Kopassus, the para-commandos, and of the district military command, Kodim, the premises of a business with close military connections and the homes of several Apodeti members.



One of the many security check points that still exist along the roads in East Timor. [Photo: Jan-Erik Forsberg]

Timor's intifada

The day after Sao Jose school was attacked, a group of Timorese students managed to halt an army vehicle on the road between the Santa Cruz cemetery and Balide school in Dili. The vehicle was damaged and the officers were wounded. In retaliation, a company of troops pursued the students, killing one and seriously injuring another. Many others were arrested and taken to military bases.

There is also a report from Fretilin, Darwin that students raided an Indonesian party at *Balai Prajurit* (Soldier's Mess) on Christmas Eve, injuring several Indonesians and causing extensive damage to the building and to cars parked outside. In retaliation, Indonesian troops raided a Christmas party attended by hundreds of East Timorese students in Den Pasar, Bali; three students were seriously injured. During this raid, troops used their firearms and accidentally killed one of their own men. ★

The D-envelope, a trap for communist suspects

Job applicants in Indonesia may have their applications turned down because of information about themselves compiled in a secret 'D-envelope' indicating an 'unclean environment', meaning that they have politically undesirable family connections with alleged former communists. But because the contents of the

D-envelope are strictly secret, the person in question is not likely to know what it is that stands in the way of a job.

Data kept in the 'D-envelope' is stored in an individual's Folder A and consists of data gathered from

Continued on back page.

Changes in army structure

On 6 December 1989, the army command structure in East Timor was re-organised. The special operational command known as Koopskam Timtim (*Komando Operasi Keamanan Timor Timur*) was disbanded and the army command in the territory, known as Korem, was placed under the IXth divisional command based in Den Pasar, Dili. The changeover has been promised for many months. The existence of Koopskam, set up in 1983 under the direct command of army headquarters in Jakarta, meant that there was a special line of command to cope with the security situation and the continuing level of military operations. Emphasising the importance the army attaches to stamping out armed resistance in East Timor, the leadership of Koopskam was for years held by the commander of the 1st infantry battalion of *Kostrad*, the army's strategic command. Koopskam commander, Brigadier-General Mulyadi, has moved out and Colonel Bimo, the widely-feared head of intelligence, has been replaced.

It appears however that the army has retained a special structure in East Timor, replacing Koopskam. Governor Carrascalao was quoted as saying, at a Christmas gathering in Dili attended by armed forces

command-in-chief General Try Soetrisno, that on 6 December, General Soetrisno transferred the powers held by the commander of Koopskam to the commander of a new body called *Kolakskop Timtim*. [*Merdeka*, 28 December 1989] We have not yet been able to decipher this new acronym, nor have we spotted any reference to the officer holding this new post. Carrascalao also said that whereas until now ABRI's duties in East Timor had been focused on 'security operations', its approach would switch to 'territorial guidance'. [*Suara Merdeka*, 28 December 1989]

After more than a year of hard-hitting military operations and growing criticism, especially from foreign journalists who have been struck by the huge military presence in East Timor, some officials now believe that a 'hearts and minds' policy is called for. One source has claimed that Carrascalao recently threatened to resign if Colonel Prabowo whose 328 battalion is blamed for many of the worst atrocities since the end of 1988, is not withdrawn from East Timor. But events in Dili during January belie such pretensions. ★

EEC Governments voice concern

Some western embassies are known to be monitoring the human rights situation in East Timor. In a statement on behalf of the 12 members of the European Community, at the UN General Assembly Third Committee on Social, Humanitarian and Cultural Affairs on 20 November, the French delegate said:

The Twelve remain pre-occupied by information about human rights violations in East Timor. They have taken note that the territory has been opened up to a degree to the outside world since January 1989, in line with the concerns they expressed in face of the absence of significant progress in the territory. They hope that the opening up also means that non-governmental organisations, including human rights organisations, may soon be permitted to visit the territory. They again repeat the hope that there will be an end to the reported abuses.

It is clear that the East Timorese are now undertaking high-risk actions on the streets of Dili, forcing the western powers to take seriously the repression to which the people have been subjected ever since East Timor was occupied by Indonesian troops. ★

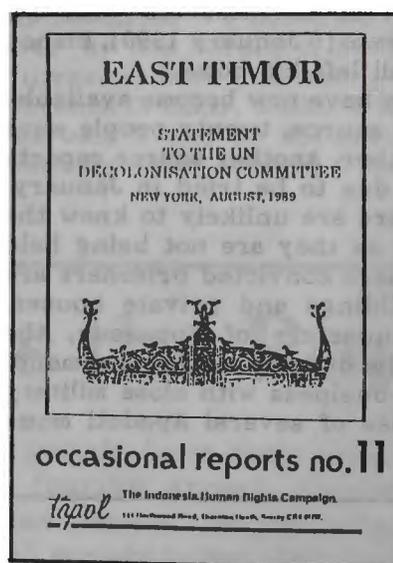
Army Helicopter shot down

Fretlin in Lisbon has claimed that the guerrilla resistance shot down an army helicopter near Venilale, south of Baucau, the chief military base, on 4 January. The Fretlin statement said there had been fighting in the regions of Bercoli and Baucau on 3 January the day before the helicopter was hit. They claimed that nine Indonesian soldiers had been killed.

Quite independently, news was received from a protected source in Jakarta that a helicopter had crashed on 10 January in the region of Baucau killing twelve officers, four lieutenant-colonels and eight

majors, and suggesting that the aircraft may have been shot down by guerrillas. Allowing for the fact that news leaked from the army in Jakarta may have passed through many hands, it is difficult not to conclude that these two reports are about one and the same incident. The loss of so many officers caused panic in army circles at a time when attempts were being made to improve the army's image.

This source also put the death-toll during the 17 January incident at three, with twenty people injured. ★



Price £0.50 a copy including postage

Occasional Reports no. 11 contains Tapol's submission to the 1989 meeting of the UN Decolonisation Committee and focusses on the militarised structure of the Indonesian administration in East Timor and the truth about the 'opening up' of East Timor

The 14 December 1988 proclamation

The proclamation on 14 December 1988 of a West Melanesian state by Thomas Wainggai at the Mandala Stadium in Jayapura has won support throughout West Papua. This is evident from demonstrations held in West Papua to mark the first anniversary of the proclamation.

Documents from Dr Wainggai's trial in Jayapura make it possible to report in greater detail the intentions and beliefs of Dr Wainggai and his colleagues.

Although the documents refer on several occasions to the activities of the OPM or Free Papua Movement, Dr Wainggai's proclamation represents a departure from the programme and traditions of the OPM. The use of the name, West Melanesia is one indication; another is that the flag raised by the demonstrators on 14 December 1988 was not the Morning Star which has been used by the OPM and by numerous flag-raisers in West Papua since the 1970s. It was a revised version of the Stars and Stripes designed in 1961 for the independent West Papuan state being promoted when the country was still under Dutch control. Dr Wainggai's flag consists of three stripes and a cross.

The addition of the cross emphasises the strong religious overtones of Wainggai's movement. All his documents quote extensively from the Bible and he argues that, by annexing his country, the Indonesians violated the Ten Commandments, in particular, the eighth and tenth commandments. In one document, he lists 370 people, including several dozen Christian ministers, who prayed and fasted to ask God's blessing for the proclamation. The list is headed by several US churchmen and their wives, including Rev. Oral Roberts, a leading television evangelist and his wife. Wainggai claims that many received visions confirming God's support.

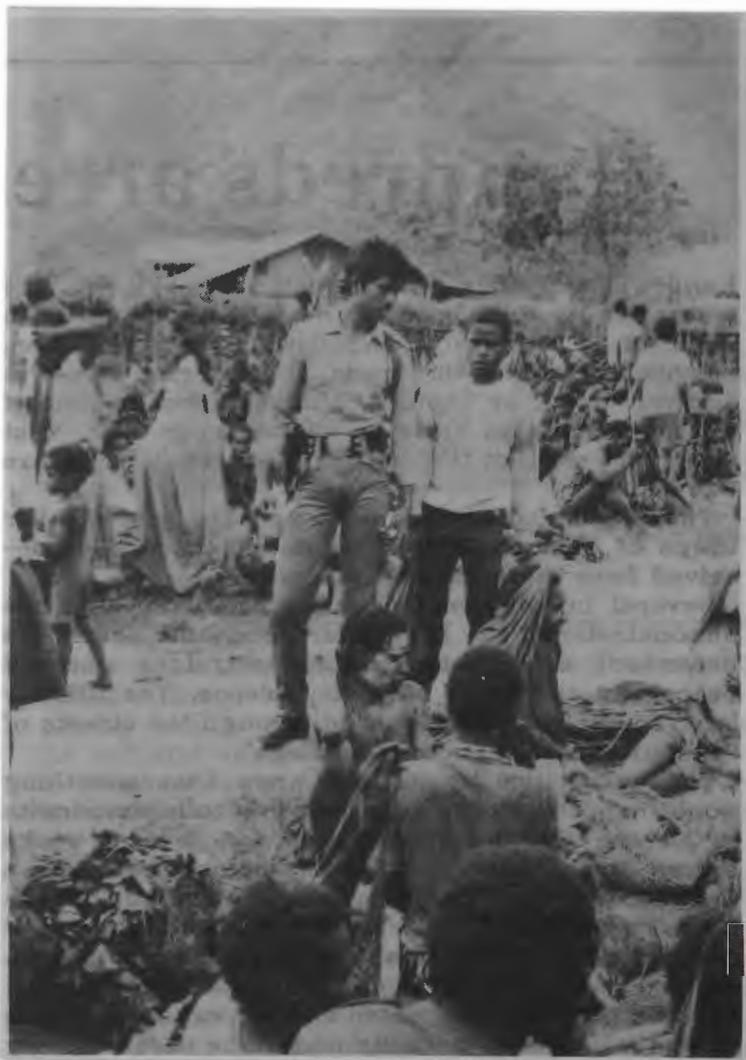
Appeal to the UN Secretary General

On 14 November 1988, a month before the proclamation, Wainggai wrote to the UN Secretary-General notifying him that the proclamation would take place. He asked the secretary-general,

1. to send a UN security-keeping force to West Melanesia prior to the proclamation,
2. to ask the Indonesian Government to withdraw all its military forces before that date, and
3. to ask the Indonesian Government to repatriate all Indonesians residing or working in West Melanesia prior to that date.

He said that the country has enough educated and skilled personnel to run a government efficiently and effectively; any shortages could be filled by recruiting people from overseas. Economically, the country is rich in natural resources. A state constitution has been drafted, a national anthem composed, a state emblem and a national flag designed, and a state motto, "The Lord is Our Shepherd", adopted. A comprehensive development plan has been drafted for each province and village. All these products are the work of Dr Wainggai himself, he told the UN secretary general.

Copies of the letter to the UN were sent to 15 governments, including the governments of five West European countries, all the Scandinavian countries, the US, Japan, Australia, New Zealand and Israel.



An Indonesian policeman at a Papuan market-place in Yiwika in the Baliem Valley. [Photo: Anders Uhlin]

Historical justifications

In a statement to the court on 29 May 1989, Dr Wainggai likened his people's right to independence to that of the Indonesian people who won their independence from the Dutch. He condemned the 1969 'act of free choice' as a violation of international law and pointed out that the 1962 New York agreement between Holland and Indonesia stipulated that all adults should vote in the plebiscite.

Up to this point, his analysis is based on historical fact, but he also refers to events about which he has clearly been mis-informed. He speaks of an (unheard-of) agreement between Indonesia and Holland in Rome in 1962 for the transfer of West Melanesia from Indonesia to the people of West Melanesia after 25 years of Indonesian rule (1963-1988). Hence, his proclamation was, he claims, in accord with what

Indonesia has already consented to. He claims that the UN General Assembly adopted a resolution at its 1988 session supporting independence for West Melanesia by 116 votes to 36, with 18 abstentions. He even claims that President Suharto told Barnabas Suebu, governor of Irian Jaya, some time in May or June 1988 that 'from October 1988, Irian Jaya will sail the 7 seas' which he interpreted as meaning that Indonesia 'approves of independence for West Melanesia'. He also refers to a message from Holland on 25 May 1989 to the effect that a ship will arrive from there bringing home West Melanesian political refugees.

Dr Wainggai seems to have been the victim of misinformation on a colossal scale and seriously believes

that salvation for the people of West Papua will come from outside, primarily from the UN whose record on West Papua is one of gross betrayal; he himself recognises this as he condemns the UN's decisions in 1962 and 1969 which violated the UN Charter and the 1960 UN Declaration on the Granting of Independence to Colonial Countries and Peoples.

There is no suggestion in any of Dr Wainggai's statements that he sees his action as part of the OPM struggle; his intention is, rather, to arouse support throughout West Papua for his own proclamation and to mobilise popular protest in the cities and towns. However shaky the historical justifications for his proclamation, his move has created a new confidence among West Papuans and more open opposition to Indonesian rule. ★

Hundreds arrested in Jayapura

Hundreds of people were arrested in Jayapura, the capital of West Papua (known in Indonesia as Irian Jaya), on 14 December 1989, following a demonstration, attended by many hundreds, to celebrate the first anniversary of Dr Thomas Wainggai's proclamation of a West Melanesian state on 14 December 1988. Most reports agree that the number of arrests in Jayapura was 400.

There are also reports of demonstrations in other towns of West Papua but no details have been received from these isolated places.

Several international news agencies reported the demonstrations; the *Far Eastern Economic Review* [28 December] said that "the demonstrators marched peacefully and there was no violence. The military later countered with a parade through the streets of Jayapura, waving Indonesian flags".

The authorities apparently knew that something would happen as they were refusing to issue permits to anyone to visit West Papua for several weeks before 14 December. Two months before the event, a Swedish tourist visiting Jayapura heard of the preparations being made, involving "about a thousand people". The information was passed on to TAPOL early in November. This suggests that the Wainggai network is widely supported and can organise events of this magnitude, virtually under the noses of army intelligence.

The Indonesian press has reported nothing about the demonstration or the arrests, except for a denial from armed forces spokesperson, Brigadier-General Nurhadi Purwosaputro that anyone had been detained. [*Jakarta Post*, 22 December]

Papuans seek asylum at PNG Consulate

Following the demonstration, a number of West Papuans, fearing arrest, sought asylum at the Consulate of Papua New Guinea in Jayapura. This consulate was opened only a few months ago.

Reports about the number of asylum-seekers vary. According to the *FEER* [11 January 1990], twenty persons initially sought refuge, including a Cendrawasih University political science lecturer and a local government official; no names were given. TAPOL was later able to confirm, just before the New Year, that four West Papuans were still taking refuge at the consulate and was told subsequently that all four had left the building.

Our sources indicated that two of the four, Manbra-

ku and Jacob Baransano had left the consulate and returned to the university. Later we heard that another two, Ismael (Melki) Rumbiak and Martin Kambu, apparently the last two to leave, were later escorted across the border to Vanimo. We are still checking these reports.

There were also reports that the PNG government, at the request of the Indonesian authorities, had suspended all traditional border-crossings, in an attempt to prevent people from seeking asylum in Papua New Guinea. Traditional border-crossings take place to allow tribal peoples whose homelands straddle the border to visit kinsfolk on the other side. ★

West Papua: The Obliteration of a People

The first two editions of this book appeared in 1983 and 1984. This third edition, published in response to continuing demand, has been substantially revised and updated, with new data on military operations, an appendix on the murder of the well-known West Papuan anthropologist, Arnold Ap, and recent information about the exploitation of West Papua's natural resources.

Published by Tapol, the Indonesia Human Rights Campaign. 160pp.

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Impressions of West Papua and East Timor

A Swedish tourist, Anders Uhlin, has written the following account of a visit to West Papua and East Timor from May to November last year:

Last year, I spent six months in Indonesia and its colonies, West Papua and East Timor. After a course in Bahasa Indonesia in Malang and a month in Java, Bali and Lombok, I went to West Papua in October as a tourist. After a lot of bureaucratic hassles, I obtained a permit at police headquarters in Jakarta. (Afterwards I learnt that it would have been easier to get the permit in Jayapura.)

Although I knew about the situation in the country and have been active in FFP, (Swedish Free Papua Movement), I had no intention of seeking contact with the resistance, so I was very surprised when several young people from the resistance, independently of each other, made contact with me.

To be honest, I had expected to find West Papua a more or less integrated part of Indonesia where most people accept Indonesian rule though they don't like it. But my fears were wrong. I met several people who were actively working in the resistance, spoke to dozens of OPM sympathisers and was told by almost every Papuan I met: "We are not Indonesians. We are Melanesians. Indonesia is occupying our country."

Aversion

The aversion to the Indonesians, or more precisely, to the Javanese, is easy to understand. It must be obvious to all visitors to the country that West Papua is a colony. The authorities and the administration are totally dominated by the Javanese. All shop-keepers are Chinese or Indonesian. I didn't even see a single Papuan minibus-driver. The military is always present. Travelling on a bus from Sentani to Genyem, west of Jayapura, I witnessed how all the passengers had to show their identity cards at a military post.

One member of the resistance whom I met was Alex (not his real name). We met at my hotel, in restaurants or in the street. We had to be careful because the Indonesians have spies everywhere. I also visited his home in Hamadi. He told me about the demonstration on 14 December 1988, and the trials of Dr Thomas Wainggai and his friends. He could now visit a relative of his (one of those arrested after 14 December 1988) in prison once a week. They were afraid Thomas Wainggai would be moved to Java or be killed. Alex told me they were planning another demonstration on 14 December 1989. The West Melanesian flag would be raised and an independent West Melanesia proclaimed. (They prefer to speak about West Melanesia rather than West Papua.) About a thousand people, mostly youths, were involved. They had already prepared banners and held money in a secret bank account. According to Alex, there would be demonstrations not only in Jayapura but all over West Papua and in PNG as well. A few people from the Swiss and German red cross would be in Jayapura at the time to ensure that they got international attention. They were also telling tourists about their plans in the hope of getting journalists to West Papua.

I have heard nothing about what really happened on 14 December. I've had no news from my friends who



Neighbourhood security set up in a traditional Papuan setting.

[Photo: Anders Uhlin.]

tell me it isn't safe to send letters as the Indonesians will open them.

I also went to the Baliem Valley where I witnessed the cultural oppression and racial discrimination in and around Wamena. I also had the opportunity to get to know some of the proud and friendly Dani people.

East Timor

I took an unusual route to East Timor. After making my way from West Papua through the Moluccas, I arrived in the small island of Kisar, north-east of Timor. You can see Timor from Kisar so I asked people if it was possible to go from Kisar to the eastern part of East Timor but was told that it was forbidden; the only way was to go to Dili, some 20 hours by boat.

I got a permit from the local authorities, the police and the military to travel and went there together with about 30 local people going to market in Dili to sell goats, pigs, hens, vegetables, etc. All the passengers had the same permits as me; the captain collected them all, together with their identity-cards. At the police office in Dili, I asked for a permit to travel east to Baucau and Los Palos, but was told I couldn't go because of "lack of tourist facilities".

I stayed with a clergyman avoiding the security agents at the hotels. I couldn't avoid being following by a man from 'public relations' (*hubungan masyarakat*) when I went to Ermera. Even when I was alone, in Dili or on the day I went to Aileu, I felt that people were afraid of speaking to me.



Human Rights Briefs

LBH calls for abolition of capital punishment

The Indonesian Foundation of Legal Aid Institutes (YLBHI) has made a renewed call for the abolition of capital punishment in Indonesia. In a press conference on Human Rights Day, 10 December 1989, the director, Abdul Hakim G. Nusantara said the Foundation had first raised this demand ten years ago but the government had still not reacted.

He said that 15 people were under sentence of death, awaiting execution in Indonesia; most had been in prison since the late 1960s. "Their ages range from 59 to 74. One is a former member of parliament, another a former member of the Supreme Advisory Council. Others are either former members of the elite presidential guard, *Cakrabirawa*, or former functionaries of the now-banned Indonesian communist party or labour unions." Hakim also said that two of the fifteen may already have been executed. "We are awaiting confirmation from the authorities."

Hakim announced that the Foundation will hold a public discussion on the death penalty. [*Indonesian Observer*, 11 December 1989]

The Foundation also called on the Indonesian Government to ratify the Universal Declaration on Human Rights, adopted by the UN in 1948. ☆

Head teacher removed for writing to the press

A head teacher has been told to resign because he wrote to the press urging that twelve teachers at his school be upgraded. M.S. Klaas, head teacher of a primary school in Kupang, said in Jakarta that he had received an instruction from the chief of the district education office to resign as head teacher for doing something 'unworthy'. The instruction said that the governor of Nusa Tenggara Timor was 'furious' with Klaas for writing to the press.

He was accused of breaching a 1980 government decision that civil servants must 'uphold the good name of the state and government'. Two earlier letters to the press were passed on to the Administration Agency for Civil Servants, he said, adding that if it was true he had breached the 1980 decision, he would not only resign his headship but would also resign from the civil service. [*Suara Karya*, 15 December 1989] ☆

Headscarf wearing is political?

A 1982 directive from the Department of Education calls attempts by Muslim women to wear headscarves (*jilbab*) a political, not a religious act which therefore called for 'special vigilance'. This came to light in a report about young schoolgirls in different parts of the country who have been sent home from school for refusing to take off their headscarves because they are considered inappropriate for girls wearing school uniform.

Almost every year, the 'headscarves issue' at school re-emerges. This year there is an added problem in East Java where Muslim women have refused to comply with a request that they remove their headscarves when being photographed for identity cards. In one sub-district, the women were summoned by the sub-district military command and questioned over the affair. The local official threatened not to issue identity cards if they failed to comply with instructions. Many women from two villages have asked the Surabaya-based Legal Aid Institute to handle the case



Women in headscarves. A dangerous political movement?

for them. [*Tempo*, 9 December 1989]

Schoolgirls who refuse to take off their headscarves at school in Cirebon, West Java, have been threatened with expulsion. One head teacher, elaborating on the accusation that the headscarf movement was 'political', said: "They make themselves exclusive. They refuse to answer questions, just like ex-members of the PKI. When I ask them who their teacher is and whether their religious teachers gave them money, they refused to reply." [*Tempo*, 13 January 1990] ☆

Another book banned

A book entitled *Peristiwa Lampung dan Gerakan Sempalan Islam* [The Lampung Incident and Islamic Splinter Movements] has been banned by the Attorney-General. The book is a compilation of press reports by writer and compiler, P. Bambang Siswoyo. This is not the first time Siswoyo's compilations have been banned. At least five other books of his have been outlawed. This latest compilation came out in April last year and was circulating in bookshops for six months before the Attorney-General took action.

Siswoyo said he had 'zero' interest in politics but had simply been trying to fill a niche in the market. He told *Jawa Pos* that this latest ban would not diminish his spirit for compiling books.

Indonesia News Service comments that the ban may stem from the book's extensive discussion of land issues in Lampung as the background to the incident. [*INS*, No 227, December 13 1989] All government-inspired reportage about the incident and the Lampung trials now in progress make no mention of these crucially-important land issues. ☆

Newspaper banned from reporting justice affairs

Since October 1989, the Jakarta daily *Harian Terbit* has been banned from reporting anything connected with the Department of Justice because of a series of articles criticising the chairman of the Subang district court early in the year. The articles mentioned the chairman, M Djazuli, in connection with a bribe paid during a case under consideration by the court. The ban issued by the Minister of Justice, Ismael Saleh, specifies that no departmental officials at the centre or in the regions are authorised to give statements or information to the newspaper. This means that *Harian Terbit* is denied access to lawcourts as well.

Djazuli is in the process of suing the newspaper for Rp 750 million; his own court is hearing the case before a panel of judges all of whom are his subordinates.

Earlier in the year, a similar ban was imposed on the same newspaper for publishing a cartoon depicting the sorry plight of prisoners. [*Tempo*, 6 January 1990]

Journalist on trial

A journalist, Wahid, from the Jakarta daily, *Berita Buana*, is on trial for allegedly publishing incorrect information about pig-fat in October 1988. The report headed 'Many manufactured foodstuffs contain pig fat', listed 63 products said to be made with pig fat.

The reports, which appeared in a number of newspapers, caused a nationwide panic against buying many products. It took weeks before the authorities could convince the public that the reports were exaggerated, revealing how little faith people have in what officials say. Although press reports were based on a study by a scientist, Dr Tri Susanto, the government turned on the press, blaming it for causing public unrest. President Suharto ordered the Attorney-General to get to the bottom of the affair while Admiral Sudomo, Minister-Coordinator for Political and Security Affairs, blamed three newspapers for being the first to publish the results of the survey.

Now, one journalist has been singled out and is on trial. The indictment states that although Dr Tri had listed only 34 products, the *Berita Buana* list included

63 products. Wahid is accused of adding 29 products although he insists that he received the list he published from an official of the Department for Religious Affairs. Wahid is also accused of failing to check the report, of 'deliberately' giving the item to a compositor for publication, and of failing to consult the chief editor and managing-director of his paper. His lawyer argued that, at most, Wahid was an accessory; the person responsible was Dr Tri. Moreover, when the report appeared, no-one wrote in to correct it, nor did anyone complain to the journalists' association, the PWI. [*Editor*, 25 November 1989]



General Edi's new approach

Dramatic changes in many parts of the world have not pass unnoticed among the military in Jakarta. In particular the fall of Nicolai Ceausescu, the absolute ruler of Romania, was a heated topic of discussion. Comparisons between the two dictators, Ceausescu and Suharto - who both came to power in 1965 - were drawn, privately of course. As was to be expected, the army leadership has made some shifts in policy, reflected in some rather striking statements by army chief-of-staff, General Edi Sudradjat.

Territorial guidance

Last December, an important gathering was held in Magelang, seat of the Military Academy (AMN). All territorial middle- and high-ranking officers gathered to discuss plans, attitudes and strategies. Six days were spent discussing the territorial work and guidance of the army. The Indonesian army structure mirrors the civil administration, with parallel commands from top to bottom, down to the village level.

The early army commanders, Nasution and Simatupang, conscious of the fragile unity of the Indonesian nation, placed emphasis on the territorial structure. The focus on the territorial management of the country became so strong that in the fifties, the territorial commanders, among them Suharto, were virtual warlords. The defeat of the PRRI/Permesta rebellion (led by territorial commanders like Lt.Colonel Ahmad Hussein and Lt.Colonel Ventje Sumual) by Jakarta-led troops created a new situation. From then on, alongside the new, centralised power of President Sukarno (under Guided Democracy), the army structure steadily became more centralised. During the sixties, there was a balance between the territorial structure and the army as strike-force, the latter becoming increasingly important with the two milita-



ry campaigns, the West Irian campaign and the Malaysia confrontation, both led by General Suharto. This was later reinforced by the East Timor invasion in 1975 and the continuing operations against the liberation movement in West Papua.

In 1983 when General Benny Murdani took over as commander-in-chief of the armed forces (ABRI), the balance shifted towards the strike-force feature. Being a paracommando himself (without any territorial experience) Murdani was assigned to trim down the armed forces, which in practice meant slimming down

the territorial structure. Of the 16 military commands, 10 now remain while the strike force capacity was strongly boosted by the establishment of two rapid-deployment divisions ready to strike at anytime, anywhere in the republic. Murdani's predecessor, General Mohammad Yusuf (commander-in-chief from 1978-1983) was a typical territorial soldier and during his tenure, the *Undang-Undang Pertahanan* (Basic Defence Law) was enacted. This reinforced the territorial structure as the basis of the country's defence. But Murdani gave his policy a different thrust, strongly favouring the strike-force commandos.

Leadership style must change

Now, the pendulum has swung back again; the present leadership emphasises the territorial structure. General Edi Sudradjat, the present army chief-of-staff, has both paracommando and territorial experience and is trying to restore the balance by reinforcing the territorial structure. At the end of the six-day seminar, the four-star general made some remarks that immediately caught the headlines. Sudradjat, the first AMN graduate to reach the position of chief-of-staff, declared: "An authoritarian leadership style can no longer work". He said that dramatic changes are taking place, not only in Indonesia but globally. The trend towards globalisation has reached Indonesia and the impact of the information era is being felt. He took the rapid changes in Eastern Europe as an example and said he had tested his territorial officers with questions about the Berlin Wall and the defection of Nadia Comaneci, the Romanian gymnast.



Generals Try Soetrismo (seated, left) and General Edi Sudradjat (right), with the general staff.

A drastic change of leadership was needed, he argued, a leadership geared to dialogue, argumentation and analysis. The present leadership is only able to anticipate things and act like a fire-brigade. Territorial officers should improve their general knowledge and ability to cope with the quickening flow of information. Territorial soldiers should not be 'passive-reactive'; they should be 'active-responsive', capable of anticipating events.

Indonesia watchers have long waited for officers

like Edi Sudradjat to make their views known. Until recently, only the "old guard" could be heard, taking their pro- or anti-Suharto positions. The 1945 generation of officers have all reached retirement and all the top army posts are now occupied by the younger generation. Edi Sudradjat, an 1960 AMN graduate, together with classmates like General Harsudiono Hartas, and 1961 graduates like General Sahala Rajagukguk and Suropto, are now running the army. Gradually too, exponents from the classes of '62 and '63 are coming to the top.

By comparison with the Suharto generation, whose military training was poor, the present generation has been professionally trained with more professional attitudes. This has many implications. It can mean for example that a contemporary military academy graduate does not have the same political aspirations as their seniors. These aspirations, called *Dwi-fungsi*, are enshrined in the Constitution, and justify the continuing dominant role of the military in society. It seems that the present generation of officers would prefer to play a more restricted role in civilian affairs and stick to the more military tasks in society. Confining themselves to military affairs happens to run parallel with Suharto's gradual change in leadership style.

A profile of Edi Sudradjat

Edi Sudradjat is a true representative of the new generation of officers and together with Harsudiono Hartas, has become the spokesperson for the present leadership. He has held a variety of posts. As an AMN graduate he joined the notorious RPKAD red-beret commandos (now called KOPASSUS), underwent intelligence training and was later appointed to several KOSTRAD (strategic reserve corps) posts. In this capacity, he went on operations in East Timor. After a period as Kostrad commander, he later switched to territorial work, becoming territorial commander in North Sumatra, then in the prestigious West Java/Siliwangi division. He then returned to headquarters and since February 1988 has been army chief-of-staff.

Formally, ABRI commander-in-chief General Try Sutrisno is Edi Sudradjat's superior but Edi's influence both at HQ and among the territorial officers far exceeds Sutrisno's. Firstly Try Sutrisno is from the engineer corps and is not an AMN graduate; his military career has been strongly promoted by President Suharto, whose personal aide he was for several years. Edi Sudradjat and the other top generals are close to General Benny Murdani, the still powerful minister of defence. Murdani still holds a pivotal position in the Jakarta power game and although his relations with the president have deteriorated in the last two years, Murdani remains a staunch constitutionalist and will bear his grudges and grievances towards Suharto as a martyr.

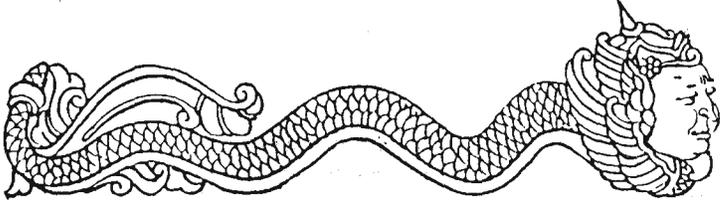
The example of the recently deceased General Sarwo Edhie is a clue to the behaviour of the majority of the Indonesian soldiers. Although Sarwo Edhie was in deep conflict with Suharto, he kept his grievances to himself and as a soldier remained loyal, accepting all kinds of difficult assignments. As long as ABRI officers stick to this 'cadaver discipline', Suharto can sleep peacefully at night.

Towards civilian rule?

At the start of his *Orde Baru* regime, General Suharto, relied heavily on military strength, but over the years many of his military advisors and assistants have either died or become adversaries. There are very few real Suharto loyalists left among the 'old guard', although hardly any have gone into open confrontation with the President. Many of the President's new confidants are either young technocrats or

old-time business cronies like Liem Sioe Liong or Bob Hassan.

For several years, Suharto has been trying to fortify his rule by limiting the role of the military. Since the early eighties Suharto has been striving to transform Indonesia into an corporatist state, unified around a single ideology, with one strong political party, one strong youth movement and so on, the true definition of a corporatist state. All kinds of safety valves have been created, with 'free' elections staged in such a way that Suharto has always emerged as the victor (Suharto could have taught Marcos or General Pinochet a thing or two), with no viable alternatives to a strong, Suharto government, helped along by Golkar.



So far the transformation from military dictatorship to corporatist state has gone smoothly as it seems that the present army leadership has been satisfied with a less prominent position in society. Moreover Suharto is confident that the military will behave within the constitutional framework; nor are there signs that any generals are trying to create a 'Manila-type' situation. Most of Suharto's adversaries who make their views public are retired army officers on the margins of mainstream politics. This group of people, hardly united in their opposition, have also lost their limited influence among the students and intellectuals. Suharto's position still looks solid, a situation that has for years been taken for granted.

POLITICS

Still, as events elsewhere have shown, storm clouds could burst at any time, shattering this tranquillity.

ABRI, the king-maker

A Japanese newspaper, *Nippon Keizai Shimbun* filed a report early in January that Suharto has been advised by his confidants to step down in 1993. The report argues that if Suharto were to stand for the sixth term, a Ceausescu-type situation would emerge in Indonesia. Though reports like this should be read with some scepticism, it is true that it does not take much to de-stabilise the political situation in Indonesia. In 1989 many minor issues flared up into nation-wide scandals. The alleged use of pork-fat in many household commodities and some months later the scare about poisoned biscuits almost led to national hysteria. The land disputes reveal the government's inability to handle matters like this effectively.

In some of these incidents, rifts between the government and army officers came into the open. The Kedung Ombo conflict created an almost open conflict between the government and some highly-placed officers.

The rapidly-accumulating wealth of the Suharto family is causing anger and dissatisfaction in army ranks. History can repeat itself over and over again. As in the early fifties when the army grudgingly took a back seat for a brief period, it might happen again that Edi Sudradjat and his men will decide that they have lost too much influence. After all, the army is still the strongest political force in the country, not least because they carry the guns. When the time for succession arrives, whether it happens by constitutional means or not, they will certainly not be satisfied with a back seat. ★

STUDENT PROTESTS

Giving students a lesson

Six expelled students of the Bandung Institute of Technology (ITB) are now on trial in Bandung. Five others arrested with them have been released and are unlikely to be charged. All eleven students were summarily expelled by the rector following a demonstration on campus on 5 August 1989. The six men on trial have been on the offensive, stressing the political nature of their protest action and challenging procedural obstructions.

Major-General Arie Sudewo, commander of the West Java Siliwangi Division, in his capacity as chair of *Bakorstanasda*, the regional organ to safeguard stability, told a press conference before the trials began that they were not political trials but were being held "to uphold the law". In an attempt to warn students against demonstrating outside the courts, he said people should not utilise the trials "for all manner of things" and warned the press "to report things properly" (*wajar*), "not tendentiously". Yet *Bakorstanasda* and its central organ, *Bakorstanas* has been busy making sure that the students held responsible for the 5 August demonstration would be punished, giving the case a distinct political flavour. The arrests were made - without warrants - and the students were interrogated and maltreated by *Bakorstanasda* officers. Throughout their detention, the students were in the hands of *Bakorstanasda*, in breach of the Criminal Procedures Code. [See *TAPOL Bulletin* No 96, December 1989.]

For his part, Sukarton Marmosudjono, the Attorney-

General said that the six were being tried "to give them a lesson" and to make sure that their actions would not spread.

The trials arise out of a student protest against a visit to ITB campus by Interior Minister, (ret'd) General Rudini, on 5 August last year to open a course on Pancasila indoctrination for first-year students. Students protested against the visit, staged a walk-out, unfurled banners and burnt used tires as a mark of disapproval.

The six on trial are: Arnold Purba, aged 24, a third-year geo-physics students; Mohamad Djumhur Hidayat, 21, a student at the physics and technology faculty; Bambang Sugiyanto, 23, of the civil engineering faculty; Ammarsyah bin Syahbuddin, 24, of the electro-technic faculty; Fadjroel Rachman, 25, of the chemistry faculty; and Suprianto. They are charged under three articles in the Criminal Code. Article 154 makes it a crime "deliberately to express in public hatred and animosity towards, or contempt for, the Indonesian government", with a maximum penalty of

STUDENT PROTESTS

seven years. Article 207 makes it a crime to "deliberately express contempt publicly for an official or an official organ in Indonesia", while Article 208 makes it a crime to "show or display in public any writing or picture expressing contempt for an official or official organ in Indonesia"; the maximum penalty for Article 207 is eighteen months and for Article 208 it is 4 months.



ITB students in action on 5 August 1989, with banners rejecting Rudini. [*Tempo*, 19.8.89]

As one official from the West Java public prosecutor's office said: "If we can't get them on Article 154, we'll get them on one of the others".

The trials are taking place simultaneously in six separate courtrooms of the Bandung district court. They have attracted widespread sympathy, with crowds of up to 3,000 students following the proceedings through loud-speakers outside the courts. Judges have frequently reprimanded those inside for shouting their approval of statements by the defendants or their defence lawyers.

"Halt the trials!"

The defendants have been on the offensive since the start. Several gave opening statements (*eksepsi*) strongly critical of political, economic and social conditions in Indonesia.

Moh Djumhur Hidayat, who is charged with having been the 'field commander' of the protest, entitled his *eksepsi* 'Keep on fighting for democracy'.

There is widespread suspicion of the people involved in this operatic performance. History shows that oppression gives rise to outbursts. Our action was the logical and rational consequence of previous developments. I sense in the prosecutor's indictment that he is not free to express his own thoughts. He is, after all, a member of KORPRI (the civil servants' association to which all government employees must belong). A gun is pointed at his back. This court is not trying us; it is trying the democratic aspirations of all students and all those who nurture the spirit of democracy in their hearts. [Suara Pembaruan, 6 December 1989]

Ammarsyah's *eksepsi* is entitled 'Brutality will not silence us; the iron fist is not the foundation for democracy'. He made three demands - that the trials be halted, that the ITB rector be tried and that all the students who have been victimised by means of expulsion or suspensions be rehabilitated.

Arnold Purba's *eksepsi*, 'I have heard the people's

screams', pointed out that the students tried to raise a number of land issues in Cimacan, Badega and elsewhere, with government officials, parliament and local assemblies, but to no avail. General Rudini had also been approached but the promises he made were not kept. Arnold argued that the prosecutor's analysis was superficial, and failed to recognise the political issues at the core of the students' action.

Mohamad Fadjroel Rachman's *eksepsi* was called 'A Political Manifesto: the struggle for people's sovereignty'. He accused the prosecutor of failing to acknowledge that the students' action was aimed solely at opposing anti-democratic and authoritarian attitudes. Suprianto's *eksepsi* is entitled 'I shall hold high the banner of people's sovereignty'.

Several defendants told the court of torture and mal-treatment; they were beaten, given electric shocks, only allowed to go to the toilet handcuffed and deprived of food.

Invitation to Rudini, a provocation?

It appears that a major element in the defence case will be that the ITB rector's decision to invite General Rudini to the campus was a deliberate move to provoke protest from the students since he has been on the receiving end of so many complaints during the past year. At the time of the incident, students said they saw his visit as a move to politicise the campus, although the students are prohibited from engaging in political activity. During cross-examination of the third deputy-rector of ITB who testified as a prosecution witness in several trials, a defence lawyer pressed the witness to explain why Rudini had been invited to open the indoctrination course and not someone from BP7, the state indoctrination agency. "Was it not because of all these cases, Cimacan, Badega, Kedung Ombo and others, that Interior Minister Rudini was invited?"

ITB rector refuses to testify

The defence lawyers have repeatedly asked for Professor Wiratno Arismunandar, the ITB rector, to testify as a witness. Both the prosecution and the courts refused to call him and told the defence lawyers they could call him if they wished. Whether the defence could have done so is not clear, but they were pre-empted by a letter from the rector, refusing to testify. Calls for Interior Minister Rudini to testify have also been rejected by the courts.

The defence also challenge the prosecution's description of the meeting held at ITB on 4 August, when a decision was taken about the action. The meeting was not, as the prosecution asserts, a gathering of private individuals (making it sound like a conspiracy); it was a meeting of a legally-recognised on-campus organisation, the Communications Forum of Faculty Organs (of which Djumhur Hidayat is general secretary) and took place with the knowledge of the university authorities, to discuss the 'drop-out' problem and the rector's invitation to Rudini. The ITB leadership cannot evade responsibility for what happened the next day, as they must have known that a decision was taken on 4 August to protest at the Rudini visit.

Expulsions criticised

The rector was also criticised by the defence for expelling the students before a court verdict had been passed, violating the principle of the presumption of innocence. [By contrast, Professor Koesnadi Hardjasoemantri, rector of Gadjah Mada University in Yogyakarta, did not expel Bambang Subono, a student at the university, or dismiss Bambang Isti Nugroho who works at a university laboratory, when they were

arrested in 1988. Even after guilty verdicts, they were not expelled, as appeals were pending.]

In Djumhur Hidayat's trial, a judge criticised the expulsions as 'hasty'. In fact, as the defence insists, the expulsions occurred without warning, nor were the students given the opportunity to defend themselves, violating the university's own regulations. The third deputy-rector of ITB acknowledged in court that students involved in the protest had been expelled by a "decision based on investigations by a special task-force set up for the purpose." After questioning this witness on the Institute's attitude towards students anxieties about social problems, the judge felt there was a lack of communication with the students. "If there had been proper communication between the two sides before Rudini's visit, perhaps the protests would not have occurred."

Defendants refuse to testify

It has become a tradition, in political cases, for courts in Indonesia to stage simultaneous trials of groups of defendants, calling on the defendants to testify against each other while their own trials are in progress. This time, however, all the defendants have refused to comply.

Among the witnesses called by the prosecution are some of the five expelled students who were also arrested along with the six on trial but who were later released without charge. Defence lawyers questioned the logic of releasing these five even though they had been held on the same charges as their six colleagues.

Several prosecution witnesses are members of the ITB's security corps (Satpam); another was a soldier who admitted that he mingled with the students, in civilian dress, to 'keep an eye on things'. Another described himself as having been at the campus on a

'secret assignment' to protect Rudini.

Defendants walk out

In January, the defendants walked out of several hearings, following an incident during Fadjroel Rachman's trial when a visitor was reprimanded for sitting with one foot up on his other knee. A security officer then approached the visitor and kicked his foot down, prompting Fadjroel to protest. When the judge refused to reprimand the official, Fadjroel walked out, followed later by the other defendants. For several more sessions, the defendants' calls for action against the official were turned down, leading to more walkouts.

Having reached deadlock over their complaint, the defendants drafted a joint statement protesting about this and other procedural difficulties they have faced in court. They were preventing from reading out the statement in court. It is addressed to the Indonesian Parliament, Amnesty International, the International Commission of Jurists, the ICJ's Centre for the Independence of Judges and Lawyers and the press.

Purba could get two years

Summing up the case against Arnold Purba, the prosecution has called for a two-year sentence with deduction for time served. It had been proven, the prosecutor said, that the accused participated in the protest and attended the meeting which planned the protest. Among the aggravating circumstances was the fact that the accused has behaved 'impolitely' in court and has persisted in expressing his dislike for the government. ★

The Timor Gap treaty

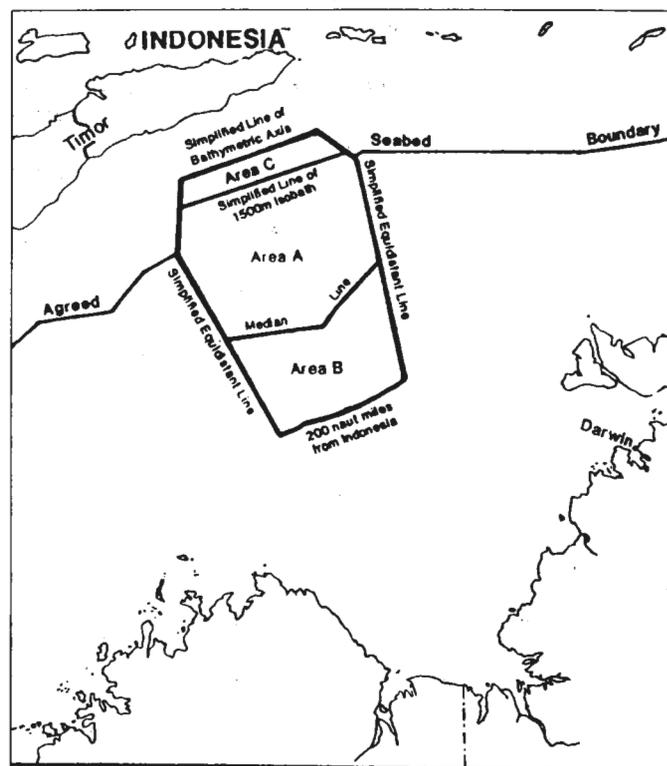
On 11 December 1989, in violation of international law, Australia signed a treaty with Indonesia for the joint exploitation of oil and natural gas deposits in the stretch of sea between Australia and East Timor. Negotiations have been under way for ten years. The Australian petroleum industry has long been eager to lay hands on these deposits.

The 'gap' denotes the stretch of sea between East Timor and Australia where no sea boundary has yet been drawn. In the early 1970s, negotiations between Portugal and Australia failed to reach agreement. Even now, after years of negotiation, there is no accord between Indonesia and Australia on the boundary. Yet so eager are the two sides to reach agreement that they have decided to go ahead, leaving unresolved the boundary 'dispute'. While engaging in lengthy dispute over the boundary, both governments ignore the fact that East Timor has the only legitimate claim to sovereignty over these territorial waters.

Portuguese Government's warning

Following the agreement, the Portuguese government announced its repudiation and re-affirmed its determination to use all legitimate means in reach to safeguard the rights of the East Timorese people.

The agreement constitutes a clear and flagrant violation of international law and of the UN Charter and many resolutions of the General Assembly and the Security Council do not recognise Indonesia's sovereignty over East Timor, illegally occupied by military force since December 1975.



In protest, the Portuguese ambassador was recalled to Lisbon 'for consultations'. The Portuguese government is believed to be making preparations to challenge the Treaty's legality at the International Court of Justice.

At a demonstration against the Treaty in Canberra Jose Ramos Horta, former Fretilin representative in New York, criticised the hypocrisy of the Hawke government. "Gareth Evans and Bob Hawke have previously said that East Timor is too poor to successfully achieve self-determination and yet they are now exploiting its natural resources which, according to the UN 1982 Law of the Sea Convention, is in East Timor's exclusive economic zone." [*Sydney Morning Herald*, 7 December 1989]

Parliamentarians protest

At a press conference in Canberra, British and Australian parliamentarians spoke out against the Treaty. Lord Avebury, a leading campaigner for East



Sydney Morning Herald, 12 December 1989. [The two foreign ministers sensationalised the signing ceremony by holding it on an aircraft above the 'Timor Gap'.]

Timor's right to self-determination, speaking for the worldwide organisation, *Parliamentarians for East Timor*, said Indonesia was "not entitled to enter into treaties which purported to deal with seabed resources lying between a non-Indonesian territory and another sovereign state". The UN did not recognise Indonesian sovereignty over East Timor; in a resolution in 1982, the General Assembly had called on the Secretary-General to consult with all interested parties to resolve the matter, he said.

Another PET member, Australian MP Tony Lamb from the ruling Labour Party, reiterated Lord Avebury's condemnation and forecast a major row in party caucus when the Treaty came up for ratification in Parliament. The PET Forum in Australia has 40 members, 36 of them on the government side, he said, who are unhappy with Australia's recognition of Indonesian sovereignty over East Timor. Australia's negotiations with Indonesia were flawed in international law and against ALP policy, he said. [*Canberra Times*, 5 January 1990]

The Australian Parliament is likely to be asked to ratify the treaty in March or April this year, before Australian general elections due in May.

Australian recognition and the oil factor

The 'Timor Gap' Treaty divides the 60,000 square miles of sea into three areas; a southern sector, Zone B, where Australia will exercise exclusive rights, surrendering 16% of the Net Resources Rent Tax to Indonesia; a central sector, Zone A where exploitation

will be managed by a Joint Authority of the two countries with revenues shared 50:50, and a northern sector, Zone C where Indonesia will exercise exclusive rights, surrendering 10% of its earnings to Australia.

Until 1977, Australia refused to recognise Indonesia's annexation of East Timor. Then on 20 January 1978, Canberra announced its acceptance of East Timor as part of Indonesia. While remaining critical of the way in which 'integration' had been brought about, it claimed that 'it would be unrealistic to continue to refuse to recognise *de facto* that East Timor was a part of Indonesia'. In 1979, *de facto* recognition was replaced by *de jure* recognition.

After five years of negotiations on oil reserves in East Timor's waters, the talks were still bogged down. Then Prime Minister Bob Hawke reiterated Australia's *de jure* recognition on 22 August 1985. This rather unusual re-statement of recognition reflected Australia's desire to reach agreement with Indonesia on the oil reserves. Hawke claimed that "negotiations over the Timor Gap seabed could in reality only take place with Indonesia". This was the price the Labour Government was prepared to pay, bartering East Timor's rights for exploitation of its oil.

Shortly before the Treaty was signed, Australia's Foreign Minister, Senator Gareth Evans, again tried to dispense with the awkward matter of East Timor's rights:

We have taken the view since 1979 that whatever the unhappy circumstances and indeed, possible illegality, surrounding Indonesia's acquisition of East Timor in the 1970s, Indonesian sovereignty over the territory should be accepted not only on a de facto but on a de jure basis. There is no binding legal obligation not to recognise acquisition of territory that was acquired by force. [*Senate Daily Hansard*, 1 November 1989]

For Australia, an oil bonanza

Estimates of the value of 'Timor Gap' deposits vary, ranging from a billion barrels, [*Financial Times*, 14 December 1989] to between 1 and 6 billion barrels of oil and between 3 and 17 trillion cubic feet of natural gas reserves. [*The Age*, 9 September 1988] The area is considered to be one the world's 25 richest oil deposits.

Australian petroleum companies are already exploiting oil in two off-shore fields, known as Challis and Jabiru, about 200 kilometres south-east of the area, where they are extracting about 60,000 barrels of oil a day, 10% of Australian production; reserves in these fields are put at about 125 million barrels. The companies have long been pressing the Hawke government for permission to carry out exploration and exploitation in the Timor Gap region. In 1983, when some Australian companies were close to succeeding, the Australian Defence Minister warned that such concessions would place heavy strains on the navy to defend these operations against Indonesian interference. Hence the need for agreement to be reached.

Australian companies which have already invested millions of dollars on exploration in the area include a consortium of the Western Mining Corporation and Charterhall Oil and Woodside Petroleum. [*Australian*, 12 December 1989.] Lobbying for concessions has also come from Pelsart Oil, Oil and Minerals Quest, Otter Exploration and Australian Aquitaine. [*Financial Times*, 7 September 1988] Oil companies in other countries are also expected to bid for concessions. The Australian Minister for Resources, Peter Cook has said that he wants to invite bids from foreign as well as domestic companies. [*Nihon Keizai Shimbun*, 31 January 1989]

For Indonesia, a diplomatic coup

For Jakarta, the political significance of the treaty far outweighs its economic significance. If the Treaty is allowed to stand, it will be the first international accord that formally legitimises Indonesia's annexation of East Timor. It will also provide an institutional basis to guarantee Australia's continuing commitment to and support for Jakarta's illegal annexation of East Timor.

The Treaty is the climax of efforts by Jakarta and Canberra to improve relations between the two countries after years of strain and discord. Ties reached their lowest point in 1986 after an Australian newspaper published articles exposing the business activities of the Suharto family. This froze relations between Jakarta and Canberra for more than a year.

The Timor Gap agreement was reached after ten years of talks; the main stumbling block was the wide divergence of opinion between Indonesia and Australia over the seabed boundary. Indonesia holds by the principle of the 'median line' between countries which would set the boundary along the south of what is now established as Zone A. [See diagram] As a signatory of the 1982 UN Law of the Sea Convention (of which Australia is also a signatory), Indonesia knows that once the Convention becomes law which is likely in the next couple of years, it could also claim an area up to 200 miles from 'its' ie (East Timor's) coast which includes the whole of Zone B as well. Australia on the other hand stands by the continental shelf principle which would take the boundary much farther north, along the line representing the northern boundary of Zone C. This meant that the two negotiating teams held irreconcilable positions.

In 1988, Indonesia made an important concession, conceding that the 'disputed area' at present consists only of what is defined as Zone A. This was a major breakthrough for Australia. In September 1988, an interim agreement was reached for a zone of cooperation, making the present Treaty possible.

Politically speaking, this represented a major shift in Indonesia's attitude towards its relations with Australia; Jakarta had until then allowed the bilateral relations to deteriorate to such an extent that no Australian journalists were permitted to work in Indonesia and no ministerial contacts were taking place. Scheduled talks about the Timor Gap were also cancelled. The shift reflects the diminished role of General Benny Murdani who, as armed forces commander-in-chief until March 1988, had kept the relationship as such a low ebb. Mochtar Kusumatmaja's replacement as Foreign Minister may also have helped remove the main obstacle to the accord as Mochtar was one of the leading architects of the UN Law of the Sea Convention and is likely to have been a hardliner on the boundary dispute keeping the two countries apart.

The shift in Jakarta's position apparently took place on the instructions of President Suharto, recognising the political and strategic significance of a Treaty with Australia in Indonesia's long-running diplomatic battle to win international recognition for its annexation of East Timor. Indonesia may also hope that involvement of other foreign oil companies in the area will boost its claim to East Timor internationally.

Indonesian critics

In Indonesia, the Treaty has been sharply criticised by Professor Herman Johannes, a well-known academic, formerly rector of Gadjah Mada University and one-time member of the Supreme Advisory Council. He argues that Indonesia has made unwarranted concessions on the boundary issue and describes the Treaty as 'extremely detrimental to Indonesia economically'. His argument is that Zone B as well as Zone A

is in disputed waters and the share-out here too should have been 50:50. He scorns the alleged benefits for Indonesia from a 90% share of earnings from Zone C, insisting that the zone is devoid of oil reserves.

Johannes' criticism and his demand that the Indonesian parliament should refuse to ratify the treaty, has come as something of an embarrassment in Jakarta. It forced members of the Indonesian team to acknowledge that even if the treaty is not beneficial economically, it is of great political and strategic significance. [*Kompas*, 6 March 1989] Needless to say, no-one in Indonesia has dared criticise the Treaty for violating East Timor's sovereignty over the area.

Australian hypocrisy

Discussion of the Treaty in the Australian press has concentrated primarily on the economic benefits accruing to the country's petroleum industry. The *Canberra Times* [12 December 1989] showed some surprise that "Australia was even prepared to do a deal with Indonesia over an oil-rich piece of seabed which many people believe rightly belongs to neither country but to the unrecognised people of East Timor". But while admitting that Indonesia's annexation of East Timor was "deplorable", the paper argues that it cannot be undone. "The best that can happen is for Australia to get itself into a position where it can influence Indonesia so its administration in East Timor behaves with more sensitivity... even if it never accedes to one of the basic human rights - self-determination." The paper then alleges that by sharing the administration as well as the profits from the oil, the two countries will "get a greater understanding of the way each other's governance works. This, however slightly, will do more for self-determination and freedom in East Timor than the previous stand-off which achieved exactly nothing."

The depths to which Australian government hypocrisy has fallen over the Treaty is revealed in a letter to TAPOL from the Australian Foreign Affairs Department, in response to our protest against the Treaty as a violation of international law. It quoted a statement by Senator Gareth Evans, then Minister for Resources and Energy, in March 1986:

It is perfectly consistent with Australia's recognition of Indonesia's sovereignty over East Timor to engage in negotiations with Indonesia now on the Timor gap. To engage in such negotiations does not as a matter of international law make Australia a party to the initial acquisition by Indonesia of East Timor any more than Australia's dealings with other sovereign states make Australia a party to the means they used to acquire territory in the first place; nor does it affect the legality of the negotiations; nor does it signify approval of the original acquisition of the territory.

This is a circuitous argument. The reason for Canberra's *de jure* recognition in the first place was to legitimise negotiations with Indonesia about East Timor's oil.

Campaigning

This grave injustice to the people of East Timor needs to be opposed wherever possible. Readers wishing to support a campaign against the Timor Gap Treaty should protest to the Australian government, either directly or through the Australian embassy in their country. They should also urge the Portuguese government to ask the International Court of Justice to make a judgement on the Treaty under international law.

More Muslim trials on the way

There is no end in sight yet for the Muslim trials under way in Lampung, Jakarta and Bima, East Nusatenggara. The trials are all in some way related to the so-called Warsidi group whose village, Talang-sari, was assaulted by army troops in February 1989, with heavy loss of life. [See *TAPOL Bulletin*, No. 92, April 1989 and No. 96, December 1989]

After the first group of six trials in Lampung had finished, with five defendants getting life imprisonment and one, 20 years, a second wave began, with eight people in the dock. Seven of the trials have been completed, with all receiving severe sentences. Three of the accused, Fachruddin, Marsudi and Riyanto were given life sentences, while Abadi Abdullah and Musonif were sentenced to 20 years. The youngest of the defendants, 16-year old Tardi Nurdiyansyah, got 17 years while Arifin bin Karyan was sentenced to 15 years. The trial of the eighth defendant in this group, Mulyadi bin Jaime, is still in progress.

Now another eight Muslim activists are due to go on trial in Lampung, beginning with Zainal Arifin bin Thoyib, age 53 years. This group is said to have set up a 'shadow province' with Zainal Arifin as its 'shadow governor'. They are described as a 'more moderate group', believing in 'evolutionary tactics' as distinct from the Warsidi group which was committed to 'revolutionary tactics', to attain their objectives more quickly, even if it meant using violent means. [*Kompas*, 18 January 1990]

So far, only one of the seven trials under way in Jakarta has ended. Dede Syaifuddin was sentenced to 7 years. Judging by the sentences demanded by the prosecution, there are likely to be some very stiff sentences. The prosecution wants Nur Hidayat and Achmad Fauzie to get life sentences, while the prosecution demands for the other four range from 15 to 20 years.

Continued from page 7.

local military commands, civil administration officials and the police without the person's knowledge; this is an important part of what Indonesia's security officials call the 'Mental and Ideology Screening Process'. The D-envelope contains a number of forms that must all be completed, asking questions about the individual's family and in-laws for several generations and her/his party and organisational affiliation before and after 1965.

An 'unclean' record in someone's D-envelope makes it impossible for the person to enter the armed forces or to obtain employment in many government offices and local administrations. This system has been in operation since 1980 based on instructions issued by the army security command, Kopkamtib.

This insidious method of bio-data control came to light recently, not because of concern about the blatant political discrimination but because some members of parliament had been told that army personnel were charging levies for these documents, making profits from a 'service' that is supposed to be free of charge. This was strongly denied by Major-General Sugeng Subroto, military commander of East Timor, dismissing the claim that because of such 'commercial practices', many former communist members had slipped through the net. [*Tempo*, 2 December 1989]

'Lighter' sentences in Bima

In Bima, the sentences have been somewhat lighter, with 6 years for Achmad Husen, six and a half years for his 65-year-old brother, Moh Nur Husen, 9 years for Zainul Arifin, and 11 years for the 64-year old H.A. Ghany Masykur.

Blind preacher arrested

Meanwhile a blind Muslim preacher, whose name first cropped up in 1985 when Muslims were being arrested for a wave of bombings in Central and East Java, has now been arrested in Bandung, along with his escort. He is Husein Ali Al-Habsyi, the brother of Abdul Kadir Ali Al-Habsyi, who was sentenced to 20 years in 1986 for alleged involvement in several bombing incidents, including one which destroyed several stupas of the Borobudur Buddhist complex in Central Java. He is said to have been found in possession of leaflets containing 'false information' about poisoned biscuits. [*Jakarta Post*, 6 January 1990] According to *Editor*, however, the leaflets referred to the mob violence against women wearing headscarves who were picked on, with not a shred of evidence, as the ones who were distributing poisoned biscuits. Husein is apparently believed to have links with many Muslim groups in Central and East Java, suspected of trying to replace the present state with a state based on Islam. [*Editor*, 13 January] By all accounts, his arrest will give a new lease of life to the anti-Muslim crusade, with yet more trials still to come. ★

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