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## Thousands killed in the land of a thousand islands

*It is more than a year since violence erupted in Maluku, the islands stretching from the Philippines to Australia. Apart from a short intermezzo in the middle of the year, brutality has continued unabated. While in the first half of 1999 the unrest was limited to certain parts of the archipelago, it has since August spread to practically the whole region.*

The latest outbreak of violence is even worse than the earlier conflict and is now threatening to spill over to other parts of the Republic. Arguably the Maluku tragedy has become Indonesia's biggest political headache and doom-sayers are already predicting that unless the violence in Maluku is halted it will spread like a prairie-fire, destroying the unity of Indonesia and shattering the prospects for democracy under President Abdurrahman Wahid.

The death toll is enormous. Some sources say at least 4,000 people have died over the last 12 months with thousands more wounded. The military no longer gives its own figures but both Muslim and Christian sources claim that more than 3,000 people have been killed in North Maluku since Christmas. Tens of thousands have fled, sometimes outside Maluku; an estimate of 276,000 people have become internally displaced. Areas like North Sulawesi now harbour at least 13,000 refugees from North Maluku.

The first wave of conflict died down in May last year, but in August violence erupted again in different places. [see also TAPOL Bulletin No. 151, March 1999 and No. 152, May 1999]. At its peak, following the events in Ambon city the day after Christmas, things became very gruesome in the largest two islands, Halmahera and Seram, which were struck down by conflicts that left hundreds, perhaps thousands, of people dead. While human rights campaigners try to avoid calling this an inter-religious conflict, the reality on the ground shows that there is a virtual state of war between Christians and Muslims. Until late 1998 Maluku was regarded by most people as a place of religious tolerance and harmony. But now that Maluku is in flames, foreign analysts are comparing the situation in the central island of Ambon to Belfast or Beirut, only worse.

### Escalation of the conflict

While in the first wave of violence mostly hand made weapons and machetes were used, in the present wave in-

creasingly automatic assault rifles, grenades and self made bombs are being utilised. Doctors say that they have to deal with injuries only seen in a full-scale war. Locals use the term: *perang* or war to describe the events.

While one year ago the battles were fought with knives and bows and arrows, the wounded now show injuries inflicted by bullets and shrapnel. Both sides possess modern weapons, raising the question of where these weapons are coming from. It is widely accepted that elements in the army are deliberately fuelling the conflict and what better way to do that than to distribute weapons to both sides.

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## SOCIAL UNREST

As was the case in January last year, the latest round of bloodshed was triggered by a small traffic incident in December when a Christian driver ran over a Muslim child. This led to an angry mob torching Silo Church, the main Protestant church in the centre of Ambon, triggering lethal incidents farther north, in Halmahera, Seram, Buru, Ternate and Tidore.

The two religious festivities of Christmas and Idul Fitri, usually exude peace and fraternity but this year, they only intensified the vicious circle of hatred, violence and revenge. Traditional and religious leaders are losing a grip over the divided communities. A climate has been created where the voice of moderation is suspect.

### Emergency situation

Following the events after Christmas Day, the army announced that it had taken over security from the police. A special command *KODAL*, *Komando Pengendalian Keamanan*, Command to Control Security, has been established and fifteen additional battalions, around 12,000 men, have been despatched to Maluku. Eight have been stationed in Ambon and seven in the other islands. On top of this, special airborne infantry units have been flown in. Ambon city is so devastated that it looks as if it had been invaded by a foreign army.

On 19 January Brig-General Max Tamaela, the commander of the Pattimura military command, the highest placed military in the territory, announced a shoot-on-sight order against anyone attempting to incite unrest. He also announced 23 January as the deadline for civilians to surrender guns, including home made rifles.

Although officially the government in Jakarta has refused to declare martial law in Maluku, in effect it has already been imposed. Ambon now has a curfew from 10pm, though few people would want to leave their houses anyway. A cordon of frigates and patrol boats is now in place in the waters, to prevent ships filled with hot-headed people arriving from other parts of Indonesia to take part in the conflict. While these measures may have helped to halt the violence temporarily, none of the basic problems has been resolved. A large military presence cannot resolve the conflict in Maluku, The roots of the problems must be tackled.

### The Halmahera tragedy

The violence in Halmahera has been explained properly by some social scientists, reflecting the horizontal and vertical conflicts valid for the whole of Maluku. As in Ambon, the Halmahera population is divided into Muslim and Christian communities. The religious divide goes down to the grassroots level, where many families include adherents of Islam as well as churchgoers. Many communities in the archipelago have traditional structures to regulate relations between the religious communities. In Ambon, it is known as *pela*, a way of regulating mutual help between the two communities. In Halmahera the two communities

are obliged to help each other. The Muslims help to build and maintain churches and vice versa.

Rapid globalisation and the flow of migrants from one part of Indonesia to the other has transformed this cosy picture of Halmahera. Outsiders have arrived to make a fast buck. A volcanic eruption in Makian island forced the population there, mostly Muslims, to move to North Halmahera. This transformed the religious map of the region. Previously, the northern part of Halmahera was predominantly Christian but with the arrival of 10,000 Makians, the demography of the region changed drastically and tensions grew, with Christians and Muslims joining in their antipathy towards the newcomers. Two years ago the Makian resettlement became a separate administrative sub-district much to the dismay of the local people. A local gold mine which had previously been in the land of the Kao people was suddenly in Makian land. Violence erupted and the Makians were forced to flee to Ternate. In retaliation Christians in Ternate were driven out by the Muslims.

Added to these horizontal conflicts is a vertical conflict, ignited by the battle over the governor-ship of the new province of North Maluku, with the Sultan of Ternate playing a crucial role. The explosion of violence in Ambon, in particular the burning of the Silo Church, triggered the eruption of violence in Halmahera.

The killings in Halmahera stirred up emotions among Muslims all over Indonesia. A huge rally of around 100,000 people was organised in Jakarta in early January, addressed by many senior politicians including Hamzah Haz, until recently a minister in President Wahid's cabinet, and Amien Rais who chairs the MPR, the supreme legislative assembly. The demonstrators demanded swift action by the government and called for Vice-President Megawati Sukarnoputri to be sacked (because she has been charged to handle the Maluku crisis). Some in the huge crowd also called for *Jihad* or 'holy war'. Later in the month the predictable happened with the explosion of violence on the island of Lom-



*Rubble in Ambon. Since the East Timor tragedy of last year, scorched earth methods have been used in many parts of East Indonesia.*

bok east of Bali, where members of the Muslim majority burnt down most of the churches in the capital, Mataram, and destroyed the homes of the Christian minority, predominantly of Chinese origin.

## Why is TNI so ineffective?

Over and over this question is being asked. Ever more TNI troops are sent in but the spiral of violence fails to abate. On the contrary, things get even worse.. Despite the crackdown on the possession of weapons, more and more arms are getting into the hands of those involved in the conflict. Both sides complain of TNI units taking sides and participating in battles. This is clearly true and has even been acknowledged by some local TNI commanders.

Political analysts in Jakarta see the Maluku tragedy as being an extension of the power struggle at the centre and the latest upsurge of violence in Maluku as basically being intended to weaken Wahid's position. There is certainly a lot of truth in this.

There are several answers to the question of the TNI's ineffectiveness. One relates to the erosion of TNI's legitimacy. TNI has never been in worse shape than now. The humiliating defeat in East Timor and the army's inability to cope with the military situation in Aceh has greatly affected the morale of TNI.

As guardians of security and order, TNI's reputation has been severely dented. For most Indonesians, TNI is not seen as a benign force but is regarded as the cause of many problems. The possibility of TNI officers being indicted for human rights abuses in East Timor and Aceh is welcomed by many. For more than 30 years TNI was shielded from accountability but the end of impunity is nearing [see separate article on Impunity]. The fall of Suharto has created a new situation. The average TNI soldier cannot behave as in the old days. He has to think twice before using the same brutal methods and habits of the last three decades. The Wahid period is gradually establishing civilian supremacy over the military which is grudgingly accepted by some TNI officers and rejected by others.

In complex security situations like Maluku the military top demands a free hand which means the declaration of martial law and the possibility of using repressive measures without having to face a court of law. Some generals have openly stated that in the case of Maluku, they need to go 'all out'. They are trying to establish the indispensability of the military in security affairs.

Other analysts go one step further and claim that the Maluku tragedy is being deliberately used by some TNI hardliners to turn the clock back and gain military dominance again. It is taken for granted that army elements are involved in the Maluku crisis. Analysts say that ranking officers are using the conflict to manoeuvre against Wahid. The huge Muslim rally in Jakarta to condemn the Halma-hera killings is highly likely to have been engineered by hardliners in the army.

One way for the military to reverse its sagging power is to enhance the territorial structure. Maluku has become the successful test case. In May last year, a new regional command, *Kodam XVII*, was established for Maluku, while North Maluku will soon be upgraded from a sub-district to district military command (*Korem*). Such enhancement inevitably increases the number of troops in the region. However, some reform-minded officers have proposed the oppo

site, favouring the dismantling of the territorial structure and leaving security matters to the police.

Another explanation of the army's involvement is linked to economic interests. The central government is pressing ahead to implement the recently adopted law on regional autonomy, placing greater powers in the hands of regional parliaments. This will mean local military interests losing juicy contracts in fishery, mining and forestry. Obstructing decentralisation through riots may be the only way to maintain the status quo.

Despite the evidence that the army is fanning the conflict or directly siding with the combatants, it is unlikely that this sinister plan is the game of the entire TNI structure. Fanning a religious conflict is a very dangerous game and many army officers realise this. As it is, the situation in Maluku has reached a point where it will take decades to heal the wounds in both communities.

## Lack of action by the government

Efforts by the Wahid government to overcome the violence have so far been fruitless and the president has been under fire domestically for his lack of action. Vice-President Megawati, who was put in charge of tackling the problems in Maluku has said nothing for months. No wonder the calls for her to step down have become louder recently. She has failed to work with a team of three elderly Malukan statesmen assigned to assist her and has not even had the decency to answer their letters.

Wahid's visit to Ambon in December was a disappointment for many. His only advice was for the two communities to 'sort out their problems themselves'. Within less than a fortnight, the violence had exploded again. The Maluku crisis that Wahid inherited from his two predecessors is severely straining the fragile political alliance in his government.

More troops were sent in, a sea-cordon was imposed and in mid January another peace and reconciliation ceremony was held in Jakarta between all the religious leaders of Maluku and the Indonesian government. The violence has temporarily stopped but the warring parties have not come closer at all. Wahid's earlier statement that the warring parties should solve their own problem is like kicking an open door - in the long term, both communities will have to find a way to live with each other again but swift action is needed to prevent more bloodshed and create a situation where hot-headed individuals from both sides can be contained and the more moderate voices in the community can step forward.

As things stand at present neither of the two communities has come up with a feasible or acceptable solution. While Muslim leaders are calling for territorial segregation between Muslims and Christians - a dangerous form of ethno-religious cleansing - Christian leaders have called for an international peace-keeping force which is beyond the capacity of the UN to do.

## Summing up the problems

It is no coincidence that the Maluku tragedy happened in a period of economic meltdown and political crisis. The more than three decades of Suharto rule ignored ethnic and religious conflicts which were deliberately left unresolved. A lid was kept on the many grievances and local aspirations.

## **SOCIAL UNREST**

A local government law in 1979 imposed a Javanese style of village governance throughout the country, seriously undermining traditional structures which have dealt with local conflicts for generations. One result of this has been the destruction of *pela* which helped to lock local communities in Maluku into mutual-help patterns.

Open and frank discussions about racial and religious matters were simply taboo and swept under the carpet. The post-Suharto period has brought everything into the open and the glaring truth is there for all to see. Muslims in Maluku suspect Christians of aggressive missionary work among Muslims while Christians feel that Islamisation, economic and political domination of Islam has become a fact of life.

The Maluku conflict and its many casualties has created deep wounds, not only between the people of the two religions but has also created a deep cleavage between different ethnic groups. The migrants in Maluku, mostly from Buton, Bugis and Makassar have also been deeply affected and most are now living in refugee camps in many places, mostly outside Maluku. The fact they are mostly Muslims has made Maluku a nation-wide problem which has the potential to explode in any part of the archipelago.

Reporting in the national and regional press has also often been very unhelpful. Much of the reporting has been

very subjective or still worst, siding with one of the camps. Muslims denounce Christian-owned newspapers as the voice of provocateurs while Christians describe the Muslim dailies as being full of lies. Very early in the conflict, Munir, the co-ordinator of *Kontras*, already warned that leaflets containing highly provocative language with the intention of sowing hatred were being circulated. In January this year, *Komnas HAM*, the National Commission of Human Rights produced proof of similar leaflets, intending to provoke both communities.

While political activists in the big cities are inclined to see the Maluku tragedy as an extension of the power struggle in Jakarta, people in Maluku see the crisis as a religious conflict, making it more difficult to find a solution. While local political leaders have lost control of the situation, the same can be said of traditional and religious leaders. Young hotheads listen to their new hard line leaders.

In the short term, a quick solution appears to be remote. All those known to be guilty of provocation must be rounded up to create a situation where people can start thinking with warm hearts but cool heads. A military solution is no solution and the troops must be withdrawn as quickly as possible.

Serious efforts must be made to create dialogue at the grassroots. The ritual of peace ceremonies inherited from the Suharto era will resolve nothing, or worse can only intensify the conflict. ✱

### *continuation of page 13*

server team. This led to West Papua's removal from the UN agenda and its delivery, lock, stock and barrel to the mercy of the Indonesian military regime.

All these exposures provide us with ample material to call upon governments around the world to examine their own behaviour and that of the UN in that agency's grave betrayal of the people of West Papua. ✱

*All the relevant UN documents of 1969 on West Papua have been compiled together by PAVO, the Papuan Peoples Centre for Study and Information.*

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### *continuation from page 27*

cal prisoners. According to Gustaf Dupe of the Action Committee for the Release of Political Prisoners, this means that all known political prisoners, including those who were convicted on charges of supporting the Free Aceh Movement or the OPM in West Papua have now been released.

They also include all East Timorese who were serving lengthy prison sentences in prisons in Java. All have now returned home to East Timor and are rebuilding their lives with their families.

Several problems however are still unresolved. One is that a decree of the minister of the interior issued in 1981 which provides for 'guidance and supervision of former G30S political prisoners' has not yet been revoked. This enables local authorities to harass persons by imposing restrictions on their civil rights or requiring them to attend indoctrination lectures. Another is that those who were convicted on charges of involvement in the alleged G30S coup attempt have not been granted *abolisi* or political rehabilitation.

## **TAPOL activists no longer blacklisted**

Two TAPOL activists, Liem Soei Liong and Carmel Budiardjo, who have been blacklisted from entering Indonesia for many years have now had their names removed from the list.

They met Minister Yusril in London and he immediately agreed to make the necessary arrangements for them to visit Indonesia without further obstructions from immigration. The decision to renew their blacklisting every year was taken by the armed forces commander in chief. ✱



# Aceh sinks deeper into war

*In the past few months, Aceh has seen killings, abductions, torture, intimidation, harassment, exchanges of fire - plunging it into what can only be described as warlike conditions. The violent reality is coupled on the political front by confused, contradictory and glaringly empty promises, divisions in government over what to do, a resolute TNI/Polri, determined to wreak bloody havoc. While civil society doggedly pursues its call for a referendum, the situation is not assisted by divisions within the armed force, GAM.*

The local press is daily replete with facts and figures, dates and names - of battered bodies, found under bridges, on the roadside, cemented into oil drums or buried in shallow graves next to Mobil Oil's pipelines. Gruesome descriptions of those still unidentified - yet to be claimed by loved-ones, many of whom are too afraid to come forward. So many places - where exchanges of fire, arson, house-to-house searches, beatings and arbitrary arrests are occurring. Names of places that have yet to roll off the tongue to most but the people of Aceh.

So much has happened, so much continues to happen, yet the stark reality is that nothing has changed:

- \* The systematic use of state violence continues to define daily life,

- \* National and international apathy towards a peaceful and democratic resolution of the problem.

- \* The civilian population, the parents, students and schoolchildren, babies and farmers, scholars and religious students - continue to suffer, always the victims.

As human rights monitors say, the level of violence now exceeds what it was during DOM, when Aceh was designated as a *military operations zone*.

## Civil society strengthens its commitment

But we should celebrate the brave and consistent efforts of numerous civilian organisations who, with the support of the people of Aceh, continue to stand up against the violence and intimidation and make their demands in a peaceful and democratic way.

Since Suharto fell, students, NGOs, widows' groups and religious scholars have demanded the withdrawal of DOM. After students went on hunger strike in July 1998 to demand the lifting of DOM, armed forces commander-in-chief General Wiranto announced its withdrawal on 7 August 1998. Since then, despite the lack of headlines, opposition to the government has been spearheaded by civilian action. When it was clear that the so-called 'withdrawal' was in reality an escalation in state violence, the demand for a referendum reverberated in late 1998. This was followed by a boycott of the general elections in June 1999, a two-day general strike in August and a mass referendum rally on 8 November when hundreds of thousands descended on Banda Aceh from all over Aceh.

And as the violence intensified, NGOs and students have responded to the humanitarian crisis by organising aid to the thousands of displaced people who have sought refuge in schools and mosques. It is a sad indictment of the situation that many of these volunteers have been systematically harassed, intimidated and of late, beaten and attacked by members of the security forces.

## The latest hunger strike

On 14 January, fifty volunteers with the People's Crisis Centre (PCC) went on hunger strike, in response to increasing intimidation and harassment by both sides in the armed conflict being faced by their members, who are mostly university and high-school students. The PCC have set up posts to distribute aid near the mosques and the schools where thousands have gone to escape intimidation in their villages. In a situation where the government administration in most parts of Aceh is now virtually defunct, the people of Aceh have come to look upon the existence of the PCC in their villages as their guarantee of safety and hope. The PCC decided to carry out their symbolic action of an unlimited hunger strike to express concern at the use of violence and intimidation against their members 'by the parties in conflict with each other, because neither of the conflicting sides show any respect for humanitarian work'.

At least fifteen hunger strikers were taken to hospital for treatment after three days because of their deteriorating condition but many returned to continue the action outside the Banda Aceh office of Komnas HAM, the National Human Rights commission. They are

- \* Denouncing all who intimidate and use violence against humanitarian volunteers;

- \* Calling on all sides to respect humanitarian work in accordance with the 1949 Geneva Convention;

- \* Calling for protection from the UN Human Rights Commission and other international organisations.

They say they will continue their hunger strike until their demands are met.

As an example of what they are up against, PCC activists in Cot Ijue, Matang Geulumpang Dua, Aceh Jeumpa were attacked in their post on 19 January by members of the police crack troops, Brimob. The sound of gunfire was heard, forcing the volunteers to postpone a meeting. Soon after, having shot in the direction of the PCC offices, Bri-

mob troops raided the post, smashing windows, setting the door on fire and ordering the volunteers out. The male volunteers were kicked and ordered to swallow earth, whilst the women were gathered in a house nearby. When a police truck arrived with the chief of police, one of his officers beat up PCC co-ordinator Rizanur who later had to be treated for his injuries in Bireun General Hospital. In a warning to scare the local people away from the PCC, the police officers then proceeded to torch a rice mill, houses and shops.

On 16 January, the office of a volunteer NGO called Pemraka in West Aceh, was raided by security forces from Banda Aceh. This office is also used by SIRA, the Centre of Information for a Referendum in Aceh as well as PCC volunteers. The only volunteer in the office at the time, Murni Dahlan, was threatened. Soldiers held a gun to his face, told him to get out and said they would torch the office later on. After Murni left, they ripped down the office board.



In an earlier incident, members of the security forces raided Ie Rhob PCC in Samalanga, taking medicines, smashing up the office and beating the volunteers..

## Targeting civil society activists

Whereas previously the military were targeting ordinary members of the public, mostly males in their twenties and thirties, the security forces have recently targeted civilian activists. By shifting the emphasis, the authorities perhaps realise the strength of their movement, the extent of the support they receive, and the reality that internationally at least, it is the peaceful, democratic movement which is most likely to garner sympathy and support for the Acehese cause.

Student activists and students have also been targeted. In mid-January, students on a bus from Tapaktuan in South Aceh, on their way to sit an exam the following day were stopped by members of Battalion 112/DJ on stop-and-search operations in West Aceh, ordered off the bus and taken to the Kuala koramil, West Aceh where they were beaten and kicked. Their belongings were seized and they were accused of being supporters of a referendum. 012/TU/Pidie commander, Syarifuddin Tippe, said this was

not the first time his men had attacked students because their behaviour was 'excessive'.

At least 13 SMUR (Student Solidarity with the People) students who were commemorating the Pusong massacre of 3 January 1999, were beaten up by members of Brimob.

On 4 January, two human rights lawyers, Syaifuddin Gani and Nazaruddin Ibrahim, were arrested in Padang Tiji, Pidie, by police during a Brimob and Gegana stop-and-search operation. After being falsely accused of having a GAM (Free Aceh Movement) flag, they were taken for interrogation to Sigli police station. Three days later, they were released though their cases may go to trial. Both are human rights activists who have been campaigning to keep the human rights issue alive in Aceh, and calling for those responsible for abuses to be held accountable. Both have received threats.

On 9 January, Umar, HN, a TV reporter from RCTI, and two cameramen, M Jafar from AP and M Khaled from Reuters Television Network, were beaten by the security forces as they attempted to cover a fire in Lhoksukon, North Aceh. Also in South Aceh in December, Nasrun Yunnan, a journalist from *Aceh Ekspres* was beaten up by the military in Blang Pidie.

In South Aceh, two Indonesian nurses working at local clinics were tortured and killed, according to a spokesperson from the Aluebilie clinic in West Aceh. Religious organisations have also been targeted. On 9 January, Dahlan, 22, a member of the Thaliban (religious students) of Leubok Pidie Village, East Aceh, was shot dead by the security forces on stop-and-search operations in the area. A week earlier, Brimob raided the offices of Ansyarullah and Rabithah Thaliban in Banda Aceh. Brimob accusing them of stealing motorbikes as they had carried out their own stop-and-search operations in the Ulee Lheu area earlier that morning. The Thaliban claim to have been trying to trace the hundreds of stolen motorbikes reported by local people (it is worth noting that when troops of Kostrad 328 left Aceh on 5 November 1999, the Marines confiscated over 400 motorbikes from them, which they had stolen from local people and were attempting to take away with them). Both offices were ransacked by Brimob, material was taken 'in evidence,' motorbikes taken and a number of Thaliban arrested. Dozens of Thaliban were arrested and released the following day. There are also reports of a similar incident in South Aceh where Thaliban offices were raided by TNI.

A couple of days after Tgk Usman Nuris, a religious leader, criticised the abuse of power by the police, he was arrested by the Sabang police and taken to the police station, accused of being a provocateur and slapped in the face. He was released on the following day.

## Continued escalation of violence

In the last few weeks, there has been a marked escalation in the level of violence. Civilian deaths and attacks on the security forces are all on the increase; the latter are increasingly a feature of life in Aceh. Armed conflict between the Free Aceh Movement, GAM and TNI, the armed forces, seems to be on the increase, with numerous grenade attacks on police and military headquarters, as well as traffic police posts and convoys of military and Brimob. Both sides claim casualties from the other side which are impossible to confirm independently.

Most such attacks have taken place in North Aceh, though they occur in other areas too. A pattern is now beginning to emerge. In many cases, an unknown person (or persons) launches a grenade attack - usually on a motor-bike. The attacker evades capture and when the security forces respond, firing in all directions, trying to make an arrest, innocent civilians are either caught up and injured or killed. Alternately, members of the security forces go on the rampage, targeting local villages, seeking out members of GAM. Over the last few weeks, hundreds of homes and shops have been burnt down by members of the security forces, Brimob in particular, in what is beginning to look like a scorched earth policy.

For example, on 19 January, a joint patrol by TNI/Polri in Cot Meurebo Village, Kuta Makmur Buloh Blang Ara, North Aceh was attacked by two alleged members of GAM on a motor cycle. The troops gave chase but the men evaded capture. A civilian, Bahri, 22, of Alue Rambe Village, Drien Tihang, was shot in the back by troops and dragged to their truck. The security forces continued their operations, shooting in all directions and terrifying the local people.

A few days earlier, an individual on a motor cycle was shot at the Julok police station in East Aceh. Police officers came out shooting in all directions, a family of six people travelling in a car were all shot and injured. On the next day, Gina Lukina, 6, the youngest of the passengers, died in hospital of her injuries. The following day, the police station in Meurah Mulia, Jungka Gajah, North Aceh was hit by a grenade after which the police went on the rampage, setting fire to the doors of around 40 shops in Keude Karing and Mudi Village, and one pesantren (religious school).

A glance at the local press indicates that there were at least twenty grenade attacks on mainly police stations and traffic posts during the first three weeks of January and at least ten attacks on military and police patrols.

**Who are making the attacks?**

One Acehnese newspaper has called into question the identity of the perpetrators of these attacks. The paper pointed out that most of those who attack police and military posts are armed with rocket or grenade launchers (GLM). Lamenting the many civilian casualties and loss of property, the paper asked whether these were really actions by AGAM (GAM armed forces), as the security forces claim, or are they from a different group with its own political agenda, taking advantage of the existence of GAM?

It said that local people are beginning to suspect that these 'professional' operations are more likely the work of people trained over a period of years. Despite the dozens of grenade attacks, not one perpetrator has been apprehended, even though many of the attacks took place in broad daylight. So who is behind them? If they are indeed highly trained professionals, that leaves two options - the police or the military. It is interesting to note that the grenade attacks are almost exclusively carried out against the police. [Serambi Indonesia, 19 January]

An earlier report in the same paper described an incident where members of an airborne infantry unit, Yonif Linud 100 PS who were stationed in the sub-district office in Kuta Makmur, North Aceh, released a volley of gunfire and a grenade near Kuta Makmur army command on 10

November, as if to indicate an exchange of fire. The troops had apparently asked Brimob and Gegana, both from the police, for help but were refused. After the incident, the Linud 100/PS unit carried out house-to-house searches in the area, beating up a number of the inhabitants. [Serambi Indonesia, 11 November 1999]

In another incident on 20 November in Meulaboh, West Aceh, where government buildings were set on fire after an apparent grenade attack, a green beret with military attributes was found by the police near a government office. Interestingly, Central Aceh Chief of Police, Lt.Col Drs Misik Natari told the press on 22 November, that forensic evidence proved that TNT had been used. However, on the same day, Central Aceh Commander of 0106 division, Lt. Col. Rochana, said a GLM, not TNT, had been used to bomb the building.

Serambi does not venture an answer to the questions it poses, but there do seem to be shadowy groups operating in Aceh who tend to be described as provocateurs. Initially, as elsewhere in the archipelago, they were called *ninja*, then they became 'GAM-GAMan' or false GAM. Criminal elements could also be playing a role in the unrest in Aceh.

**No disputing the role of state violence**

The continuing repression by the security forces is in no doubt. The number of verifiable cases of civilian arrests by members of the security forces, and the discovery of civilian bodies are increasing. This is a direct consequence of the 'sweeping' operations by the security forces - stop-and-search and door-to-door - being conducted all over Aceh, right down to village level, as well as in Banda Aceh. Previously, searches were carried out in the main along roads and the provincial capital Banda Aceh was relatively free of military and police activity. One press report [Waspada 18 January] noted the intensification of police and military operations. The security forces are reportedly firing indiscriminately during these searches, particularly in the villages, and they are often setting villagers' homes and shops alight, in what are clearly systematic acts of intimidation.

In a startling admission, Aceh chief of police, Brig. Gen (Pol) Drs BachrumSyah Kasman, publicly admitted that of 157 'terrorists' captured from May to December 1999, 77 had died and 12 had been injured. Assuming accurate reporting, the police chief was effectively admitting to at least 77 cases of extra-judicial executions. Asked about Brimob's involvement in the arson of civilians' homes and shops, he denied nothing: 'I regret the action of the security forces in the field and apologise for the incidents. They were not carried out on my orders.'

During the same period, he said, 275 houses had been set on fire, there had been more disturbances in Aceh, and this would continue to escalate. Consequently, the police would now switch strategy, moving from what he called a more 'defensive-active' strategy, to a more 'repressive' strategy. [Waspada, 2 January]



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## What is Jakarta doing about Aceh?

*A stalemate has been reached over Aceh's future, which the government is refusing to acknowledge. The lack of movement suggests that the government is short-sighted, uninformed but also paralysed in its efforts to resolve the Aceh problem. Either that, or Indonesia's president is resigned to the grim reality that any political resolution will be overruled by members of the security forces.*

For the best part of November and December 1999, Aceh dominated political events in Jakarta and continued to do so until the escalation in inter-communal conflict in Maluku after Christmas Day took over as Jakarta's main preoccupation.

Aceh's demand for a referendum confronts Jakarta with the prospect of this richly-endowed territory leaving the Republic and creating a huge hole in state revenues and foreign exchange earnings. Some of Indonesia's leading politicians warn this will result in the country's disintegration. For the armed forces, the Republic's position as a unitary state is sacrosanct and Aceh is the most immediate challenge to this holy grail. Few people have the foresight or courage to discuss the possibility of Indonesia becoming a federation. President Abdurrahman Wahid has even described federation as a taboo subject because it revives memories of Dutch colonial intentions at the early stages of Indonesia's independence. With such fears circulating among the Jakarta elite, there is little sympathy for Aceh's aspirations.

### Discord at the top

Quite how inadequate the new government's policies are on Aceh, is eloquently illustrated by a brief chronology of the government's approach to the problem over the last few months, with the military pursuing one agenda and the government of Gus Dur, as President Wahid is popularly known trying to pursue another.

Last October, just before becoming president, Wahid visited Banda Aceh in an attempt to woo the people, and for a brief moment, he succeeded. Surrounded by banners calling for a referendum - with an option for independence - he told the enthusiastic crowd that he fully supported their right to a referendum. Shortly after his inauguration as president, he said the government supported a peaceful resolution through dialogue, opposed the use of repression, and promised the withdrawal of all non-organic troops.

In November, territorial military commander of I/Bukit Barisan (North Sumatra), Major General Rachman Gaffar, confirmed the withdrawal, saying that only Battalions 111, 112 and 113 (organic troops) would remain to handle the security situation. In a barely veiled threat however, he warned that the withdrawal would lead to an increase in GAM violence, that the plan to arrest GAM leaders such as Abdullah Syafiie and Ahmad Kandang would have to be postponed with dangerous consequences while claiming that there were 'no changes' in how the Aceh problem was to be dealt with.



On the same day, Wahid reiterated Aceh's right to a referendum, even referring to East Timor. But he began to fudge the issue; things could not be rushed and in any case, maybe a referendum in Aceh was not needed. Confusingly, he said it was not for him but for the people of Aceh to decide and the government would need to figure out a way to find out what the people of Aceh wanted.

The DPR (parliament) said a decision to hold the referendum was a matter for the supreme legislative assembly, MPR after consultation with parliament and not for the president. Foreign minister Alwi Shihab sought to play down Wahid's apparent pledges, saying that although, in principle, they had the right to a referendum, there would have to be consultations with all interested parties, including the government administration and the military.

On 13 November, Wahid completed his volte face. He now said he fully supported the use of military repression in Aceh to thwart the ambitions of a separatist movement. 'The government,' he said, 'will take firm action against individuals or groups who are not prepared to enter into talks or who make unreasonable demands which threaten the integrity of the territory of Indonesia'.

### Seeking international backing

Soon after becoming president, Wahid made a number of trips overseas, to ASEAN countries, to the US and to the Middle East. One of his main reasons for these travels, as he said repeatedly, was to win support for Indonesia's territorial integrity and undermine international support for

Aceh's bid to become independent. While in Washington, Wahid agreed to meet activists from the International Forum for Aceh, including Aguswandi one of Aceh's leading student activists who was in the US at the time. Aguswandi later told TAPOL that Wahid became extremely angry when he explained why a referendum on independence was necessary and stormed out of the room.

Back in Jakarta, Wahid started to give the referendum idea a different thrust, saying that it would be about whether the Acehnese wanted to adopt Syariah law.

Meanwhile, the military commander in Pidie called on the government to impose martial law in Aceh as the only way to cope with deepening security problems. But defence minister Juwono Sudarsono said that the government would do no such thing and that seventy per cent of the government's efforts would be reconciliatory in nature, with the rest being devoted to maintaining law and order. He announced that the security presence would be strengthened, with an increase in the number of police and the marines. Within days, 500 Brimob troops, the special police forces, arrived at the Krueng Geukueh Port in Lhokseumawe, North Aceh.

While the chair of parliament's special committee on Aceh announced that it would recommend that a referendum should take place, he would not define the options. The following day, the speaker of parliament, Akbar Tanjung, stated that there was no way that the DPR would agree to an option for independence being offered. In fact, what was needed was a national referendum on Aceh's status.

On 8 December, Wahid once again reiterated his commitment to the use of repressive means in Aceh. 'The government of Indonesia will not tolerate the efforts of the people of Aceh to seek independence, whoever they may be and however they are organised.' A few days later he claimed to have spoken by phone with GAM's leader in Sweden, Hasan di Tiro, but on 17 December, a GAM representative in Europe, Tgk Yusra Habib Abdul Gani, denied that any such conversation had ever taken place.

Then national chief of police General Roesmanhadi said that security activities in Aceh would have to escalate, in response to the increasing acts of terror in the province and on 24 December, 400 special troops from Medan arrived in Lhokseumawe. The *korem* commander, Colonel Inf. Syafnil Armen claimed that they would replace Battalions 111 and 113 who would be withdrawn 'because they needed time to rest'. However, it is clear from ensuing reports that both battalions have been active and far from resting.

### 'Special status' again

The central government refuses to comprehend the extent to which the people of Aceh want a referendum, with an option for independence. Talk in Jakarta has variously been focused on having a referendum that offers Aceh special autonomy, broad autonomy or ordinary autonomy, the establishment of Islamic law, the ability to choose their own governor and the like. The problem is that the Acehnese have been given 'special' status before and is still known as *Daerah Istimewa Aceh*. Even so, in 1989, they were rewarded with being designated as a *military operations zone* or DOM. The people of Aceh also know that promises of military withdrawal in reality mean an escalation in violence.

Shortly before the New Year, Wahid said that a referendum would be held in seven months' time. The aim was to give himself space to make concessions in regard to bringing human rights violators to account and persuading the Acehnese of the advantages of Jakarta's special status offer. Later, while on a visit to Japan, Wahid said the Acehnese would have to wait three years, without offering any reason for the change. Such chopping and changing have only increased the sense of frustration in Aceh and convinced Jakarta-watchers that Wahid has failed to come up with a well-thought-out strategy.

### Jakarta offers talks

Despite the confusion, President Wahid confidently said on 9 January that the resolution of the Aceh problem was imminent. The problem was being dealt with through negotiations with a number of groups, he said, implying that he was in negotiation with Abdullah Syafie, AGAM commander in Aceh. He had ordered the military to guarantee his safety so that he could attend a meeting in Banda Aceh later in January. 'I have already told army and police commanders to secure his safety. We must not treat him like Diponegoro was once treated (by the Dutch). We are not a nation of colonialists,' the president said.

Bowing as always to the authority of their civilian master, the TNI then proceeded to raid Abdullah Syafie's hide-out in Glee Jiem Jiem, Bandar Baru, Pidie on 16 January. According to Pidie district military command (Kodim) commander Lt-Colonel Iskandar, TNI 'sniffed out' Syafie where he was hiding and raided his alleged headquarters at crack of dawn. After a series of what sound like ferocious battles, Syafie survived and was able to escape. The GAM leader claimed that dozens of Indonesian troops were killed, while the army admitted to only a small number of casualties.

The venue of the president's visit to Aceh on 25 January has since been changed from Banda Aceh to the island of Sabang. The choice of venue is significant. Sabang can be patrolled by naval vessels and is effectively out of bounds to demonstrators from the mainland.

### Human rights report

Meanwhile, a report on atrocities perpetrated in Aceh during and after the period of DOM which lasted from 1989 till 1998, has attracted a great deal of attention in Jakarta. The report was the work of an Independent Commission on Aceh set up by President B.J Habibie which collected evidence about literally thousands of atrocities and abuses that had been committed during and after DOM

The report was submitted to the president and to the DPR. On the strength of its contents, the DPR decided to summon a number of top-ranking retired generals to account for developments in Aceh while they were in charge. Three retired generals were grilled for more than three hours in front of TV cameras and had the nation spell-bound watching three of the most hated New Order military commanders, General Benny Murdani, General Try Sutrisno and General Feisal Tanjung, trying to justify the brutal actions of troops operating under their commands. This was, as many commented later, a never-to-be-forgotten spectacle.

The human rights report identified five particularly heinous crimes for immediate processing before a court of law: the rape of a woman in Pidie in 1996; the death of at least 39 people in North Aceh in May 1999; numerous abductions, torture and the extra-judicial killing of a number of people in Rumoh Geudong, a notorious torture centre run by *Kopassus*, the much-feared special forces, during 1997 and 1998; the death of seven people in Idi Cut in February 1999 and the shooting dead of the religious teacher, Teuku Bantaqiah, his wife and 64 of his followers in Beutong Ateuh, West Aceh in July last year.

The Teuku Bantaqiah case will be the first to go to court and was due to start before the end of January. Twenty men, 18 of whom are military personnel, will be in the dock. The highest ranking officer will be a lieutenant-colonel, which suggests that the officer who ordered the massacre has not been included.

This trials and others to follow are intended by Jakarta to show the Acehnese people that those responsible for the numerous atrocities during the last decade of the Suharto era will at last be brought to justice. It is assumed that this will wean the public away from the referendum demand.

Until now, on the few occasions when army officers have been brought to court for human rights abuses, the cases have been heard in military courts, before a panel of military judges and based on the military criminal code. Such trials have always been a travesty of justice, with low-ranking officers getting derisory sentences. This time, the judiciary has been prevailed upon to come up with something more acceptable.

The trial will be heard before a so-called *koneksitas* court, using a combination of charges from the military and civilian codes and before a mixed panel of judges including one military judge. This procedure has been chosen in the absence of a properly constituted human rights court with a panel of independent and impartial judges, recognised for their commitment to human rights. Human rights lawyers and activists are unenthusiastic about this procedure and fear that it will be little different from past trials of army officers.

Nor is the procedure likely to win over public opinion in Aceh. According to Otto Syamsuddin Ishak of Cordova, the Institute for Civil Society Empowerment, setting up a *koneksitas* court could be counter-productive. 'For example, in the Bantaqiah case, the highest-ranking defendant is only a lieutenant-colonel. It is clear that the people of Aceh will be angry because they know who did this, that there must have been a powerful commander who by-passed other seats of power.' [*Media Indonesia*, 6 January]

## Dispute over more investigations in Aceh

Soon after electing a new chair and vice-chair in January, the National Human Rights Commission, Komnas HAM, announced that it would set up a commission of inquiry to go to Aceh. The news was greeted with dismay by Hasballah M. Saad, the minister of state for human rights. In his opinion, there have already been more than enough investigations in Aceh and Komnas HAM would be well advised to direct its energies elsewhere. Being himself an Acehnese, Hasballah probably fears that yet more investigations while the wheels of justice are turning so slowly would be counter-productive. \*

### continuation from page 18

*We are particularly concerned about the search for accountability among the military for the events that took place before President Wahid took office. The attempts on the part of some military to denied accountability and the continued obstruction of the investigations by Indonesia's own attorney general greatly trouble us. If they continue, the international pressure for an international commission will dramatically increase.* [Richard Holbrooke, speaking to Indonesian and foreign journalists on 14 January 2000.]

The Indonesian government should understand that this is the only way forward for Indonesia to regain the trust and confidence of the international community in the wake of the horrific events visited upon the people of East Timor before and after the ballot. On 19 January, foreign minister Alwi Shihab held talks with UN secretary-general Kofi Annan to persuade him that the KPP-HAM 'must be given the authority with no interference from an institutions, in

cluding the UN' to handle the question of accountability for the crimes committed in East Timor, claiming that 'international interference would be counter-productive and would disturb the process'. [*Indonesian Observer*, quoting a government press release.]

However, the KPP HAM investigations are only one part of the process and there is no guarantee that the subsequent stages will satisfy international criteria. The new government must show the necessary commitment and political will to end the cycle of impunity.

There is little reason to believe that the necessary institutional changes in the judiciary will take place quickly enough to ensure that domestic remedies will be able successfully to secure justice with regard to the killings and devastation that engulfed East Timor in 1999. The only way forward for proper accountability of members of the Indonesian armed forces is for the establishment of an international tribunal. \*



## Human rights support committee for Aceh meets

*Acehnese and international human rights NGOs met in Banda Aceh in January to agree on a programme to campaign internationally to end human rights abuses in Aceh. It was agreed to lobby the IMF to stop releasing funds to Indonesia until human rights abuses are ended in Aceh*

This was the first meeting of the Support Committee for Human Rights in Aceh (SCHRA) which was set up in Bangkok last July. On behalf of the organising committee of the meeting, Jafar Sidiq Hamzah told the press that the meeting was taking place in response to President Abdurrahman Wahid's efforts to isolate the Aceh issue from the international community. It was gratifying to see, he said, that so many international NGOs were able to attend, including Asian Human Rights Watch based in Bangkok, the US branch of the International Commission of Jurists, the US Committee for Refugees, Forum Asia, ANDI, a South East Asian human rights group based in Bangkok, Thammasat University, Nindja from Japan and Non-Violence International which is based in Washington. TAPOL which was one of the founding organisations of SCHRA was unfortunately unable to send a representative but sent a warm message of support.

Jafar said that the meeting was not expected to discuss the question of a referendum in Aceh as its focus was on human rights. However, those who are campaigning for a referendum must be perceived as one perspective in the democratic process.

### IMF should help

One of the main decisions was to press the IMF to freeze all further credit to Indonesia until the human rights situation in Aceh improves. The newly appointed general secretary of SCHRA, Sinopam Samyodorai said that the IMF should be told that thousands of Indonesian troops waging military operations in Aceh were consuming a huge proportion of the Indonesian budget. While this continues, much of the IMF credit granted to Indonesia would be used up to fund these operations. The international community should also realise that Aceh contributes about twenty per cent to the Indonesian annual budget, with the proceeds from the territory's abundant natural resources.

Samyodorai, who is also programme director for Asian Human Rights Watch, said that SCHRA would monitor the human rights situation in Aceh and work closely with human rights NGOs in Aceh, in Asia and throughout the world. SCHRA would also seek to exert pressure on the Consultative Group on Indonesia, the aid consortium which next meets next February in Paris, and would also call on the member states of the European Union not to end its embargo on arms sales to Indonesia.

Preparations were already underway to submit detailed submissions on Aceh to the forthcoming session of the UN Commission on Human Rights which commences on 20 March in Geneva, and to press for UN special rapporteurs

to visit Aceh. Until now, the Indonesian government has refused to permit any special rapporteurs to visit Aceh.

TAPOL will be responsible for coordinating human rights campaigning on behalf of Aceh in Europe.



*Aguswandi in Amsterdam with Peter-Paul Lelijveld from Amnesty International.*

### SMUR leader visits US and Europe

One of Aceh's foremost student activists, Aguswandi, spent several months in the US and Europe to campaign on behalf of Aceh. He left Aceh at a time when the security forces were spreading false information about him and branding him as an 'enemy of the state'. Aguswandi was one of the founders of SMUR, Students Solidarity with the People.

In the US, he spoke before a number of student meetings and helped to set up a Students Forum for Aceh. During a short visit to London, he addressed a packed meeting at the School of Oriental and African Studies and was interviewed by the BBC World Service. He also met several British parliamentarians and discussed with them the possibility of sending a parliamentary mission to Aceh this year. He also held several very successful meetings in the Netherlands and Germany. \*

## West Papua's 1969 'referendum' re-visited

*In August 1969, the Indonesian authorities conducted an 'Act of Free Choice' in West Papua as required by an agreement with the Dutch government concluded under UN auspices in 1962. There was nothing 'free' about the Act which involved 1,025 hand-picked 'tribal chiefs' who decided at gunpoint that their country should remain part of Indonesia. Recently de-classified information shows that the West connived in the betrayal. The Dutch government has now acknowledged that the 1969 Act should be re-examined.*

*'I cannot imagine the US, Japanese, Dutch or Australian Governments putting at risk their economic and political relations with Indonesia on a matter of principle involving a relatively small number of very primitive people.'*

*British diplomat, 1968*

The Dutch government's decision to review the 1969 Act announced on 11 December 1999, represents a breakthrough. Until now, all western governments have completely ignored the issue. The Dutch decision came in response to pressure from the Dutch Parliament. Member of parliament Van Middelkoop of the *Gereformeerde Politiek Verbond* succeeded in persuading Foreign Minister Van Aarsten that a review was called for and the minister suggested that it might be undertaken by the Dutch Institute for War Documentation, NIOD, which investigated the slaughter of Muslims in Srebrenice, Bosnia. Van Middelkoop said: 'Finally we can look the Papuans straight in the eyes.'

The matter had been raised at a seminar in Amsterdam held to mark the thirtieth anniversary on 19 November 1999 of the UN General Assembly's decision to 'take note of' a report on the Act, thereby endorsing the results of the Act and removing the question of West Papua from the UN's agenda.

The task of examining recently de-classified UN documents in the period up to the conduct of the Act is being carried out by John Saltford, a PhD student at Hull University, UK. He gave a lecture at the seminar on West Papua in the Netherlands on 20 November 1999. The following draws largely on information that he has brought to light.

The Act of 'Free' Choice took place seven years after Indonesia had taken control of the territory under the terms of the New York Agreement between the Netherlands and Indonesia, brokered by a US diplomat acting for the UN. A year before the Act was due to take place, the UN set up a team led by Bolivian diplomat Fernando Ortiz Sanz to 'assist, advise and participate' in the Act. In the event, the UN team's role was nothing more than peripheral.

The three Indonesians who were in control of events in West Papua (then known as West Irian) were Brigadier-General Sarwo Edhie, of the special forces then known as RPKAD, who was the military commander of the territory, Major-General Ali Murtopo, Suharto's top intelligence

officer who was put in charge of organising the Act of 'Free' Choice, and Sudjarwo, a senior official from the Indonesian foreign ministry whose task was to liaise with the UN.

Many observers knew at the time that a free vote in West Papua would have come down in favour of separation from Indonesia but Indonesia was determined to prevent this and the western powers, by then enjoying expanding economic ties with Indonesia's military dictator, General Suharto, were not minded to stand in their way.

One British diplomat commented in April 1968:

*The strength of the Indonesian position lies in the fact that....they must know that, even if there are protests about the way they go through the motions of consultation, no other power is likely to conceive it as being in their interests to intervene. There will be protests from the Papuan exiles in Holland, Japan and at the United Nations. I understand that the exiles may find some support in the Australian press. But I cannot imagine the US, Japanese, Dutch or Australian Governments putting at risk their economic and political relations with Indonesia on a matter of principle involving a relatively small number of very primitive people.*

Three months later, these sentiments were echoed in a British Foreign Office communication:

*The plain fact is that there is no other solution than for Indonesia to keep West Irian; no one is thinking in different terms; and no responsible Government is likely to complain so long as the decencies are carried out.*

In May 1968, the British High Commissioner in Canberra reported that from Australia's point of view, 'the more quietly the act of self-determination passes off next year, the better'.

[These comments were echoed seven years later in mid 1975, when British, US and Australian diplomats in Jakarta were making recommendations to their governments in secret cables about how their countries should respond to Indonesia's impending invasion of East Timor.]

### UN envoy collaborates in the betrayal

Ortiz Sanz made two short visits to West Papua in 1968 and sent some grossly inaccurate reports to the UN secretariat in New York which was headed at the time by Secretary-General U Thant, about conditions in the territory which bore no relation to the well documented unpopular-

ity and brutality of the Indonesian military rule. De-classified documents show that the Indonesians were keen to keep his visits to West Papua as brief as possible. Indonesian officials complained in December 1968 that his visit had caused a 'certain excitement' among the Papuans which was obstructing the smooth running of the territory and it would be better if he spent more time in Jakarta where accommodation would be much more luxurious.

There was some sparring between Ortiz Sanz and Indonesian officials about whether the principle of 'one person, one vote' as required by 'international practice' under the 1962 New York Agreement would be applied. This was anathema to the Indonesians who said they would conduct the Act in accordance with the 'Indonesian practice' of *musyawarah* or reaching consensus. Eight Indonesian-appointed regional councils of tribal leaders would take part in the Act.

In an attempt to preserve a modicum of democratic practice, the UN envoy proposed a mixed system, which would involve direct voting in some urban areas, but this too was rejected out of hand by the Indonesians.

After his second visit to West Papua in December 1968, Ortiz Sanz indicated in a report to UN headquarters in New York that he was aware of anti-Indonesian feelings in the territory but had found it difficult to make free contact with local people because his team had been followed everywhere by Indonesian officials. Yet his report shows that he had nothing but contempt for the local people:

*Of course, when the moment arrives, it would be very difficult indeed to assess the real importance of such anti-Indonesian sentiment since, as you are very well aware, only a very insignificant percentage of the population is capable of or has interest in engaging in any political actions or even thoughts....The tour has confirmed my initial impressions....that the implementation of the provisions of the New York Agreement relating to self-determination 'in accordance with international practice' is, indeed impossible.*

This report elicited a reply from Rolz-Bennett, the UN deputy secretary general, echoing Ortiz Sanz' racist sentiments. He wrote that 'the lack of development of the population stood out all too clearly'.

## 'Elections'

As the Act drew near, UN officials were getting apprehensive, fearing that the blatant rigging of the Act could make it difficult to get the final results of the Act through the UN General Assembly without widespread opposition. They urged the Indonesians to stage elections for some of the councils and, to their surprise, the Indonesians agreed.

The nature of these 'elections' was revealed by an Australian journalist, Hugh Lunn, who was filing stories for the *Sydney Morning Herald*. In August 1999, Lunn was interviewed in a documentary shown on Australian television which included footage of Lunn attending one of these 'elections'. Some Indonesians wearing dark glasses, who were obviously military intelligence officers, were shown going into the midst of a sullen and silent crowd of Papuans and bringing out six men they themselves had selected to 'represent' the community. While this was going on, Lunn reports, the crowd suddenly began cheering as three of their fellow-countrymen at the back of the crowd unfurled banners calling for genuine elections; they were immediately arrested and taken away. When Lunn appealed

to Ortiz Sanz who was also present, to intervene, he refused, saying that he was simply there to observe.

The British government was well aware of what was going on. A Foreign Office briefing sent to the UK mission in New York on 10 September 1969 said:

*The Indonesians took great care to ensure, in all ways open to them, that the chosen representatives would vote in favour of West Irian remaining in Indonesia.*

## Getting the Act through the UNGA

One of the recurring themes in the de-classified UN documents is the machinations of UN officials to ensure that when the final result of the Act was presented to the General Assembly for approval, it would go through with as little fuss as possible. The documents show that Indonesia's senior civilian official in West Papua, Sudjarwo was worried about the Dutch government's response regarding the way the Act had been conducted. Ortiz Sanz, in a grave breach of his neutral role as UN envoy charged to ensure the fair conduct of the Act, told his superiors in New York:

*I advised him privately though emphatically that his Government should try to obtain assurances that the Netherlands' Government would not cast any doubt on, or challenge, the Act of Free Choice. This would prevent a heated debate in the General Assembly.*

Another document reveals that Secretary-General U Thant was himself not averse to advising the Indonesians on how to expedite an easy ride at the General Assembly. He wrote to Sudjarwo as follows:

*The Indonesian Government would have to consult very diligently with the Members of the General Assembly for the purpose of preventing the submission of a draft resolution touching on the substance of the West Irian matter.*

A briefing from the British Foreign Office, sent on 10 September 1969 to the British mission at the UN in New York said:

*The delegation should ...avoid taking part in any debate on the item. ... We expect the Secretary-General's report to put the best face on the completion of the Act, and to avoid criticism of the Act*

## A slight hitch in the proceedings

In the event, when the Indonesians had got the 'unanimous' result they wanted and Ortiz Sanz presented his report to the General Assembly in November 1969 along with reports from the Secretary-General and the Indonesian government, several African countries condemned the exercise for being undemocratic and called for a proper act of self-determination to be held in 1975. They tabled an amendment to the resolution before the General Assembly to this effect. The resolution was defeated by 60 votes to fifteen, with 39 abstentions.

With little further discussion, the General Assembly then decided by 84 votes to none, with thirty abstentions simply 'to take note' of the Secretary-General's report that the people of West Papua had opted unanimously to remain with Indonesia.

That low key formulation was the farthest the General Assembly would go in revealing its discomfort with what had happened in West Papua under the eye of a UN ob-

*continued on page 4*

# The danger of a military take-over ?

*Since mid December rumours of a coup d'etat by the military have been swirling in Jakarta. They intensified when on 14 January Richard Holbrooke, US Ambassador to the UN and concurrently president of the UN Security Council warned Indonesian generals that they would face international isolation if they went ahead with their plans.*

Politics in Indonesia have changed fast since the downfall of Suharto in May 1998. Analysts are often forced to revise their conclusions by the day because of the quick pace of events. One important parameter, the dominance of the military on the political scene, has drastically changed. The TNI, the Indonesian armed forces, has a reputation of disrepute among the general public. Problems in Aceh, West Papua, Maluku and recently Lombok are generally perceived by the public as problems deliberately created by elements in the TNI.

The imminent danger of army officers being put on trial because of their misdeeds in East Timor and Aceh [see separate article] has infuriated army officers. The average officer still believes that he was simply doing his job. TNI officers feel that the reform movement is targeting the TNI, which is more than true. Indonesian political reform cannot proceed without a total overhaul of the TNI.

Since May 1998 TNI's powers have been slashed considerably: military involvement in the civilian administration has been cut back and *dwifungsi*, formal military involvement in politics, has also been downsized. But one large chunk of power, the territorial structure including its local economic interests, is still intact. The bulk of TNI officers are afraid that this last bastion is also under threat. [see also *TAPOL Bulletin* No. 154/155, November 1999].

## Reform versus status-quo

Never in the history of mankind has a group voluntarily surrendered power and this also applies to the TNI. The sacking of Major-General Sudradjat as TNI spokesperson by President Wahid highlights the deepening conflict between the civilians and the military at the pinnacle of the power pyramid. This high-powered general has been openly defying the policies of the new Wahid government and went as far as to challenge the position of the civilian Wahid as *Panglima Tertinggi (Pangti)*, the Supreme Commander of the TNI. In the Suharto period this was never challenged, Suharto being an army general himself.

The *Pangti* has the ultimate right to appoint and sack the people holding top positions within the TNI. Already under Suharto it often created problems because he chose people based on loyalty and not on skills but the civilian Wahid is seen as a complete outsider, meddling with TNI's internal affairs.

Sudradjat's challenge did not come out of the blue. He represents the view of the majority of officers who feel uncomfortable in the new political situation and are accusing civilians of sawing off the legs of their chair and char-

acter assassination. Sudradjat fiercely attacked the findings of *KPP Ham*, the Commission of Investigation for East Timor, describing it as a creation of Mary Robinson, the UN High Commissioner on Human Rights.



Sudradjat's replacement by Rear Marshall Grito Usodo fits into the strategy of the present government to promote reform elements within the TNI. For the first time in history, an air force officer will hold the important post of TNI spokesperson.

For more than a year, an open battle raged between the reform generals and the status quo generals. The reform generals say that the TNI should stay out of politics and problems like Aceh, Maluku or West Papua cannot be resolved by military means. The hard-liners insist that these problems should be dealt with by giving the military the legal means to go 'all out'. Sooner or later, this conflict will escalate and it is crystal clear which side the civilians will support.

## Civilian supremacy

The Wahid government is Indonesia's first democratically elected government since 1955. Despite its many

weaknesses it expresses the willingness to overcome the historical burden it inherited from the 32-year dictatorship under Suharto. In the Suharto days the government and TNI were basically one entity; in the present situation the TNI is supposed to be subordinate to the government.

TNI enjoyed overwhelming power during the Suharto era, expressed in many ways. There were many army personnel in the central and local administration, there were juicy business contracts for army officers and an almost absolute impunity, to name just a few of their privileges. Already during the Habibie transition, many of these privileges were withdrawn.

The Wahid government has tried even harder to curb the TNI's previous dominance. However, Wahid has a reputation of having good relations with the army and one can hardly expect radical reforms from him. At the same time he realises that reform must continue which means that the TNI will have to change their style and habits.

It started by appointing a civilian as Minister of Defence, which is both good and bad. Yuwono Sudarsono, the new appointee, is known to be a military-friendly academic and one cannot expect major reforms from him. All the signs are that *Cilangkap*, TNI headquarters, are not co-operating well with the new minister and Yuwono is seen in public as a lame duck.

Two top reform generals were given posts in the cabinet. Lt. General Bambang Yudhoyono was appointed Minister of Mining and Energy while Lt. General Agum Gumelar got the job as Minister of Telecommunications. These appointments are more bad than good. On the one hand, Wahid wanted to reward the two reformers by bringing them into the cabinet but on the other, taking two top reformers out of the TNI has strengthened the position of the hard liners in *Cilangkap*. The two appointees have not hidden their discontent at having had to leave the army with unfinished business.

Another well-meant measure was the appointment of Admiral Widodo as TNI commander-in-chief. Never in the history of the TNI has the highest post been occupied by a non-army officer. But in practice this measure also backfired, because Admiral Widodo does not wield the authority to tell the army generals what to do and he is seen as a Wiranto man, having been appointed deputy commander-in-chief when Wiranto was still commander-in-chief.

### **Wiranto versus the civilians**

The most influential military man remains General Wiranto, although he lost out in the present cabinet by having to relinquish his position as Minister of Defence/TNI Commander-in-Chief. His present post as Coordinating Minister of Security and Politics no longer gives him direct command over the troops but as a senior officer along with his close ties with Admiral Widodo, he still wields considerable political clout which he uses to the utmost. Significantly, he has refused to retire from the army which he should have done on taking a non-military post.

Wiranto has survived three governments, he climbed up the ladder as a Suharto aide, was maintained by Habibie and also by Wahid. In his period as TNI commander, all kind of terrible events occurred. The tragic events in Jakarta in May 1998, the atrocities in Aceh, West Kalimantan, Central Java, Maluku and West Papua. The September tragedy in East Timor also happened under his command. It is more than obvious that civil society in Indonesia wants to get rid of Wiranto. He has become the

embodiment of the 'old' TNI, the ones who resist reform and want to cling to the status quo of the Suharto era.

Both Habibie and Wahid have treated Wiranto with silk gloves. It could even be argued that Habibie's appointment as President was largely due to Wiranto's manoeuvring by abandoning Suharto's sinking ship. Wahid owes Wiranto no favours and has increasingly taken a negative attitude towards Wiranto; he recently said that if Wiranto is found guilty of misdeeds in East Timor he will be discharged.

Several TNI strongholds have been left relatively intact. This includes *BAIS*, the military intelligence, *KOPASSUS*, the notorious red berets commando and *KOSTRAD*, the reserve troops. The *Kopassus* leadership was replaced immediately after Suharto's downfall but otherwise the force was left unscathed. Wahid has now appointed an air force rear marshal as head of *BAIS*, an unprecedented reform measure. But otherwise President Wahid remains a man of extreme caution in his handling of the TNI. His recent visit to the *Kopassus* barracks when he heaped praise on this force of uniformed thugs for their past performance is puzzling for the *reformasi* movement. It was the *Kopassus* who did all the dirty work in East Timor, West Papua and Aceh and it was *Kopassus* who kidnapped Indonesian activists in the heyday of the Suharto era.

### **How imminent is a coup?**

It is highly unlikely that Wiranto and the generals will launch a straight forward coup against the Wahid government. Both Wahid and Megawati enjoy popular support which the military lack. Internationally, as expressed by Richard Holbrooke, a coup attempt will be disastrous for Indonesia and will turn Indonesia into a pariah state.

It is more likely that sections of the military will continue to create disturbances like Lombok [see separate article] to create the impression that the Wahid government is incapable of dealing with pressing domestic political problems. Perhaps they hope that this will force parliament to pass a vote of no confidence in the government. This is the scenario which is now being referred to a 'creeping coup'.

At the same time a layer of officers is emerging with a totally new paradigm and are willing to accept subordination to a civilian government. This group of officers agree that the TNI is ultimately a force for the defence of the realm and security and order is for others to take charge of. They also accept the basic premise that violence solves nothing and only interaction and communication can help conflict resolution. \*



## How to end the cycle of impunity

*For 35 years, members of the Indonesian armed forces have committed innumerable crimes against humanity in Indonesia as well as in East Timor, safe in the knowledge that they will never be held accountable. Impunity has been the shield behind which crimes have continued unabated while the international community has supported Indonesia economically and with arms. This may now be coming to an end if investigations into crimes in East Timor result in trials at home or before an international tribunal.*

Two very well publicised events in Jakarta signalled a change in climate. One was the televised grilling of three acting and retired generals before a parliamentary panel on their responsibility for atrocities in Aceh. The other was the appearance of General Wiranto until recently commander in chief of the armed forces (TNI), and other generals before a commission of inquiry set up by the National Human Rights Commission into crimes against humanity committed in East Timor. Can these events signal an end to the cycle of impunity in Indonesia?

### Crimes against humanity in East Timor

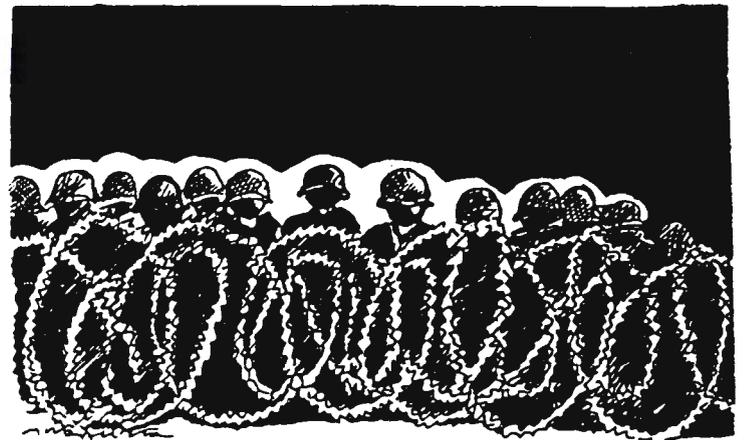
In September 1999, the UN's Commission for Human Rights (UNCHR) decided to set up an international commission of inquiry into the orgy of killings and scorched earth that struck East Timor during the run-up to and following the ballot on 30 August when over 78 per cent of the population voted in favour of independence.

Realising that this could lead to the UN setting up an international tribunal to try Indonesian officers for war crimes or crimes against humanity in East Timor, the Indonesian government, still then under President Habibie, hastily enacted a presidential decree in lieu of law for the formation of a human rights court. At the same time, the National Commission for Human Rights (KomnasHAM) set up a Commission to Investigate Violations of Human Rights (KPP-HAM) to investigate abuses committed after the ballot in East Timor.

The scene was thus set for two investigations, one domestic and one international. This had been foreseen by the UNCHR resolution which stipulated that the international commission of inquiry should work 'in cooperation with the Indonesian National Commission on Human Rights... to gather and compile systematically information on possible violations of human rights and acts which may constitute breaches of international humanitarian law committed in East Timor since ... January 1999'. The resolution also affirmed that 'the primary responsibility for bringing perpetrators to justice rests with national judicial systems'.

The UN's commission of inquiry came into being in late October after much foot-dragging at the UN and ECOSOC, with a mandate to investigate human rights violations in East Timor since the beginning of 1999 and to complete its work and report to the UN Secretary-General

by the end of 1999. The five-member commission headed by Sonia Picado of Costa Rica, with members from Nigeria, India, Papua New Guinea and Germany, visited East Timor for two weeks in November and December.



The UNCHR resolution also provided for three UN Special Rapporteurs - for extra-judicial killings, torture and violence against women - and the UN Working Group on Disappearances to conduct investigations in East Timor.

### KPP HAM presses ahead

Although there was initial scepticism from several international NGOs, including TAPOL, about the independence and sincerity of a commission associated with Indonesia's Komnas HAM whose record of investigations in East Timor has been rather disappointing, it soon became apparent that KPP-HAM was determined to collect evidence about atrocities in East Timor, to seek out those responsible for the horrific events in East Timor and to collect evidence about the role of TNI officers in instigating, aiding and abetting the activities of the pro-integration militia groups which had come into being during the course of 1999.

During their first investigations in November, they gathered information and collected eye-witness testimonies of some of the worst atrocities including the killing of several hundred people at a church in Suai on 6 September. They questioned witnesses in Suai who testified that the local TNI command had been directly involved in the killings. In West Timor, they found the graves of the three priests who had been gunned down outside the church and more than a dozen victims of the massacre and obtained

eye-witness accounts that army trucks had been used to transport the bodies.

Following their investigations, KPP-HAM summoned General Wiranto and questioned him for more than three hours. The general later told the press he had agreed to appear before the KPP-HAM because 'the matters in hand should be resolved between us as a domestic affair without letting outsiders clean up our household', thus confirming that he had appeared in order to protect himself and other top TNI officers from the humiliation of facing an international tribunal.

General Wiranto denied that the Indonesian army had a policy 'of carrying out genocide or crimes against humanity'. He insisted that the TNI as an institution 'had never issued orders or encouraged the burning of cities, the killing of people or the compulsory evacuation of the population'. Much of the questioning revolved around Wiranto's responsibility as commander-in-chief of the armed forces.

Three major-generals, Zacky Anwar Makarim and Syafrie Syamsuddin both intelligence officers, and Adam Damiri who was commander of the regional military command in Bali, as well as Colonel Timbun Silaen, who was chief of police in East Timor, and Colonel Tono Suratman, the military commander of East Timor, have also appeared before the commission, using the occasion in an attempt to clear their names and refute eye-witness testimony obtained by KPP-HAM investigators during their visits to East Timor.

In an attempt to discredit the KPP-HAM, the generals have accused it of pursuing an anti-Indonesia agenda, of being funded by money from abroad and of basing its evidence on information from Interfet (UN peace-keeping force in East Timor), a body that has been much maligned in Indonesia for alleged interference in Indonesian domestic affairs. They want to portray KPP-HAM as serving foreign interests. Some of its members have even been threatened with physical violence.

## International humanitarian law

Since the end of the Second World War, a body of law has evolved to cover crimes against humanity and war crimes, which together are known as International Humanitarian Law. The Nuremberg Trial of sixteen Nazi war criminals in 1946 was based on the Nuremberg Charter adopted by the four victorious Allied Powers in August 1945, defining the crimes for which these men were indicted and convicted. Then came the four Geneva Conventions adopted in 1949, the fourth of which deals with the protection of civilians in time of war; its provisions include safeguarding humane treatment for persons in occupied territories and is therefore applicable to East Timor.

The Nuremberg Trial and the Geneva Conventions gave birth to the concept of universal jurisdiction, imposing an obligation on every state to assist in the trial and punishment of such crimes wherever they may have been committed. This means that states have the power individually or collectively to conduct a trial even if they have no link with the place where the crime was committed. *'The concept of universal jurisdiction for crimes against humanity is the solution that international law offers to the spectacle of impunity for tyrants and torturers who cover themselves with domestic immunities and amnesties and pardons.... What sets a crime against humanity apart, both in wickedness and in the need for special measures or deterrence, is the simple fact that it is a crime of unforgivable*

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*brutality ordained by a government or at least by an organisation exercising political power.'* [See Geoffrey Robertson, *Crimes Against Humanity: The Struggle for Global Justice*, 1999]

Crimes against humanity listed under Article 7 of the Statute of the International Criminal Court (agreed on in Rome in 1998 but still awaiting ratification) include: Murder, extermination, deportation or forcible transfer of population, imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law, torture, rape, sexual slavery, enforced prostitution, or any other sexual violence of comparable gravity, enforced disappearance of persons, and other inhuman acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.

In addition, war crimes include: Extensive destruction of property, not justified by military necessity, unlawful deportation or transfer, taking of hostages, directing attacks against the civilian population, the transfer by the Occupying Power of parts of its own civilian population to the territory it occupies, or the deportation or transfer of all or parts of the population of the occupied territory within or outside this territory, intentionally directing attacks against buildings used for religion, education, art, science or charitable purposes.

No stretch of the imagination is needed to see the applicability of these crimes to East Timor's 24 years of suffering.

## Command responsibility

One crucial part of international humanitarian law is the principle of 'command responsibility', making senior officers liable to prosecution for the criminal acts committed by their subordinates. Article 28 of the ICC Statute states that a military commander shall be criminally responsible for crimes ... committed by forces under his or her effective command and control as a result of his or her failure to exercise control properly over such forces, where that military commander or person either knew or, owing to the circumstances at the time, should have known that the forces were committing or about to commit such crimes; and that a military commander or person failed to take all necessary measures within his or her power to prevent or repress their commission or to submit the matter to the competent authorities for investigation and prosecution.

The principle of command responsibility clearly makes it impossible for General Wiranto to argue in a court of law that he was unable to halt the crimes being committed in East Timor in the wake of the ballot results being announced on the grounds that they were motivated by 'psychological factors' or subsequently to do nothing during the period of martial law imposed on 7 September to bring those guilty to court.

## National or international trials?

Indonesia's Attorney General Marzuki Darusman who set up KPP-HAM when he still chaired Komnas HAM, has often said that KPP-HAM was established to make it possible for the generals to be tried in Indonesia. 'If not, they will be dragged before an international tribunal,' he has said. The KPP-HAM's investigations are only the beginning of a lengthy process, the later stages of which will be

in the hands of prosecutors who will take charge of judicial investigations and decide whether those identified by KPP-HAM are to be indicted.

As PBHI, the Indonesian Legal Aid and Human Rights Association, has pointed out, all the painstaking investigations undertaken by the KPP-HAM are in danger of being swept under the carpet if the suspects are brought before a court that is not suited to the necessary legal norms.

An international tribunal will be unlikely to accept the principle of 'double jeopardy' if suspects are tried by national courts in which the suspects are tried for ordinary crimes, not for crimes against humanity as defined under international humanitarian law, if the courts do not meet the criteria of independence and impartiality and are convened primarily to protect the suspects against being indicted before an international tribunal, and if sentences are deemed inappropriate to the gravity of the crime.

Everything depends on whether domestic remedies will work but is this likely to happen?



*Munir, arguably Indonesia's most outspoken human rights lawyer*

## Law to protect generals from justice

A draft law for the creation of a human rights court which is soon to be submitted to Parliament has excluded the principle of retroactivity. It stipulates that crimes committed before the court is established cannot be tried before the court. This automatically excludes all the crimes against humanity perpetrated in East Timor as well as atrocities perpetrated in Aceh and West Papua. The draft law stipulates that 'grave crimes' shall be taken before a truth and reconciliation commission (not yet set up). Such a draft is clearly intended to protect Indonesian generals from facing justice for their heinous crimes in East Timor.

Munir, a member of the KPP HAM, has condemned the decision of the government. He told the press [*Kompas*, 24 January] that neither he nor Asmara Nababan, secretary general of the KPP HAM who are both members of the government's committee to draft the law had been consulted about this provision. He insists that at an earlier stage, the draft provided for a 15-year period of retroactivity. If this draft becomes law, he said, all the investigations undertaken by the KPP HAM will be utterly wasted.

Idfhah Kasim of ELSAM, an organisation that has lent its support for the creation of a truth and reconciliation commission, said that such a commission was only intended to consider human rights violations perpetrated too long ago to be able to produce evidence that would stand up in a court of law.

## Koneksitas courts

Until now, on the few occasions when officers have been charged in connection with involvement in atrocities, they have been tried in military courts under the military criminal code, charged with nothing more than 'procedural errors', 'exceeding orders' or 'depriving persons of their liberty' and received derisory sentences. Nor have senior officers in positions of command responsibility been made accountable.

In the absence of a human rights court, the Indonesian judiciary has opted to create special mixed courts (*koneksitas*) at which suspects will be tried before a panel of civilian and military judges. Fearing the opprobrium that would erupt in the post-Suharto era if military officers are yet again tried by military courts, the present government has chosen to compromise, offering a sop to the army by ensuring that military judges are on the panel of judges. This gravely compromises the independence and impartiality of *koneksitas* courts.

A trial before such a court is due to start soon to try a group of officers for violations in Aceh, North Sumatra where thousands were murdered, raped, tortured or 'disappeared' during the last decade of Suharto's rule. The most senior officer in the dock will be a lieutenant-colonel, itself a sign that nothing has changed. It remains to be seen whether the accused will face charges under the military or the civil criminal code neither of which provide for charges for crimes against humanity.

## International tribunal the only way forward

*Koneksitas* courts will not be acceptable internationally. If the Indonesian Government wishes to avoid the humiliation of having its military officers tried by an international tribunal, it could set up *ad hoc* extra-judicial courts served by panels of *ad hoc* judges appointed for their known integrity and independence, ensure that trials are preceded by investigations undertaken by *ad hoc* independent prosecutors and that international humanitarian law is used to indict the defendants.

Failing this and in the absence of appropriate judicial arrangements for the trial of Indonesian senior officers involved in the atrocities committed in East Timor during the last year of the Indonesian occupation, an international tribunal offers the only way forward for justice to be done.

The point was made unambiguously by Richard Holbrooke, US ambassador to the UN in New York who sits on the Security Council:

*continued on page 10*

# East Timorese trapped in West Timor

*Four months after the East Timorese people threw off the yoke of Indonesian colonialism, there are still some 150,000 East Timorese trapped in refugee camps in West Timor. They account for almost a quarter of the total East Timorese people. They are being intimidated and live in atrocious conditions. Many hundreds have died, especially children. This is a grave humanitarian crisis.*

The leader of the East Timorese people, Xanana Gusmoa, said recently, 'East Timor's greatest natural resource is its people.' But, writes Richard Lloyd Parry in *The Independent* [9 January 2000], 'when the country needs it most, even that one resource is seriously, and mysteriously, depleted.'

On 4 September 1999, the UN announced the official result of the 30 August ballot which showed that the East Timorese had voted overwhelmingly for independence from Indonesian rule. Six weeks later, in October, the Indonesian supreme assembly, the MPR, under immense international scrutiny, ratified the result, ending the 24-year struggle for East Timor's independence.

After the intensive press coverage of the violence that erupted in the wake of the ballot announcement, the media glare on this part of the world has shifted. However, four months on, the Indonesian authorities are still dictating events to a large, displaced East Timorese population.

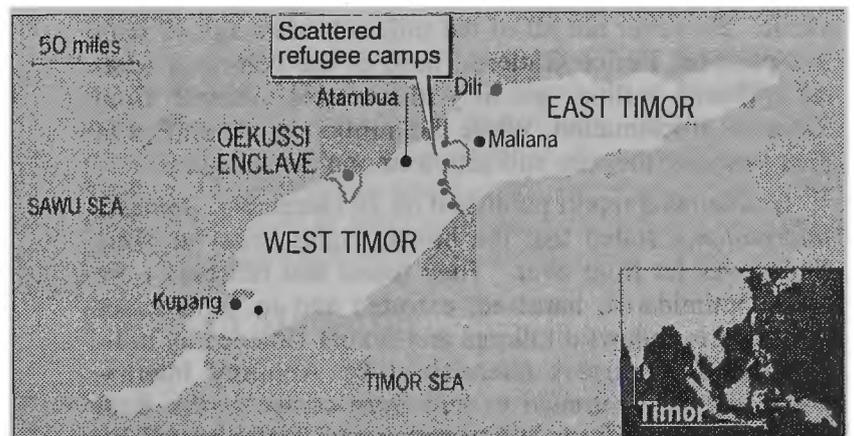
## Systematic depopulation

The massive post-ballot depopulation of East Timor resulted in what may have been up to 250,000 East Timorese becoming unwilling refugees in West Timor. This was not a population fleeing in panic from their homes as has happened in so many countries, but a systematic and well-organised movement of people by the Indonesian armed forces and their militia proxies, acting in revenge for East Timor's bold rejection of its Indonesian occupying force. This is highlighted by the fact that people were still moving across the border up to three weeks after the eruption of the violence, and after the arrival of the first Interfet troops in East Timor on 20 September.

Testimonies from refugees who have since returned to East Timor clearly show that many were forced to go to West Timor at gunpoint. Many are also quick to point out that this therefore made them hostages and not refugees. The similarity in stories from refugees from different districts across East Timor also points to the fact that the depopulation campaign was organised, comprehensive and evidently pre-planned.

Plans for this mass deportation go back at least to 5 May 1999, the day when the accords for the ballot were signed in New York between Indonesia, Portugal and the UN. On that day, the deputy chief of staff of the Indonesian army, Lt. General Jhoni Lumintang cabled Major-General Adam Damiri, who was the regional military commander of the region that included East Timor instructing him to

prepare security contingency plans for either outcome of the ballot. If the result was a rejection of autonomy and a separation from Indonesia then Damiri should have plans ready for the 'evacuation' of East Timorese.



In July, by which time top Indonesian generals were being forced to accept that the vote would go against them, a senior officer working on the staff of General Feisal Tanjung, Minister-Coordinator for Political and Security Affairs in the Habibie government, wrote to his boss outlining contingency plans in readiness for the defeat of the autonomy option. The letter, signed by H.R. Garnadi, said the plan would include a huge influx of evacuees from East Timor into West Timor and the destruction of 'vital facilities' all along the evacuation route. [See *TAPOL Bulletin*, No 154/155, November 1999]

Having planned the evacuation, the TNI were also deeply involved in its completion. Army trucks and vehicles brought over from West Timor were used to transport East Timorese to Indonesian West Timor. In some cases, East Timorese families were transported out by sea. TNI soldiers accompanied the refugee trucks across the border. Reports were received at the time that many of the men were separated from the women and children. Some are thought to have been killed; many are thought to have been forcibly recruited into the militia gangs.

Many members of the two TNI battalions, 744 and 745, composed largely of East Timorese soldiers, later made their way across to West Timor to join forces; they still maintain a presence inside refugee camps in West Timor. One NGO source inside Kupang has told TAPOL that these soldiers are still receiving wages and food rations from the army.

## Division in militia ranks

The TNI-sponsored militias who still exert a menacing influence over the refugees are said to number 50,000 men who, according to reliable sources, conduct training exercises daily in forty locations in West Timor. However, their intentions now appear to be ambiguous. Many militias, fearing that they are losing favour with their Indonesian military benefactors, have started voicing doubts regarding their sponsors and have expressed a wish to return to East Timor. *The Washington Post* recently reported that 'there are signs the Indonesian armed forces...are moving slowly but deliberately to cut ties with their former protegés'.

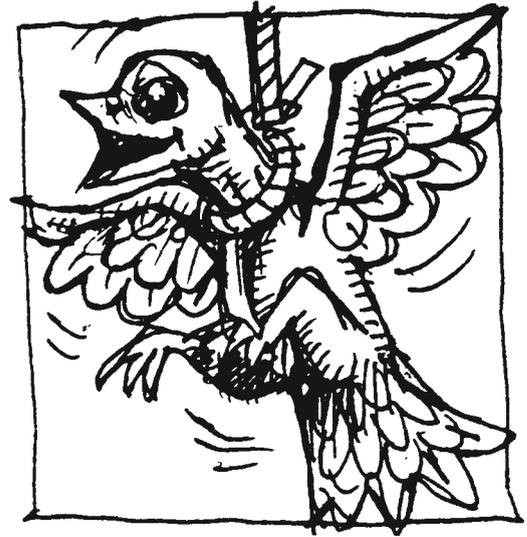
Such signs may have prompted the action of militia leader Joao da Silva Tavares who, in mid December, announced that he had officially disbanded the self-styled East Timorese Fighter Force (PPTT) along with various other militia leaders. Tavares said that armed struggle was no longer appropriate for the East Timorese loyal to the Republic of Indonesia, and political struggle was more realistic. However not all of the militia leaders agreed with this position. Eurico Gutierrez, head of the notorious Aitarak (Thorn) militia, publicly dissociated himself from Tavares' proclamation. While the militia are not unified in their position; they are still active among the refugees.

In a detailed report published on 20 December, *Amnesty International* stated that the human rights crisis in West Timor was far from over. They found that refugees were 'often intimidated, harassed, extorted and in some cases subjected to unlawful killings and sexual violence by militia groups'. Refugees interviewed by Amnesty International who had returned to Dili from camps in the Belu district in West Timor in November spoke of repeated incidents of rape by the militia and Indonesian soldiers. According to two refugees, a number of women were held in sexual slavery at the house of a TNI member. *Refugees International* were more forthright. In their report on 4 January they said: 'Make no mistake, this continues to be a hostage situation and the international community cannot relax until it is assured this is no longer the case.'

As well as their campaign of violence, the militia are also waging an intelligence war. One reason why so many refugees are still in West Timor is the lack of accurate information about the present situation in East Timor coupled with a systematic campaign of disinformation and rumour being circulated inside the camps by the militias. Refugees are being led to believe that a war is still raging in East Timor, that Interfet are killing returning refugees and that Australian soldiers are raping women. UNHCR efforts to counter these lies with their own information dissemination campaigns and 'go-and-see' visits have so far proved to be inadequate. The International Organisation of Migration (IOM) recently stated: 'Rumours, counter-information, intimidation and negative information campaigns continue to circulate. This is dissuading many East Timorese from returning.' Until this issue can be comprehensively addressed the refugee crisis will persist.

Another pressing problem is that of health. Since the rainy season began in November, living conditions inside these makeshift refugee camps have become horrific. Malaria, chronic diarrhoea and tuberculosis are claiming lives daily with children and babies under the age of five being the most vulnerable; the infant mortality rate is high. In late

December a UNICEF nutritional survey of 850 children in the Belu district showed that 'almost a quarter of the children under the age of five are malnourished' and said that 'this alarming situation... warrants immediate remedial action'. The Jakarta daily, *Media Indonesia*, reported that at least 449 East Timorese had so far died of disease in West Timor refugee camps. This death toll can only escalate in the weeks and months ahead.



## The hazards for international agencies

Official repatriation of refugees has been a long and arduous task for the UNHCR and IOM. They have operated in a hostile environment since first trying to enter the camps and staff have had to risk their personal safety. Militia intimidation has not been directed solely at refugees but also at the aid agencies, including the United Nations. Although the UNHCR formally has access to all the camps, local authorities have been lax in providing security. The result is that many areas, particularly the Belu region close to the border with East Timor, are too risky for the UNHCR to operate effectively. In mid-November, militia thugs stopped a convoy of three UNHCR trucks from picking up refugees at Halewen camp near Atambua airport. Despite police and army reinforcements, the militia stood their ground and forced the UNHCR to pull back as their vehicles were being stoned. At least 20 such incidents have now occurred in the Belu region alone. UNHCR staff have also been physically assaulted and the security situation deteriorated so much that in mid-December the UNHCR acknowledged that 'West Timor is the only place in the world where UNHCR workers are heavily escorted by police and army troops when they go to the camps.'

Conventional repatriation methods are therefore not applicable. Initially the UNHCR were unable to compile comprehensive lists of those wishing to return home because compiling lists made people targets for the militia. As a result, the UNHCR opted for an extraction policy. This essentially involved driving unannounced into camps and loading up trucks with refugees as quickly as possible, then driving out fast. This was not the most expedient way to repatriate up to 300,000 people but it demonstrates how desperate the situation had become even for the UN. It is

unbelievable that neither the Jakarta government nor the international community seriously addressed the issue that UN staff as well as East Timorese were suffering daily intimidation and physical violence.

In recent weeks the security situation seems to have eased and UN staff are now able to enter camps where previously they had no access at all. The most worrisome issue now is the problem of disinformation. For those refugees who are able to leave West Timor, a boat or plane takes them to Dili. UNHCR in conjunction with IOM have been running flights and ships daily from several areas in West Timor but at times of very high intimidation these services have been cancelled because so few refugees had managed to register.

Some refugees near the border have managed to leave camps unescorted. These 'spontaneous' returnees often walk for hours in the burning sun to cross the border on foot. After reaching Suai and Maliana, they have told stories of militia intimidation right up to the border. Even though they are being allowed through TNI-controlled border posts, militia are still robbing them of their very last possessions before letting them re-enter East Timor.

### The threat of re-settlement

The Indonesian government response to these problems entered a new phase at the beginning of the year. They now consider the 'emergency' phase to be over and have started on a period of resettlement and rehabilitation for those refugees remaining. Concerted efforts are being made in Kupang to resettle those refugees who remain, Jakarta logic dictating that those who are still in Indonesia are there by choice. Yet it is unclear how many refugees have chosen to be resettled, either locally or in other parts of Indonesia. What is clear however, is that there are as yet no criteria or appropriate screening process to ascertain the true wishes of the refugees. It is quite possible that refugees are agreeing to resettlement because the alternative of openly declaring that they wish to return to East Timor may still prove to be too dangerous. Refugees International has also argued that 'militia retribution against those who opt to go home could be swift and brutal... Unless all members of families who are in West Timor are interviewed together, stray family members could be used by the militia as hostages...these might be held indefinitely in West Timor or transmigrated elsewhere in Indonesia.'

Violence and health are not the only problems that these refugees face, there are also the associated problems of living in Indonesia. There is already widespread and open resentment of this displaced East Timorese population from the local population. Local communities envy the free aid that these East Timorese receive while they themselves receive nothing and are often no better off. This has already resulted in violent clashes between local and East Timorese youths outside of Kupang. There are also disturbing reports that the TNI and militia inside the camps have started trading their weapons to local Kupang communities and more ominously to buyers arriving from Ambon where inter-communal violence has already taken thousands of lives. It seems that the refugees have not solved the TNI's East Timor problem but unleashed a new Indonesian one.

As the months wear on, it is becoming harder to tell who are the victims. TNI children are also dying of illness inside these camps, the militia appear to be running scared and are as keen as the refugees to go back to their homes in

East Timor. They as well as their hostages are seeking security guarantees before they re-cross the border. Three months on and the struggle for East Timor may be over but the struggle of the East Timorese is still going on. \*

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*continuation from page 26*

about 'ex-TNI generals who like to incite those things. It has spilled over from the Maluku'. [ABC, 20 January] As we report elsewhere in this issue, a hard-line wing within the armed forces, intent on undermining Indonesia's first democratically elected president and seeking to divert attention from their defeat in East Timor, see the spread of violence across the archipelago as a way of showing that the civilians in power in Jakarta are unable and unfit to govern.

Many commentators in Jakarta agree that the government's failure as yet to resolve the bloodshed in Maluku has made it possible for these 'dark forces' to spread the scourge of violence to other parts of the country. On 24 January, a mob of people attacked and destroyed a church in Bima on the island of Sumbawa which lies just east of Lombok, raising fears that the trouble could spread further east.

### Unrest in Makassar

There have also been serious disturbances in Makassar, South Sulawesi, formerly known as Ujung Pandang. Heretofore, Muslim groups have used the conflict in Maluku to hold demonstrations in defence of their many hundreds of co-religionists who have lost their lives in Maluku.

Gangs of students from the city's Hasanuddin University and several private universities, some of them armed with sharp weapons and sticks, have been stopping passers-by and motorists demanding to see their IDs. Non-Muslims were assaulted and in some cases seriously injured.

A number of students were arrested for conducting 'sweepings', leading to further demonstrations by students calling for their release.

But these *jihad*-inspired activities do not have the support of all the students. Hundreds took part in a long march through the city to the regional assembly, criticising the Wahid government for failing as yet to halt the conflict in Maluku, and urging it to disclose the identities of the 'dark forces' that have masterminded the Maluku conflict. [Indonesian Observer, 20 January]

### Killings in East Java

A different kind of violence re-emerged in East Java in December where there have been a number of macabre killings. The most recent to die at the hands of unknown assassins was a 65-year-old woman living in an isolated house with her blind daughter. The woman who the ninth victim in a series of killings in the district of Malang, was slashed to death and her house was destroyed by fire. \*

# Two-faced EU resumes arms sales

*A member of the Indonesian government has reacted angrily to the European Union's decision not to extend the four-month arms embargo imposed during last September's violence in East Timor. Concerned about the fragility of the new democracy and fearful of a military coup, cabinet minister Sarwono Kusumaatmadja condemned the EU for purporting to promote reform while selling arms to the divided and mutinous military.*

The ban on arms sales and military co-operation was lifted when it expired on 17 January. An attempt by Portugal, Ireland and Sweden to extend the embargo by three months – which would have required unanimous support – was opposed by France, Italy, Spain and Belgium.

Britain reportedly 'hedged its bets' thereby opposing continued sanctions. It is now free to continue the delivery of Hawk ground-attack aircraft and issue new arms export licences (equipment previously licensed by the present Labour government has included components for combat aircraft, aircraft cannon, and military helicopters, components for armoured fighting vehicles and armoured personnel carriers, combat helmets, communications equipment and military simulators).

Dissent within the EU was evident from a strident statement by the Dutch foreign minister, Van Aartsen, the day before the embargo expired, saying that he opposed the ending of the embargo. He said he would be urging the Dutch company, Hollandse Signaalapparaten (HSA), which is about to export radar equipment for the Indonesian navy from the Netherlands, to abstain from delivering the equipment for the time being. Van Aartsen made this remark on the eve of his departure to Indonesia.

Other equipment which is about to be delivered is up to 70 armoured personnel carriers and 18 reconnaissance vehicles from France.

There is no doubt that this is a severe blow to Indonesia's emerging democracy, which is seriously threatened by military machinations aimed at undermining the government of President Wahid. The Indonesian army has been criticised for stoking up the communal violence in Maluku archipelago by taking sides in the bloody clashes, which have resulted in thousands of deaths, and continues to commit atrocities in Aceh and West Papua with impunity. TNI is challenging the democratically elected government by seeking to impose martial law in several regions and has questioned the constitutional position of the head of state as supreme commander of the armed forces.

Sarwono Kusumaatmadja, minister for maritime affairs told a British journalist of his discontent with the EU's decision to lift the embargo. 'We all have a sense that elements of the army are trying to effect a creeping coup

d'état. They are subverting the work of the government by perpetuating a controlled and limited state of unrest,' said Mr Sarwono in an interview with a leading British newspaper [*Independent*, 18 January].

He accused Western countries of being 'two-faced' in wanting to 'pave the way to democratic development but also...to make money from selling arms.'

## US maintains sanctions

The decision to lift the embargo is all the more outrageous given the fact that just three days earlier the US was compelled to issue a stark warning to the Indonesian military not to subvert the democratic process. Speaking to journalists on 14 January, the US Ambassador to the UN, Richard Holbrooke, made it clear that any coup attempt would do Indonesia immense, perhaps irreparable, damage and would lead to its isolation from the rest of the world.

He also expressed grave concern about the continuing refugee crisis in West Timor, the blame for which he laid primarily at the door of the Indonesian military who continue to provide financial support and encouragement to the militias. He predicted increased international pressure for an international tribunal to try those responsible for atrocities in East Timor and made it clear that US military sanctions could not be lifted under present conditions.



*Demo in front of the Foreign Office in London on 20 May 1998, one day before the fall of Suharto.*

*Photo: Paul Slattery*

## European Parliament and Australian intelligence ignored

The embargo was lifted in defiance of the unanimous views of members of the European Parliament expressed in a resolution co-sponsored by Liberal Democrat MEP, Liz Lynne on 15 December. The resolution, supported by the European Commission, called for the embargo to be extended and warned that the resumption of arms exports would send a signal to the TNI that they have been rehabilitated and would legitimise internal repression.

Responding to the lifting of the embargo, Ms Lynne said: 'Letting the embargo lapse now could be a costly mistake – it shows the EU does not understand the threat the Indonesian army poses to democracy and human rights.... [British foreign secretary] Robin Cook has shown that he is too spineless to stand up for his famous ethical foreign policy... This shameful decision will weaken, not strengthen the fragile forces of democracy in Indonesia...'

A secret assessment by the Australian Defence Intelligence Organisation in December also concluded that the embargo must continue since it would impact most heavily on the operational side of TNI and its ability to oversee internal repression.

## Britain's unethical foreign policy

The position of the British Government on arms sales throughout the recent crises has been a disgrace.

Britain strenuously opposed the introduction of military sanctions until East Timor was literally in ruins in September [see *TAPOL Bulletin* No. 154/155, p. 34] and has ignored recent evidence that British-made Saladin armoured vehicles are being used in the Maluku clashes. At the end of December, Saladins were used on the streets of the provincial capital, Ambon, to fire on those involved in the fighting [*Associated Press*, 30 December]. On 26 December, a Christian church in central Ambon was burnt down while onlookers danced on top of armoured vehicles stationed nearby. This act of arson sparked renewed clashes and hundreds more deaths.

On 12 January, a group of people from the Timika area of West Papua complained to the regional assembly of panic caused by troops using armoured vehicles whenever there is a problem in their heavily-militarised district [*Detikcom*, Jakarta, 12 January]. (Although we have no evidence that the vehicles being used in Timika are British, this report reinforces the evidence that armoured vehicles are being used for internal repression. The government claims it will not issue licences for more armoured vehicles, but it has allowed the export of spare parts, which is equally indefensible.)

There is increasing evidence that the so-called ethical dimension of British foreign policy will not be tolerated by the pro-arms industry Department of Trade and Industry, Ministry of Defence and the Prime Minister's office. At the beginning of January, the *Guardian* newspaper reported that the secretaries of defence and trade and industry were pressing for an end to a freeze on arms exports to Pakistan imposed after the military coup in October 1999. The foreign secretary, Robin Cook and international development secretary, Clare Short, were said to be implacably opposed and a junior minister correctly predicted 'If we lose this, it

## ARMS SALES

will be Indonesia next..... This is the filthy end of foreign policy.' [*Guardian*, 12 January]

Later in January, Prime Minister Tony Blair was reported to have overruled Robin Cook in giving the go-ahead for the sale of spare parts to Zimbabwe for Hawk jets being used in the civil war in the Congo [*Guardian*, 20 January].

There is no direct evidence that the foreign office under Robin Cook has opposed arms sales to Indonesia, but it has apparently been under intense pressure from other ministries to allow the export of virtually any kind of military equipment.

In October 1997, following an announcement by Robin Cook that he had blocked the sale to Indonesia of armoured vehicles and sniper rifles, the Prime Minister's office reportedly wrote to him telling him 'to moderate his policy of blocking arms sales to countries accused of serious human rights violations' [see *TAPOL Bulletin* No 144, p. 23].

Later, in July 1998, a letter from then defence secretary, George Robertson, to Robin Cook revealed the lengths to which the defence ministry would go to promote lethal exports. In attempting to persuade the foreign office to allow the export of armoured land rovers to the disgraced General Prabowo, responsible for numerous human rights atrocities, he described the general as 'an enlightened officer, keen to increase professionalism within the armed forces and to educate them in areas such as human rights' [see *TAPOL Bulletin* No 149/150, p. 31].

## Business the priority

Reacting to the news that arms sales would be resumed, the Liberal Democrat leader, Charles Kennedy, neatly summed up government policy when he argued that ministers had replaced their foreign policy with an ethical dimension with a 'commercial policy with a foreign dimension'.

The commercial imperative of foreign policy was emphasised once again by foreign office minister, John Battle, in a speech to the British Chamber of Commerce in Jakarta on 18 January when he explained that Britain wants to 'underpin not undermine' the efforts of President Wahid because of 'Indonesia's strategic importance, its potential as a huge market, and because we have long-standing and extensive interests here already'.

The affirmation of the need to 'underpin not undermine' the new government is a convenient, but hypocritical soundbite now being used by ministers, who are doing exactly the opposite by allowing the export of arms to the self-serving armed forces engaged in fomenting instability in order to retain their grip on power. Ministerial obfuscation which implies that the Indonesian government and military are working together to underpin democracy and that sanctions against the military will undermine the government is reprehensible.

The foreign office must now take a principled stand against business-oriented ministries in order to clean up the 'filthy end of foreign policy' and insist on unilateral sanctions against the Indonesian military without delay. \*

## Investigating the 1965/1966 massacre

*Former political prisoner Sulami who served a 20-year sentence and was released in 1984 has taken the lead in investigating the massacres that killed up to a million people as Suharto seized power in late 1965. Since her release, Sulami has devoted her life to this work. Earlier this year, she and other former political prisoners set up the Indonesian Institute for the Study of the 1965/1966 Massacre. She spoke to Carmel Budiardjo of TAPOL during a visit to Amsterdam in December.*

**When I left you behind in Bukit Duri prison in 1971, you were still being held there. But you were released from Tangerang Prison. When did they move you there?**

I was transferred to Tangerang Prison in 1981 when my 20-year court verdict was finally confirmed, after the appeals procedures had been completed. From then on, I became a 'convicted prisoner' or *napol*, no longer a *tapol*. Tangerang prison was a women's prison run by the civilian authorities. I was held there for three years until my release in 1984.

**My recollection of you in Bukit Duri is of being able to get your hands on newspapers and other things we were never allowed to have. How did you do it?**

It was with the help of the criminal prisoners who were held in the other half of the prison. They used to smuggle in pencils and paper in the evenings so that I could do some writing after the cells were locked up. But early in the morning, they would take them back and hide them in case my cell was searched. This was how I was able to keep my brain occupied. During my time at Bukit Duri, I wrote a novel, a novella, a collection of short stories and some poems. As you know, since my release, I have written my memoirs about how I was arrested, my trial and my experiences in prison. The memoirs have just been published.

**Where did you stay after your release? How long was it before you were re-united with your family?**

First of all, up until August 1986, I was required to report monthly to the public prosecutor's office. It would have been very difficult for me to go back home to Sragen because of all the formalities I would have had to go through to travel to Central Java and the level of control there was very tight. Things were still extremely difficult for ex-prisoners.

I accepted an offer from the mother of the prison director who ran a canteen at a factory in Tangerang to go and work at the canteen. At least I was safe there as her husband was a member of the military police which gave me a kind of protection. I lived at the factory for four and a half years and helped to hand out the food at mealtimes. I was paid a small wage for this. My sister found a place to live in Tangerang while I was there.

My brother who lived in Sragen had been sacked from his government job in 1966 because he had rented out part of his house to the local branches of the women's organisation, Gerwani and the peasants' union, BTI. They even de-

tained him for three months because of this. So with this background, he too was under a cloud and my presence would only have made things more difficult!

**When did you start making contact with your former Gerwani comrades?**

While I was working at the canteen, Saskia Wierenga, a Dutch feminist doing research into the history of Gerwani, came to see me. She interviewed me and helped me to make contact with my former colleagues in the regions.

When the security situation for former prisoners began to improve, I left the factory and went to live with my sister.



*Sulami in Amsterdam*

**When did you start with your investigations?**

All the time I was in prison, I was obsessed with the idea of investigating what happened in 1965. With Saskia's help, I started visiting some regions and making contact with people who had experienced the massacres, who had seen things or whose relatives had been killed. People were prepared to talk to me, they trusted me because I was from Gerwani. I heard some terrible testimonies.

In 1994, I went to the provinces and talked to the families of a lot of the victims, a lot of the wives especially. They were often still waiting for their husbands to come

back. A lot of them have never remarried since that time and they are very anxious to know what happened to their husbands, are they still alive, are they in jail or were they killed? If they were killed, who killed them and where are they buried? This sort of knowledge is very important to them.

During my investigations, I heard of one man who had been the head teacher at a village school. He had been given the so-called 'hukum picis' punishment. This is a penalty dating back to the days when feudal society was still very strong. He was stripped naked and paraded round the village. Villagers were told that they could slice off bits of his body, chop off his hands or limbs, cut off his ears. Some people joined in because of the deep animosity towards members of the banned organisations; others refused to join in. This poor man fainted as he was being dragged round the village and mauled and later died.

I had heard about this terrible penalty so I went to a village where it had happened and indeed found people, his neighbours as no members of his family could be found, who were prepared to testify.

I also met Indonesianists who interviewed me, including Anton Lucas from Adelaide University who published the interview though he didn't use my proper name. Another person I met was Saraswati from the University of Washington who offered to help with my research and gave me some assistance.

After I had been able to contact former tapols who wanted to get involved in collecting testimonies about the 1965/1966 massacres, I was contacted by an Australian TV documentary journalist who asked me to help him with a film about this to be screened in September 1998.

He interviewed me with friends in Central Java as we were excavating places where people murdered in 1965 were buried. He also took me to the Pancasila Monument in Lubang Buaya with frescoes depicting the horrible things members of Gerwani are alleged to have done there to the bodies of the generals murdered on 1 October 1965. I told him the stories were a grotesque distortion. It's terrible that that monument is still standing. It ought to be destroyed.

**I saw that film, 'The Killing Fields of Indonesia', shown on SBS, Australia and I was greatly inspired by your courage and tenacity.**

Honestly, I never realised that it would be such a major film. He only had a tiny camera. We have had private showings of the film in many places in Indonesia. It's been very helpful to our work.

There's been a lot of interest from the media as well. After it appeared, I was interviewed at least twice a day. I gave altogether 48 interviews.

Some of our friends from the PKI (the Communist Party) were not happy about all this because they were afraid we were making ourselves too conspicuous. But they've stopped saying this.

**When did you decide to set up your Institute?**

I went to see Pramodya Ananta Toer to talk about our work. He has always been very enthusiastic but he advised me that it was much too much for one person to handle and suggested that we set up an organisation. We set ourselves up on 15 April 1999. I had to borrow money to pay for the notary's act.

We have now quite an extensive network of groups in many parts of the country, in Bali, Sumatra, and South Sulawesi as well as in Central and East Java, investigating the killings in their our localities.

When I came to Amsterdam to attend the conference on 'Against Impunity', my friends held a seminar in Semarang to discuss our methodology and establish guidelines. That will be very important.

**Some people say that all this happened 35 years ago, to investigate it only brings up bad memories and creates more conflict in society, that it's better to let these matters rest and try to forget that terrible time in Indonesia's past. What do you say to people who argue that way?**

We are determined not to rake things over but the fact remains that so many people were killed and the people responsible must be made accountable. It's very easy for people who have not suffered a loss to say these matters should be left alone. But people who suffered the loss of loved ones are continually having nightmares and worrying about what happened. So I think it's important for them that this matter is continually talked about. There needs to be a lesson for people also. The killing of just one person is a crime, so how much more terrible is it when more than one person is killed. The murder of hundreds of thousands of people must be talked about and accounted for.

It's like a struggle for civilisation to make sure that things like this will not happen in future. There's been a lot of enthusiasm, we've been getting a lot of support in the provinces and receiving lot of reports from people who've been gathering information. Our main aim is to make people responsible for what happened and if necessary, to bring them to trial before an international court of justice.

In discussion about investigations into former President Suharto, this issue has been touched on but those responsible have said that their job is to deal with corruption, collusion and nepotism and they say it would be unethical for them to deal with other matters or delve into the killings of 1965.

**Have you been able to interest the National Commission on Human Rights in your work?**

We had a meeting with the chair, Marzuki Darusman, who told us the massacres happened too long ago, long before the Commission was set up. But he asked us to submit our report and they will decide how to follow it up.

I was happy to meet Hasballah Saad, the Minister for Human Rights here at the conference in Amsterdam. He asked me to come and see him when I return to Jakarta.

**Thank you, Sulami, for everything you are doing. I hope that it will be an inspiration to the younger generation and encourage them to take your work forward.**

*Source: Some sections of this interview are from an interview of Sulami by Peter Mares and broadcast on Radio News First (Australian Broadcasting Corporation) on 9 July 1999.*

# Violence spreads to Lombok

*As the inter-communal conflict in Maluku entered its second year, violence spread to the island of Lombok. Many churches were torched and most of the tiny Christian community, many of them Chinese, fled to nearby Bali. Tourists also left the island hastily as foreign embassies in Jakarta issued travel advisories against visiting Lombok and other parts of Indonesia.*

The sudden flare-up in Mataram, the capital of Lombok, took everyone by surprise though the chances of trouble erupting somewhere had increased following the mass rally in Jakarta on 7 January at which some of those present raised the *jihad* cry.

Lombok island is part of the string of islands known as West and East Nusatenggara stretching eastwards from Bali and reaching down to now independent East Timor. Some five years ago, Lombok became the focus for a new tourist centre around the island's capital Mataram, to relieve the pressure on Bali. Hotels and restaurants were built in the capital and nearby Senggigi became a new attraction for tourists seeking idyllic, 'unspoilt' beaches and a holiday away from it all. Within a short space of time, it had become one of the most promising tourist destinations in South East Asia.

While Muslims comprise the largest religious group in Lombok, there are many Hindus (which is the main religion in Bali) as well as a number of traditional communities who have retained their own animist beliefs. The more eastern islands of Nusatenggara, especially the island of Flores, are mainly Catholic.

## Homes and tourist facilities wrecked

The violence exploded on the morning of 17 January as thousands who had been attending a rally in Mataram, the capital city, to protest against the killing of Muslims in Maluku were dispersing. However, reports from local people and tourists who witnessed the outburst all confirm that the gangs responsible for the violence had been trucked in, with supplies of petrol, in an orchestrated attack which was timed to coincide with the end of the rally. According to one witness: 'A truck would stop, like a cattle truck. They'd all get off the back ... they'd pour petrol on the road, set it alight, stand back, throw bottles full of petrol ... which would then explode.' [Sydney Morning Herald, 19 January] Others say that the gangs were carrying documents listing Christian and Chinese premises to be attacked. [Independent on Sunday, 23 January]

The mayhem continued for three days with the rioters showing little regard for the army's shoot-on-sight warning. Gangs roamed the streets checking houses in their search for Christian families and looting and burning all those that could be identified as such. Ten or more churches were gutted and scores of houses, shops and offices were razed or vandalised. In Senggigi, restaurants were gutted but the five-



*Destruction in Lombok*

star hotels were left unscathed. However, they were deserted by the guests and after the violence died down, were barricaded behind military guard

In Mataram, the police, expecting trouble, had placed small teams of men in front of churches while the rally was in progress but they fled for their own safety because the violence spread so fast. [Kompas, 18 January]

Loss of life appears to have been low; five of the rioters died, apparently shot by troops trying to restore order. There were no reports of Christians fighting back; their only response was to get out, and fast. Hundreds of Christian families sought sanctuary in Bali while most tourists in the area also fled.

Damage to property has been estimated at 60bn rupiah (£5.7m). But the longterm economic damage could be far greater as Indonesia's burgeoning tourist industry sustains a serious setback to its reputation

News of the sudden eruption of violence in Lombok was widely reported worldwide. The violence reverberated even more than the inter-communal clashes that have wracked Maluku for twelve months.

## 'Dark forces' blamed

Leaders of the local Christian community in Lombok see the three-day violence as being the price people have to pay, as victims of the political power play in Jakarta. This view is confirmed by commentators in Jakarta and by President Wahid himself. In an interview with the ABC, he spoke

*continued on page 21*

## Political exiles invited to return home

*Hundreds of Indonesians living in political exile since 1965 have now been invited to return home by President Abdurrahman Wahid. The new government has also released all remaining political prisoners. But do these measures end once and for all the discriminatory practices which the present government inherited from the Suharto dictatorship?*

The announcement by President Wahid earlier this year that all political exiles now living in many parts of the world can come home without facing any obstacles came as a great relief to the hundreds of people who have been forced since 1965 to build new lives in foreign lands. They include people of many backgrounds and political persuasions who were overseas - in Europe, the Soviet Union, China - in October 1965 and who found themselves being branded as members of the Indonesian Communist Party, the PKI and therefore liable to immediate arrest if they dared return home.

They include well-known members of the PKI as well as people who were in eastern European countries to study and Indonesian ambassadors who were suspected of pro-Sukarno sentiments

### Meeting in The Hague

Wahid dispatched his minister of law and legislation, Yusril Ihza Mahendra to the Netherlands where the vast majority of the exiles now live. Several hundred exiles attended an emotional meeting at the Indonesian embassy in The Hague, at which many of those present, some of them in wheelchairs, spoke of the difficulties they have lived through as a result of the harsh persecution during the Suharto regime. The policy led to estrangement with their families at home, many of whom avoided contact with parents or siblings overseas for fear of arousing the suspicions of army intelligence. They were all forced to abandon their Indonesian citizenship and become foreign nationals.

It is ironic that the cabinet minister charged to bring the good news to such an audience now chairs *Partai Bulan Bintang*, the Muslim party which is the successor of *Masyumi*, banned in 1960 by Sukarno with the support of the PKI. Yusril told the meeting that the government is preparing legislation to enable them to be reinstated as Indonesian citizens without having to go through the process of naturalisation.

But he cautioned the audience against raising the issue of the 1966 MPR (supreme legislative assembly) decree which banned the teachings of Marxism and Leninism and which is still in force. He said that this was a matter for the MPR and the government has no power to revoke it. [*Kompas*, 20 January]

The point was driven home when his own party fraction in parliament, the DPR, declared its opposition to the government's decision to invite these political exiles to return. The PBB argues that they should only be allowed home after declaring their rejection of Marxist teachings. The

PBB will strongly resist any move to have the 1966 MPR decree lifted, Soemargono said. [*Kompas*, 26 January]



*Francisco Branco (right) back in Dili. He belongs to the last group of released Timorese prisoners. Together with Liem Soei Liong from TAPOL.*

### Dealing with 1965

While it is highly unlikely that the PBB view will persuade President Wahid to reconsider his decision, the dispute highlights the failure as yet for civil society in Indonesia to deal comprehensively with the events of 1965 that brought General Suharto to power.

'The question of the 1960s is very crucial for Indonesia as a nation, not just for the particular victims,' said Ariel Heryanto, who lectures in political science at the National University in Singapore. 'We have not really dealt with the 1960s, neither morally, ethically nor intellectually.' [*Far Eastern Economic Review*, 30 December 1999]

While many seminars have been held in Indonesia to discuss re-writing contemporary Indonesian history, it is true that many of those now in positions of political influence, as well as the Indonesian armed forces, continue to pursue the anti-communist line embedded in the Indonesian psyche during the New Order, and fail to understand that the Cold War is over.

### All political prisoners released

Following the election of President Wahid in October 1999, there have been two waves of releases of political prisoners. *continued on page 4*

## Irian Jaya becomes Papua

*Support for independence from Indonesia has continued to find expression in innumerable flag-raising ceremonies in West Papua. The country's new president thought he could curb these aspirations by renaming the province Papua. Meanwhile, the strongest opposition to Indonesian rule is centred in Timika where scores of people were injured when troops opened fire to end a weeks-long flag-raising event.*

On 31 December 1999, President Abdurrahman Wahid made a highly publicised visit to West Papua to see in the New Year and the Millennium, though he chose the headquarters of the regional military command as the venue at which to celebrate. He used the occasion to announce that the much-hated name of the province, Irian Jaya, would be changed to Papua.

But when tribal leader Ondofolo Theys Eluay said, 'We want to build a new Papua,' Wahid's response was categorical: 'I guarantee freedom of expression so I accept (your) demand for independence as freedom of expression, but I won't tolerate any efforts to establish a country within a country.' [*South China Morning Post*, 3 January]

Whatever the president may have said, it was announced a few weeks later that a group of six West Papuan including Theys Eluay, were to go on trial, facing charges of sedition for having orchestrated a number of flag-raising events in July 1998. They face a maximum penalty of 15 years. The other five are Don Flassy, secretary of the provincial planning board, Drs Laurens Mehue, Sem Yaru, the Rev. Agustinus Ansanay and Barnabus Yufuway.

### Troops fire on flag-raisers in Timika

The West Papua flag, *Kejora* or Morning Star has been raised in virtually all the main towns across the territory but nowhere with greater commitment than in Timika where people have been campaigning for years to rid their region of the copper-and-gold mine, Freeport/Rio Tinto which unlawfully seized tribal lands and has caused widespread pollution and damage.

Although elsewhere, 1 December was chosen as the day to unfurl the flag, commemorating the day in 1961 when West Papuans proclaimed an independent state while still under Dutch colonial rule, in Timika the flag was raised outside a Catholic church on 12 November and kept aloft for weeks. Hundreds of heavily-armed police who moved in to pull down the flag on 2 December were confronted by a huge crowd of around three thousand. After firing warning shots, the police open fire on the crowd, leaving fifty-five people injured, some of them seriously. According to some reports which we have been unable to verify, some of flag-raisers were killed in the attack.

Three people were taken into custody, including Mama Yosepha Alomang, renowned for her protracted struggle against Freeport/Rio Tinto. She and her two male colleagues were released when the huge crowd refused to disperse until they were freed.

Flag-raisings elsewhere on 1 December, in Manokwari, Yapen Waropen, Nabire, Sorong, Merauke, Fakfak, Biak, Jayawijaya and Sentani, passed off peacefully. More recently, flags have been raised again in Sorong, Depapre

(Jayapura regency) and Wamena. In all cases, many hundreds of people present and the intention appears to be to keep the flags aloft until 1 May.

### Calls for copper mine to close

In mid January, a delegation of thirty-one people from the Timika area arrived in the provincial capital to lodge a demand for the copper-and-gold mine in their midst to be closed down and for the withdrawal of all army and police forces from the area. Led by Isak Ondowame and Mama Yosefa, the group met members of the regional assembly to complain of persistent human rights abuses committed in order to protect the mine.

'There are many cases of human rights violations that go unreported and unsettled. Many people do not know of the abuse we have been suffering. We have come to the conclusion that as long as the company continues its exploitation, more Papuans will fall prey to rights abuses,' said Isak. [*Jakarta Post*, 18 January]

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