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Thoughts and opinions on trial

In an attempt to crush the nationwide movement for democracy in Indonesia, the Suharto regime has indicted thirteen pro-democracy activists for subversion, a charge which carries the death penalty. This is the first time that such a large number of subversion trials have taken place simultaneously.

Twelve of the accused are leaders and activists of the newly-formed party, *Partai Rakyat Demokrasi (PRD)*, the People's Democracy Party or organisations associated with the PRD. The only non-PRD person on trial for subversion is the leader of the independent trade union, the *Serikat Buruh Sejahtera Indonesia (SBSI)*, the Prosperity Trade Union, **Mochtar Pakpahan**.

These show trials are the climax of the crackdown which followed in the wake of the violent assault on 27 July last year by security forces on the headquarters of the nationalist party, the PDI, to drive out supporters of Megawati Sukarnoputri, after she was ousted as chairperson of the party in June. The bloody seizure of the building was followed by a day of rioting in Jakarta when huge crowds, infuriated by what had happened, attacked and burned down a number of government buildings and commercial centres in the capital.

PRD targeted

The decision to target the PRD was taken at the instigation of President Suharto himself who, within days of the 27 July events, branded this small party of youthful activists as the reincarnation of the outlawed Indonesian Communist Party, the PKI, and accused it of masterminding the 27 July riots.

However, the charge sheets barely mention the events of 27 July and are focused almost entirely on the defendants' involvement in establishing their party, drafting its manifesto and their involvement in actions by workers in defence of a decent wage and working conditions.

The regime has dragged out its most reviled law, the Anti-Subversion Law, introduced as a presidential decree in 1963 and enacted into law after Suharto came to power, to show how it intends to deal with people who organise

themselves politically, outside the fossilised New Order system. This law, which has been widely condemned by lawyers and human rights activists for many years, enables charges to be brought on the flimsiest of evidence, without the necessity of proving that any 'crime' has been committed. Under article 1, it can indict under the penalty of death:

Whosoever has engaged in an action with the purpose of, or clearly with the purpose which is known to him, or →

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which can be expected to be known to him, can:

a. distort, undermine or deviate from the ideology of the Pancasila State or the State policy guidelines, or

b. overthrow, destroy or undermine the power of the State, or the authority of the lawful government, or the State apparatus.

For good measure, the charge sheets also incorporate

Article 154 of the Criminal Code, one of the 'hate-sowing articles' inherited from Dutch colonial days, which makes it an offence, punishable by up to seven years, to publicly express 'hate or insult for the Government of the Republic of Indonesia'.

The ferocity of the response to the events in mid-1996 shows that the regime feels that it is in mortal danger from pro-democracy forces as it attempts once again to legitimise the corrupt New Order system by staging general elections in May this year. ★

Indonesia's best-known labour leader on trial

Mochtar Pakpahan, founder and leader of Indonesia's major independent trade union, the SBSI, was the first political activist to be arrested in the aftermath of the 27 events. Shortly after it was announced that he would stand trial for subversion, the Supreme Court revoked its decision to quash a four-year sentence passed against him in 1994 for 'inciting' workers in Medan, North Sumatra.

It is difficult to explain the extremes to which the Suharto regime has gone to scapegoat Pakpahan other than in terms of vindictiveness for a man who has done so much to encourage workers to stand up for the right to organise and to defend working conditions. Pakpahan is also widely acclaimed internationally and enjoys the support of the International Confederation of Free Trade Unions (ICFTU) and trade union movements in many western countries.

Pakpahan to challenge Supreme Court

Not long after his trial for subversion began, Pakpahan announced that he will seek judicial review of the Supreme Court's decision to re-impose the sentence passed against him after the huge workers demonstrations in Medan in April 1994. After meeting members of his family for Christmas at Jakarta's Cipinang Prison where he is now being held, the labour leader proudly announced that he had been able, alone in his cell, to prepare a voluminous set of documents for presentation by his lawyers early in the New Year. His decision has been widely welcomed as a move that will help to expose the Supreme Court which, not for the first time in the past couple of years, has acted in defence of the interests of the regime.

The Supreme Court's decision to revoke its own verdict quashing his four-year sentence continues to be assailed by lawyers, including Justice Adi Andojo, who headed the Court's panel which quashed the four-year sentence. Andojo affirmed that the lower courts incorrectly categorised Pakpahan's activities as incitement under Article 160 of the Criminal Code. He has now warned that the Supreme Court's latest decision could open the flood-gates to prosecutors wishing to challenge the Court's verdicts, even though under law, it is only the defence that can seek judicial review of a Supreme Court verdict.

The Supreme Court's swipe at Pakpahan was taken by Chief Justice Soeryono as his last act before retiring. He was, according to some commentators, having his own back against Justice Andojo whose whistle-blowing about corruption within the Court has gravely undermined the standing of the judiciary's highest body.



Mochtar Pakpahan in court. A lawyer himself, he has become a seasoned and skilful defendant.

The subversion charges

The charges against Pakpahan are made under paragraph (b) of the first article of the Anti-Subversion Law (see page 1) and Article 154 of the Criminal Code. [Paragraph (a) has evidently been avoided in view of the fact that Pakpahan, unlike the PRD activists, is a strong advocate of the Pancasila.] The main charges relate to writings and statements attributed to him from August 1995 till 27 July 1996. Many of the 'subversive' statements

are taken from a book entitled *Potret Negara Indonesia* (Portrait of the Indonesian State) which he wrote while he was in Tanjung Gusta Prison where he was serving his Medan sentence before being released. For instance, he is charged for described the book as 'an operational manual' setting out a 'strategy' that is 'at variance with government policy'. He later writes about 'social discrepancies and human rights abuses resulting in a sense of injustice', even in 'feelings of hate towards the family of the President'.

He is also taken to task for writing in the book that 'the people of East Timor should be given the right to have a referendum, conducted democratically' after earlier saying that the question of East Timor 'has brought disgrace for Indonesia in the international community' and even suggesting that 'after having been a Portuguese colony, (East Timor) has now become an Indonesian colony'. The charges also relate to a speech Pakpahan made at a conference in Oporto, Portugal, when he is quoted as saying, 'I am trying hard to persuade Indonesian leaders to understand that change and reformation are needed ... to resolve (the East Timor) problem'.

A number of statements he made in support of Megawati as leader of the PDI are also quoted, including a leaflet produced by his union calling on its members to protest against interference by the government and the armed forces in the internal affairs of the party. He is further charged for issuing a statement on 1 June, along with other organisations, which lamented 'the death of democracy' and 'the paralysis of the constitutional framework'. Then, a week later, he, together with others, met the PDI leader, Megawati Sukarnoputri to deliver a statement rejecting her ousting as party leader, rejecting Suharto's nomination for a seventh term, calling for the repeal of five political laws enacted in 1985 and for Suharto to be put on trial, and expressing disagreement with the dual function of the armed forces.

The charge sheet also accuses the defendant for producing five thousand copies of a cassette of songs with such 'subversive' titles as: 'For the workers', 'The SBSI March', 'Tanjung Gusta Prison', a 'Love Song for Marsinah' (the trade union activist murdered in May 1994), 'The Truck Driver' and 'Returning Home from Work'.

Although the indictment alleges that he acted alone as well as together with other named leaders of the SBSI, there are no signs as yet that they are in line for arrest and trial. In other words, the trial is clearly an act to keep Pakpahan, who is also widely known for his many writings on constitutional law, behind bars for a number of years.

Responding to the charges, the legal team, in a demurrer which appealed to the court to refuse to continue with the trial, said that what was on trial were the thoughts and opinions of the defendant. 'All the facts presented in the indictment related to the critical opinions of Dr Mochtar Pakpahan. These opinions are part of the legitimate analysis of an academic and are entirely appropriate in academic terms.'

A disputatious judge

The hearings have been marked by a number of totally unreasonable demands from the bench. At the opening session, Pakpahan's lawyers took strong exception to the presiding judge's insistence that they produce their permits to practice as a condition for remaining in the court-room. One defending counsel, Adnan Buyung Nasution who did not have the document with him said this was the first time

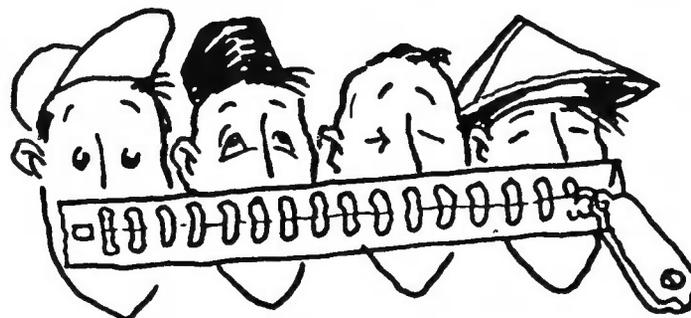
in more than thirty years of practice at the bar that he had been asked to show his documents. After a bitter wrangle during which the lawyer said that the judge, much less well-known than him, might also be challenged to produce his own documents, the judge agreed to withdraw his demand.

A more serious dispute has arisen between the bench and the defence team over the court's insistence that one member of the team, Bambang W. Widjojanto, should be called as a prosecution witness against his own client. The lawyer, who could face contempt of court proceedings, has insisted that the Procedural Code grants legal protection to lawyers acting for defendants, in recognition of their duty of confidentiality regarding their clients' affairs.

National and international interest

The court hearings have been attended by members of the diplomatic corps from the US, Canadian, Dutch, German, Australian, British and Norwegian embassies. A representative of the ICFTU based in Singapore has also regularly attended the trial. US official interest in the trial has been particularly prominent. On 30 December, President Clinton wrote to Morton Bahr, leader of the Communication Workers' Union, an affiliate of the AFL-CIO, regretting the Supreme Court's revocation of its own decision about Pakpahan's four-year sentence and regretting the fact that the labour leader is now facing subversion charges.

Pro-democracy activists have been present at all the hearings while SBSI activists who travelled to Jakarta to support their leader had difficulty getting in because dozens of seats in the public gallery were occupied by plain-clothed intelligence officers watching the proceedings. At one session, defence lawyers protested to the judges at the presence of security forces carrying firearms, in contravention of court regulations.



Two witnesses made formal complaints in court about pressure and threats used under interrogation by officials of the Attorney-General's office. One, a PDI member of Parliament, Sudjati Djatikusuma, told the court a statement he made under interrogation had been twisted when reproduced in the indictment. Berar Fathia, treasurer of PUDI, the new party of former MP Sri-Bintang Pamungkas, told the court his interrogator warned him he could 'join the stars in the sky' if he failed to answer 'properly'. Both asked the court to withdraw their interrogation reports.

After hearing testimony from a pro-Megawati PDI leader relating to the defendant's role in developing a support network of NGOs for Megawati prior to the events of 27 July, court hearings were suspended because the defendant fell ill. Mochtar later protested in court that he had

been denied a proper medical examination and not given the necessary treatment.

Another MP to go on trial

Aberson Marle Sihaloho, who still sits in Parliament as a representative of the PDI, is to go on trial in Jakarta on 29 January, charged with insulting the head of state. Article 134 under which he is being charged carries a maximum penalty of six years. He will be the second member of Parliament in as many years to go on trial under Indonesia's draconian insult laws.

Aberson has long been known as an outspoken MP who has sided with Megawati Sukarnoputri in her long-running campaign to retain her position as the chairperson of the PDI against regime machinations.

The MP will have to answer charges about remarks he made when he spoke on the free-speech forums that were a daily feature of activities at the PDI headquarters in Jakarta

before the building was violently seized by security forces. His team of lawyers believe that evidence against him will consist primarily of taped recordings of his speeches, made by intelligence agents who regularly attended the free-speech forums to spy on people voicing criticisms of the government. They argue that such evidence is inadmissible under the Indonesian procedural code.

The prosecutor has announced that he will call up to twenty witnesses against the MP.

Meanwhile, the other parliamentarian to have been tried recently, **Sri-Bintang Pamungkas**, has announced that he will appeal to the Supreme Court against a ruling by the High Court upholding the sentence of 34 months passed against him last year, also for insulting the head of state. Pamungkas sat in Parliament as a representative of the other small party, the Muslim PPP, until dismissed by the party and deprived of his seat by presidential fiat. Pamungkas's 'insulting' remarks were allegedly made during a lecture on economics at the Technical College in Berlin.

Pamungkas has not yet been imprisoned, but he is prevented under a ministerial order from leaving the country.★

Youthful activists face subversion charges

The twelve members of the PRD or its associated organisations who went on trial for subversion on 12 December are likely to be followed by other PRD activists who are also in custody. Nine of the defendants are on trial in two separate courthouses in Jakarta; the other three are on trial in two separate cases at a district court in the East Java city of Surabaya.

In the immediate aftermath of the events on 27 July last year, senior army officer, Lieutenant-General Syarwan Hamid, army chief of staff for social and political affairs, the man who led the propaganda onslaught against the PRD, condemned them as the 'masterminds' of the riots that broke out on that day. This allegation set the tone for the man-hunt that forced PRD activists to go underground and led to raids on many university campuses and the offices of a number of non-governmental organisations for alleged links with the targeted party.

However, this allegation has now vanished into thin air and does not figure in the indictments. Having failed to produce a shred of evidence to pin such a charge on the party, the only reference in the indictments to the riots is that the defendants 'were among the masses' on that day. The trials are pure and simple political trials.

The young men and women who banded together to set up the PRD have clearly been able to emerge from the suffocation that has paralysed independent political thought since Suharto took power more than thirty years ago. Young as they are, they represent a new generation of political activists who have seen through the hypocrisy of New Order-speak, to formulate a comprehensive and far-reaching political programme which is set out in their Manifesto, unshackled by any allegiance to the Pancasila. Nor are they burdened with the fear and deference that have borne down so heavily on society since 1965.

Herein lies the threat to the Suharto regime whose very foundations are being shaken by growing disorder within and events that are undermining its claims to legitimacy.

Interviewed after the commencement of the PRD trials, Syarwan Hamid was forced to admit that the PRD could not be identified with the riots on 27 July but that the minuscule party could, if allowed to exist, 'grow into something big which could ultimately seize power'. [Interviewed by *Tempo Interaktif* on 15 December.]



The PRD defendants

Eleven men and one woman are facing charges in seven separate courtrooms. In Jakarta, two groups of men are being tried while three others are faces charges on their own. The six subversion trials now underway in Jakarta are being heard in two courthouses which are at a considerable distance from each other. By staging six separate trials, with the sessions being heard simultaneously with Pakpahan's trial, the regime has forced supporters and those wishing to monitor the proceedings to spread their resources, while foreign journalists have been hard put to it

to give these highly-charged political trials the coverage they deserve.

The nine PRD activists on trial in Jakarta are:

* **Budiman Sudjatmiko**, 26 years old, was arrested together with three colleagues on 11 August while taking refuge at the home of Benny Sumardi (who may himself face charges). He became chair of the party when it was founded in July 1996. Born of devout Muslim parents, relatives describe him as being a bookworm since early childhood. After spending time studying construction engineering in Yogyakarta, he decided to devote his energies to campaigning for human rights. He became deputy chair of the election-monitoring committee, KIPP, which was set up in early 1996. His father, who made a formal complaint to the National Human Rights Commission after a top army general alleged that he was a supporter of the outlawed PKI, has loyally defended his son. 'I am very proud of him. He's not like other youngsters who spend their time drinking, taking drugs or running after women. May Allah protect him,' he told his son's lawyers.



The flamboyant Budiman entering the court. He has become an idol for the Indonesian youth.

* **Garda Sembiring**, 27, chaired the Jakarta and environs branch of PRD's student organisation, the SMID. After studying law, he immersed himself in the workers' movement. During a strike at the textile and clothing factory, Sritex, in Solo, Central Java in December, he sustained head injuries from kicks by a soldier. When he was still being hunted down by the security forces, his mother, Veronica Sembiring, was taken into custody and held as a hostage. But he too has enjoyed the support of his family. Garda spoke out about the maltreatment he experienced while in the hands of BIA, the armed forces intelligence agency, where he refused to answer questions because the agency was not entitled under the law to interrogate him.

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* **Petrus Hari Hariyanto**, 27, also arrested at the home of Benny Sumardi on 11 August, was chosen to become secretary-general of the PRD. While studying literature at the Diponegoro University in Semarang, Central Java, he became increasingly involved in pro-democracy activities. After his father died four years ago, his mother kept the family going from her earnings as a beautician.

These three defendants are being tried separately in courtrooms in south and central Jakarta.

* **Ignatius Damianus Pranowo**, now also in his mid-twenties, was brought up to respect honesty and truth by his father who is a school teacher. He opted for teaching and attended a teachers training college but was drawn towards activism and joined the ranks of student and worker activists who together set up the PPBI, the Centre of Struggle for Workers, becoming its general secretary in 1996.

* **Jacobus Eko Kurniawan**, 25, was arrested with three other PRD activists at the home of Benny Sumardi on 11 August. He was appointed to head the Organisational Growth Department of the PRD. He too has suffered beatings at the hand of security forces during workers and students actions. After suffering severe maltreatment at the hands of BIA interrogators, he wrote a chronology of his experiences which included electric shock, slaps on the face, being thrown against the wall and being attacked by a soldier wielding a table. He sustained injuries and was hospitalised for several days.

* **Suroso**, 23, attended the Institute of Science and Technology until he decided to drop out in 1995 and devote his time to organisational activity. He was most recently secretary of the Jabotabek branch of SMID and developed close links with other pro-democracy groups.

Ignatius, Jacobus and Suroso are standing trial together.

* **Georgeus Ken Budha Kusumandaru**, 23, was born of Catholic parents and was involved in church-related youth activities. He enrolled to study social-economics at the Bogor Agricultural School in 1991. His mother has described him as a deeply religious man and totally rejects attempts by the regime to brand him as a communist.

* **Victor da Costa**, 22, was born of a Catholic family in Maumere on the island of Flores, and fostered by a family from North Sumatra. After finishing school in 1992, he had to fend for himself by selling newspapers and books. He became active in SMID in 1994 although he had not yet been able to enrol at a university for economic reasons.

* **Ignatius Putut Arintoko** is the youngest of the group at 20 years old. He was active in the official scouts organisation, Pramuka, and twice took the entrance exam to enrol at the armed forces academy but failed both times. He then enrolled at a law faculty in Purwokerto, Central Java and became a member of SMID. He has since become a strong advocate for ending the dual function of the armed forces.

Georgeus, Victor and Putut are the other three who are standing trial together.

The three PRD activists standing trial in Surabaya are:

* **Dita Indah Sari**, 23, was elected chair of the PRD's workers' organisation, the PPBI and has been involved in

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numerous workers' actions in many parts of Java. The most recent was the action by thousands of workers from ten factories in Surabaya on 8 July 1996, following which she and her two colleagues also facing trial in Surabaya, were arrested. [See *TAPOL Bulletin*, No 136, August 1996] **Coen Hussein Pontoh**, who heads the PRD's peasant organisation, the STN, also in his early twenties, is facing charges together with Dita. The third subversion defendant in Surabaya, **M. Sholeh**, who was active in SMID, is standing trial on his own.



From l to r: Sholeh, Dita Sari and Coen Pontoh in prison in Surabaya.

Other PRD activists who are now in detention and are also expected to face trial for subversion include **Wilson bin Nurtyas**, 28, who heads the Education and Propaganda Department of the PPBI, and **I Gusti Anom Astika**, 25, head of the PRD's Department of Education and Propaganda.

The charges against Budiman

The charges against the PRD chairperson, Budiman Sudjatmiko, are more or less the same as the charges against all his co-defendants in Jakarta. He stands accused of setting up a party which fails to acknowledge Pancasila as its guiding principle, basing itself instead on 'people's social democracy'. Thereafter, he published a book titled 'Towards a Multiparty People's Democracy' in which he wrote that there is no democracy in Indonesia, that for thirty years under President Suharto, the state authorities have obstructed people's participation, that Parliament preserves the powers of the ruling clique with the armed forces enjoying special privileges, that the PRD was set up in response to the paralysis of extra-parliamentary activities, that the New Order regime should be summoned before an international court to answer for the massacres in 1965 and that the Supreme Legislative Assembly should convene an extraordinary session to call Suharto to account for what he has done as leader of the Republic.

Budiman is further accused of giving special PRD awards in 1996 to a number of people who are well known for their anti-government views, including the imprisoned East Timorese leader Xanana Gusmao, writer and novelist Pramoedya Ananta Toer, senior editor of the banned weekly, *Tempo*, Gunawan Muhammad, deceased West Papuan leader Tom Wainggai, the ousted MP Sri-Bintang Pamungkas and self-exiled intellectual, George Aditjondro.

The charge sheet then goes on to list a number of actions in which the defendant was involved. They include several strikes and demonstrations which put forward demands for the minimum wage to be raised to Rp 7,000 (little more than \$3.00) a day, freedom of association and the repeal of the five political laws enacted in 1985 (which regulate the general elections and many other aspects of organised political life). One action, according to the indictment, took place outside the Indonesian Parliament at which the participants shouted: 'Long live the workers!' and 'Long live the students!'

The indictment also lists several actions taken in solidarity with the people of East Timor - an event on 12 November to commemorate the 1991 massacre which called for a referendum in East Timor and an event at the Russian embassy on 7 December (the anniversary of the Indonesian invasion of East Timor) when he and many others scaled the fence, then called for a referendum and an end to the dis-

patch of Indonesian troops to East Timor.

Members of the defence team, called the Team to Defend Law and Justice in Indonesia immediately challenged the prosecution's case, arguing in particular that fairness required that since their client had been hounded then arrested on suspicion of masterminding the 27 July riots, he should now be released as he was not being charged with this offence. They also protested at grave procedural errors because the defendant was arrested and held for nearly two weeks by the armed forces intelligence agency, BIA which does not have powers to arrest and interrogate people.

Witnesses fail to impress

Testimony by the first few witnesses called by the prosecutor were hardly helpful to his case, although it has to be stressed that in a show trial, this is unlikely to influence the opinion of the judges. They included workers at the factories where actions took place, a union official from the government sponsored union, the SPSI, and a factory manager. They all failed to confirm that the accused was present or told the court that the demands being raised were in line with the interests of the workers, calling for the full thirty days of wages to be paid, in line with government requirements, for menstrual leave and so on.

The Surabaya trials

The three activists on trial in Surabaya, Dita Indah Sari, Coen Hussein Pontoh and Moh. Sholeh, were all arrested on 8 July, nearly three weeks before the 27 July events. They were held for leading and helping to organise two major actions, each involving 10,000 workers, from ten Surabaya factories, calling for the minimum wage to be raised to Rp. 7,000 (less than \$3.00) a day. [See *TAPOL Bulletin* No. 136, August 1996] Initially, they were to be charged under Article 160 of the Criminal Code for 'incitement to violence', punishable by up to seven years but after the events of 27 July and the regime's decision to scapegoat the PRD, the charges were changed to subversion. This is a blatant example of how the judiciary has been manipulated to serve the interests of the state.

There has been very tight security surrounding the courthouse at each of the hearings in Surabaya as the security forces claimed they had been informed that large numbers of workers might turn up in a show of support. Although the charges against all three are identical, the trials are being held in two courtrooms, with Dita Sari and Pontoh appearing together and Moh. Sholeh appearing alone. The sessions are also being held on the same days as the trials in Jakarta.



A demonstration for the release of trade union leaders in front of the Indonesian embassy in London.

This is a way of making it more difficult for observers, supporters and the press to follow the proceedings.

The charges in the indictments are more or less the same as those levelled against their colleagues in Jakarta.

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Suharto's new instrument of repression

In an attempt to gain a tighter grip on society, the armed forces are to create a nationwide network of Vigilance Command Posts at the level of the district military commands. This is the regime's response to the unrest and riots that have erupted recently.

The suddenness with which this move was announced suggests that it is a panic measure by a regime at a loss to know how to handle the growing problem of social unrest.

Pos Komando Kewaspadaan (Posko) will be created in every *kodim* throughout the country, that is to say, in the hundreds of *kabupaten* or districts. According to the army chief of staff, General Hartono, *poskos* will involve local informal leaders and should encourage local people to report on anything they find disturbing. In other words, these commands will recruit local people to spy on the community and finger trouble-makers. When Suharto first announced this new strategy, he also warned of groups working according to the Maoist principle of the countryside encircling the cities. These are the activists, according to him, who are 'masterminding' unrest in order to undermine national stability. These are the groups whom the *poskos* will be expected to expose.

Army leaders have gone out of their way to insist that this is not a reincarnation of *Komkamtib*, the special command created by Suharto soon after he seized power in October 1965. *Kopkamtib* had unrestricted powers to

'restore law and order' and was widely feared and condemned. It was disbanded in late 1988 and replaced by a new army structure with fewer powers and performing a coordinating role. *Bakorstanas* which still exists has subordinate bodies at the ten regional divisional commands but its reach apparently goes no farther than that. This move gave the impression of the army taking a step back and leaving law and order to the police and other law enforcement agencies.

Under the new strategy, *kodim* officers and the territorial troops, will be expected to sharpen their wits and take responsibility for maintaining order. The regime is resorting to military means to resolve grave political and social problems. This may have worked during the first decades of the New Order but things have moved on since then and the remedy is hardly likely to work though we can expect more grassroots activists to be rounded up as potential trouble-makers and, who knows, even more subversion trials. ★

The Tasikmalaya riots

More riots have erupted, this time in Tasikmalaya, a medium-sized town in West Java. At least four people died. The riots followed the pattern of previous riots; churches and cars were burned, and homes and businesses of ethnic Chinese were looted and burned. Social, ethnic and religious conflicts once again fused into a dangerous combustion. Political analysts generally agree that the causes must be sought in social disparities which are causing widespread dissatisfaction in society.

The riots started on 26 December when thousands went on the rampage. Two days later an assessment showed that 13 churches had been attacked of which four were gutted by fire. Many buildings were destroyed, including six banks, twenty factories, four schools, six car showrooms, more than eighty shops and a number of private residences. An estimated 114 cars and 19 motor bikes were burned or destroyed. Damage to property amounted to around US\$50 million. No fewer than eighteen police stations were destroyed by angry crowds.

The trigger

The trouble began when Nursamsi, a pupil at Riyadul Ulum Wadda'wah *pesantren*, (Muslim boarding school) was punished by a teacher named Farid. The pupil happened to be the son of a police officer who took offence and decided to get his own back. Farid was summoned to the police station and severely beaten by several police officers. Two other men from the *pesantren* who escorted Farid were also badly beaten. Farid's injuries were so serious that he was rushed to hospital. Rumours circulated that he had been fatally wounded. A mass meeting was organised in front of the Tasikmalaya Great Mosque. After the mass swelled in size, they marched to the police station and demanded that the guilty officers be handed over. The situation grew tense and soon the angry crowd took out their frustrations on Chinese businesses. By this time, more than 10,000 people were out on the streets. Very soon windows were being smashed and shops being burned down. The rioters scrawled messages on the walls - anti-Chinese slogans as well as 'No to Jesus', 'No to Jews' and 'The police are super corrupt'. A Chinese woman who was trapped in her shop was burned alive. Three other people were killed during the riots.

The police as target

It is widely acknowledged that it was police brutality that triggered the explosion. Indonesia's police are widely despised. Being notoriously corrupt, police officers lack authority in the eyes of the public. Animosity towards the



Security troops patrolling a main street in Tasikmalaya.

force in Tasikmalaya has been particularly deep-rooted, according to local sources; as a result, all eighteen police stations were attacked and destroyed by the masses. Many shops and houses daubed their walls with the word 'Islam' to protect themselves.

So intense was the feeling that the police force who are supposed to be in charge of law and order were withdrawn from the streets so as to avoid further trouble. Hours later, the military stepped in with a combined force of territorial troops from the Siliwangi division and crack troops from KOSTRAD, the army's strategic command. Soldiers arrested 173 people, of whom 42 people are scheduled to go on trial. In mid January it was reported that the police officers who started the trouble have been dismissed from the force.

Tasikmalaya, another Situbondo

Last October a similar incident took place in Situbondo [see *TAPOL Bulletin* No. 138, December 1996]. During 1996, more than sixty churches were destroyed, including eleven in Surabaya in June and twenty-five in Situbondo four months later. Although religious fanaticism has clearly played a role in these riots, political analysts agree that the Tasikmalaya and Situbondo riots cannot be described as religious riots. The issues are much more complex. In par-

ticular, the Tasikmalaya riots revealed that deep-felt social dissatisfaction is ready to burst into the open at the slightest provocation.

Tasikmalaya is a typical medium-sized city which has recently been drawn into the tiger economy. It has always been a relatively prosperous town with numerous small handicraft enterprises, food-processing factories, animal husbandry and small local banks. During the past decade, large-scale capital from Jakarta has entered Tasikmalaya, bankrupting many local business. The centre of the city has been transformed, supermarket chain stores have opened and eighteen Jakarta banks now have branches in the high street. In the new market place, small vendors have been marginalised while department stores like Matahari, Yogya and Ramayana have been allocated all the prime spots. Modernisation has pushed up real estate prices, huge hotels have been built. All this has led to a widening gap between rich and poor.

Like Situbondo, Tasikmalaya is a devout Muslim region. Of the almost two million inhabitants, 99 per cent are Muslim. There are no fewer than 925 *pesantren* in the district.

Social anger

Most political analysts agree that the Situbondo and Tasikmalaya riots are a serious reflection of the grave social problems besetting Suharto's Indonesia. Suharto's *Orde Baru*, praised in many circles for its economic successes, has a darker side: the widening gap between poor and rich.

Indonesian society can be divided into three categories: the top 30 percent, the middle forty per cent who have to struggle hard to make a decent living, and the bottom forty percent who live in appalling conditions with gloomy prospects. These groups can be further sub-divided, making the yawning gap between the super-rich and the urban poor even more conspicuous.

Sociologists argue that industrialisation in an economy like Indonesia's has happened almost overnight. Within 25 years, the island of Java has been turned into a virtual industrial belt stretching from west to east. Villages have been integrated into the global economy and the rural poor have become a new proletariat or part of the urban underclass. This rapid development has scarred the social fabric. A walk in the slums of any bustling Indonesian city gives the same bleak picture: congested alleys reeking of refuse, polluted water and industries spewing out their filthy effluent. Lack of facilities like fresh water and private toilets makes life for kampung dwellers little better than a nightmare.

It is a fact that some ethnic Chinese have benefited hugely from the tiger economy by setting up a wide array of manufacturing industries which employ cheap labour. As a result, many workers see their bosses as being responsible for all their suffering, exploitation and hardship. On top of this, many Indonesian Chinese are Christians which makes them a minority twice-over in the world's largest Muslim country.

Anger with no outlet

The Tasikmalaya outburst has shown beyond doubt that the political situation in Indonesia is extremely volatile. The denial of social and economic as well as civil and political rights for the people is creating an explosive situation. The openings that were achieved last year by the pro-

democracy movement were slammed shut by Suharto after the events on 27 July. In the absence of appropriate channels for people to air their grievances or aspirations, anger is bound to turn to violence.

Violence has become a major problem in Indonesia. There is gang warfare in most cities, frequent brawls between school-pupils and of course police brutality. Violence is never far from the surface. The country's foremost Muslim organisation, Nahdlatul Ulama, recently issued a statement expressing the view that violent methods tend to flourish because '*...the rule of law does not create a feeling of safety and security among ordinary people. It seems as though law is used to defend the interests of certain groups, instead of for all citizens. Law is merely an instrument of power*'.

At the same time the state of law and order is getting worse. Annual reports issued by human rights organisations speak about gross human rights violations by police and army officers. A number of scandals implicating police officers have been in the headlines for weeks.

The 'Mao Zedung strategy'

Predictably, the authorities have started to blame 'third parties'. While it is true that groups from outside, arriving in trucks, helped to fan the Situbondo and Tasikmalaya riots, the hunt for 'third parties' is the regime's way of pointing the finger at subversive communist elements. This time it was difficult to pin the blame on members of the PRD as most of its leaders are facing trial or under arrest.

It was President Suharto himself who blamed groups inspired by Mao Zedung strategies as being behind the riots. He explained the strategy as 'villages encircling the cities' that Mao Zedung supposedly used to defeat the Kuo Min Tang after the defeat of the Japanese in the Pacific War.

A well-known activist from the nearby city of Garut, Agus Setyana, has been kidnapped by the security forces and taken into custody for questioning in connection with the Tasik riots. Agus has been targeted by the security forces for several years because of his activities in support of peasants and workers struggle in the region. In 1993, he spent eight months in jail because of a campaign he waged in support of peasants in a land conflict in Garut. After the PDI crackdown of 27 July he spent two weeks in custody at police headquarters in Jakarta but was released due to lack of evidence. ★

Five Situbondo rioters sentenced

Five men, arrested after the Situbondo riots, have been tried and given sentences of up to 10 months. Many more defendants are due to appear in court in the coming weeks, but none are being charged as so-called masterminds. Most of the defendants were arrested during the riots and have been charged under article 200 of the Criminal Code, for damage to property. The five men already tried were allegedly involved in the burning of St Paul's Church.

The courthouse of Situbondo was heavily guarded by more than 400 policemen and two companies of soldiers. The prosecution had demanded lower sentences, but the higher verdicts passed suggest that the court wanted to set an example to others. ★

The Sanggau Ledo riots

Conflicts in places outside Java don't usually catch the headlines in the national press. But the conflict between Dayaks in West Kalimantan and Madurese transmigrants on 29 December was too big to ignore. More than 6,000 transmigrants from Madura had to flee the area, seeking sanctuary in military bases and in the capital Pontianak. Hercules freight planes and helicopters were flown in to transport the fleeing people.

It started innocently enough, a minor conflict about a girl. Some Madurese youngsters were accused of being rude to a girl at a wedding feast. The girl was accompanied by a group of youngsters, all from the local Dayak tribe. A fight broke out, two of the Dayak youngsters received stab wounds and had to be treated in hospital. Word spread that the two Dayaks had died and soon the Dayak community began to attack the transmigrant villages.

Conflict escalates

The Dayaks attacked newcomer villages located all round the town of Bengkayang. The Madurese had to seek protection from the local military post in Bengkayang. The military post became the target of attack and the soldiers started shooting at the crowd. Three Dayaks, Adan, Debi and Nurbi were hit by the volley of bullets. For several days the conflict continued, the whole area was sealed off from the outside world and the Indonesian press was unable to find out what had happened.

According to the Merdeka daily, the clashes caused an estimated Rp.14 billion (S\$8.4 million) in damage and a total of 998 houses were damaged by fire, during the four days of rioting. At least nine people were killed, and more than 6,000 people fled in fear of their lives to Singkawang and Pontianak. The local military command, Kodam XII Tanjungpura was not able to control the situation and had to ask for reinforcements from Java. Thousands of troops were flown to the area. A special airborne command from the airforce, consisting of 92 people, was detached to Sanggau Ledo. Police Mobile Brigade troops were sent in to help restore law and order.

After the Madurese refugees were airlifted to Singkawang and Pontianak., the airforce base in Singkawang was turned into a temporary refugee camp.

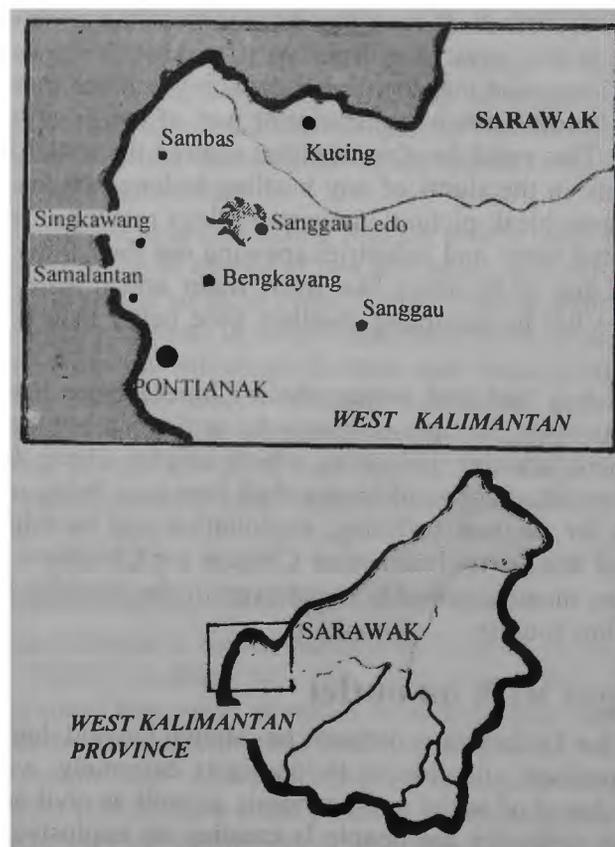
In the cities of Singkawang and Pontianak a reverse situation erupted. Dayak people, a tiny community there, were hunted down by transmigrants. Hundreds of Dayaks had to be protected by the authorities and a few hundred Dayaks in Pontianak sought temporary refuge elsewhere. The Sanggau Ledo conflict has caused much human misery which will affect the region for many years.

Transmigration in the Sambas district

The Sambas district which borders on Sarawak, part of Eastern Malaysia, covers an area of 12,296 square km with a population of almost 800,000 (in 1995). It is divided into 17 sub-districts and 271 villages. The capital Singkawang

is multi-ethnic; most of the population are Chinese, alongside 28 per cent of Malays and other ethnic groups like Dayaks, Madurese and Javanese. In the region where the conflict erupted, the Dayaks are the majority followed by people from Madura, Malays and Javanese. The different ethnic groups have retained their own traditions and live in their own settlements or villages. There is virtually no intermingling. The newcomers whose enterprise culture is vastly different from their Dayak hosts, have driven the tribal people deeper into the forests. The emerging market economy and the establishment of plantations employing wage labour have marginalised the locals.

Sambas district is part of the West Kalimantan province, a province known for its lush tropical rainforest and a wealth of valuable minerals like gold and diamonds. The relatively large Chinese community in the area arrived in waves. The first wave came during the Qing Dynasty in the 13th century. In the second half of the 18th century many Chinese arrived in West Kalimantan to work as coolies in the gold and diamond mines.



Transmigration in West Kalimantan started in the sixties and up to 1994 some 35,000 families had moved to the region. The highpoint was reached in 1993 when 35,347 transmigrants arrived in the area. All kinds of transmigration programmes have been tried: general transmigration, transmigrants working on plantation sites, transmigration to cultivate fish ponds and other programmes. The huge influx of newcomers has brought many problems in its trail, not least the conflicts between Dayaks and other ethnic groups. No doubt, land expropriation is at the heart of the problem though no details are available.

Forest concessions

Another major upheaval for the local Dayaks is the forest concessions that have been granted by the central government to major corporations, mostly based in Jakarta. Since 1968, according to the records of the forestry department in West Kalimantan, 75 forest concessions have been granted in the area, covering 74 per cent of the acreage of the region.

The emergence of a plantation economy has also affected the area. At least three state-owned companies have set up huge plantations while 14 private companies have set up agro-businesses in West Kalimantan.

The Dayak people's lives are entirely dependent on the

forests, they get their food from the forests, hunt in the forests and also rely on forest products for medicinal and other basic needs.

Locals against newcomers

This latest conflict is not the first to have flared up between Dayaks and the transmigrants. In 1968, the year the forest concessions were issued, a village housing newcomers was burned down by local tribal people. In 1979 a huge conflict erupted, when hundreds of houses were destroyed and a number of people died. There were more conflicts in 1983 and 1993.

A monument was built after the 1979 conflict, to commemorate the bloody event and to remind people that it should never happen again. This monument was demolished during the latest riot.

The situation in Sanggau Ledo is not unique. In many parts of Indonesia, transmigrants from Java, Madura and Bali have caused social upheavals in the resettlement areas. Centralised policies laid down in Jakarta more often than not ignore or damage local interests, culture and traditions. The results can be disastrous as the events in Sanggau Ledo have shown. *

Acehnese asylum bid foiled by British diplomats

A daring attempt by more than thirty Acehnese in Malaysia to enter six foreign embassies seeking asylum drew attention, albeit briefly, to the fate of hundreds of Acehnese who have fled their homeland in search of sanctuary. The eight who entered the British High Commission were forcibly removed by the police, in a serious breach of international law, and detained, without being given a chance to speak to British diplomatic staff.

Five Acehnese entered the US embassy, eight went into the UK embassy, eight entered the French embassy, and groups of four entered the Italian, Dutch and Swiss embassies. Four of the embassies, the US, British, French and Italian, allowed the Malaysian police to enter their grounds in order to remove the men by force, in breach of international law. The only embassies that allowed the men to remain on their premises were the Dutch and Swiss.

The Dutch and Swiss authorities then allowed an official of the UN High Commission for Refugees to interview the men to determine whether they would be recognised as political refugees under the UN Convention on Refugees. After several weeks this resulted in their being recognised as such and arrangements were being made for them to be given refugee status by the Malaysian government.

As far as we know, all the Acehnese who were forcibly removed from the other four embassies were placed in detention centres, facing potentially serious consequences if they are forcibly repatriated to Indonesia.

The problem erupted because of moves by the Malaysian government to forcibly repatriate Acehnese who had fled to Malaysia. The Malaysian Deputy Interior Minister, Datuk Seri Megat Junid Megat Ayob, told the press that his government would refuse to grant what he described as 'illegal Acehnese entrants' refugee status 'because this could jeopardise Malaysia's relations with Indonesia'.



The asylum bids followed a Malaysian police operation code-named 'Ops Nyah II' when many Acehnese were rounded up and placed in detention centres, to await repatriation. Also at risk of repatriation were fifty detainees

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being held in Langkap detention centre; they protested when they became aware of plans to return them to Indonesia against their will. The situation outside the centre was described by the Malaysian press as 'very tense' after several dozen supporters had gathered outside to support their compatriots. Megat Junid told the press that if his government were to recognise the Acehnese as refugees, this would be tantamount to acknowledging that a war was underway in Aceh. This would clearly jeopardise relations with Jakarta, he said, putting Malaysians now in Indonesia at risk and placing major Malaysian investments in Indonesia in serious danger. [*Berita Harian*, Kuala Lumpur, 26 December]

The efforts to remove Acehnese from Malaysian soil are taking place against the background of a campaign by the Malaysian government to deport more than a million 'illegal entrants' who have entered the country to seek employment. Many are Indonesians but there are hundreds of Acehnese who are seeking sanctuary, not jobs, and whose situation needs the protection of the UNHCR

UK diplomats simply watch it happen

The treatment of the Acehnese who entered the British High Commission was immediately questioned by Lord Avebury who chairs the Parliamentary Human Rights Group. He was told by the Foreign Office that the Acehnese had failed to make clear their intentions on entering the premises, that they did not say that they were asking for asylum, and refused to answer any questions.

Such an explanation hardly rang true, considering that the men had taken risks. Subsequently, a letter written by the eight men who entered the compound of the High Commission showed the British government's allegations to be utterly false. The men say that the only person they spoke to was a Malaysian security guard. He must have known their intentions as they immediately unfurled an Acehnese flag and held up posters. When asked by the guard what they wanted, they said: 'We are Acehnese and we came to the British embassy to ask for political asylum on British soil. We request to meet with the British ambassador.' The conversation took place in Malay so there could have been no misunderstanding

However, the guard ordered them off the premises, saying there was no one there because of the Christmas holiday (in fact, several embassy families live on the premises, according to a letter from the Foreign Office). The guard then left them for a while, leading the asylum seekers to think their request was being reported. But instead, after about half an hour, three Malaysian police entered the compound, supported by scores of police outside. The Acehnese say that they then saw two white persons inside the compound who failed to approach the eight men, leaving everything to the Malaysian security guard. In a letter to Avebury, Minister of State Jeremy Hanley admits that these two were embassy personnel. According to Hanley, 'the men were asked to leave the compound peacefully or face being removed by the police'. This happened while two British diplomats stood by, watching and saying nothing!

According to the eight men's account, they tried to resist being removed by the police, saying they wanted to meet the British ambassador. The police then tried to handcuff them, and confiscated the flag, poster and documents they

had brought explaining the Acehnese people's struggle for independence.

'For the rest, we were treated like animals, kicked, stepped on, assaulted, forced to lie down, then they stepped on us with their heavy boots, brook (sic) our arms and legs till we became weak and helpless because of our injuries and they managed to put handcuffs on all of us. They then dumped us in police vans and took us to the police station of Ceras.' (This document was hand-written in Acehnese and an English translation was supplied.)

Britain turns its back on victims

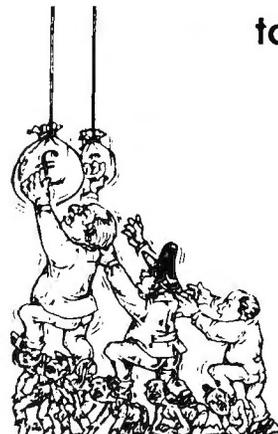
It is clear that the British government will bend over backwards to avoid giving protection to people fleeing the brutalities of the Indonesian armed forces. In Jakarta, where dozens of groups of East Timorese have entered embassies in the past year, including the British embassy, in search of protection, the embassy has been heavily fortified with high, spiked railings having been built atop the fence surrounding the embassy, making it virtually impossible for asylum seekers to scale the fence.

The events at the British High Commission on 26 December are in clear breach of international law which recognises that diplomatic premises should not be used for local police to arrest people seeking asylum. The British government has also breached its own undertakings as a signatory of the UN Convention on Refugees which makes it incumbent on governments to give protection to people fleeing political persecution. Contrary to what the Foreign Office claims, the men did make clear their intentions. What is truly objectionable is that High Commission staff did not see fit to talk to the men themselves, leaving it instead to a Malaysian security guard.

It is incumbent on the British government to ensure that the eight men, who are now in Malaysian detention, should have immediate access to UNHCR officials in Kuala Lumpur, in order to determine their status, as has been the case with the eight men who were permitted to stay at the Dutch and Swiss embassies. *

PARTNERS IN REPRESSION:
The reality of British aid to Indonesia

Paul Barber



PARTNERS IN REPRESSION The reality of British aid to Indonesia

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Police reputation at all-time low

The Indonesian Police have never been popular but in the last few years their reputation has fallen to an all-time low. Corruption scandals, deaths under interrogation, framing people to cover up for criminals in high places and gross human rights violations have made the force a target of derision. The destruction of 18 police precincts by angry crowds during the Tasikmalaya riots says it all. Even senior police officers admit that the standing of the force has now hit rock bottom.

The Indonesian police, *Polri*, have never been popular with the public but lately their image has plummeted. *Polri's* fast-eroding image is directly connected with their increasingly important role in maintaining law and order. Previously criminal or political suspects were taken to military garrisons, interrogated and roughed up. Nowadays, in keeping with legal procedure, arrests and interrogation are in the hands of the police and this is when police brutality so often occurs.

Another major structural problem is the integration of the police into ABRI, the Indonesian armed forces. In general, *Polri* has always been the step-child of ABRI, with the army being treated as the pampered son.



Police Lieutenant Rusidi demonstrating a venomous cobra to his colleagues. The Police is resorting to unorthodox methods to deal with growing unrest. The snakes will be employed as the latest form of riot control. This method has been tested out in East Timor.

Brief period of autonomy

Polri came into being not long after Indonesian independence in 1945. For a brief period it existed as an independent force, under the authority of the prime minister. But the police already had a bad reputation, having long served two colonial masters, the Dutch and the Japanese.

There was a continuum from the Indonesian Special Police (*Polisi Istimewa*), the *Veldpolitie* in Dutch times and the Tokubetsu Keisatsu Tai during the Japanese occupation. In particular, the elite force of the police, later called the Mobile Brigade (nowadays known as *Brimob* or *Brigade Mobil*) was known for its particularly vicious approach, imbued with a 'serve-the-master' ideology to defend law and order against anti-Dutch, then anti-Japanese activists and later against domestic dissent. Together with the prestigious Siliwangi army division in West Java, the Mobile Brigade received much training and equipment from abroad, in particular from the USA.

Police autonomy did not last long. As soon as the Indonesian armed forces (ABRI) was established, the police became an integral part of it.

In the liberal democratic period of the early fifties there was a serious attempt to make the police into a force that would seriously deal with police duties, from traffic control to crime prevention. The major drawback was the low wages they received as civil servants, making the force very unattractive to the average person. This worsened

during Guided Democracy when the prestige of the army soared while police jobs remained dull and unappealing.

After the military takeover in 1965, policing became even more unattractive. The army was everywhere, grabbing all the glamorous jobs in the civilian administration - cabinet posts, governors and local government chiefs, right down to village heads. The police were left with nothing. Much of the day-to-day policing, keeping law and order, was also taken over by the military. *Kopkamtib*, the army's notorious security command of the 60s, 70s and 80s, was the outfit used to strike fear into the population. The police virtually became the laughing stock, dealing with traffic offences and other minor infringements.

If you can't beat 'em, join 'em

As in any other bustling third world country, the big cities of Indonesia are full of organised gangs. Places like Medan, Jakarta and Yogya are divided into territories, with parking lots, shopping malls and industrial areas under the control of different gangs. This territorial division is mostly coordinated by the local military and police. The police are very pragmatic; rather than trying to destroy the gangs, it's easier to join them. The low salaries they get makes this a very tempting solution. It is a public secret that practically

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every policeman has a price. The bribes taken by traffic police from drivers of all forms of private vehicles are regarded as part of the scenery.

Efforts to improve professionalism

Over the years there have been efforts to get the police to focus on standard police work and professionalise the force but with little effect. In the mid seventies a well-trained force came into being called *Tekab* (*Team Komando Anti-Banditisme*, Anti-Bandit Command Team). The massive rise in petty crime had begun to irritate the affluent middle class. Extortion, protection money, snatching jewelry and watches became rampant, and *Tekab* flexed its muscles for a few months. Criminals were gunned down on the spot and waves of arrests took place in busy spots like bus terminals and shopping malls. But soon key *Tekab* members were unable to resist the bribery culture and became part of organised crime.

In the early eighties, the crime rate hit the roof, leading to intervention by the army. The police were side-stepped and the army took over. Thousands of alleged petty criminals were shot down in cold blood on the streets. The death-squad campaign continued for months with the approval of President Suharto. It became known as *Petrus* (*pembunuh misterius*, mysterious killers).

Structural change?

In the late eighties some structural changes occurred in ABRI and the strategy of national resilience. The notorious security command *Kopkamtib* was dissolved and replaced by *Bakorstanas*, on paper nothing more than a monitoring body. *Kopkamtib* had unlimited powers and a command structure that was integrated into the army's command structure. Its first commander in 1965 was General Suharto, the future president.

With the dissolution of *Kopkamtib*, the police began to assume a bigger role. Suspects would now be taken to the police station for interrogation although political cases continued to be the preserve of military intelligence with police intelligence taking a back seat.

Another shift was in the handling of street demonstrations. Before it was the army who stepped in but nowadays the police are often responsible for maintaining order during street actions. *Polri* anti-riot brigades have become a common sight on the streets of the big cities. When demonstrations get too big or turn to looting and torching, the old patterns re-emerge with the military stepping in. In places like East Timor, with a high frequency of demonstrations, it is usually left to the police to control the crowds.

Increasing responsibilities

It is widely argued by political analysts that the shift towards a greater role for the police is part of an overall strategy designed by Suharto himself. The ageing dictator is not able to rely as much as formerly on the loyalty of large sections of the army. At the same time, boosting the police gives the impression of moving away from military rule towards civilian rule. To secure the loyalty of the police, he has promoted his former adjutants to the top posi-

tions. The present chief-of-police, Lt. General Dibyo Widodo, is also a former adjutant.

To make the force more attractive, it has been given advanced training and modern equipment. Starting in 1983, while the death-squad killings were in full swing, groups of police officers were brought to the UK to attend courses at the Bramshill Police Staff College. It was hoped that this would improve police management, administration and community policing, steering the force away from a military approach. However, the National Audit Office report reveals (see separate item), that 'human rights (were) specifically excluded from the project memorandum and did not include human rights in the proposed training programme'. In the past five years or so, no doubt as a consequence of this training, UK companies have cornered a lucrative market, supplying *Polri* with water cannon and other tools of repression. The extent of British involvement in re-equipping the Indonesian police is only beginning to become apparent as details of the latest contract come to light in answer to parliamentary questions.

However, the force has remained an integral part of ABRI. The growing role of the force in maintaining law and order has meant that officers and men increasingly behave like the army, and have now become the ones who are responsible for most of the human rights violations.

Police brutality

Some of the worst scandals of 1996 have involved police officers, including the investigation into the murder of Udin, an investigative journalist [see *TAPOL* Bulletin No. 137, October 1996] and the involvement of police in organised crime syndicates including trafficking of XTC pills.

Annual reports by human rights organisations have placed the police at the top of the list of violators. Figures on human rights violations in the fifteen months to March 1996 released by the human rights research institute, Yapusham show that 194 cases were reported in the press. More than half, 101, related to freedom of expression while 57 cases were related to freedom of assembly and association. The worst agency by far was the police force which was responsible for 71 of these cases, with military commands, Kodim, accounting for 15. Of the civilian agencies responsible for violations, university rectors headed the list, being responsible for 23 violations. The research showed that the largest number of victims were public figures, politicians and non-governmental organisations.

According to an end-of-year report by PBHI, the new Legal Aid and Human Rights Association, during the first eleven months of 1996, there were 225 violations as compared to 164 for the whole of 1995. This research also placed the police at the head of the violators, followed closely by regional and local military commands. University rectors also figure prominently among the perpetrators. This reflects the parlous state of academic freedom in Indonesia with rectors refusing permission for seminars or refusing to allow certain individuals to speak at their universities because they are 'too controversial'.

The Tasikmalaya riots, triggered as they were by police brutality, have again shot the force into the limelight. The nature of this force is a serious matter of public interest here in Britain, in view of this country's extensive involvement in training and equipping this brutal and unruly group of men. *

Growing defiance from Megawati's PDI

Thousands of supporters of Megawati Sukarnoputri have been openly challenging the regime's chosen tool to lead the PDI, Soerjadi, making it impossible for him to tour the country to consolidate his rump party, even though he has been escorted everywhere by security forces. In Jakarta, Megawati held a huge meeting at her residence to celebrate the PDI's 24th anniversary.

More than three thousand people attended the PDI anniversary gathering on 10 January at her home on the outskirts of Jakarta and heard the ousted party leader call Soerjadi and his gang 'political thugs who have force their will in unconstitutional ways which culminated in the tragedy of 27 July'. She said scores of people were still missing. 'It is even possible that they are already dead with their graves unknown.' [AFP, 10 January]

Summoned under Anti-Subversion Law

Following the meeting, the Jakarta chief of police, Major-General Hamami Nata announced that Megawati would be summoned for interrogation by the police, under the provisions of the Anti-Subversion Law. He said she would be questioned about an 'illegal meeting' held at her residence on 10 January to celebrate the 24th anniversary of the PDI because the event had gone ahead without first seeking police permission and was therefore in breach of police regulations.



The PDI has grown in strength during the past few months.

He said that as soon as clearance had been received from the president, as required when summoning an MP, the interrogation would go ahead.

While stressing that she would be questioned as a 'witness', not a 'suspect', the fact that the Anti-Subversion Law has been cited for an infringement of police rules suggests that the police are under orders to treat the 10 January event as a serious political challenge.

Megawati-Soerjadi reconciliation out of the question

One of the more moderate members of the PDI leadership, the economist, Kwik Kian Gie, has made a stinging attack on suggestions that Megawati should seek reconciliation with her rival for the PDI leadership, Soerjadi. In an article circulated on the Internet, he said the way she had been ousted, without even being invited to attend the rogue Medan congress, meant she had not been removed by party members but as a result of outside interference.

So, he asks, why did she have to be removed? Clearly because the party under her leadership could have won the elections, putting an end to GOLKAR's overall majority. On top of this, the PDI under Megawati would have had the potential to split the Supreme Legislative Assembly, the body which will elect the next president in 1998.

All the talk about reconciliation was, according to Kwik, aimed at weakening the PDI because a reconciled party would clearly be weaker than the party under Megawati's leadership. Some people argue that reconciliation would combine the legitimacy conferred on Soeryadi with the grass-roots support enjoyed by Megawati. But where does Soerjadi's legitimacy originate if not from the forces determined to weaken the party? And how independent is Soeryadi anyway? Isn't it clear that if Megawati joined forces with Soeryadi, she would lose the support of the majority in the party who have backed her to the hilt. If after reconciliation, Soeryadi continued to be the laughing stock of PDI members and Megawati was assailed by her own supporters, how would this make the party stronger?

Pro-Mega actions in the regions

The decision by pro-Megawati groups to mount legal challenges against local PDI officials who attended the Medan Congress at which she was ousted has proven to be a rallying point for local PDI members. It brought hundreds of people onto the streets to attend or express support outside the courthouses in many cities. Cases have been heard in Solo, Semarang, Cianjur as well as in Palembang, Denpasar and other cities outside Java. The standard response from judges has been to reject the challenge, arguing that it was an internal matter and should be dealt with by the party.

The events in Salatiga, Central Java are typical. Huge crowds marched to the courthouse on 26 December, with many supporters arriving in truckloads from Semarang, Ungaran, Boyolali and Ambarawa. The demonstrators converging on the courthouse caused massive traffic jams.

A Megawati supporter in Salatiga said that many people throughout Central Java were saying they would not take part in the general election scheduled for 29 May. Non-participation in the elections can take the form of going to the polling booths to spoil the voting slip or taking part in an all-out boycott.

Megawati supporters have also organised demonstrations to local government offices demanding that Soerjadi be put on trial for his involvement in the violent attack on the PDI headquarters on 27 July, when it was seized from her supporters with much loss of life and many injured and arrested.

Another type of action is for Megawati supporters to surround and seal off PDI offices under Soerjadi control. They then lock up the front door and hand over the key to the local police. This even happened to Soeryadi's home in Jakarta which is located inside a compound of residences for government ministers (Soeryadi is deputy chair of the Indonesian Parliament).

Elections under threat

Reverberations of the regime's crass interference in the PDI are echoing everywhere. The fact that Megawati and her supporters have been excluded from taking part in the

general election is turning more and more people against this so-called exercise in democracy. The *golput* or 'white group', meaning piercing none of the party emblems, has been nothing more than peripheral in past elections. This time round, a groundswell of support for the idea appears to be spreading as more and more people recognise the serious injustice inflicted on the PDI and its popular leader.

Sri-Bintang Pamungkas, the dismissed MP from the PPP, the other small party allowed to take part in the elections, has warned that opposition to the election could take two forms. Pamungkas, who recently set up a new party, PUDI, said one form of opposition would be by people staying at home and refusing to vote. This could be the standpoint of anything up to sixty per cent of the electorate. Another possibility would be for large crowds to go onto the offensive and start burning down polling booths which could force the elections to be abandoned. He told *Tempo Interaktif* [No 46/1] 'I don't favour acts of arson but the government should recognise that people feel they have been cheated and that the election law needs to be changed.'

He pointed out that as the law now stands, even if the PPP and the PDI win a majority of seats in Parliament, the DPR, they would still be in the minority in the upper house, the MPR, which is the body that chooses the president. This is where Suharto has been chosen over and over again. Half the members of the MPR are presidential appointees. *

UK-RI RELATIONS

British aid to Indonesia under scrutiny

The long-awaited National Audit Office (NAO) Report on 'Aid to Indonesia' was finally published last November. The investigation was prompted by a complaint to the NAO by Labour MP, Ann Clwyd about increases in British aid out of all proportion to Indonesia's relative poverty and its adverse human rights.

The Report examines seven projects valued at £46.4 million. Although relatively uncritical in tone, it reveals serious failings in the British aid programme. It shows how the Overseas Development Administration (ODA) relied too heavily on commercial considerations, devoting a large proportion of the programme to the Aid and Trade Provision (ATP). It also shows how the ODA failed to take proper account of the human rights dimension of aid projects.

A very disturbing aspect of the Report is the indication that certain projects were approved in the hope that potentially valuable arms sales would be gained for British firms. Although it concludes that no projects were explicitly conditional on the purchase of arms, TAPOL believes that the aid and arms links suggested are objectionable and inconsistent with promoting sound development.

One project indirectly linked to arms sales was the *National Police Management Training* project. The Foreign Office hoped that the project would have a favourable impact on the former Chief of Police 'who had

moved on to become a Presidential adviser and was likely to play a crucial role in decisions on future military procurement for the Indonesian armed forces.' The project was approved despite the human rights record of the police and Home Office concern about the possible complicity of the police in civilian killings in the mid-1980s.

Also of concern is the provision of aid for three projects covering East Timor. The projects were linked to the controversial transmigration programme and aided the integration process, in breach of the British Government's obligations under international law.

In a Memorandum to the parliamentary Public Accounts Committee which is scrutinising the Report, TAPOL called for the suspension of British aid until there is a substantial improvement in the human rights situation, the ending of the ATP element of the aid programme, the ending of all aid to the Indonesian police, and for the British Government to give an assurance that it will not provide further aid to the Indonesian Government for use in East Timor.

Concern about aid to Indonesia was documented in a report by Ann Clwyd, *British Aid to Indonesia: The Continuing Scandal*, (September 1995) and *Partners in Repression: The Reality of British Aid to Indonesia*, published by TAPOL in November 1995. Copies of the reports and TAPOL's submission to the PAC are available from TAPOL. Please send £7.50 with your order. *

Long-term tapol asks for help

Pudjo Prasetyo, 73, has been suffering from Parkinson's disease for years and has had a stroke. He needs constant help from co-prisoners for all his physical needs. Yet calls for his release on humanitarian grounds have fallen on deaf ears. He was recently able to send a message to TAPOL from Kedung Pane Prison in Central Java.

In his message to TAPOL, Pudjo Prasetyo wrote:

'I am Pudjo Prasetyo and I'm 73 years old. I was arrested on 2 November 1967 and held in a prison in Semarang until 1974, when I was moved to Bali. I was tried and sentenced to life imprisonment in 1979 at a district court in Bali. I applied for clemency in 1987 but it was refused.

'In 1994 I became ill with Parkinson's disease and was taken to hospital twice for treatment. In 1995, I was transferred to Kedung Pane Prison in Central Java and since then, my health has deteriorated.

'I am hardly able to walk and even need help to dress and undress myself.

'I have been in prison now for more than 29 years. I think there is no point keeping me in prison any more and would ask you, please, to help get me released from jail. I would be very grateful for anything you can do.'

Two years longer than Mandela

Speaking to a fellow-prisoner he said:

How do you feel about the time you have spent in prison?

Perhaps you can imagine what it's like for someone to spend 29 years in prison. I have had many bitter experiences which it would be difficult for me to convey in words at this time.

Twenty-nine years. That means you've been in prison two years longer than Nelson Mandela!

Yes, that's right. But when Nelson Mandela was in prison, his party continued to exist and to struggle against the apartheid regime. In the end he was released and he's now the President of South Africa. My party was destroyed and has been banned under the present regime.

What happened to your family after you were arrested and what have been the effects on your children?

Just like the families of other friends who were convicted in connection with the events of 1965, my family was badly affected and is still suffering. When I was arrested, I had five small children and to this very day, they are still facing problems. They are branded as children of the PKI. Yet, I also fought for Indonesia's independence.

Can you describe how you have been treated?

There's no point. It's irrelevant!

The political situation in Indonesia has become quite heated recently. What do you think about this?

These are signs that that Suharto regime is falling apart, after being in power for thirty years.

So, are you hopeful about changes taking place in Indonesia?



Pudjo Prasetyo, two years ago. His condition has since worsened.

Yes, I am. As far as I can see, there are two processes now unfolding and there's nothing that the regime can do to stop them. One is the emergence of the East Timor issue and the other is the movement pressing for democratisation in Indonesia. It would be much better if these two forces were to join hands and support each other.

How many more will die in jail?

In August last year, Amnesty International issued a document titled: *The 1965 Prisoners: How many more will die in jail?*

It contained the names of fourteen of whom five have been under sentence of death for more than 25 years. All the others are serving life sentences excepting one who was not tried until 1986 when he was given a fifteen year sentence. All these men have been in prison since the mid or late 1960s. At least eleven are suffering from serious physical or mental disabilities. **Sukatno**, a former MP who is under sentence of death, is known to be seriously ill, both physically and mentally, but repeated pleas for his release by the Inter-Parliamentary Union have been ignored.

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UK to sell yet more equipment to ABRI

The British government is to export yet more heavy equipment to the Indonesian armed forces at a time when the Indonesian regime is stepping up its repression of pro-democracy forces.

Ian Lang, President of the Board of Trade, announced on 10 December that he had granted licences to Alvis to sell a further fifty armoured vehicles and associated equipment to Indonesia, and to Procurement Services International for the sale of police vehicles, including seven Tactica water cannon and associated equipment.

Ministers have repeatedly told Parliament that the government will not permit the sale of equipment to Indonesia to be used against the civilian population for purposes of repression. Minister of State Jeremy Hanley stated: 'If water cannon is used to try to stop peaceful demonstrators, that is of course totally unacceptable.... It is totally unacceptable to use chemicals or dyes with the water cannon.' [Hansard, 30 October 1996.]



A UK-supplied water cannon spraying water, possibly charged with CS gas, at students demonstrating peacefully in Bandung last June.

As government ministers certainly know, water cannon have been out on the streets on many occasions in the past year, when demonstrators gathered in Jakarta on 27 July and later outside courthouses during trials involving pro-democracy activists. They were used in Medan on 20 June, to intimidate demonstrators protesting against the PDI Congress, staged with ABRI connivance, when Megawati Sukarnoputri was ousted as chairperson.

TAPOL has photographs of a water cannon emitting water against students in Bandung last June, as they were commemorating forty days of the death of three students, killed in Ujung Pandang on 24 April when armoured vehicles (APCs) crashed into their university during a protest against increases in local bus fares. Ironically, those APCs were also supplied by the UK, a fact which has been acknowledged by the Department of Defence in a letter to a member of the Campaign Against Arms Trade.

The Indonesian who photographed the water cannon confirmed that the water sprayed at the students contained an odorous chemical which caused people (including policemen) to sway and stumble. This was probably CS gas.

As for the APCs used in Ujung Pandang last April, the British government received reports that they were used against demonstrators and had therefore 'discussed the incident with the Indonesian authorities'. The government appears to be satisfied that disciplinary actions against members of the armed forces in Ujung Pandang has solved the matter. But this ignores the fact that the low-ranking officers tried last October and given derisory sentences were not charged for using the APCs but for acting 'in excess of orders'. The senior officers who ordered the APCs in have not been charged.

Amnesty wants APC exports halted

The British Section of Amnesty International has called on the British government to revoke the export licences granted to Alvis for the sale of armoured vehicles to Indonesia. The Director, David Bull described the vehicles as 'part of the machinery used to crush internal dissent (placing) in the hands of the Indonesian government equipment which we know has been used to commit human rights violations'. Until now British Amnesty has only campaigned around the issue of the sale of implements of torture.

Suspended sentences for injunctees

The fight to oppose the sale of Hawk aircraft to Indonesia continues. Two peace activists, Steven Hancock and Ciaron O'Reilly, who were last December served life-long injunctions by British Aerospace not to 'trespass on' BAe premises, have been given three-month suspended sentences by the High Court for breaching their injunction. Thirteen people have been served injunctions by BAe, including the four women who were acquitted last August when they were tried for seriously damaging a Hawk aircraft ready for export to Indonesia.

Nineteen of the 24 Hawks sold to Indonesia under a contract of June 1993 have already been delivered. The remaining five are due arrive in Indonesia in March. *

In memoriam

Two Indonesians living as exiles in Europe died in December. Both had been driven from their homeland by the Suharto dictatorship.

On New Year's Eve **Suparna Sastradiredja** passed away quietly after a long illness in Amsterdam. He was 81 years old and his entire life was one of struggle for social justice and human dignity. I fondly remember Suparna from the time I first met him in Amsterdam. He had just arrived from Beijing and was seeking political asylum in the Netherlands. I remember vividly the stories he told me about events that have been expunged from official history books in Indonesia. We shared many activities and he was always full of energy, like a beacon in the storm.

From the moment he set foot in Amsterdam he became active in the movement against the Suharto dictatorship. He became an internationally known figure and developed working relations with many human rights and trade union activists around the globe.

Suparna was a man of many talents who wrote works of fiction and non-fiction, composed poetry and was an able speaker. But first and foremost, he was known as a dedicated trade unionist. Suparna became part of the leadership of Sarbupri, the union for plantation workers that came into being soon after Indonesia achieved independence in August 1945. Sarbupri soon became one of the major trade unions in Indonesia. In a predominantly agrarian country, Sarbupri became a household name for the hundreds of thousands of underpaid plantation workers. Suparna took an active part in the first major strike of plantation workers in independent Indonesia in Delangu, Central Java.

Suparna was born in Garut, West Java in 1915 and his father was part of the first generation of Indonesian nationalists. Very soon, the young Parna joined Indonesia Muda, a pro-independence youth organisation. In 1936 he was arrested by the Dutch colonial authorities for publishing a magazine. He was sentenced to ten months solitary confinement under the draconian *haatzaai* (sowing hate) articles, the same laws that are used nowadays by the Suharto regime against the Indonesian pro-democracy movement.

Due to his many skills Suparna became a member of several representative bodies like KNIP, the first Parliament of the Republic after Indonesian independence and served as an advisor of Amir Syarifuddin, who served a brief spell as prime minister in 1947. In September 1965, he went to China as a member of the Indonesian upper house (MPRS), to celebrate China's national day on 1 October but the Untung and Suharto military coups in Jakarta forced Suparna to remain abroad as an exile. He never returned home.

Suparna was involved in a wide variety of activities in Europe against the Suharto dictatorship. Whenever there were street actions, lobbying of parliament and international trade union federations, Suparna was always present. In the last few years of his life the ageing process took its toll. He became increasingly forgetful and in particular

his hearing deteriorated. He spent his last few years at a nursing home for the elderly.

People like Bung Parna are all too few - stubborn, principled but also able to adjust to new situations. The life of a political exile isn't easy but he made the best of it through his direct involvement in active political life. A large crowd of Indonesian and Dutch friends came to his funeral to say farewell. We all mourn his passing and will sorely miss him. We wish all strength to his wife, children and grandchildren.

Liem Soei Liong

Suwondo Budiardjo died in London on 6 December. He was 75 years old. Mas Bud, as he was known to his friends, was born in Banjumas of rather lowly parents and spent the first years of his working life as a railway worker in the town where he grew up, Purwokerto.

In the summer of 1948, he went to Europe to attend a world youth festival on behalf of the Indonesian Youth Congress but after the Madiun Affair in September of that year, when many of his associates were being hunted down by the Indonesian army, he decided not to return home. He settled down in Prague to study politics at Charles University, which was his first real opportunity to carry out serious academic study.

After returning home to Indonesia in 1951, he worked for the Department of Communications, eventually rising to a senior position in the Department of Sea Communications in the early sixties. When Suharto seized power in 1965, he immediately came under suspicion because of his links with the communist party and was arrested in October, after returning to Jakarta from a shipping mission to Japan. From then on, he spent fourteen years in and out of prison, and was never charged or tried, like the hundreds of thousands of people who fell victim to the repression that descended on the left wing as the army under Suharto tightened its grip on the country. For most of his imprisonment, he was held in Salemba Prison, Jakarta.

Shortly after his release, he wrote an account of Salemba Prison and his own experiences at the hands of his oppressors. Although he said little about it to anyone at the time, he describes how he was ferociously beaten by an Indonesian soldier for five hours, after which he was unable to chew for more than two weeks. For Mas Bud, as for so many wise and talented Indonesians, the Suharto New Order ended all his hopes of a life of service to his people. Instead, he became a pariah, deprived of his basic rights.

He left Indonesia in 1979 and spent the rest of his life in London, close to his children and grandchildren. He was a very keen student of politics and philosophy and took a

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and Portugal, two of the Seeds of Hope women, activists, journalists and academics, as well as Shirley Shackleton and Maureen Tolfree who both lost close relatives killed by Indonesian forces in East Timor two months before the invasion in December 1995. It was also addressed by Nobel Peace Laureate Maireid Maguire, who successfully nominated Bishop Belo for this year's Peace Prize.

In addition to discussing the arms trade, the well-attended gathering considered broader issues related to conflict such as truth commissions, self-determination and the role of civil society in helping the process of peace and reconciliation. One session entitled *Remembering the past, looking to the future* looked at the conflicts in Northern Ireland and East Timor and was addressed by relatives of victims of violence in both conflicts.

A resolution addressed to the Irish Foreign Minister, Dick Spring, called for a positive statement of intent from the European Union summit in Dublin later that month, and another resolution urged the Australian Prime Minister John Howard to initiate a thorough investigation of the killing of TV journalists in East Timor in 1975. The symposium also called for the continued EU non-recognition of the Indonesian annexation, for a UN human rights officer to be placed in East Timor and for the release of Xanana Gusmao and all East Timorese political prisoners.

Among the many events held in Oslo to mark the Nobel Peace Prize ceremony was a symposium organised by SAIH, the Students and Academics International Assistance Fund, which also organises East Timor solidarity activity in Norway. The gathering was addressed by four key speakers, two East Timorese and two Indonesians. Laureate Ramos-Horta spoke about the need for East Timor activists to support the Indonesian pro-democracy movement, Maria do Ceu focused on building the East Timorese women's movement, while academic George Aditjondro who is now doing research at Newcastle, Australia, and Liem Soei Liong of TAPOL spoke about the pro-democracy movement in Indonesia and focused on the movement of solidarity for East Timor in Indonesia. *

THE STRUGGLE FOR DEMOCRACY IN INDONESIA! : An Introduction to the People's Democratic Party (PRD)

By Max Lane, Nico Warouw, Wiji Thukul

Includes a chronology of actions since April 1995, manifesto and political programme, and an explanation of the PRD structure.

Published by ASIET, September 1996, 40 pp

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After the charges had been read out by the prosecutor at the opening session on 16 December, Moh. Sholeh stood up and declared: 'I reject everything contained in the indictment because it does not conform with basic human rights, either in Indonesia or in the rest of the world.' After the hearing, hundreds of supporters mobbed the defendants outside the courthouse, shouting greetings as they boarded the vehicles taking them back to prison.

Questioning the legal grounds for the indictments in demurrers in both courts, the defence teams challenged the absurd way in which they had been arrested for one event, only to be charged for other events that occurred while they were in detention. Buyung Nasution, leading the team at Dita and Coen Pontoh's trial, said: 'By levelling subversion charges against youngsters who have taken up social issues in a critical way, we are deliberately encouraging young people to think only about pleasure and consumerism. What kind of a court do we want to become?'

Dita Sari and Pontoh, totally rejecting the subversion charges, told the court that all they want is a democratic state and sovereign rights for the people.

'We want decent wages for the workers, an end to the expropriation of land owned by peasants. We want a government that is free from corruption, collusion and bribery. Kindly tell us what's wrong with that? Should our dreams be put on trial because we have raised people's expectations that there could be an end to intimidation and violence against the people?'

In the other courtroom, Sholeh told the court that their thoughts and aspirations were being tried even though the right to think and to dream are the most basic of all human rights.

The prosecutor at the Dita Sari and Pontoh trial has announced that he intends to call 37 witnesses, including several of the PRD activists on trial in Jakarta.

International monitors

The International Bar Association and the International Commission of Jurists have both decided to send observers to attend the subversion trials. Roger Smith, speaking for the IBA's Human Rights Institute, told *Jakarta Post* [9 January] that different observers would be sent each week. 'They will include at least one Supreme Court judge from Australia, he said. *

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Manan Effendi Tjokrohardjo, 76, is serving a life sentence. He suffered a stroke in March last year which left him paralysed and hardly able to speak. After a brief spell in hospital, he was returned to his cell. A second stroke on 17 July left him more severely paralysed and in need of constant care and assistance. **Alexander Warouw**, 78, is suffering from diabetes and has difficulty standing due to dizziness. He has problems with his vision and with the muscles on one side of his face. Both have been in prison for more than 32 years, since October 1965, and are being held in Kalisosok Prison, Surabaya.

Amnesty called on the Indonesian Government to release all these prisoners and to ensure that all sick prisoners requiring specialist medical care are immediately transferred to an appropriate clinic or hospital for treatment. *

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degree at London University. He continued to follow developments in Indonesia closely and remained in contact with many fellow-exiles in western Europe.

He died after a short but painful illness, with his daughter and son, Tari and Anto at his bedside. His remains were flown back to Jakarta for burial, in the presence of his close family and many friends. *

Carmel Budiardjo

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of Dili have lived in a state of fear. Clementino dos Reis Amaral, a member of Indonesia's National Human Rights Commission, was quoted as saying that people in Dili could not go out of their houses after 7 pm for fear of being swept up in police round-ups that have been going on since Christmas Eve. A Dili resident said the incident had 'sparked a military witch-hunt and the sweeping operation for suspects was still being carried out.' [*South China Morning Post*, 23 January] Other sources confirm that the police are conducting house-to-house identity card checks, as well as checking on the possession of knives.

US congressmen call for action

Two members of the US Congress, Patrick Kennedy, Democrat and Frank Wolf, Republican, have visited East Timor separately since late December and have expressed



The East Timorese resistance, strong as ever

their dismay at conditions there. Patrick Kennedy, who was in Dili on the day of Bishop Belo's return home, has written to President Clinton urging the US Government to respond to round-ups by security forces that have continued in Dili since the Christmas Eve Mass celebrated by Belo, at which he was present.

He said the Indonesian forces had used the murder of the Indonesian soldier 'as a pretext for yet another crack-down on the people of East Timor. In its simplest form, individuals wearing shirts imprinted with Bishop Belo's photo have been targeted for attack, in some instances within a short distance of the Bishop's residence.'

While not condoning the violence which took the soldier's life, he stressed that the cycle of violence must be broken. 'The duty for this rests in the hands of the Indonesian Government.... It is imperative that the United States use all diplomatic means available to express its concern over the latest violence in East Timor.'

Congressman Frank Wolf, a member of the Congressional Human Rights Caucus, visited East Timor from 12 - 14 January. After his return home, he called on the US government to take a more active role to confront the 'uncertain and somewhat violent' situation in East Timor. He reported that the 'large presence of 16,000 troops or

perhaps more in the region ... is highly feared and resented by the East Timorese'. In a very revealing passage, in view of what has happened since 24 December, he wrote:

Recently, a loosely defined group of civilian thugs has emerged, perhaps aligned with the army, known as 'ninja' which instigate riots, beatings, threats and other acts of terror, and then disappear into the crowd, allowing the Army to take severe action against the church, the Timorese, the Fretilin or others, under the guise of quelling disturbances.

What he is describing here are Prabowo's *Gardapaksi* thugs, and he is no doubt reflecting what others in East Timor, unable to speak out themselves, told him while he was in Dili.

During a visit to the Bishop's Diocesan Justice and Peace Commission, he 'personally observed an East Timorese whose ear had been severed by a middle-of-the-night beating'. He also met a woman, two of whose sons have been missing since the Santa Cruz massacre in 1991, who was trying to locate a third son who had disappeared following a recent army sweep through her very poor Dili residential area. Rep. Wolf asked to meet several people under arrest in East Timor as well as Fernando de Araujo and Mochtar Pakpahan who are both being held in Cipinang Prison, Jakarta. All his requests were turned down.

Among his many recommendations is one saying that the world press are virtually forbidden to travel in East Timor. 'Granting the media free access to East Timor would correct many human rights abuses and should be pursued with vigour by the media itself and by the community of nations.'

The Congressman was clearly concerned that a political and diplomatic solution to the question of East Timor should be sought and suggested the establishment of a working group, composed perhaps of Indonesia, Portugal, Germany, East Timor and the US, to develop long-range solutions. In the short term, he thought that a respected official, perhaps former General Colin Powell or a former ambassador of high stature, should be asked to assist in identifying and implementing 'short range, partial solutions to ease present tensions and turmoil in East Timor'.

UN talks postponed

The ninth round of talks between Indonesia and Portugal that were to have been held in New York on 21 December was postponed. The decision was taken shortly before departing UN Secretary General Boutros-Ghali handed over to Kofi Annan, who took over on 1 January. The new Secretary General said he would look 'very critically' at the negotiating process that had failed to produce results in twenty years.

Since receiving his Nobel Prize in Oslo, Laureate Ramos-Horta has travelled to many countries. During a highly successful visit to Japan, the Japanese Prime Minister took fright and decided not to receive him although past peace laureates have been received. It was feared this might jeopardise relations with Indonesia. Meanwhile, ASEAN state

solidarity is still thriving. The Philippines Government has again refused to grant him a visa to visit the country.

East Timor has a second bishop

The Vatican announced in December that a second bishop has been appointed to head a new diocese in East Timor based in Baucau, in the eastern region of the country. Bishop Basilio do Nascimento Martins was born in Suai and has spent most of his life in the priesthood in Portugal and France. He returned to East Timor in 1994. He will take up his new post on 19 March.

Interviewed by the Lisbon daily, *Diario de Noticias* [6 January], he said his diocese is an area where large-scale massacres have occurred, so the population has been traumatised by the atrocities. 'The very fact they have suffered so much makes dialogue the only means.' Asked to comment on resistance leader, Xanana Gusmao, he said he had

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not had a chance to meet him yet though he admires what he stands for. He said he would be requesting permission for a meeting. He welcomed the Nobel Prize because it has focused the world's attention on East Timor.

Symposia in Belfast and Oslo

A symposium on East Timor in Belfast from 6-8 December, which took as its theme: *East Timor, From Localisation to Globalisation*. was jointly organised by the East Timor Solidarity Campaign (NI), the One World Centre, the University of Ulster, Trinity College (Oxford) and the University of Porto. It was the outgrowth of the University of Porto's long-standing annual symposia on East Timor promoted by Professor Barbedo Antonio Magalhaes and brought together East Timorese living in the UK, Ireland

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East Timor's longest-serving prisoner (III)

Interview with Ze Roberto Seixas who spent ten years in Indonesian prisons. The first and second parts were published in TAPOL Bulletin No. 137 and 138. The interview was conducted at the UN Human Rights Commission in Geneva in August 1996.

What were the conditions like in Comarca. Were you put in isolation again?

Yes, I was put in a separate cell but the conditions were very different from the SGI jail. The SGI was basically a torture and death centre. In the evening when the lights were turned off, people were carried away; an atmosphere of terror prevailed. My cell in Comarca was much better and I was able to communicate with other prisoners. Occasionally the lights also went off in Comarca and people were taken away by *Kopassus*, (special forces) but in general the atmosphere was much better than the other place.

I stayed in Comarca till 30 May 1984 and was then sentenced to 12 years imprisonment by the Dili district court. The charge was rebellion against the state. We were defended by two women, law-students from Kupang. I don't even know whether they had passed their bar exams. We met once, the night before the trial began but I wasn't allowed to say anything. The two young women advised me to behave properly and accept the indictment. After they left, *Kopassus* soldiers came and warned me to behave properly during the trial. They said I would be released after the trial, as long as I played along. My family attended the trial but were at least 30 metres away from me.

The trial was a mockery and I couldn't help laughing at this stage-managed event. The military were very annoyed about this. That same night, after the first session, *Kopassus* officers visited me again and electrocuted me. The trial lasted three days, the prosecution demanded 20 years and the verdict was 12 years.

The court was not open to the public because it was a military court. The judge was Lt Colonel Purba and the prosecutor was a major. The judge asked me formally whether I accepted the verdict and I answered: 'Why not?' These were the first trials ever to be held in East Timor since the Indonesian invasion. More than a hundred people were tried in that period; it took four or five months to

handle all the cases. One big theatre! The sentences were arbitrary, one got 12 years, another 10 years, another 14 years and so on. All the formal trappings were laid on, a judge, a prosecutor and some defence lawyers. A video was made and photos were taken, probably to convince the world that justice prevailed in East Timor. The people who were tried before me were immediately deported to Java, ending up in Cipinang prison, Jakarta. Altogether fifteen people went to Cipinang in the first batch.

When did this happen?

This first group was deported on 15 May 1984 and my group arrived a few months later, on 18 November 1984. My group consisted of 12 people. The third group arrived on 15 January 1985. In total, 42 East Timorese ended up in the Cipinang prison.

How was the treatment, did the Timorese political prisoners get special treatment?

At first, we were monitored all the time and we were not allowed to communicate with the other prisoners. Cipinang is a mixed prison, political prisoners and criminals lumped together. We were strictly forbidden from meeting the other political prisoners. This was a very difficult period for us. We got nothing except prison rations which were totally inadequate and weren't allowed to cook. The military intelligence visited us and monitored us all the time. Especially after visits from the ICRC, the intelligence came and harassed us. We were isolated from the rest and put in a separate block, block 2A, the Fretilin block. We were all seen as Fretilin, rebels against the state, and *GPK* (*Gerakan Pengacau Keamanan*, Security Disruptor Gangs). Some people say that *GPK* is like the *PKI*, the banned Indonesian Communist Party.

Later, we developed better relations with some of the prison guards and with the head of our block. Prison hier-

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archy is very important, the block head, for example, is responsible for blood donations for the Red Cross. The Indonesian Red Cross is basically run by the Suharto family, in particular Tutut Suharto and her husband Rukmana.

In 1986, life became more relaxed, especially when the ICRC arranged and financed visits by our families in East Timor. Two relatives were allowed to visit each prisoner in the prison. This was a great relief because it also meant a flow of information about our families, the resistance in the mountains, and about our leaders like Xanana Gusmao. It added to what we heard on Radio Nederland, Radio Australia and BBC World Service.

Was the family informed when you were moved to Jakarta?

Yes. All the families were gathered together and briefed. They were told we would be well treated, properly trained and indoctrinated and be allowed back after serving our sentences. But we were warned not to say too much to our families.

Tell me more about what happened after 1986, after family visits were allowed. Were you also allowed to mingle with the Indonesian prisoners?

Little by little we were allowed to mix. At first it was limited to playing soccer, table tennis and volleyball. In 1987 the contacts started to improve, in particular with the political prisoners, including student activists, people involved in the Lampung affair and the Tanjung Priok affair like the former minister Sanusi. We also met Dharsono, the former Secretary-General of ASEAN.

What was their attitude towards the East Timorese?

It varied. Some support our struggle for independence, some say we should only fight against Suharto to achieve democracy for the Indonesian people but with East Timor remaining part of Indonesia. Visitors to the prison also held a variety of opinions but most supported our struggle, arguing that our histories and cultures are different.

The situation improved when family visits from East Timor were increased to twice a year. In 1988, eleven East Timorese remained in the Cipinang prison; the others who had served their sentences were released. Only the ones with long sentences like me remained. In 1990 only six of us remained, and in 1991 two more were released.

From the group of 42, three have died. Mariano, a Fretilin member died because of complications due to torture. Both Da Costa and Joao Gomes also died from the after-effects of torture, beating, kicking etc. They died from vomiting blood which caused lung problems.

Were you also tortured in Cipinang?

I wasn't physically tortured in Cipinang but I did experience psychological torture. Sometimes, music instruments we received from the ICRC were confiscated by prison guards. If we protested, the authorities made our lives more difficult. We learned to live with this and got very experienced in handling delicate situations. We learned not to be provoked.

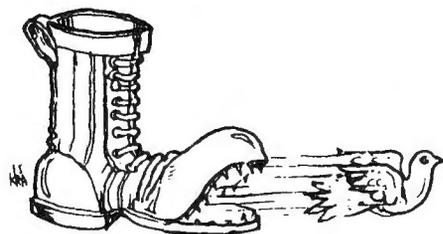
I was finally released on 9 September 1992 and sent back to East Timor. Fernando Araujo and Joao Freitas da Camara, two Timorese student leaders, had already joined us in Cipinang prison.

Arriving back in Dili, I was placed under close watch. I had to report regularly to the SGI office, the Korem headquarters and other offices. Every month I had to report to the security. They still regarded me as a threat. I had no job

as I had been sacked as *camat* (sub-district chief) in 1985. I helped the work of a foundation that gave aid and assistance to political prisoners which involved a lot of travelling to Jakarta. I learned the value of this work when I myself was a prisoner. Through this kind of work I was able to attend a conference in the US on the same issue. It was quite difficult to get a passport but finally I managed to leave Indonesia.

When I arrived back in Indonesia in October 1995, the military intelligence already knew what I had been doing abroad. I was again interrogated. In the meantime my application to the ICRC to be re-united with relatives in Portugal received the go-ahead. On 22 May 1996 the whole family left for Portugal. Some of the 42 ex-colleagues were already in Portugal. As soon as I arrived we jointly established a new organisation: the Association of East Timorese ex-prisoners in Portugal. We inaugurated the association on the birthday of Xanana Gusmao. We hope this association can do fruitful work for the East Timorese and give material and political support to those still in prison and to their families. I was elected as chair. We also receive support from non-Timorese who suffered the same fate, imprisoned for political beliefs. Former Portuguese President Mario Soares is honorary member of our association. We have also invited people like Nelson Mandela and Aung San Suu Kyi to become honorary members.

Thank you.



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