



VICTORIA UNIVERSITY
MELBOURNE AUSTRALIA

Tapol bulletin no, 98, April 1990

This is the Published version of the following publication

UNSPECIFIED (1990) Tapol bulletin no, 98, April 1990. Tapol bulletin (98). pp. 1-24. ISSN 1356-1154

The publisher's official version can be found at

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Six longterm tapols executed

February and March 1990 have seen intense campaigning against executions. Four political prisoners were executed in February. In March, six more were taken from their cells, apparently in preparation for the firing squad. But the executions did not take place. For the first time, Suharto bowed to pressure by postponing the six murders.

The facts

On the morning of 16 February, Johannes Surono, Paulus Satar Suryanto, Simon Petrus Solaiman and Norbertus Rohayan were taken from their cells in Cipinang Prison in Jakarta to Pulau Garam, an uninhabited island in Jakarta Bay; at 2 am, they were shot dead by a platoon of the Police Mobile Brigade.

The execution of the four, members of the Cakrabirawa palace-guard regiment of the late President Sukarno, came as a shock. The last known executions at the time had occurred in 1988 when Cakrabirawa soldier, Gyadi, and another soldier, Sukardjo, faced the firing squad. Everyone hoped that the 1988 executions would be the last. Yet unbeknown to everyone, in October 1989, two other death-sentence prisoners were secretly executed in Medan. They only became public when armed forces spokesperson Brigadier-General Nurhadi confirmed the four executions of 16 February. In the same week, the Indonesian weekly *Tempo* [24 February 1990] disclosed details of the Medan executions. For months rumours had circulated about the executions. It must be assumed that the authorities leaked the news to *Tempo*, to avoid having to confirm executions that had taken place five months earlier.

Tohong Harahap and Mochtar Effendi Sirait were taken from their cells around midnight and driven to separate places. Two platoons of the Mobile Brigade formed firing squads. Tohong was shot near Tebingtinggi while Sirait was shot dead in the forest near Prapat. Both were local PKI functionaries, accused of trying to revive the banned communist party.

The six executed prisoners

Tohong Harahap was tried by Tebingtinggi district court and sentenced to death in December 1974. Before 1965, he was PKI coordinator for Belawan and Tebingtinggi. Until his execution he was held at Tanjung Gusta Prison, Medan. Executed in October 1989.

Muchtar Effendi Sirait was sentenced to death by the district court in Kabanjahe on 24 August 1974. He was a local Sarbupri (plantation workers' union) leader and allegedly part of a 'communist combat command' in the aftermath of October 1965. Detained in Tanjung Gusta prison, he was also executed in October 1989.

Satar Suryanto (57), a sergeant in the Cakrabirawa regiment, was arrested on 4 October 1965 and sentenced to death on 29 April 1971 by the District Military Court in Jakarta. Up to the time of his execution, he knew nothing about the fate of his appeal for clemency.

Johannes Surono (60), a sergeant-major in the Cakrabirawa regiment, was arrested on 8 October 1965 and sentenced to death in 1970 by the District Military Court in Jakarta. He appealed to the Supreme Court in 1973. Thirteen years later, in 1986 he was told that the appeal had failed due to procedural irregularities. He appealed for presidential clemency in 1987; this was rejected on 5 December 1989.

Simon Petrus Solaiman (60) was a member of the Cakrabirawa regiment. He was arrested on 5 October 1965 and sentenced to death by the District Military Court in Jakarta in November 1969. His appeal was turned down 18 years after submission. Presidential clemency was rejected on 5 December 1989.

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Norbertus Rohayan (49) was a member of the air force attached to the Cakrabirawa regiment. He was arrested on 5 October 1965 and sentenced to death on 8 November 1969 by the District Military Court in Bandung. He appealed to the Higher Military Court and 18 years later, in February 1987 was notified that his appeal was turned down. He appealed for clemency which was turned down on 5 December 1989.

Six saved from the brink

Then in March, preparations began for the execution of the six remaining death sentence prisoners in Cipinang Prison: Ruslan Wijayasastra, Sukatno, Iskandar Subekti, Asep Suryaman, Bungkus and Marsudi. On 4 March they were taken from their cells to the Bakors-tanasda office, the first stage in preparation for the final act. But the executions scheduled for Sunday 11 March, did not take place. The six men are:

Ruslan Wijayasastra (70), sentenced to death by the Jakarta district court on 15 July 1974, arrested on 14 July 1968 in Blitar and charged with subversion, plotting against the state, complicity in the G30S affair and staging an armed rebellion against the state. Before 1965 he was vice-chair of BTI, the peasants union, and a member of the Central Committee of the PKI. Ruslan went through the whole appeals procedure, to the Higher Court, the Supreme Court and clemency to the president. He is being held at Cipinang prison in Jakarta.



Ruslan Wijayasastra and Simon Petrus Solaiman in Cipinang Prison. [Tempo, 24 March 1990]

US-based NGO on Indonesian affairs planned

Plans are under way to set up a new, non-governmental organisation for critical monitoring, research and public advocacy on a range of policy issues facing Indonesia. The organisation will share premises and facilities with *Indonesia Publications*.

Persons who wish to become involved should be deeply interested in Indonesia and should preferably have usable oral-aural and/or literacy language skills in Indonesian, Dutch or Portuguese. Based in the Washington, DC area, the NGO expects to make working arrangements with participants residing elsewhere.

Anyone interested in this project should write, phone or fax John A. MacDougall, Editor, *Indonesia Publications*, 7538 Newberry Lane, Lanham-Seabrook, MA 20706, Tel: (301) 552 3251. Fax: (301) 552 4465.

Sukatno (61), sentenced to death by the Jakarta district court on 11 March 1971. Like Ruslan, he was charged in connection with the Blitar PKI underground movement. In 1965 he was chairman of the youth organisation Pemuda Rakyat, a PKI Central Committee member and a Member of Parliament. His appeals were rejected and in 1982, he appeal for presidential clemency. Sukatno is also detained in Cipinang prison.

Iskandar Subekti (67), sentenced to death by the Jakarta district court on 22 December 1972. He too was part of the Blitar 1968 movement. He was a member of the foreign affairs section of the PKI. He completed all his appeals and is detained in Cipinang Prison.

Asep Suryaman (62), arrested on 28 September 1971 and sentenced to death on 27 August 1975. He was a PKI functionary in East Java and member of the PKI "Special Bureau", an organisation designed to work within the military. His trial received good press coverage due to the defence conducted by the late Yap Thiam Hien. He also made appeals with unknown results. Similarly, he is detained in Cipinang prison.

I. Bungkus (61), arrested on 8 October 1965 for alleged involvement in the G30S movement and sentenced to death on 30 July 1971 by the Jakarta District Military Court. He appealed to the Higher Military Court but the results are unknown. In 1965 he was a sergeant in the Cakrabirawa regiment. He is also detained in Cipinang.

Marsudi (53), arrested in October 1965 and sentenced to death on 13 July 1976 by a military court. He was allegedly involved in the murder of three of the six generals. He was also charged with being a PKI member. Not much is known about his appeal procedure. He is also held in the Cipinang prison.

The background to their years of agony

All these prisoners were tried in connection with the events of October 1965, when General Suharto seized control of Jakarta and effectively took power from President Sukarno. On the night of 30 September, six members of the general staff, including General Ahmad Yani, Minister/Commander of the army, were brutally killed. The operation was run by a group of middle ranking officers, Lieutenant-Colonel Untung, Colonel Latief, Brigadier-General Supardjo and others, calling themselves the 'Thirtieth of September Movement', a movement within the armed forces against the 'Council of Generals'. They claimed they took action to prevent a coup against Sukarno. After crushing the G30S (30 September) movement, General Suharto accused the three-million strong PKI (communist party) of masterminding the coup attempt. A witch hunt started against members and sympathisers of the PKI and its affiliates. Between half a million and a million people were massacred from October 1965 till October 1966. This became the New Order's official version of the October events. The Untung conspiracy was named the G30S/PKI to implicate the PKI. While some PKI leaders were in contact with the Untung group, the connections between General Suharto and Untung and Latief were far more significant.

Another important fact was the seizure of power. The Untung movement never intended to seize power; when Suharto crushed the conspiracy, which was led by his former subordinates, it was he who staged a successful coup against Sukarno. Since the seventies, academics, human rights workers and student activists have raised the crucial question of Suharto's

likely role as the main actor in the events. Simple deduction makes him the prime suspect; the killing of the generals catapulted him to the top of the army from where he incriminated and emasculated his two rivals, the PKI and President Sukarno, paving his way to the presidency.

All of Suharto's main suspects in the G30S movement have been executed with the exception of Colonel Latief who is serving a life sentence. All the top PKI leaders, including the entire Politbureau, have been murdered. The only PKI leader tried was Sudisman. The reason is obvious; he knew nothing about the party's connections with the G30S movement.

The vast majority of G30S prisoners were never tried. Of the hundreds of thousands detained during the 1960s and 1970s, only about a thousand were tried. Many trials were conducted before special military courts. Nor did those appearing before civil courts get a fair trial. Seventy-four death sentences were passed against local PKI leaders and leaders of trade unions and peasant unions, as well as against soldiers who, on the instructions of their superior officers, had been involved in the kidnapping of the six generals.

Most of the trials were held in the late sixties and early seventies. Untung and several of his co-conspirators were executed in the late 1960s, but no further executions occurred until 1985. It was almost taken for granted that the sentences would not be carried out, especially as the Dutch Government was given such an assurance in 1980. But since 1985, things have changed. Since May 1985 twenty-two G30S prisoners have been executed.

Travesty of justice

The G30S trials were political trials; there was no presumption of innocence, the judges, as government appointees, were not impartial. The G30S trials were held to justify the mass killings of 1965-66. Later political trials such as the Priok and Lampung trials were also preceded by bloodbaths; the judicial system has become an extension of the rulers, part of a pattern of justifying brutal terror.

The G30S courts were not constituted simply for punitive reasons; the regime did not need the courts to commit its murders. Whatever the G30S trials appeared to be, they merely confirmed results reached elsewhere, with the banning of the PKI and the mass killings. They expressed and legitimised the violence which had preceded them. The killings were the essential precondition for the trials to be held. The massacre removed organised opposition. It also created a climate of terror. Torture, intimidation and all manner of procedural violations worked to produce, virtually undisputed, the predetermined outcome of the trials: the guilt of the PKI, and the punishment

of hundreds of thousands of Coup victims. [Indonesia, Law, Propaganda and Terror by Julie Southwood & Pat Flanagan, Zed Books 1983.]

The prosecution's case exposed

The trial of Asep Suryaman, one of the six threatened prisoners, was well publicised due to the outspoken defence conducted by Yap Thiam Hien who a year earlier, had been a prisoner himself. He exposed the unsubstantiated case of the prosecution and argued that it was incorrect to treat the PKI as a banned party because the laws used to ban the party were unlawful.

While in prison Yap met many G30S political prisoners whose only mistake was to be a member of the PKI or one of its affiliates. In court he made a moving plea for the *tapols*, the political prisoners. Below are excerpts from Yap's defence plea, published in TAPOL No 12, October 1975.

The tapols are treated like the dregs of society, deprived of the most elementary rights enjoyed by all other citizens, like mere objects that can be moved from one place to another, put out 'on loan' to another authority or interrogation, to give evidence or to meet the personal needs of some official; and they are not even told why they are put 'on loan' or where they are being taken. They have no power and no voice, no right to complain or protest against their interminable imprisonment, against torture, insult, hunger or disease. They have no power and no voice in the face of this abuse against their dignity and person.

Many of them have become automatons, going to sleep, getting up and taking their meals like persons without any spirit, for they are not permitted to read newspapers, magazines or books except religious literature, nor are they allowed to write to their loved ones.

They live a sterile life, devoid of all hope and full of anxieties for their loved ones because often they don't know where they are and have no contact with them. Such a life leads them to break down under strain. Some have become insane, others have committed suicide, some have tried to rebel against their predicament with horrifying consequences.

The weapon of secrecy

For the first time, the Indonesian government has been compelled to explain why executions took place. Besides claiming that the defendants were tried according to proper legal procedures, its statement seeks to explain why the defendants spent years in jail. Allegedly, the convicted men were needed as witnesses in other cases, they had to await the results of their appeals, and their requests for clemency were only submitted in 1989 and rejected on 5 December.

These explanations are meaningless. The last G30S trials were held in 1977, while most trials took place in the early seventies. Appeal procedures lasting 18 years can only be described as brutal and inhumane. A 20-year prison term is internationally regarded as a life sentence. If on top of that, the prisoner is



Picket line in Amsterdam

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executed, this is a particularly grotesque form of punishment.

The conditions under which the executions took place have differed. In some cases, the prisoners were allowed to bid farewell to relatives; in others, relatives were summoned only to collect the bodies. In the case of the four executed in February, only the uncle of Nur Rohayan visited him before his death; his close relatives and the relatives of the other three arrived in Jakarta the day after the fateful event.

But the six Cipinang prisoners who were taken from their cells on 4 March and the next four days, may have been allowed to meet their families. No-one knows why it took five days, in and out of their cells, before a decision was taken to postpone the executions. According to one source, four of the prisoners, Ruslan, Iskandar, Sukatno and Asep, were asked on 7 March to sign statements acknowledging that they had not asked for presidential clemency; this they refused to do because they had never received any verdict on their appeals to the Supreme Court.

The status of G30S death-penalty prisoners has at all times been shrouded in secrecy. Since they have no legal aid to handle their appeals, there is no reliable, independent source of information about what precisely has happened. Nor does anyone know, least of all the convicted men whether, and if so when, the sentences are going to be carried out. Up to and including the February 1990 executions, nothing was ever known *beforehand* that executions were going to take place. When they did happen, the information reached the outside world through unofficial, clandestine channels, only later to be reluctantly confirmed by the authorities.

It is not just that such procedural chaos makes campaigning difficult; the chaos means that the condemned men themselves are kept in the dark about their own status, a particularly bestial form of mental terror.

Different theories

But, why execute these men after so many years? Many theories are circulating. Some Indonesia watchers argue that the official enemies of the regime are left extremism or communism, and right extremism or Muslim radicalism. Every time Muslim trials end with heavy sentences, the Suharto government shows its even-handedness by inflicting punishments on 'the other side'. The recent heavy sentences against the Warsidi and Nur Hidayat groups, both radical Muslim groups, could substantiate this theory.

Another explanation current among foreign journalists in Jakarta is that ties between Indonesia and both China and the Soviet Union are improving. The Ali Alatas visit to China this month will remove the last hurdles to renewing diplomatic relations with Beijing. It is argued that many army officers are not happy about these developments, forcing Suharto to prove his everlasting vigilance against communism.

Recent developments in Eastern Europe are assessed differently within the regime. Admiral Sudomo, Coordinating Minister for Security Affairs, believes the communist threat is over; General Sukarto the new chief of Lemhanas, the army think-tank, believes that communism will emerge again in a more sophisticated form. Former PKI members could then join the ranks of this rejuvenated movement.

A third theory suggests that Minister of Justice Major-General Ismael Saleh is the one responsible for the executions. It is argued that his predecessors weren't interested in carrying out the executions;



Asep Suryaman

only when this notorious anti-communist became Justice Minister were they implemented. Ismael Saleh, together with historian Nugroho Notosusanto, was assigned by Suharto to write the New Order's version of the 1965 events, to counter more objective versions circulating abroad. Their book only came out in Indonesian translation in 1988, to counter the doubts spreading in Indonesia about Suharto's role in 1965.

One difficulty in getting to the root of the question is to know who has the final say. The minister of justice would be the obvious person to sign the execution warrant but sources in Jakarta suggest that many senior ministers may be involved. ABRI spokesperson, Brig. General Nurhadi, asked about the schedule of the executions, said: "It is not for me to say. It is for the attorney general". The attorney general's office were unable to comment as the attorney general was in hospital.

One theory suggests that a group of anti-Suharto officers decided to go ahead, knowing that Suharto would face criticisms abroad. Another even wilder theory claims that Suharto and Ismael Saleh are confirmed spiritualists who, from time to time need to sacrifice human beings. This would explain the yearly executions of a few prisoners, instead of dealing with the matter once and for all.

Yet another theory argues that the regime thought



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it could get away with the executions considering the global neglect of the execution in Malaysia of Basri Masse, an Indonesian citizen caught by the police in possession of soft drugs. If Malaysia, with more than 200 on death row met no worldwide condemnation, the execution of four in Indonesia would surely be ignored. If this was the reasoning, the regime clearly miscalculated.

ITB student Ammarsyah is closer to the truth than anyone when he describes the protracted appeals procedure for the G30S death-sentence prisoners as a "peculiarly cruel form of punishment". [See separate item]

Reactions inside and outside Indonesia

Reactions to the six executions and efforts to save the lives of the six have never been so widespread. The Dutch government, under strong pressure, responded angrily to the executions in February; it threatened concrete measures and postponed the signing of a special aid agreement for 27 million guilders. Dutch policy on development assistance has been linked with human rights since the seventies but has not, until now, been applied to Indonesia. The newly appointed Minister for Development, Jan Pronk, is also chair of IGGI, the Inter-Governmental Group on Indonesia. He expressed dismay at the executions, threatened to cut aid and announced that the aid agreement with Indonesia would be postponed until his visit to Indonesia in April. Pronk's move has been welcomed by many human rights organisations. By implementing sanctions, Dutch human rights policy has become more consistent and reliable.

Then, in an unprecedented move, the twelve EC countries made a statement condemning the executions at the UN Human Rights Commission in Geneva. A joint statement condemning the executions was signed in Geneva by major non-governmental organisations attending the 46th session of the UN Human Rights Commission: International Association against Torture, Arab Lawyers Union, Arab Organisation for Human Rights, Liberation, International League for the Rights and Liberation of Peoples, International Commission of Health Professionals, Pax Romana, International Fellowship of Reconciliation, Mouvement contre le Racisme et pour l'Amitié entre les Peuples, Human Rights Advocates, International Commission of Jurists, Pax Christi, Women's International League for Peace and Freedom, Regional Council on Human Rights for Asia, International League for Human Rights and the Fédération Internationale des Droits de l'Homme.

Economic sanctions

In the Netherlands, Parliament agreed to seek ways to 'punish' the Indonesian government. For the first time, the course of silent diplomacy was ditched and the 'Pronk approach' took over, starting to have an impact on Indonesian politics. For the first time a western donor was threatening to use economic sanctions.

Executions of alleged communists not usually newsworthy in Indonesia but this time, world reaction, compounded by the Pronk threat, resulted in front page coverage and editorials. Two human rights organisations in Jakarta, the Institute for the Defence of Human Rights (LPHAM) and the Legal Aid Institute (LBH) condemned the executions; the dissident 'Group of Fifty' criticised the lapse of 20 years between the verdict and implementation, arguing that this created false hopes among the relatives of the convicted.

Encouraged by protests abroad, several Indonesian NGOs and individuals decided to step up their activities. On 13 March the newly established Indonesian Front for the Defence of Human Rights issued a statement, rejecting the death penalty and commenting on

a statement from General Sutrisno that Indonesia would not be 'dictated to' by foreign powers.

[see text on page 6]

Lobbying against more executions

After the uproar in February, many expected the Indonesian authorities would think twice before carrying out yet more executions. Strong appeals came from Amnesty International and Asia Watch while the Indonesian Foreign Ministry was inundated with representations and protests.

Hence, the news that the six remaining prisoners in Cipinang had been taken from their cells was met with disbelief: did it mean that outside pressure on the Suharto regime had been meaningless?

In the next few days, human rights organisations lobbied across the globe and pressure on Jakarta built up. Italian Ambassador Michele Martinez, on behalf of the Twelve, urged the Indonesian government not to go ahead with the executions and took the unusual step of issuing a press release to the national press agency *Antara*. Similar pleas came from the New Zealand, West German, UK, French and Dutch embassies. On Dutch radio, Prime Minister Ruud Lubbers offered asylum to the threatened prisoners, taking up a suggestion made earlier in the Dutch Parliament. On Thursday 15 March the European Parliament adopted a resolution calling on the twelve foreign ministers to exert pressure on the Indonesian government to release the six political prisoners. The resolution urges the EC governments which are in IGGI to put the executions on the agenda of the next IGGI meeting in June 1990. The Parliament also appealed to the EC countries to give asylum to the six prisoners, while the Indonesian government was urged to release the prisoners.

Indonesian reactions

Strong reaction from Indonesia was predictable. This time it came from the commander-in-chief himself, General Try Sutrisno who said that outsiders had no



Commander-in-chief of the armed forces, General Try Sutrisno.

right to interfere in Indonesia's sovereignty, including a decision to execute former communists jailed for more than 20 years. "Write that in big letters", he told journalists on 10 March. "We have our laws and no country can shake our government's decision. No foreign power can dictate to Indonesia... If they are executed, we will announce it", he said, implying that the stay of execution on 11 March was temporary.

The following day, the army daily *Angkatan Bersenjata* accused western countries of applying double standards, remaining silent during the Panama invasion and the arrest of General Noriega. A week earlier the same daily had reacted furiously to a broadcast by *Radio Nederland* when *Tapol* and *Amnesty International*, along with Professor Wertheim and Buyung Nasution, the Indonesian human rights lawyer, condemned the executions of the four Cakrabirawa soldiers. The army newspaper adopts the attitude of extreme chauvinism with the slogan, "Right or wrong my country", Other newspapers also reported the executions and the related Pronk threats. For

the first time, the execution of 1965 prisoners has become a public issue, creating divisions in the regime.

Meanwhile, the judiciary has remained silent. Not a word has been said by Admiral Sukarton, the Attorney General, Major General Ismael Saleh, the Minister of Justice or Lt. General Ali Said, chairman of the Supreme Court. Foreign Minister Ali Alatas, having to face numerous appeals and criticism, took a different attitude, declining to describe the many foreign representations as attempts to meddle in Indonesia's internal affairs; all that these countries were doing was seeking an explanation of the events. Suharto himself has refrained from commenting and most likely will keep silent for the time being. The Indonesian government has been thrown into a state of confusion, unable to understanding all the criticism.

International pressure on Jakarta is essential, combined with economic sanctions. The lives of the six are still in danger; only commutation of their death sentences can save their lives, plus a demand for them to be granted asylum in an EC country. Japan and the US, important players on the global scene, should fulfil their international duties and start giving the right signals to Jakarta. *

New NGO condemns the death penalty

The newly established, Jakarta-based 'Indonesian Front for the Defence of Human Rights' issued the following statement on 13 March 1990:

The government has been much criticized, inside Indonesia and abroad, for the execution of four ex-Cakrabirawa [Palace Guards] soldiers and the proposed execution of six others. The Indonesian government is accused of failing to honour universal human rights covenants. Before being executed, these political prisoners had already served twenty-five years.

The government regards this foreign criticism as irrational. The executions prompted the Dutch government to suspend 27 million guilders' worth of special assistance. Not only the Netherlands, but also Amnesty International... criticized Indonesia's human rights violations. The Dutch government even said it was prepared to give political asylum to the six political prisoners due to be executed soon. Persistent criticism of the death penalty for political prisoners must have the attention of the Indonesian government.

As Indonesians who are aware of human rights, we support and sympathize with all the efforts to defend human rights, set in motion by the Dutch and West German governments, Amnesty International and the European Community. We especially commend the Dutch government for being prepared to offer political asylum to the six men to be executed (*Kompas* 12 March 1990), as it considers the death sentence to be in violation of the Universal Declaration of Human Rights of the United Nations.

We also regret the position of the government and the statement of commander-in-chief of the Armed Forces, General Try Sutrisno, that no outside power can dictate to Indonesia (*Pembaruan* 1 March, 1990). We say this for the following reasons:

1) The practice of human rights does not recognise the expression "to dictate". We believe that, having entered the fold of the United Nations, Indonesia should accept the Universal Declaration of Human Rights of the UN. Thus, criticism of and protests against the executions should not be seen as "dictating", still less should outside forces be accused of wanting to dictate to Indonesia. As a member of the

UN, Indonesia should be ready to subject itself to the control of agreements jointly entered into with other member states of the UN.

2) If the government does not want to be dictated to by these countries, we ask: Why was the government so disturbed by a letter from George Bush (in the AT&T case) that it felt the need to re-open the tender for the contract? In its analysis of this affair, the weekly journal *Editor* said foreign aid - whether one admits it or not - is recognised, even by donor nations, as exerting an influence on domestic policy (*Editor* 10 March, 1990). And how can it be said that Indonesia is not "dictated" to by other countries when the government receives huge amounts of foreign assistance to finance development?

3) Recognising that foreign assistance has an impact on internal affairs, we ask: how far has US military aid dictated to the government until now?

We regret the position of the government which is out of all proportion in gauging international friendship and solidarity up to now. On the one hand, it wants equitable international economic relations and looks forward to receiving foreign aid while, on the other hand, it is very narrow-minded in its response to international demands for the implementation of human rights. We appeal to all members of the government not to make statements about these international demands, just for the sake of talking. We also warn the government not to violate human rights which, as has clearly been seen, can be harmful to Indonesian economic interests in the international community.

As a nation within the UN, we call on the government to abolish the death penalty, so that we can no longer be accused of being a people who want to violate human rights. And as Indonesians who prize highly the protection of human rights, we firmly oppose all forms of human rights violations. *

Demonstrators take to the streets

Demonstrations in Dili since last October reflect an upsurge in resistance among the younger generation of East Timorese. Following an attempt by local army officers to placate those who were involved in the January protest movement, Minister of Defence General Murdani has warned of a major crackdown against any further demonstrations.

More details have emerged about the demonstration that greeted US ambassador, Mr John Monjo, when he visited East Timor on 17 January this year. [See *TAPOL Bulletin*, No 97, February 1990] This was part of a three-day campaign of protest, planned to coincide with the ambassador's three-day visit. The ambassador cut short his visit, apparently because of the events on his first day in Dili.

The school-pupils who took part carried pro-independence banners and chanted anti-Indonesian slogans. They called for the immediate withdrawal of Indonesian troops, the presence of a multinational force and the release of all political prisoners. They delivered a letter to the ambassador with photographs of victims massacred by Indonesian soldiers. The main spokesperson was a young East Timorese named Juliao who has since taken refuge with a priest.

The ambassador promised to convey the requests to his government and to the United Nations.

After his departure from the hotel where the protest took place, the protestors were brutally beaten; dozens were wounded. Many of the wounded later took refuge in the home of Bishop Belo, apostolic administrator of Dili.

A third Australian witness

An Australian tourist who arrived in Dili in the afternoon of 17 January, as the events at the hotel were under way, has written that, after a long delay at the airport, she began the journey to the city.

As we approached the city centre I sensed an increasing level of tension in our taxi. A number of military vehicles carrying personnel cradling automatic weapons overtook the taxi heading in the direction of my intended destination, the Hotel Turismo

She was diverted to the New Resende Inn where and told to wait till an officer would see her safely to Turismo. After two hours, she made her own way:

I passed only soldiers but then came upon small groups of people huddled together outside what turned out to be the Bishop's house. They were talking quietly amongst themselves while other people pressed against a high mesh fence calling earnestly to people inside the grounds of the Bishop's house. Looking inside I saw countless young people with bandages on their heads and upper limbs. They were being attended to by nuns and lay people. Many of the bandages were blood-stained.

One of the protestors fled to the home of the International Red Cross (ICRC) staff close by; according to the *Melbourne Sunday Herald*, five soldiers chased him into the building and beat him with their rifles, ignoring pleas of the Red Cross nurse to spare him. Later the ICRC filed a protest against the forced entry of their premises and against the violence inflicted there. [Fretilin Information Office - GIF - in Lisbon was told that two people fled into the ICRC



Timorese students demonstrating during Ambassador John Monjo's visit to Dili. [Photo: Jennifer Groves]

office but no other source confirms this.]

Many of the protestors took refuge in the Bishop's house and were visited there later that day by the governor, Mario Carrascalao, who pleaded with them to return home.

The next day, they were again visited, this time by Lieutenant-Colonel Gatot, the new chief of army intelligence, who apologised for the events of the previous day and promised no further repression if they all went home. (Colonel Bimo, the former intelligence chief, was replaced by Lieutenant-Colonel Gatot in December.)

At 3.30 pm, there was a demonstration of about 800 people in Dili, calling for the withdrawal of Indonesian troops and for independence. They marched to the Bishop's home and were addressed by the Bishop. They sent a delegation of seven to the governor's office to call for an end to detentions and persecution.

On the third day, another demonstration took place through the streets of Dili; this time, local government employees were prevented from joining under threat of reprisals from the troops. According to GIF, about 60 persons were wounded, six of them seriously.

The Australian tourist writes that on Friday, 19 January she saw a large, vocal demonstration of some 150-200 people coming from the Governor's Office to the city centre.

The participants appeared to be predominantly male and to be aged 16-19. There were also several young women of about the same age and some children about 12 years old and some older males. The leaders and a few demonstrators had concealed their faces with pieces of cloth, presumably to avoid recognition.

Those in the front line were carrying banners written in Portuguese, Tetum and English which read:

'Timor for East Timorese' and 'Rights and Justice'.

Information of arrests since the Monjo demonstration is not yet available. Although the ambassador called on the authorities not to arrest anyone for taking part in a peaceful demonstration, on 9 March, TAPOL was informed from Jakarta that five pupils of San Jose secondary school in Dili had taken refuge at the home of Pastor Leao da Costa, former director of the school because they feared arrest. They included Juliao, one of those who spoke to the ambassador through a megaphone on 17 January. The others are Jose Manuel, Betinho Albuquerque, Joao Bosco and Aleixo Laga. *

Murdani threatens to "wipe out" opposition

Two weeks after the Monjo incident, Defence Minister General Murdani went to Dili to initiate a 'get-tough' policy, by contrast with the 'softly, softly' approach of the local army and police who had gone out of their way to 'apologise' for the violence.

Speaking to 400 military personnel and civilian officials, including Governor Carrascalao, Murdani said the armed forces would "wipe out" further dissent and crush all challenges to Indonesian control. "All of these movements we can absolutely finish up, wipe out. We can take care of them all. If someone makes a movement for an independent nation and that movement is strong enough, then the armed forces will destroy it." A tape of the General's speech was passed secretly to the *Melbourne Sunday Herald*.

He announced that a special battalion, *Merpati Putih* (White Dove) is in East Timor to destroy any anti-Indonesian movement. "There will be no independent East Timor. There is no Timorese nation, there is only the Indonesian nation. Don't dream of a nation of East Timor. Don't even talk about a nation of East Timor." [*GIF Newsbriefs*, No. 2, March 1990]

The warning is reminiscent of the statement Murdani made five years ago, on 16 August 1983: "This time,

no fooling around. We are going to hit them without mercy. If this call goes unheeded, the government will use its armed forces and all its arsenal to clean up the remnants of Fretilin rebels." [*The Age*, Melbourne, 18 August 1983, quoting *Sinar Harapan* of the previous day.]

This time, he accused some senior officials of being traitors, actively supporting the Fretilin resistance and inciting the rebellious youth; he warned that he knew "which of you are Fretilin".

To show that he meant business, there was a show of force by the armed forces on 2 February, the day after he spoke. "Long columns of soldiers marched into town and two warships suddenly appeared and unloaded more troops. People were really afraid of what was going to happen. They were scared to death," a priest told the *Melbourne Herald*.

Murdani, who masterminded the Indonesian invasion of East Timor in 1975, is known to have been strongly opposed to 'opening up' East Timor. Although he is no longer armed forces commander-in-chief, he is using his influence over the armed forces to enforce a policy of greater repression. *



Injured students at Mgr Belo's residence after the 17 January demonstration. [Photo: Fretilin]

More on post Papal visit brutality

During a recent visit to East Timor, Australian journalist, Mark Baker also heard more about the crackdown that following the protest during the Pope's Mass in Taci Tolu last October. He spoke to an 18-year old who showed him bayonet scars on his back, inflicted when he was held by the army for helping organise the protest.

They beat me with rifle butts, put electric shocks through my nipples and my back was slashed with a bayonet. Sometimes I was kept in a bath of filthy water for 24 hours. They fed us rotting food that was only good for animals. When I was released in January, my body was covered with wounds and sores. I had chronic diarrhoea and I could not walk properly for a week.

Other detainees described how they were suspended from ceilings and beaten, punched in the genitals and had their hands crushed under the legs of chairs while soldiers sat interrogating them.

Describing the incidents last November when many young people took refuge in the Bishop's home, Mark Baker reported that after pressure on the Bishop to send the youngsters away, the army intelligence chief, Colonel Bimo Prekarsa, with 20 soldiers, raided his home on 5 November and forced him to hand over the youths. The colonel promised that they would be

questioned, then released. All of them were beaten, tortured and held without trial; some were held for three months, according to church sources.

Sources: *Sunday Herald*, Melbourne, 11 March 1990, *GIF Newsbriefs* No. 1, March 1990, and a statement by an Australian tourist who wishes to remain anonymous.

More executions and disappearances

Outside Dili, people are still being shot dead or are disappearing. Fretilin Information Office (GIF) reports a number of cases:

In Lospalos, Miguel da Costa was shot dead in December by Indonesian soldiers as he was gathering plants in the forest.

In Baucau, Tomas Pinto was shot dead by Indonesian soldiers during a military operation.

In Dili, Octavio Monteiro, a clandestine Fretilin activist was found dead in Comoro on 12 December 1989; he is thought to have been shot dead by Indonesian intelligence agents. In January, Vicente Ximenes was arrested by the army. His wife visited several places of detention, but has not found out where he is being held. She fears that he has disappeared.

In Gleno, about 60 kms west of Dili, about a thousand inhabitants were summoned by the district command which suspects them of working for Fretilin.

GIF sources say the atmosphere of terror has intensified since January. [*GIF Newsbriefs*, March 1990] *

EAST TIMOR

No UN reply yet for Bishop Belo

Bishop Belo, head of the Catholic church of East Timor, who wrote to the UN Secretary-General, Peres de Cuellar, on 6 February 1989 urging him to conduct a referendum in East Timor, has still not received a reply to his letter. Five months later, he wrote to the Bishop of Setubal in Portugal, through whom he had sent his initial letter to New York, requesting him to ask the UN Secretary General for a reply. This letter did not reach its destination until early this year.

Drawing attention to the precariousness of his own position, Bishop Belo asked the Bishop of Setubal to pray for him "because from one day to the next, I may meet the same fate as Monsigneur Romero".

In this letter, written on 27 June 1989, Bishop Belo speaks of the "bitter and humiliating criticisms" to which he has been subjected by Indonesian government ministers, since the time his letter became public. He writes that "so-called Timorese MPs both at local and national level, were forced at gun-point to sign a declaration stating that they accept integration".

The letter was made public by Mgr Manuel Martins, Bishop of Setubal on 6 February this year, to mark the first anniversary of Bishop Belo's referendum initiative. He said the letter, which had taken seven months to reach him, had been "carried by many hands", reaching him through members of a religious order. He went on:

The situation of the East Timorese is absolutely unthinkable, from the point of view of persecution, torture. The East Timorese are profoundly isolated and their bishop is profoundly isolated. Many things have been promised and many hopes created, but it seems there are no morals in politics. Moral principles are invoked only as currency, as means to an end."

[*New York Times*, 11 February 1990] *

Bandung student speaks out about East Timor

Ammarsyah, one of the students on trial in Bandung, has strongly condemned the Indonesian invasion of East Timor and spoke at some length about atrocities by Indonesian troops. He made the remarks in his defence plea which was read out in court on 31 January 1990. He showed himself to be very well-read on events in the Indonesian colony.

"Let us imagine the human extermination that has happened in East Timor. Whereas the world's press has reported this a great deal, our own newspapers have been prohibited from publishing anything about it."

Ammarsyah quoted Amnesty International and Asia Watch publications which have described the scale of the killings in East Timor since 7 December 1975. On one page, he included a caricature, depicting the death toll of 200,000. He mentioned the atrocities in Dili on the first and second days of the invasion and gave details about massacres in various parts of East Timor. He referred to the waves of arrests since 1981, the exclusion of the International Red Cross in the

Please turn to page 10

"I am Timorese"

TESTIMONIES FROM EAST TIMOR

'We are not asking for permission to speak, we want recognition of our right to be heard.'

In 1975 silence was imposed upon the people of East Timor when their country was invaded and occupied by Indonesia. Since then, up to 200,000 have died in a 'small war' that has gone virtually unreported. Ninety per cent of the territory's 650,000 people have been forcibly uprooted from their homes.

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East Timor raised at UN Human Rights Commission

Indonesia was forced to defend its human rights record on several occasions at the UN Human Rights Commission in Geneva from 29 January till 9 March. The issues it confronted were the worsening human rights situation in East Timor and the shocking announcement that four long-term political prisoners were executed in Jakarta, nearly twenty-five years after their arrest.

The Twelve take the lead

The most significant contribution regarding East Timor and the executions came in a joint statement on behalf of the twelve members of the European Community made by the Irish head of mission, Michael Lillis (Ireland is currently president of the EC) under Item 12 of the agenda. The Joint Statement, commenting on situations in many countries, said:

The Twelve regret the execution in Indonesia of four political prisoners on 16 February 1990 after more than 25 years of imprisonment. Regarding East Timor, we note the disquieting reports of human rights violations, including torture and ill-treatment in the past year. We share the hope expressed in the resolution of the Sub-Commission on the Prevention of Discrimination and Protection of Minorities last August that the Indonesian Government will allow representatives of human rights organisations to visit the territory.

Other government missions which referred to East Timor included Canada, Australia and the US. The Canadian statement, while welcoming "the continued openness" in East Timor, said: "We regret, however, the continued allegations of human rights abuses in East Timor and urge Indonesia to ensure that human rights are fully respected." The US statement contained the following remark: "The United States follows the situation in East Timor closely. We continue to put high priority on human rights throughout, including in East Timor." The Australian mission's comment was brief: "In our immediate neighbourhood, Australia is concerned over continuing allegations of human rights violations in East Timor in Indonesia."

In diplomatic terms, these remarks record a significant level of concern among western powers, stronger than anything Indonesia has faced in Commission meetings for many years.

NGOs speak out

The world Catholic organisation, *Pax Romana* devoted most of its submission under Item 9 (on self-determination) to East Timor. Once self-determination for Namibia had been resolved, it said, East Timor would be the most populous of all the non-self-governing territories still on the UN decolonisation agenda. After summarising the waves of repression before and after the Pope's visit to East Timor last October, *Pax Romana* said Indonesia had failed to make Indonesians out of the younger generation of Timorese. "For 15 years, the Indonesians have killed and humiliated their parents; now the younger generation is rising up, facing death to struggle against Indonesian colonialism."

The London-based NGO, *Liberation* submitted for circulation to all members of the Commission a written

statement on human rights violations in East Timor. [This document, E/CN.4/1990/NGO/10, "The human rights situation in East Timor"; it is available in English, French and Spanish]. It said that opening up the territory had made it no easier to monitor human rights abuses. Information could still only reach the outside world through clandestine channels.

Tourist testifies about Monjo visit

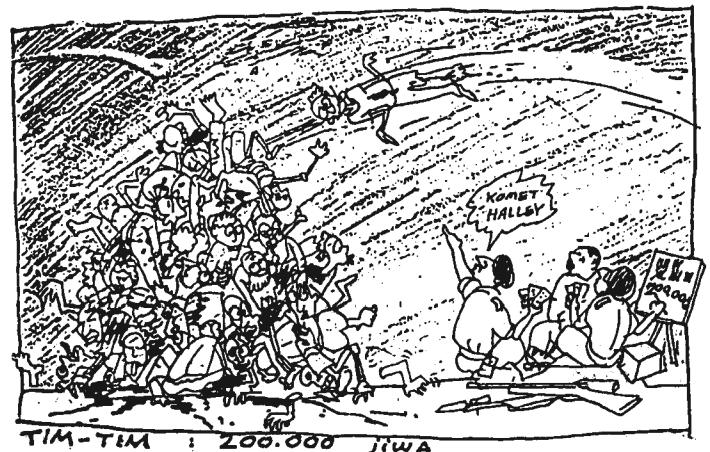
Andrew McMillan, an Australian writer who happened to be in Dili on the day US ambassador John Monjo was confronted by about 150 young East Timorese [see *TAPOL Bulletin* No 97, February 1990], told the Commission the ambassador spoke with the crowd for an hour; he listened to their grievances and promised to pass on their pleas to Washington.

It has been said that the students tried to stop the ambassador's car from leaving the hotel. That is not the case. The students... were seeking safe passage from the hotel which, by this stage, had been surrounded by police and military personnel.

continued from page 9

late 1970s, and the exile of thousands of Timorese to Atauro. "The regime has given us a grim history and has sullied the face of our people in the eyes of the world."

He included in his statement the text of Bishop Belo's letter to the UN Secretary-General, calling for a referendum. This is probably the first time the Bishop's letter has been read out, in Indonesian, in a public forum in the country. *



One of the many graphic illustrations in Ammarsyah's defence plea. The theme here is: East Timor, 200,000 lives.

McMillan denied that the demonstrators posed a threat to the ambassador:

When the ambassador's car was some 50 metres down the road, the riot police, wearing helmets, riot shields and full webbing, moved in, surrounding the students on three sides and indiscriminately beating them with batons and rifle butts. The students were forced up against an iron fence immediately in front of the hotel and were brutally kicked and bashed until they collapsed into a bleeding human pile. Students who escaped over the fence into the hotel's courtyard were kicked and bashed by soldiers wielding rifles and then dragged away.

Citing a claim by the Indonesian mission at the Commission that the Timorese who had been injured were "physically offending police officers", McMillan said: "I must pause to wonder how unarmed civilians who have apologised to a visiting dignitary for creating a disturbance can 'physically offend' police officers protected by helmets and riot shields and armed with batons or rifles."

Earlier in his testimony, McMillan described Dili as



One of the banners carried by demonstrating students in Dili on 17 January. It reads: "Independence or death. Integration No and Never! Indonesia go out from our country!"

"a major army base in which the civilian population lives in fear, in which people are afraid to smile or laugh or talk, in which, if you are asking directions, people are afraid of responding for fear that they will be classified as collaborating with foreigners. He ended his testimony, saying:

I am horrified by what I witnessed in Dili when the armed forces crushed what was essentially a peaceful protest calling for some acknowledgement of the basic rights of humankind.

Indonesia speaks with a 'Timorese voice'

The Indonesian mission in Geneva always has a large team of diplomats at commission and sub-commission meetings in Geneva; it chose this time to counter criticisms with the help of an East Timorese, Lopes da Cruz, who has collaborated, since the dark days of the Indonesian invasion in 1975, with his compatriots' oppressors. Da Cruz, a UDT leader, was deputy governor of the first 'provincial' administration set up in East Timor in 1976 and now sits on the Supreme Advisory Council, a body with no influence, composed of discarded politicians.

The statement da Cruz read out focused on what he called the benefits integration had brought for the East Timorese. East Timor is now treated "on an equal

footing with other provinces.... The so-called military presence which has often been the target of criticism from several quarters has to be seen in that perspective. It is to be underlined that the military presence in East Timor is comparable to that in Indonesia's other provinces."

Another baseless claim was that "freedom of movement in East Timor is far from being restricted". He even asserted that visits of foreign dignitaries, footballers, tourists and journalists meant that "no other area of a similar size in Indonesia, perhaps with the exception of Bali, is so frequently visited by foreigners as East Timor". In 1989, 6,190 tourists visited East Timor, he said, a considerable increase compared to 1989 (a year when no tourists were allowed in!).

Perhaps Jakarta hoped that if an East Timorese read out these fabrications it would make them sound more convincing.

There was a single paragraph about human rights violations during the Pope's visit and the visit of the US ambassador. Information presented to the Commis-

sion amounted to "the real facts (having) been blown out of all proportion. Published documents and other reliable sources which state the contrary speak for themselves". That was all.

Indonesians distort events

It is interesting to compare what we know of the 17 January with what the Indonesian mission stated in its 'right of reply' under Item 10, responding primarily to the submission by *Liberation*. It insisted that "no one was arrested or detained. Those injured from *physically offending police officers and in the ensuing brawl* were treated in hospital." Nevertheless, the statement cited an interview of Bishop Belo published in the Lisbon weekly, *O Expresso* on 10 February in which he said, of the 17 January incident, that "all the young people who were arrested on this occasion have been freed 'even those who took refuge here in my own home'". Why did the mission cite an interview which contradicted their own claims? Because they argued that this press item of an interview by phone, "clearly refutes the allegation of 'severe restrictions on the access to postal and telephone control'". *

Reorganisation of the resistance

Consultations between East Timor solidarity groups have recently been held in West Europe and in Australia. The meetings provided the groups with the opportunity to discuss the major reorganisation of the resistance inside and outside East Timor, the current stage of East Timor's struggle for self-determination and campaigning in the coming year.

The Australian meeting, hosted by the Australia-East Timor Association (AETA) in Melbourne on 4 February, was attended by support groups from various states, local Fretilin committees, the UDT committee and Timorese cultural groups. Also present were the Portuguese ambassador to Australia, the Portuguese consuls in Melbourne and Sydney, and Jose Ramos Horta, former Fretilin representative at the UN in New York.

The West European meeting, held in London and hosted by the Catholic Institute for International Relations, was attended by Abilio Araujo (Fretilin) and Paulo Pires (UDT) for the East Timor National Convergence, along with representatives from solidarity groups in Portugal, France, West Germany, Holland, Denmark, Sweden and the UK. A representative from the Japan Free East Timor Coalition also attended, as well as Andrew McMillan from Darwin who witnessed the demonstration that greeted the US ambassador, John Monjo, when he visited Dili on 17 January.

Reorganisation of the resistance

Important changes have occurred within the resistance in East Timor. Before the changes, the resistance was led by a Revolutionary Council of National Resistance (CRRN) of which Xanana Gusmao, as leader of Fretilin, was the head. He was also commander of Falintil, the armed wing of Fretilin. The CRRN was composed of the central committee of Fretilin and the Falintil high command.

In the mid 1980s, however, the resistance and its army began to include more and more non-Fretilin as well as Fretilin members, causing the leadership to carry out a re-appraisal. In 1989, Xanana announced that he had left Fretilin. The CRRN was re-organised into a National Council of Maubere Resistance (CNRM) with a broad, national membership, including two representatives from Fretilin. Falintil was transformed from a Fretilin army into a national army. Xanana is now head of the CNRM and commander of the non-party Falintil.

As part of the re-organisation, Xanana proposed that the external structure known as the Fretilin External Committee or DFSE should give way to a troika, composed of Abilio Araujo and Moises do Amaral for Fretilin and UDT, together with the former apostolic administrator of Dili, Mgr Costa Lopes. With the death of Moises do Amaral, the UDT position is now occupied by Paulo Pires; Mgr Costa Lopes was not willing to join, because the Church objected to his assuming a political function.

At the London meeting, Paulo Pires explained that almost all surviving UDT leaders are outside East Timor; the only two inside are Mario Carrascalao and Francisco Lopes da Cruz, both part of the Indonesian administration. Hence, UDT's legitimacy rests with its

existence outside East Timor; inside, UDT members have joined forces with the internal resistance.

In a document containing proposals for a Peace Plan, which was discussed at the London meeting, Xanana criticised Fretilin for its advocacy in the 1970s of strong leftist views. Abilio told the London meeting that in its first congress in 1981, following its re-organisation, Fretilin became a Marxist-Leninist party but at its second congress this decision was reversed, in favour of developing Fretilin as a broad front. Ultimately, the need to build national unity led to the creation in 1986 of the National Convergence between two distinct parties, Fretilin and UDT.

Asked about Fretilin's own political stand following the recent changes, Abilio Araujo said that discussions were taking place with Fretilin in the interior. He and Paulo Pires reiterated the importance of the National Convergence. Both parties are committed to national unity and ideologically, they are closer to each other than before.

At the Melbourne meeting, Ramos Horta also analysed the re-organisation. The focus was on strengthening unity in East Timor and moving away from the ideological struggle. "Resistance was not only in the mountains but, most encouragingly, in the towns. Indonesia has lost the battle for the younger generation. The resistance is not led by Fretilin or by UDT (but by) Falintil which is a non-partisan army, a national army of resistance."

Horta also explained his own decision to leave Fretilin last November and announced plans to set up a Secretariat of International Relations as a strictly non-partisan structure, stressing that it could not survive without Fretilin and UDT support. Fears were expressed however that it could be seen as divisive and in competition with the National Convergence.

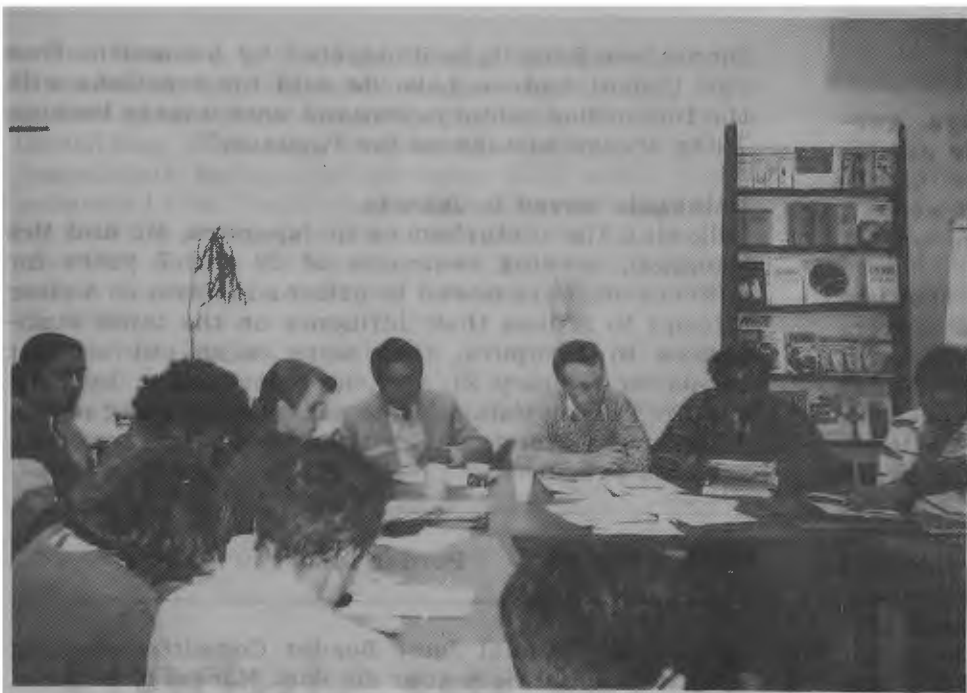
Peace Plan and the Timor Gap Treaty

Both meetings discussed Xanana's Peace Plan and felt that the Plan, which places a heavy responsibility on Portugal in the decolonisation process, needs further consideration. Meanwhile, full support would be given to Bishop Belo's call to the UN for a referendum. The call has been back by Xanana and by East Timorese students, one hundred of whom sent their own letter to the UN Secretary General last October. On 6 February each year, the letter would be celebrated. The London meeting decided to send a letter of support to Bishop Belo.

The Timor Gap Treaty between Indonesia and Australia was discussed in both gatherings, with emphasis on the need for the Portuguese government to test the treaty's legality in the International Court of Justice. Several people at the London meeting, including the two East Timorese guests, visited the Australian High Commission to protest against the Treaty.

East Timor at the UN

According to press reports in Lisbon a few days before the London meeting, preparations for a Portuguese parliamentary mission to East Timor have reached the final stages; the mission is likely to go within the next few months. It appears that Indonesia



Participants at the Consultation of East Timor solidarity groups. Facing the camera from left to right: Abilio Araujo, Robert Archer (CIIR) and Paulo Pires.

has accepted some key conditions sought by Portugal. The demonstration for the US ambassador on 17 January is likely to make Jakarta more cautious about allowing foreign visits. If the mission goes ahead, it may mean that East Timor will be voted on at the next UN General Assembly, as the visit would no longer be under discussion at the UN-supervised consultations between Indonesia and Portugal under the terms of Resolution 37/30 of 1982. Ramos Horta also felt that, with world developments moving in East Timor's favour, Indonesia may want to go for a showdown and not defer the issue any longer.

Both meetings stressed the importance of exposing human rights abuses at the UN Human Rights Commission and Sub-Commission. A key event as in past years, will be the UN Decolonisation Committee in New York in August. Efforts will be made to secure the presence of as many leading personalities as possible, on the 15th anniversary of the Indonesian invasion.*

WEST PAPUA

More arrests and disappearances in Jayapura

More details have emerged about the pro-independence demonstrations, brutally put down by Indonesian troops on December 14, in Jayapura, and about the events surrounding the West Papuans who sought asylum in the Papua New Guinea Consulate following the disturbances.

The demonstrations

From an account by James Gray, an official of the Australian Building Workers Industrial Union, who was in Jayapura early in January, it has become clear that the 14 December demonstrations planned one year after the arrest of independence fighter Thomas Wainggai, were put down even before they could begin:

About 200 Irianese were praying inside the GKI church in the central square of Jayapura with more people outside the church; all were ready for a public demonstration at 9 am in the city square. There was a 'great spirit' among the protestors. About 5 am 50 police and 200 elite Kopassus soldiers (para-commandos) arrived: the cops moved into the church and without discussion arrested the protestors.

The protestors were mainly Cenderawasih University students and academics. They carried bibles and some wore tee-shirts with the Melanesian flag on the back. About 200 people were taken to the provincial police office, 300 to the Jayapura police office and some identified as leaders and organisers were taken to Waena military prison.

According to this source, on the night before, "the military imposed a curfew and stopped taxis, strip-searching Irianese in the street..."; road-blocks had been set up and about 500 people were prevented

from entering Jayapura to join the protest. Some of these were detained for several hours. There was similar tight security in all major centres across West Papua, where there were also efforts to mount demonstrations. (Another source states that police road-blocks had been set up on December 12 and only those who worked in Jayapura were allowed through. Students who wanted to join the demonstrations managed to enter the city via surrounding mountains.)

By mid-January 1990, students involved in the demonstration had been expelled from Cenderawasih University; six were reportedly still detained. Government workers involved had been sacked and up to 100 people were still reported as unaccounted for. They had either escaped across the border to Papua New Guinea, were hiding in the bush, still detained or dead. Demonstrators were beaten up.

...A student at Cenderawasih University, Julius Dimara, was detained for two days, repeatedly bashed and questioned. He was taken to the... timber factory where his brother worked. It is next to the Kopassus headquarters. Workers were rounded up and Julius was stood in front of the meeting. A block of wood was placed in his mouth and hammered into the back of his throat. He collapsed and was dragged away."

Asylum-seekers handed over

Information in the last issue of *TAPOL Bulletin* about West Papuan asylum-seekers can now be updated. Several sources confirm that seven people, not four, sought refuge in the PNG consulate in Jayapura, following the stifled demonstrations. They were: Eddy Waromi, 1989 Cendrawasih University law graduate; Jacobus Rumbiak, geography lecturer at Cendrawasih; his wife and their two children; Jacobus Matui,

government employee, and Matthias Kambraya, government worker and agricultural engineering graduate. According to one source, a possible eighth asylum-seekers was A. Kariere, a government worker. All five men were leaders of the planned anniversary demonstration.

Contrary to the unconfirmed report in the last *TAPOL Bulletin* saying that two of the asylum-seekers had been escorted over the PNG border to Vanimo, it is now known that all asylum-seekers were handed over to the Indonesian authorities on December 29. They agreed to leave only after being told that, unless they left voluntarily, the Indonesian security forces would be invited to remove them from the consulate building. The four men are now reported to be in Waena military prison, near Jayapura, while Mrs Rumbiak and her children are under house arrest. The four are scheduled to come on trial in March 1990 but they are unlikely to have legal assistance; the charges will probably be subversion. They are understood to have gone on hunger strike in protest.

The "dominant role" played by Australia

The circumstances leading to the West Papuans' removal from the consulate are revealing of Indonesian-PNG-Australian relations. In a startlingly frank interview, the PNG Consul in Jayapura, Andrew Lala, revealed to our Australian contact the crucial role played by Australia in the PNG government's decision not to grant asylum to the seven.

Lala admitted he was scared when the seven first entered the consulate; he tried to persuade them to leave, thinking the building would be overrun by Indonesian soldiers and that his family might be hurt. He then went to Port Moresby for discussions with his government, but these were inconclusive. Lala said the Australian Embassy in Jakarta had played the dominant role in the final decision to hand over the refugees to the Indonesians, with the PNG consulate playing a lesser role.

According to Lala, this was the way most major decisions affecting PNG-Indonesia relations were made. The inability of the PNG government to take its

own decisions may well reflect the current instability of the Port Moresby administration, as the Bougainville crisis bites deep into the economy, and other land disputes gain momentum. However, interference by the former colonial power in PNG's relations with Indonesia goes back further than the recent troubled times. An Australian publication, *The Eye*, recently exposed how Australian intelligence forces were secretly training PNG soldiers in counter-insurgency techniques, for operations against West Papuan OPM guerrillas who stray across the border into PNG [see box]. Australian eagerness to forget past differences with Indonesia over East Timor have smoothed the way for the signing of the Timor Gap Treaty in December 1989 [see *TAPOL Bulletin* No 97]. The Australian position on West Papua, similarly favourable to Indonesia, fosters their friendship; Australian influence in PNG ensures that no offence is caused to Indonesia by its eastern neighbour.

As the PNG government's relations with Indonesia, actively encouraged by Australia, have improved, its attitude toward the West Papuan independence movement has hardened, despite discriminatory treatment suffered by West Papuans - fellow Melanesians - at the hands of the Indonesians. The extent of this discrimination in West Papua and how Papua New Guineans working for the government distance

themselves from it, is illustrated by a comment from PNG Consul Andrew Lala. He said his reactions with the Indonesian military command were uneasy because "they always mistake us for Papuans."

Wainggais moved to Jakarta

Following the disturbances in Jayapura, Mr and Mrs Wainggai, serving sentences of 20 and 7 years for subversion, were moved to prisons in Java. In a clear attempt to reduce their influence on the tense atmosphere in Jayapura, they were taken out of West Papua on January 24, without prior notice, by helicopter. Thomas Wainggai was taken to Cipinang prison and Teruko Wainggai was transferred to Tangerang women's prison.

Border talks

The Eighth Annual Joint Border Committee Meeting was held 28-30 November in Port Moresby, between an Indonesian team led by Home Affairs Minister (ret'd) General Rudini and a PNG team led by Foreign Affairs Minister Michael Somare. Indonesian proposals to set up check-points along the border and establish a joint sub-committee on security were welcomed by Somare who suggested that a major road network be built along the border. "The common border should no longer be regarded as a restricted area, a no-man's land", said Somare.

During the three day talks a draft border proposal was agreed for a new 10-year agreement to replace the present arrangement agreed in 1986, which expires next year.

In previous years the border area has been a highly sensitive area for Indonesia and PNG, with repeated incursions by Indonesian troops in pursuit of OPM guerrillas into PNG territory, and the 1984 exodus of 10,000 refugees following military operations and gross human rights violations against civilians in border areas on the West Papuan side. Conciliatory

West Papua: The Obliteration of a People

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.

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moves then led to the 1986 Treaty of Mutual Respect, Friendship and Cooperation, and both sides have attempted to play down the refugee situation by identifying them as "traditional border crossers". Immediately before the November 1989 talks, Rudini reiterated that "both countries realize that there are no political motives behind the crossing by Irianese into PNG and that this is caused by traditional and tribal relationship factors." [*Jakarta Post* November 25, 1989]

The fact remains that the border is of utmost political importance for West Papuans. During the round-up of demonstrators in Jayapura on December 14, some are reported to have fled across the border to escape arrest, despite an Indonesian request to PNG to suspend border crossings. Along the PNG side of the border, thousands of refugees prefer to remain in poorly-equipped refugee camps, rather than return

to their homes in West Papua. "The majority are afraid to come back because they suspect they will be killed by the military," according to a non-governmental organisation worker [quoted in *Far Eastern Economic Review* November 30, 1989].

Reports circulating in September 1989, around the time the PNG consulate was opened in Jayapura, that the PNG government was proposing to commit itself to permit Indonesia a 12 km right of pursuit into PNG territory, has not allayed these fears among West Papuan refugees. There are also unconfirmed reports that 39 refugees from Kungim who were tending gardens on the Indonesian side of the border, were killed by Indonesian soldiers. *

Update on West Papuan refugees

Conditions for West Papuans in refugee camps across the border remain serious both in the official camps at East Awin and in the many "closed" camps situated along the remote border. The term "closed" is used for camps along the border; the UN High Commission for Refugees has no access to these camps which means that no outside sustenance of any kind is provided.

Bad road communications between the various settlements at East Awin have led to deteriorating conditions in the camp; UNHCR rice rations have not been getting through to refugees, while health and education work has been severely disrupted. Improvements to the road are being partially financed by British Petroleum, which has found oil in the area. Refugee labour is being used to improve the road.

Another longer-term problem for the refugees at East Awin is sustaining a living from the land, the long-term policy of the PNG government is that they should settle on this site, which has now been designated a "local settlement site"; the inhabitants have local settlement rights but have not been issued with documents to substantiate their status. The refugees fear long-term survival is not possible, as the soil cannot sustain shifting agriculture (the previous inhabitants were primarily hunter-gatherers). Wildlife has already been over-hunted within one day's walk of the camp.

Another cause for concern is the fact that the camp land, acquired from the local East Awin tribe has not yet been paid for. The refugees are uneasy about this, wishing to avoid antagonising the local people.

Conditions at the "closed" border camps are reported to be considerably worse. Refugees receive neither visits nor financial aid from the UNHCR or the PNG government. The mortality rate and infant mortality is far higher in these camps than in surrounding villages: major diseases are malaria, TB and elephantiasis. The refugees survive by growing fruit and vegetables, but suffer spells of hunger. Potential health and education workers are too busy ensuring their own survival to spend time working for the community.

[Source: *Papua New Guinea, Report of a Field Visit, September-October 1989*, by Margaret Clausen, Community Aid Abroad].

Forcible relocation of refugees

There have been a number of disturbing reports about the forcible relocation of refugees, who had formerly lived at Blackwater refugee camp, an "official" camp closed in 1988 after pressure from the Indonesian government. In 1988 these refugees, originally from coastal areas of West Papua, refused to move to the inland East Awin camp, instead moving to Pasi Beach, near Vanimo, on the north coast of PNG. According to a report in *Times of Papua New Guinea* [December 14, 1989], refugees were forced by the riot



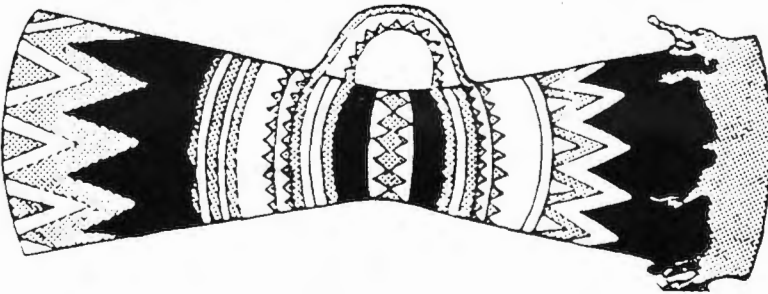
West Papuan refugees.

squad under the supervision of Foreign Affairs officials, to pack up their belongings with no prior notice and leave their camp, early in the morning of December 9. Their homes were then burnt down to prevent them from returning. The relocation was thought to be related to the forthcoming opening of the Indonesian consulate in Vanimo. The PNG government stepped in after Parliament had amended the law concerning the treatment of immigrants, giving the government powers to force people to move.

According to a UNHCR official quoted in the same weekly, the relocation of more than 200 refugees from Vanimo was running smoothly. The official explained that the East Awin camp is the only official refugee camp in PNG where educational, health and other services can be provided.

Repatriation

In another development, the UNHCR official also announced that 60 refugees from the Mindiptanah and Mamberamo areas had asked the UNHCR for voluntary repatriation. The situation for returning refugees may have improved since the Indonesian government permitted the International Red Cross to set up office in Jayapura. Two official groups of refugees crossed back into West Papua in December 1989, one to Mindiptanah, one to Jayapura. Both groups were greeted by ICRC officials. *



Tribal people turn away from government relocation

Conditions at a resettlement site for the victims of last August's earthquake in the Central Highlands of West Papua, are so desperate that tribal people have started making their way back to their mountain homelands on foot, rather than face malnutrition and malaria on the new low-altitude site. The highland Hupla tribe - neighbours of the Dani - have no resistance to malaria. Reports say 27 people have died at the Eleliem site near Landikma and others have been flown to hospital.

The earthquake, in the Kurima subdistrict, killed 120 people and left many others homeless [see *TAPOL Bulletin* 95]. Disaster relief organised by the government and missionaries, kept many of the 4,000 tribal Hupla people living in the immediate area alive, while land for the new site was acquired - without compensation - from another tribe to the north.

The long-term government plan, part of the national programme to "civilize" tribal people, is to move tens of thousands of tribal people from a large area on the remote, southern side of the range, to sites in the

Australia's secret

According to a report in an Australian publication, *The Eye*, the Hawke Government has been secretly training PNG troops in skills needed to suppress the OPM, to be used against West Papuan independence fighters inside PNG. The scheme has involved some members of the Special Air Service Regiment as well as Covert Action operatives working for ASIS, the Australian intelligence service. Small numbers of US and New Zealand military personnel are also reported to have taken part. Some of the PNG troops trained, have been used in the attempt to defeat the liberation forces at Bougainville.

The training began in September 1985 under cover of a military exercise named "Night Falcon" and has continued each year since then except 1987.

There have also been reports that SAS detachments have been deployed on the PNG border with West Papua but this is denied by the Australian Defence Department.

Training PNG troops to suppress the OPM is in line with an Australian Cabinet decision taken in 1983, endorsing a document entitled "The Strategic Basis of Australian Defence Policy". This document, stamped "Secret, Australian Eyes Only", states:

Australian policy should encourage Papua New Guinea to take action where ever possible to suppress anti-Indonesian activity by Irian Jaya dissidents and progressively to develop the Papua New Guinea official presence in the border region.

The reasoning behind this is to avoid a situation where Indonesia itself takes action "in a more sustained and coordinated way to attempt to change PNG policy". [*The Eye* Oct-Nov 1989] *

more accessible north. The people to be moved have not been consulted. An idea of the kind of "persuasion" the government may employ can be gained from the way people were coerced into moving to the new site: if they chose not to go, their government relief was cut off.

For those who left, their new life started on the airstrip at Wamena where, it is reported, they were forced to change from tribal dress into Indonesian-style clothes, before boarding the plane. On the site they are provided with regulation "healthy houses", seeds and livestock. The resettlers also have their very own police post.

Previous attempts to resettle the Hupla tribe in a different area, following an earthquake in 1982, ended in failure: people returned home after around thirty people died within the first month of resettlement. Now again, it is clear they would rather live with the known risks of earthquakes, than the unfamiliar perils of government resettlement. *

Six Bandung students jailed

The six students of the Bandung Institute of Technology (ITB) on trial since last November have all been found guilty. Another six ITB students are now facing charges in court. All the defendants have used the courts to criticise government policy in their defence pleas.

The students were on trial for taking part in an organised walkout from a lecture on 5 August 1989 by Interior Minister, retired General Rudini; he had been invited by the rector to open an indoctrination course for first-year students. Students in Bandung have backed villagers in many disputes over land-ownership throughout West Java and were strongly critical of Rudini for lack of support and for making empty promises.

A major difficulty throughout the trials was the refusal of the courts to summon two senior officials, the ITB Rector, Professor Wiratno Arismunandar, and General Rudini, whom the defence lawyers wanted to cross-examine. When the presiding judge in one of the cases suggested that the defence lawyers might summon these men to testify, Professor Wiratno announced that he was not willing to appear in court.

The sentences passed against the six were harsher than had been called for by the prosecution. This suggests that the judges were under strong pressure to punish the students severely, in view of the strongly-worded defence pleas read out after the summation by the prosecution. Muhamad Djumhur Hidayat was sentenced to three years and three months; the other five, Arnold Purba, Fadjoel Rachman, Ammarsyah, Supriyanto and Bambang Sugiyanto, were given three-year sentences. The prosecutors had called for two years and in one case, for twenty-

seven months. All the defendants have appealed.

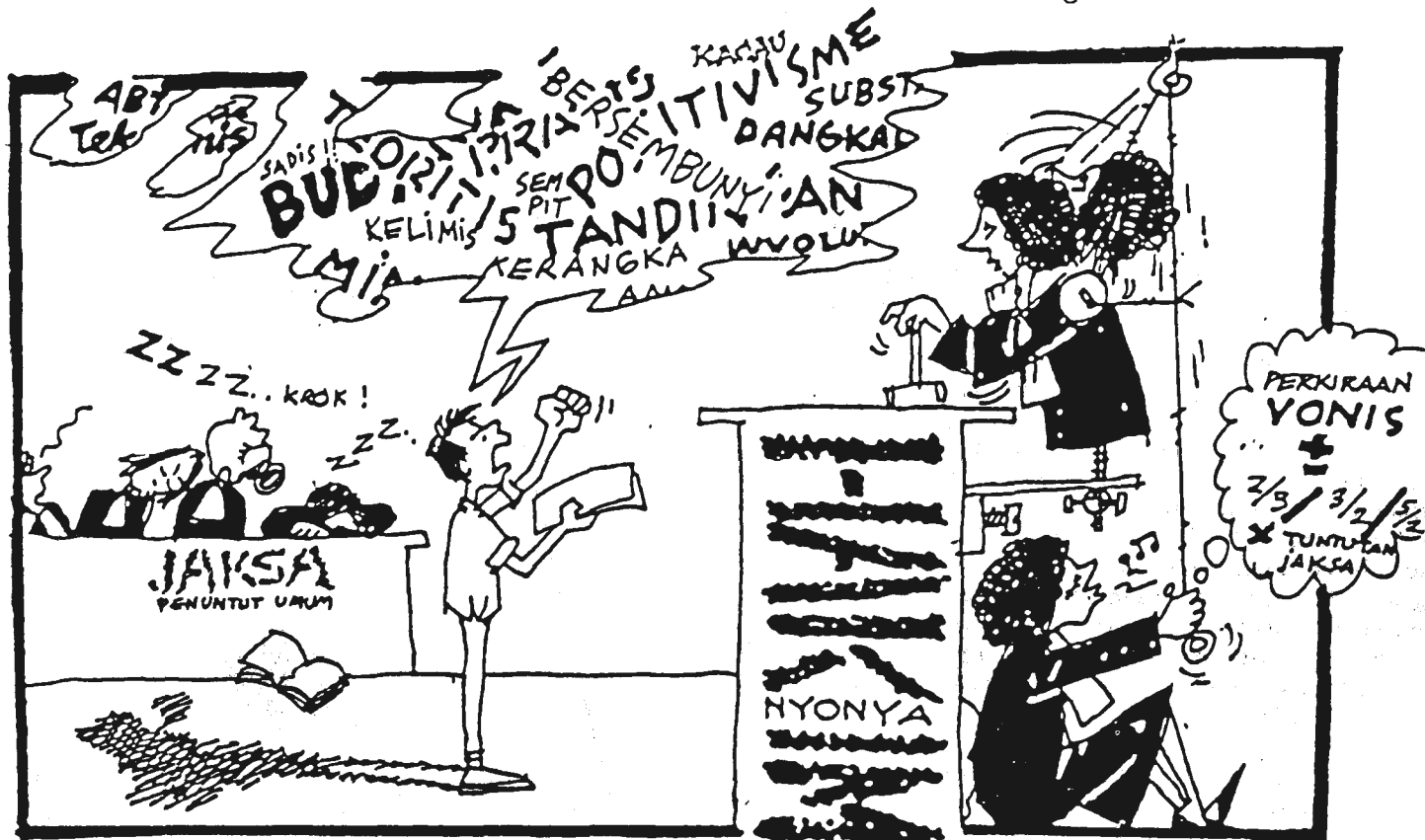
The students were summarily expelled immediately after the 5 August incident; in press reports, they were all referred to as 'former students'.

Protest against treatment in court

Halfway through the trials, the six men lodged a formal protest following a series of incidents inside and outside the courtrooms. On two occasions, friends of the defendants were beaten by soldiers or policemen as they circulated copies of the opening statements or *eksepsi*, read out in court by some of the defendants. Two other supporters were also beaten. The incident which ultimately led to the formal protest occurred during Fadjoel Rachman's trial.

On 3 January 1990, while witnesses were being cross-examined, an official of the court suddenly strode across the courtroom to the public gallery and struck a woman on the thigh, apparently because she had her legs crossed. He then approached a man in the public gallery and kicked him on the leg. The defendant protested and asked the judge to reprimand the official but he was ignored. Fadjoel Rachman then walked out of the court, followed shortly afterwards by his team of lawyers.

Two days later the six defendants wanted to present a joint complaint but were refused permission to read it out in court. Basing themselves on the United



An illustration from the defence plea of Supriyanto.

Nations Basic Principles on the Independence of the Judiciary, they protested "against the treatment to which we as well as other participants have been subjected" during the trials. They called on the chairman of the Bandung district court "to respect and safeguard implementation of the rules guiding the conduct of fair and open trials". Attached to the protest is a chronology of the incidents which reveals a pattern of intimidating supporters of the defendants. All the trial hearings were attended by hundreds of supporters who made no secret of their sympathy for the men on trial, cheering them on and sometimes barracking the judges and prosecutors. Indeed, the trials have shown the strength of feeling among students in Indonesia's most prestigious tertiary institute regarding a range of political, economic and social issues in Indonesia today. Copies of the protest were sent to Amnesty International and the International Commission of Jurists.

Six more trials under way

When the six students were arrested last August, five others were also held; shortly before the trials began, they were released, giving the impression that they

would not be tried. However, in February, the Bandung prosecutor's office announced that they are to be tried. The five are Abdul Sobur and Nur Adi Bijantara, both of the Graphics and Design Faculty, Dwito Hermanadi and Widjaya Santosa of the Faculty of Physical Technology and Lendo Nova, a second-year student in industrial technology. Some of them have already appeared in court, as witnesses in the trials of their friends. They too have been expelled from the ITB.

Another student whose trial has already begun is Syahganda Nainggolan, a 24-year old student at the Technology and Geodesy Faculty of the ITB, also referred to as a 'former student'. He is on trial for organising a protest, with about thirty other students, to secure the release and re-instatement of the eleven students who were expelled and arrested after the 5 August incident. On 3 November, Syahganda and his friends tried to enter the office of the ITB Rector to present their demands but they were ordered to disperse. Instead of dispersing, they set up a tent in the forecourt of the Rector's office and began a sitdown strike. They tied banners to trees with slogans like: Release our friends! Dismiss the Rector! We want education, not trials! Act against a Dictator! and Repeal all Regulations! *

Defendant goes on the offensive

The six Bandung trials have been used as the forum for a comprehensive attack on the policies of the Suharto regime. The students deny that they were waging a political movement but insist on their right to make a moral challenge to those in power. Now that several of their defence pleas have become available, it is clear that students in Bandung have been studying basic theoretical works about authoritarianism around the world and in Indonesia, as well as following reports about Indonesia and East Timor published by Amnesty International and Asia Watch.

For an idea of the stance of the defendants, we take a look at the defence plea of Ammarsyah, entitled *Indonesia, a Story of the Bayonet and the Steel Helmet*. The document is 235 pages long and contains many hard-hitting caricatures. He starts with a critic of the judges who, by virtue of their status as appointees of the executive to which they must owe their allegiance, cannot act independently of their masters. Taking forward his argument that Indonesia is governed not by 'rule of law' but by 'rule of the elite', he describes the present trials as political trials. "It is a lie and distortion to say that these are ordinary criminal trials. These courts have political aims; they are an arena created by the Suharto regime to eliminate anyone who does not agree with the New Order." The articles of the Criminal Code which have been used to convict him and his colleagues impose far-reaching restrictions on the freedom of citizens to express opinions, weakening and undermining the lives of ordinary people. Article 154, the basis for the primary charge against the ITB students reads:

Whosoever publicly expresses feelings of hostility, hatred or disrespect for the Indonesian Government shall be liable to a penalty of up to seven years or a fine of up to four thousand, five hundred rupiahs.

Chapter Two of the defence plea, entitled "The suppression of basic human rights and New Order terror", supports the analysis of propaganda and terror presented in *Indonesia: Propaganda, Law and Terror* by Southwood and Flanagan. It contains details of the many massacres in Indonesia since 1965, against the PKI in 1965-66, against the people of East Timor since 1975, the 'mysterious killings' of 1983 "for



which our Father of Development [Suharto], by his own admission, bears the greatest responsibility", the massacre of Muslims in Tanjung Priok in September 1984 and the continuing murders in Irian Jaya [West Papua] where a war is being waged against the OPM. He attacks the continued use of the death penalty and lists all those who have been executed. "The majority of those executed were 'involved' in political cases, especially the G30S." He attacks Suharto for neither granting nor rejecting their pleas for clemency. "This was a peculiarly cruel form of punishment for those awaiting execution, a mental terror. They waited for decisions on their appeals which never came because the appeals were deliberately ignored."

The document provides a wide-ranging analysis of many aspects of the New Order, its "institutions of terror", its propaganda, namely the "ideology of national stability and Pancasila", its "plunder of political resources", its "myth of national development" and the significance of political trials for the New Order. Political trials, he says, are held "to legitimise the violence, killings, arrests and detentions that preceded them. That violence is the essential pre-requisite for the trials.... The courts are used to justify the [regime's] irrationality, to spread fear, to demand obedience and to make people tolerate the intolerable."

Students and the people's struggle

Of particular interest is the final chapter which includes a brief history of student activism, drawing attention in particular to the way in which the Suharto regime has manipulated the students for its own ends. Although the student movement suffered a setback in 1978 with the destruction of democratic student councils, Ammarsyah stresses that, since 1980, there have always been protest actions among ITB students. He goes through all the issues, mentioning several actions in which thousands of students were involved. Events to celebrate human rights day in 1988, for example, were attended by 1,500 students and 3,000 took part in four days of mourning for victims of police action against students in Ujung Panjang.

The sequence of student actions intensified during 1988 culminating in October with the establishment of a Committee of Solidarity for the People of Badega and then in February 1989, a Committee of Solidarity with the Victims of Kedung Ombo and, throughout 1989, numerous actions in support of villagers involved in land disputes.

Arrests, detentions, beatings, torture and trials have not stopped the students from continuing their activities. Nor have they stopped following our arrests and the arrests of our friends.... Our expulsion by the Rector led to a call on all students not to attend lectures, preceded by a hunger strike conducted by a number of students.... Letters of support have reached us from many cities. In Ujung Panjang, students held a public meeting, followed by two-day hunger strikes. Similar actions also occurred in Yogyakarta, Jakarta, Semarang, Medan, Bengkulu, Bogor, Salatiga and other cities.

Changes in Eastern Europe and Indonesia

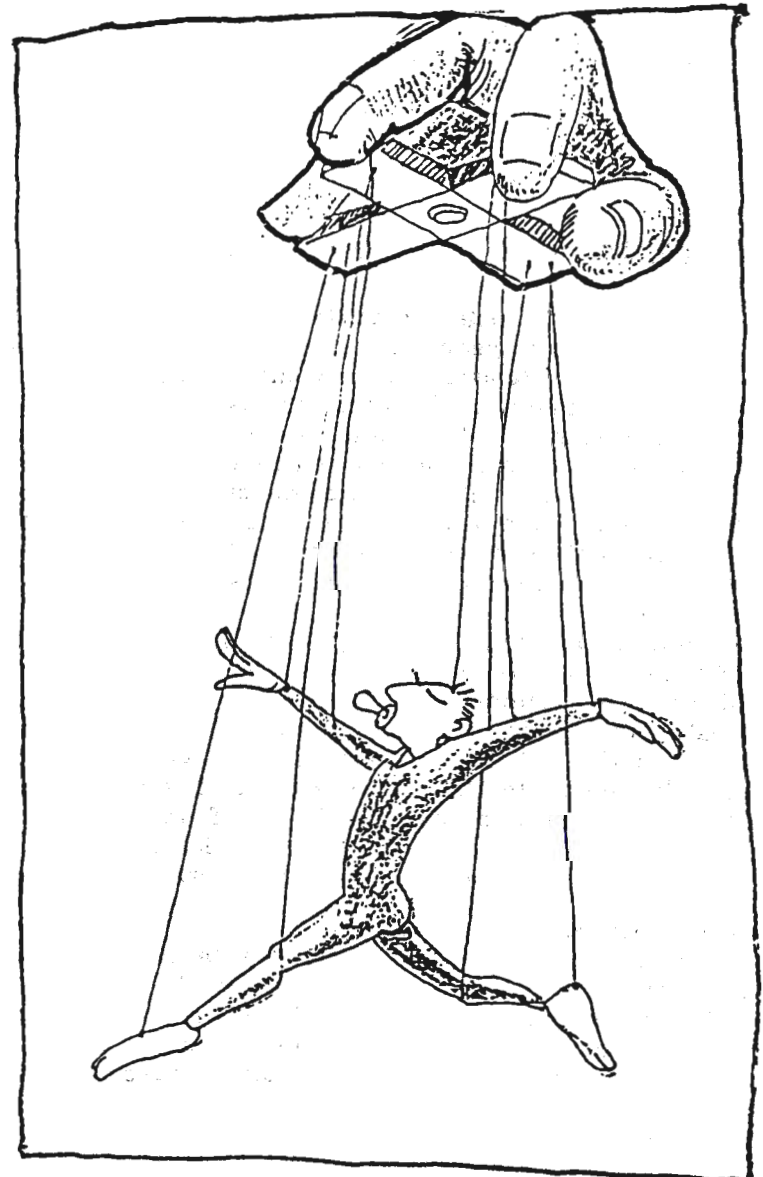
Ammarsyah then speaks optimistically about pro-democracy movements against authoritarian regimes in many parts of the world. "The experience of the democratisation movement in South Korea proves that there is no military regime that cannot be overthrown." His analysis of the recent events in Eastern Europe and its relevance for Indonesia is interesting enough to be quoted at some length:

The changes in Eastern Europe show that absolutist political power, in communist as well as non-communist countries, will certainly be opposed by the people. When Indonesian rulers claim that the changes in Eastern Europe are proof of the failure of 'communism', they are making a great mistake.

What we should be saying is that even in communist countries, profound changes are possible. People can demonstrate when they are dissatisfied with government policy. If necessary, the dominant political party can be challenged, the Constitution can be replaced.... Corrupt leaders can be removed from power and, if necessary tried by people's courts.

Indonesian officials should of course be saying such things. If even in communist countries, demonstrations can take place to oust absolutism, why are the people in our Pancasilaist (and anti-communist) state silenced and paralysed. Indonesian people are prohibited from demonstrating; they cannot freely express opinions in writing or orally, still less can they challenge government policy... (In) communist states the tide of democratisation is far greater than in our Pancasila state.

Our rulers are getting more and more scared seeing the tide of democratisation in Eastern Europe. This only goes to show that here in Indonesia, we have authoritarian rulers who cling to power. They are panicking, fearful at the prospect of democratisation in Indonesia. *



An illustration from Supriyanto's defence plea.

Human rights *Monitor* banned



A new bulletin, *MONITOR of Basic Human Rights in Indonesia* which has appeared only twice, has been ordered to halt publication. The publication was jointly produced by the Institute for the Defence of Human Rights and INSAN, an organisation devoted to humanitarian issues. It was to have appeared monthly, for restricted circulation only ('*hanya untuk kalangan sendiri*'). The first issue appeared in November 1989, followed by a second issue in January 1990.

It was ordered to stop publication by the Department of Information on 2 February. The Department said that the publication was not in possession of the necessary permits: "You are therefore requested to halt publication of the journal, *MONITOR*, until such time as it conforms with the laws in force."

The two issues recorded a wide variety of abuses of human rights, including the right to employment, maltreatment, political rights, land rights, the environment, freedom of expression, the freedom of access to correct information, civil rights, workers' rights, the right to social welfare and corruption within the government apparatus. It was based entirely on articles and news items that have appeared in the Indonesian press.

TAPOL has written to the British Government, the Irish Government as current president of the European Community, the UN Centre for Human Rights, the Human Rights Sub-Committee of the European Parliament and *Article 19*, the London-based organisation that campaigns against censorship, calling on them to protest against the closure of *MONITOR* and urge the Indonesian government to lift the ban, in accordance with Article 19 of the Universal Declaration of Human Rights. *

Human Rights Briefs

Detainee dies in police custody

A thirty-three year old construction worker in Padang, West Sumatra, died while he was in police custody in Pauh, on 7 December last. Only half-an-hour before his death, Ujung Kamek had been visited by his wife who brought him some food and found him to be in good health. Suspicions of foul-play were heightened when relatives who retrieved his body from the police station, discovered that there was a wound on his head and both his arms were covered in blisters.

Ujung's arrest for allegedly stealing two truckloads of rock for a construction project at Andalas University led to a solidarity campaign. Two days before his death, hundreds of young people demonstrated in front of the police station where he was being held, in a 'silent protest'. After the news that Ujung had died in police custody, hundreds of young people again gathered outside the police station and started pelting it with stones. [*Editor*, 16 December 1989] *

Nurses demand their rights

A delegation of nurses from Jakarta Hospital has complained to the Municipal Assembly after failing to obtain redress for the neglect of their rights. As long ago as February last year, 91 nurses at the hospital submitted a series of demands about abuse of their right to paid holidays, neglect of their status as employees and the failure of their employer to inform them of their contractual rights.

After getting nowhere for several months, they

discussed their grievances with the local branch of the government-controlled trade union federation, SPSI and Labour Ministry officials, but without result. What did happen however was that two of their leaders, Siti Maruiyah and Roma, were sacked. The other nurses were summoned by their employers and told to retract their complaints or resign. The majority complied out of fear but a group of 27 refused to do so. The 12 nurses who renewed their call for justice by visiting the Municipal Assembly were acting on behalf of those 27 women. [*Pos Kota, Media Indonesia, Jawa Pos, Suara Pembaruan* 6 December 1989, quoted in *MONITOR* No. 2, 1989] *

Arrested for complaining to PO Box 5000

A villager who complained to PO Box 5000 because he and other villagers had been cheated of compensation to which they were entitled, was taken into custody by officials of the public prosecutor's office and the police. PO Box 5000 is a channel created by the Vice President for people to submit their grievances in confidence. Ali Muhtadlo was acting on behalf of a number of land-owners in Sukakarta Village, Karawang, West Java whose land was taken over for an agricultural project. Instead of receiving the agreed compensation of Rp. 25 million, they were given only Rp. 15 million.

Since Ali's detention, his wife has challenged his unlawful arrest by filing a case under the *praperadilan* provisions of the Procedural Code, KUHAP. [*Editor*, 16 December 1989] *

Lawyers' union under threat

The Indonesian lawyers' organisation, *Ikadin*, is under pressure from the Minister of Justice, General (retired) Ismael Saleh, who wants to see a change in leadership and have the present chair, Haryono Tjitrosobono replaced by someone more 'cooperative'.

Ikadin was set up in 1985, at the behest of the government, which insisted that all lawyers' organisations should disband and merge into a single organisation. This accords with the corporatist principle of the Indonesian state under Suharto. Haryono who became chair of *Ikadin* was from *Peradin*, the largest of the organisations then in existence. He is also respected as a barrister who takes on political trials. He is currently member of the team of lawyers defending the ITB students in Bandung.

The struggle over control of *Ikadin* reflects the shaky position of lawyers in Indonesia. Their independence was placed in jeopardy by a joint decision a few years ago of Ismael Saleh as Justice Minister and General Ali Said, chair of the Supreme Court, giving the Minister powers to debar lawyers for alleged contempt of court. It is clear that Saleh wants to get his own man chosen as chair of *Ikadin* so that eventually, the organisation will become the mechanism for imposing a code of discipline on lawyers in line with government wishes.

National congress postponed twice

When *Ikadin* announced last year its intention to hold a national congress, an internal dispute erupted over voting rights. An attempt was made by the Jakarta branch to allow all members instead of branch representatives to vote. This was seen as a move to give the Jakarta branch a position of dominance since half the members of *Ikadin* live and work in the capital. The dispute forced the organisation to postpone its congress scheduled for November 1989.

When the organisation went ahead with plans to hold its congress in January this year, the Justice Minister used the internal dispute as the pretext to meddle in *Ikadin*'s internal affairs. He announced that he would not endorse its application for a police permit without which the congress cannot take place. Alleging that *Ikadin* has failed to give 'guidance' to its members, General Ismael Saleh declared that he would not allow the congress to take place until he received an assurance that it would elect a new executive able to "communicate with the government and to guide its members".

The Minister has made no secret of his support for the candidacy of Gani Djemat as new *Ikadin* chairman. Gani's association with Ismael Saleh goes back many years; in 1966, he was appointed as a judge in two Extraordinary Military Tribunal trials. He sat in judgement over Lieutenant-Colonel Untung and PKI leader, Njono who were both sentenced to death for complicity in the G30S events in October 1965. [*Tempo*, 9 December, and *Jakarta Post*, 8 December 1989.]

Ismael Saleh has further acted to humiliate the lawyers. In response to a request for a meeting with him to discuss plans for the congress, Saleh refused to receive only members of the Executive Committee, demanding that instead the delegation should consist of the whole Central Council and members of the

Advisory Board, thus including his favourite, Gani Djemat. With its executive refusing to take orders from the Minister about the composition of the delegation, *Ikadin* is unable to convene a national meeting to elect a leadership to replace the current leadership whose term of office has expired.

Ikadin chair, Haryono is trying to hold out against the Minister. Rather than allow such interference, he said, it would be better for *Ikadin* to be disbanded. "We can still enforce the law without it, The organisation is a tool; we should use it, not be used by it." [*Jakarta Post*, 3 March 1990]

Barristers lack independence

Addressing a seminar on the concept of law, Haryono complained bitterly about the lack of independence of the legal profession in Indonesia. He referred in particular to the joint decision mentioned above which gives the Executive powers to supervise the profession. This is an abuse of the principle of independence. "Their powers of supervision concern not only judicative but also administrative affairs. They cover the registration of lawyers, their permits to practise

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and their spread in different parts of the country. The result is that the status of lawyers is no different from that of government employees." [*Kompas*, 3 March]

Bandung lawyer reprimanded

Dindin S. Maolani, director of the Bandung Legal Aid Institute and one of the team of lawyers defending the ITB students on trial in Bandung, has been given a warning by the chairman of the Bandung district court. The reprimand, copies of which have also been sent to the Justice Minister and the Supreme Court, follows an incident during a hearing in the trial of Ammarsyah, when the lawyer told the panel of judges: "You should study the Criminal Procedures Code (KUHAP) because the students understand the Code very well."

He made the remark after the presiding-judge rejected a request by the defence that the linguist, Ariel Harianto, be called as an expert-witness to give an opinion about the wording on the banners used to protest against Interior Minister, General Rudini. The prosecution charged that the posters meant that the students were intending 'to hang' or 'burn' the Interior Minister, although this was clearly not their intention.

Describing expert testimony about the wording as 'irrelevant', the judge said that according to KUHAP, it was up to the judge to decide whether witnesses are called. Dindin on the other hand said that Article 160 of KUHAP requires the judge to summon witnesses



Dindin S. Maolani. [Editor, 10 February 1990]

both for and against the defendant.

Although the warning has not resulted in Dindin being debarred, another clash with the judiciary could have far more serious consequences.

Dindin Maolani is one of the lawyers who experienced anonymous death threats and other forms of intimidation shortly before the ITB student trials began. [See *TAPOL Bulletin*, No. 96, December 1989] *

The fight over land

The rising tide of protests by angry farmers whose land and livelihood are threatened by the projects of private companies or the government, continues to cause concern in Jakarta. On at least two occasions in the last three months, President Suharto has declared that projects involving land acquisition should not deprive people of their source of income. State Secretary, General Moerdiono, warned that land disputes not dealt with wisely could end up posing problems for security. Settlement of land disputes should not only be legally correct, but also "socially and ethically fair", he said. [*Jakarta Post* March 8, 1990]

The next day, Home Affairs Minister, (retired) General Rudini, was instructing officials to encourage people "not to sell their land too easily". He noted that many people lived in worse conditions than before they moved, because compensation was insufficient to purchase replacement land. [*Jakarta Post* March 9, 1990]

To the casual observer, it may seem that the Suharto, Moerdiono and Rudini had learned a lesson from the Kedung Ombo land dispute, an internationally renowned case of mass resistance against an ill-conceived resettlement plan to make way for a World Bank-funded dam - and an inspiration to others wishing to defend their land. In reality, their statements represent an attempt to diffuse the growing tension over land which, given the rigidly top-down nature of development in Indonesia, is

bound to intensify.

From the increasing number of deputations of angry, ousted farmers who descend on the House of Representatives, it is evident that the Kedung Ombo lessons have not been learned. On Java, where the pace of development and the squeeze on the land is already excessive, more farmers are refusing to bow to official pressure and accept deals which are patently unjust.

Eucalyptus victims

Ten women who destroyed thousands of eucalyptus trees planted on their land by powerful pulp company PT Inti Indorayon Utama, have been sentenced to six months in prison. The women were told by the judge they had committed a criminal act and had obstructed national development. Whether or not they owned the land, he said, did not enter the discussion.

The women from Sugapa village, in North Tapanuli district, North Sumatra, said they had never agreed to PT IIU taking over their ancestral land and had written letters of protest, long before taking direct action in April 1989.

A crowded courtroom, mostly women, heard how the ten women aged between 38 and 65 had caused damage worth Rp 15 million to PT IIU property, by cutting, digging and pulling up 16,660 trees. The defendants, who come from a predominantly Christian area, entered each court session singing *Show me the way oh Lord*, and showed no remorse throughout the

trial. After hearing their sentences, they announced their determination to appeal: "Even if they hang us, we'll still appeal," declared Ompu Si Maju, one of the women. "We're ready to be cut to pieces". [*Suara Pembaruan* February 2, 1990]

In March 1990, the UK-based Women's Environmental Network, wrote to the Indonesian press in support of the ten, saying the women were not criminals but "courageous individuals", defending their land and environment. Copies were sent to Minister for Women's Affairs Sulasikin Murpratomo, Minister for Population and Environment Emil Salim, and the Director of PT IIU.

LAND DISPUTES



Yogyakarta students demonstrating in support of Kedung Ombo victims.

PT Inti Indorayon Utama

This pulp company, notorious for its disregard for the environment and for people unfortunate enough to live in the polluted vicinity of its plant, has recently been accused of causing the deaths of 13 people. A landslide hit the village of Sianpur Dua after heavy rains dislodged earth at a site being excavated by PT IIU to build a logging road. The government has again extricated the company which enjoys the backing of powerful generals - it was officially opened together with seven other pulp plants by Suharto in December - saying the tragedy was a "natural disaster". Last year the company was judged not guilty of polluting the environment after a long court case fought by the environmental organisation, WALHI.

PT IIU's parent company, the Raja Garuda Mas Group, has recently announced plans to build a giant new US\$ 1.5 billion pulp plant in Riau with a capacity almost seven times that of the North Sumatra plant [see *Jakarta Post* February 26 1990].

Farmers fight back at Cimacan

Since Kedung Ombo faded from the news, the dispute at Cimacan, where 287 farmers are fighting to keep their land from the clutches of a golf-course developer, has grabbed much press attention [see *TAPOL Bulletin* No 95 & 96 for background]. Although

compensation offered by PT BAM, originally a mere Rp 30/m², increased seven-fold after international non-governmental organisations wrote letters of protest in support of the farmers, the farmers still insist on keeping their land. They are supported by the student-based Cimacan Golf-Course Development Victim Solidarity Group, whose appeal to the DPR to send a fact-finding mission to Cimacan was recently refused.

No 1, February 1990

DOWN TO EARTH

A MONTHLY NEWS SERVICE FOR SUSTAINABLE DEVELOPMENT IN INDONESIA

TOWARDS A SUSTAINABLE FUTURE FOR INDONESIA

It is now nearly ten years since the "Brundtland Commission" produced its report 'Our Common Future' which called for a radical restructuring of the world economy to avoid environmental catastrophe. In essence this (through the United Nations 'World Commission on Environment and Development'), as it is more correctly termed, advocated the concept of 'sustainable development' by which development is made to meet the needs of the present without compromising the ability of future generations to meet their own needs.

The Commission's importance lay in its demonstration of the immediate links between the problems of poverty, environmental degradation and the unbridled pursuit of growth. In recognising poverty, securing environmental protection and achieving sustainable growth, the Commission laid special emphasis on the importance of towards a report for human rights and for the principle of equity and social justice. The measures advocated by the Commission include:

- ordering land priority for poor people, both through revising land tenure legislation and through land reform;
- encouraging local people to give their own decisive voice in formulating policies about resource development in their areas;
- protecting the rights of vulnerable rural groups;
- increasing the institutional capacity of developing countries to deal with social and environmental issues and integrate these into national policy making;
- promoting threatened habitats and species through improved resource use and the maintenance of protected areas.

Indonesia is a glaring example of a country where these basic pre-conditions for achieving 'sustainable development' are lacking. Rural populations are denied any voice in decision-making and the Government is pursuing an accelerated policy of resettling tribal people into modern settlements under Government supervision. Sustainable development in Indonesia has thus provided a point where the pressure on land is causing profound social disruption and is threatening the very survival of the nation. In fact there is a rapid drive towards the further intensification of agriculture, increasing the concentration of hydro projects for both irrigation and power generation. Many urban-based projects are increasing the demand for land outside cities, while rich city dwellers are purchasing agricultural land as profitable investments.

These trends have caused a rising role of environmental and protected the Government's determination to proceed with the Transmigration Programme, despite clear evidence that it has aggravated land disputes, undermined the lives of tribal people and jeopardised environmental protection in some islands. By increasing the numbers of 'transmigrants' increasingly more, the Government has continued population flows despite hazardous conditions.

With resources from oil fields, as a result of world recession and improved energy efficiency in industry, Indonesia

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28 farmers are on trial, accused by real estate company PT Bandung Asri Mulia (BAM) of stealing land leased to the company, because they returned to plant vegetables on plots confiscated the previous year. The farmers, who have worked the land for decades say the land did not belong to Cimacan village for the administration to lease to PT BAM. Witnesses for the defence, including a ninety-five year-old man, backed the claim by telling the court how the disputed land, owned by a Chinese man in 1912, was then transferred to a Dutchman, then taken over by the Japanese who handed the land over to the farmers before leaving Indonesia. The Dutch owner also gave the land to the farmers, they said, when they left before independence.

Now 176 farmers have decided to fight back by taking PT BAM to court. They are suing the company for Rp 800 million in compensation for the destruction of their crops and farmland in 1987. According to one



Design from a tee-shirt: "Our life and death is from this land."

report, farmers are also preparing to file charges against PT BAM, for causing damage to land and crops when a dam, built by the company, collapsed after heavy rains in January.

Work by PT BAM is still continuing on the site, although no environmental impact assessment has been carried out.

Land dispute with armed forces

In December, farmers from Blangguan, East Java, protested to the DPR over their conflict with the armed forces who have earmarked their land for a marine corps training ground. Villagers were told they would be bombed, unless they moved out by December 15, 1989. The dispute follows a familiar pattern: compensation of Rp 200/m² was imposed

without consultation, and as in Kedung Ombo, the Blangguan farmers asked for a land-for-land compensation deal to guarantee their livelihoods.

PIR Plantation disputes

The acquisition by companies of land to develop nucleus estate/small-holder plantations designed to absorb transmigrant labour and produce cash crops to earn foreign exchange, often means rough treatment for local farmers. A plantation company in North Sumatra brought in bulldozers to destroy the crops of farmers who refused to swap their land for employment on the plantation. In the Kampar district of Riau, local people who did hand over their land, but were not given the promised jobs and went to complain to state plantation company PT Perkebunan V, were shot at by security guards. A farmer from Tandun village was wounded in the leg and taken to hospital. In retaliation, angry villagers burned down the security post at the entrance to the plantation.

Kedung Ombo

The scant attention now given to this long and bitter land dispute, implies that the Kedung Ombo land dispute has been settled. True, the government last year went some way to meeting the demands of one group of the people affected by the dam. About 800 families now live in Kedung Mulyo and Kedung Rejo, resettlement villages built on land near the dam, formerly belonging to state forestry company Perhutani. Describing themselves as only *setengah senang* - "half happy" - many of the resettled families have not yet received compensation for the crops lost when the dam was flooded, or expenses covering the move to the new sites. There are problems too, with the status of one of the new villages, with the newly built government school and the replacement of volunteer teachers drawn from the local community, with government-appointed teachers.

However, the fate of the thousands of others, not given the opportunity to resettle near the dam, (those who accepted compensation for their land but have not been able to buy replacement land near the dam, and who also refuse to join the transmigration programme) is not clear. Many hundreds are still living in makeshift villages, on land surrounding the dam. *

BULLETIN

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Muslims on trial everywhere

While Indonesian newspapers have been reporting the execution of 1965 prisoners, trials of Muslim activists have continued without stop in Bima (the eastern part of Lombok), Lampung, Jakarta, Bandung, Malang and Aceh.

The Bima trials

Following guilty verdicts against four men [see *TAPOL Bulletin* No 97, February 1990], three new trials have begun before the district courts of Bima and Dompu. Two defendants, Kusjaya alias Yusuf Amrani and Anwar H. Muhammad are in the dock in Bima, while Ichwanudin is on trial in Dompu. Two of the four earlier defendants, all of them elderly men, have succeeded on appeal in getting reductions in their sentences. The 64-year old H.A Ghany Masykur had his 11-year sentence cut to 8 years, while M. Nur Husen had six months taken off his six-and-a-half year sentence. Appeals by the other two convicted men against their six-year sentences were unsuccessful. They are all accused of trying to set up an Indonesian Islamic State (abbreviated in Indonesian as NII), and of holding meetings where the idea of replacing the Pancasila state with an Islamic state was discussed.

To construct a case alleging the existence of a subversive plot, the charges link the defendants with a certain Fauzi, said to be the link between the three points of the Bima-Lampung-Jakarta triangle. In all three places, many people have been convicted or are on trial. Fauzi is at present in an isolation cell in Cipinang, where detainees are usually 'softened up' in preparation for an appearance in court.

The pattern of Muslim trials has been consistent since the early eighties. After mopping up radical Muslim groups in different places, a case is constructed to link them all together. From the skimpy reports in the press, the Bima defendants appear to have done nothing more than convene small religious gatherings. There is nothing to suggest that any of

the defendants was involved in acts that could be construed as subversion. Five other trials will follow.

Trembling with fear

Ir. Fatchul Wyoto, an engineering graduate from Brawijaya University, is an example of what happens when someone is 'softened up' in prison. He was said to be a teacher at a Muslim educational network called *Lembaga Pendidikan Pondok Pesantren Kilat (LP3K)*, (Pesantren Educational Crash Course). A pesantren is a Javanese Muslim boarding school.

In June and July 1985 a series of trials were held of members of this network (see *TAPOL Bulletins* No 71 and 84). Like others who were tried at the time, all the defendants were found guilty of plotting to set up a Muslim state and of being implicated in a series of bombings in Central and East Java. All the LP3K defendants received heavy sentences but Fatchul Wyoto, who is also referred to as 'Ir SW', was not tried because of a 'mental disorder'.

In June 1986 an attempt to try him was abandoned because he spoke so incoherently. He was taken away for psychiatric treatment. A year later, another attempt was made but he was still found to be 'unfit' to stand trial. His father says there is no record of insanity in the family and that his son is in a state of stress. Although Fatchul has been certified 'unfit', he has now been formally charged in Malang, East Java. The symptoms and causes of his mental disorder are very evident; at the sight of anyone in uniform, his body starts to tremble. Not just green [ie, army] uniforms set him trembling but also the black robes

Indonesia: Muslims on trial

Published by: TAPOL, the Indonesia Human Rights Campaign

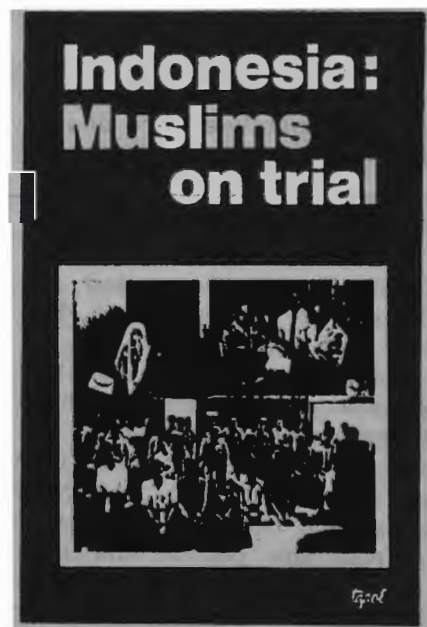
Since early 1985, more than 150 Muslims have been tried, convicted and sentenced to heavy terms of imprisonment in Indonesia for giving public sermons critical of the government, conducting religious courses not approved by the authorities, or producing leaflets or journals that denounce government policy. Some were held responsible for bombing incidents that were never properly investigated.

The trials followed the army's crackdown on a demonstration of Muslims in September 1984. Dozens, possibly even hundreds, were killed when troops opened fire on the unarmed crowd. The trials took place at a time of deep disquiet in Indonesia about the military government's imposition of total ideological conformity, preventing organisations from proclaiming Islamic or other religious principles.

Indonesia: Muslims on trial analyses the trials, placing them in the context of the continuing conflict between Indonesia's Muslims and the military regime.

"The first genuine attempt in the West to focus on the oppression of Muslims in a state that is more than 90 per cent Muslim, by a regime committed to establishing Western norms and values. The conflict between the political culture of the Muslim masses and their rulers is brought out vividly in *Indonesia: Muslims on trial*. Although it focuses on events in Indonesia, this study will help one understand why Muslim nation states are inherently unstable and are invariably held together by oppression."

Dr. M. Ghayasuddin, Editor, *Muslimmedia*



128 pp. £4.00 plus p & p.
ISBN 0 9506751 4 8

The Jakarta trials

In Jakarta meanwhile, three more very heavy sentences have been announced. Nur Hidayat who is charged as the leading figure in the Jakarta-Lampung network of Muslim opposition activists, was sentenced to 17 years, while his colleague Abdul Fattah Kossim was sentenced to 15 years. A third defendant, Sudarsono has also been sentenced to 15 years.

In his defence plea, Sudarsono made no secret of his opposition to the government. He argued that he believed that within ten years, Indonesia would fall under a government of 'socialists, communists and nationalists' and he therefore wanted to press for an Islamic state to prevent this happening. He also told the court that when security officers came to his home to arrest some of his colleagues in the 'Nur Hidayat case', he evaded arrest by posing as an intelligence agent. All he needed for this, apparently, was to wear a pair of dark glasses! The ploy helped him get away and he remained in hiding for six months.

The Bandung trials

In the West Java capital too, trials are under way against Muslims, said to be involved in the 'NII movement'. The sentences in these cases are lower than elsewhere; the court has found in some of the trials that the primary charges of subversion have not been proven, so the men have received sentences of from two to five years for belonging to an illegal organisation, ie. the NII. The four men already sentenced are Eso Supandi who got two-and-a-half years, 'ASM' who got three years, Emeng Abdurachman who got 5 years and Burhanuddin who got three years.

A trial in Aceh

In the Acehnes town of Lhokseumawe, a 34-year old man is being tried as the 'main defendant' (meaning that other trials may follow) for having participated in a protest against a song-and-dance performance last September. The defendant, identified only as 'AM', is accused of having 'incited the masses' against the performance. with the result that the it was abandoned, a truck was burnt and musical instruments were destroyed. Later, allegedly at his instigation, many people went to the nearby police station to protest that some people attending the performance had been arrested and beaten. During this protest, two police motorbikes were destroyed. For this, 'AM' is facing charges under the Anti-Subversion Law.

continued from page 28

Democratic Party who called for the programme's cancellation or postponement. The appeal was flatly rejected by Sudomo.

The pedlars' association, which has not been granted legal status - Sudomo has hinted that a new, [no doubt government-controlled] cooperative will be formed - has made unsuccessful attempts to talk to Sudomo before. In the modernisation of Jakarta's traffic system, there is no room for any input from below, from the people the new regulations most affect. Sudomo has given four reasons for the Operation: to maintain national discipline, to support the national tourism campaign, to maintain the good image of the New Order government and to improve the informal sector. The response of the pengasong? They want action, not against poor people, but against poverty. *

of the judges. His lawyer, M. Ansorullah, protested: "It is useless trying somebody who is insane". Even so, the trial is to go ahead because the charge is subversion.

The Lampung trials

In Lampung, Mulyadi bin Jaime, one of the eight defendants in the second wave of trials of alleged members of the Warsidi community, has been released, apparently after confusion over his identity. Mulyadi persistently rejected the charges, insisting that although he visited the village of Talangsari (where a massacre by the army took place in February 1989), he had only been visiting his brother. He retracted his written testimony which he had signed out of fear. Although one of his interrogators was summoned to testify that force had not been used against him, enough doubt had built up about the case against Mulyadi for the judge to release him, though not to stop the trial.

Several times, the judge has postponed hearings where the prosecution should be summing up. The defence lawyers have protested, saying that their client is confused about his status, as charges of subversion still hang over him even though he has been allowed to go home and rejoin his family.

Meanwhile the third wave of so-called *Warsidi Gang* trials is now under way in Lampung. Two of the accused, Roni (39 years old) and Salman Suropto (26 years) are in the dock on charges of taking a group of 15 women and children away from the village of Talangsari into safety in the forest, just before the army attack on the village took place. [Surprising though this may sound as grounds for a charge, the press reports about these two defendants do not say that anything else is being held against them.]

Another of the third wave of defendants is Aminuddin whose house is said to have been used as a resting-place for people on their way to Talangsari. One of the witnesses called was his wife (!) who appeared to be confused about it all; all she knew, she told the court, was that visitors had come to the house, for whom she had cooked meals.

A fourth man, Zainul Arifin bin Toyib, is alleged to have had himself appointed 'shadow governor' of the province of Lampung. Although his trial is taking place simultaneously with other Warsidi trials, press reports give the impression that this may be a separate case, branching out into yet another direction for cases against Muslims.

Another man on trial is Azwir Sutan Rangkyo, who is said to have supplied funds to Warsidi. *

A postcard printed for the campaign in the Netherlands to release the two Yogyakarta students.



New revelations from Asia Watch

Asia Watch, part of Human Rights Watch, the leading US body campaigning globally for human rights, has made a number of revelations in its latest publication, *Injustice, Persecution, Eviction: A Human Rights Update on Indonesia and East Timor*. Besides summarising many of the better-known political trials which have been monitored in TAPOL publications, it contains details of a series of trials in Madura regarding which scant information has been available in the Indonesian press. It also contains revelations about the death in prison of two political prisoners during 1989 in circumstances that suggest grave neglect by the prison authorities.

Callous disregard

In a survey of Deaths in Custody, the *Update* highlights the death of Gustav Tanawani, a West Papuan serving a seven-year sentence for trying to raise the West Papuan flag. After his transfer in 1986 from Jayapura to Kalisosok Prison in Surabaya, East Java, Gustav stood out as someone who upheld the rights of his co-prisoners, earning him a reputation as a 'trouble-maker'. In 1987, he was moved to Malang Prison where he began to defend the rights of recidivists who were being denied remission or parole under a new policy. As a result, he was often beaten and held in isolation for long stretches. After several more transfers, his health was poorly but prison officials told him that if he wanted to be examined by a doctor, he would have to pay for it himself. Eventually, he got money from private sources and was treated in hospital for water on the shoulder, probably contracted from sleeping on a damp concrete platform.

His health continued to deteriorate but he got no medication through lack of money. He died on 8 January 1989, the day after he entered hospital for the second time. He was buried before his family had arrived from Jayapura to claim the body; his relatives could discover nothing about the cause of death.

Another prisoner to die in unexplained circumstances is Anastasius Buang, a former *Cakrabirawa* (palace guard) soldier who was tried on G30S charges and sentenced to death in the late 1960s. Officials at the hospital where he died say he had had a heart attack but his body was not handed over to the family; instead, it was secretly buried. When relatives went to find his grave, their names were noted by cemetery officials who said they had orders to take the names of everyone enquiring about Buang.

Asia Watch wants both deaths to be investigated; "if prison officers are found to have failed to provide proper medical care, they should be punished".

Asia Watch also believes that two East Timorese prisoners in Cipinang Prison, Jakarta, Albino Lourdes and Roberto Miranda, are in dire need of hospitalisation which has so far been denied to them.

Five Muslims sentenced for subversion in Madura

By conducting its own independent research, Asia Watch has unearthed the story of five Muslims tried in 1988 and 1989 for subversion. The story of their arrest and interrogation, release, re-arrest and eventual trial covers several years; it was triggered by the efforts of two of the men to expose local

corruption and to challenge a decision by the education authority to deduct money from teachers' pay as a contribution to state party, GOLKAR. All the victims regularly attended religious meetings; Asia Watch believes it is no coincidence that the first round of arrests occurred just prior to the elections in 1987, considering that Madura has always been a stronghold of Muslim opposition.

The man who had complained about the pay issue later wrote a political tract complaining that GOLKAR was beyond the law and the government was moving towards absolute dictatorship. Another charge was that one of the men had been encouraged by his colleagues to speak out against the government when giving a course on state indoctrination.

After many months in the hands of the military authorities and the extraction of false confessions, five men received sentences of between four and five-and-a-half years in a case constructed around the writing of a political tract and alleged anti-government pronouncements during an indoctrination course. Asia Watch says that their trials were "blatantly unfair, marked by extraction of confessions by torture and threats (and) use of other fabricated evidence".

Government screening

One of the documents appended to *Update* is the Government's explanation about "ideological mental screening for civil servants, candidates for the civil service and others". This sets out in minute detail the methods used by the authorities to exclude people considered to have an 'unclean environment', and reveals how this is intended to include close and not-so-close relatives of communist suspects. This document is extracted from an entire book of regulations, published in 1988, concerning people deemed to be linked to the PKI. The *Update* chapter on treatment of former political prisoners reveals that in mid-1988, there was a "virtual witch hunt to track down (and fire from their jobs) those who could not prove that they or members of their extended families were 'clean' of any involvement with the PKI and its mass affiliates".

Asia Watch makes a number of recommendations intended as an outline for governments in formulating a human rights policy regarding Indonesia. It calls among others, for the immediate and unconditional release of all people held for non-violent criticism of the government and the repeal of the Anti-Subversion Law. On former political prisoners, it says: "All regulations, decrees, and clarifications relating to the 'clean environment' policy should be formally and publicly abolished." Regarding East Timor, it recommends that "particular attention should be given to publicising lists of detainees, reviewing arrest and detention procedures there, and ensuring that international humanitarian organisations have access to detainees immediately after arrest, regardless of where they are detained". *



No room for *becak* and pedlars

Government plans to "modernise" Jakarta have encountered strong opposition from the victims: the many *becak* (Indonesian trishaw) drivers and street-vendors who sell newspapers, cigarettes and snacks to motorists at busy intersections. Along with drivers of the motorized three-wheeled *bajaj*, also facing new restrictions, members of these groups, considered too backward for the modern metropolis of Jakarta, have protested at various city government offices and at the House of Representatives (DPR).

The *becak*

A heavy-handed policy deploying special security teams to confiscate hundreds of *becak* has led to violent incidents, in which several *becak* drivers have been injured and one security official killed. Governor of Jakarta, (retired) Lieutenant-General Wigoyo Atmodarminto, who had declared that Jakarta would be *becak*-free by the end of March this year, has postponed the deadline to 1 January 1991.

Previous unsuccessful attempts to rid Jakarta of the distinctive, colourfully-painted *becak* have included restricting drivers to certain routes, seizing non-licensed vehicles and even dumping *becak* in the sea.

Different reasons are offered to explain the anti-*becak* drive; that they disrupt other forms of traffic and cause accidents, that they are not suitable for a modern capital city, and that driving a *becak* is not a humane form of employment. This prime example of the privileged deciding what's best for the poor, was decried by the *becak*-drivers themselves, asking "Is it more humane for us to starve?" [*Editor* 17 February 1990]

It is clear from their protests in February that the *becak* drivers have little faith in the alternative opportunities offered them by the government. Proposals include training for *becak* drivers to become *bajaj* drivers (1,000 new *bajaj* are to be put on the streets to replace the *becak*) but according to *Asiaweek*, many *becak*-drivers with new licences claim it has not helped them find new work. [March 9, 1990] The protestors have been supported by letters from Jakarta residents, angry that they have been deprived of a cheap and convenient means of local transport, by Jakarta's Legal Aid Institute (LBH) and the Marhaen Peoples' Movement (GRM) who have spoken out on their behalf.

The *bajaj*

After the *becak* protests came the *bajaj* protests. Unlike their unmotorized fellows, *bajaj*-drivers are not being forced into extinction, but have objected to the new "rayonisasi" regulation, which restricts *bajaj*-drivers to operating within one of the five designated city districts. Those caught in the wrong areas will be fined. Drivers are angry about the reduction in daily income this will bring and demand that the new regulation be withdrawn. On February 26, hundreds of *bajaj*-drivers protested in central Jakarta, blocking traffic with their bright-orange-coloured buggies. Two drivers were arrested at the beginning of March for destroying new traffic signs warning *bajaj*-drivers of the penalties they face for straying outside their areas.

The pedlars

Like the *becak*-drivers, Jakarta's pedlars or *pengasong* have been the subject of government action in the past. The latest programme, inaptly titled "Operation Tomorrow is Full of Hope" was launched by



Security forces 'mopping up' *becak* in Jakarta.

Coordinating Minister for Political and Security Affairs, Admiral Sudomo in February. He told *Asiaweek* that pedlars were "a problem for city traffic and for cleanliness" [March 9, 1990] Thousands of pedlars have opted against a "Tomorrow Full of Hope", evidently preferring to rely on themselves rather than taking up government offers of retraining. On March 8, more than 400 pedlars belonging to the unofficial Jakarta Pedlars Association marched to the House of Representatives, demanding that the programme be cancelled, that they be given a right to a living, and calling for a hearing with Sudomo. Protestors, many of whom were children, said the programme was inhumane because it had reduced, not increased, their income. Their call was supported by the Indonesian

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