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SBSI leader accused of 'inciting workers'

In a move to crush the movement in defence of workers' rights and destroy the newly-established independent trade union, the SBSI, the national chairman of the union and three leaders of the SBSI branch in Medan are now on trial. Three NGO activists have also been arrested and are likely to go on trial soon. All are being charged with 'inciting' workers. Half way through the second hearing, Pakpahan collapsed and was rushed to hospital.

Muchtar Pakpahan, 41, chairman and founder of the *Serikat Buruh Sejahtera Indonesia* (SBSI), the Indonesian Prosperity Trade Union, went on trial in Medan on 19 September. Security around the Medan district court was tight, with hundreds of unidentified troops blocking the roads nearby and surrounding the building. About 150 foreign and Indonesian journalists were there to cover the event and a US diplomat was also present. Diplomats from Spain, German and Denmark attended the second hearing, as well as Geoff Robinson from Amnesty International and human rights activist, HCJ Princen.

Further hearings have been suspended because the defendant fainted while speaking in court at the second hearing.

In the month prior to Pakpahan's trial, three members of the union's Medan branch went on trial while two others are expecting to go on trial shortly. Three NGO worker activists have also been arrested.

The Medan SBSI branch leaders and NGO activists were arrested in the wake of the mass action by workers who took to the streets in the North Sumatran capital of Medan on 14 April this year in the largest movement by workers since Suharto came to power in 1965.

Some 50,000 workers from companies at the Medan Industrial Estate took action on 14 April in support of four demands: an increase in the minimum daily wage from Rp 3,100 to Rp. 7,000 (about £2), the right to freedom of association and repeal of the 1994 decree issued by the Manpower Minister only recognising the government-sponsored SPSI, an investigation into the death of a worker named Rusli during a workers' action in March, and compensation for workers dismissed at a local factory, PT Deli Karet.

The action degenerated on the second day into a series of attacks on Chinese-owned factories and shops, during which a Chinese factory-owner was killed and many vehicles destroyed. This led to allegations that the organisers of the action had instigated racist actions.

Pakpahan's trial, a frame-up

Muchtar Pakpahan's trial was originally scheduled to open on 21 September but was speeded up by two days. The court played this trick so as to thwart a legal challenge by the defence accusing the Medan police of unlawful arrest. A court hearing of this challenge, which Pakpahan was not allowed to attend, took place four days earlier, on 15 September and was to have been resumed on 19 September. The commencement of formal proceedings against Pakpahan meant that the pre-trial challenge could not proceed. All the defence team could do was to protest in the strongest terms.

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Before proceedings started, Pakpahan said he would not continue unless his mother was allowed in. The court-room was packed and many seats were occupied by plain-clothes security officers but the defendant's mother had not been granted permission to attend. After Pakpahan's protest, his mother was allowed in.

The indictment against Pakpahan reads like a record of all his activities since the SBSI was set up in 1992. For instance it alleges:

* that he set up a branch in Medan in August 1992 composed of 'problem workers' who had been dismissed;

* that he held a 'training course' for 100 workers in Pematang Siantar at which he talked about the right to strike and the army's brutal intervention in labour disputes, 'insinuating' that they should join the SBSI;

* that he held a meeting in December 1993 at the SBSI office in Medan when he called on the workers to go on strike and demonstrate because wages were inadequate; and saying that police permission was unnecessary;

* that he issued a circular on 29 January 1994 arguing that the Manpower Minister had acted against the law when he issued a decree only recognising the SPSI, and calling on SBSI members throughout the country to down tools for an hour in protest;

* that he convened a meeting on 2 April 1994 in Medan where he 'inflamed passions', urging workers to take part in SBSI demonstrations;

* that he prepared a speech for the union's second anniversary [the event, in Jakarta, was dispersed by police and Pakpahan did not attend] calling for workers to be freed from arbitrary curbs so as to achieve better conditions; these documents were 'incitements' to workers to commit criminal actions or not to obey the law;

* that, in Jakarta, he was kept informed by phone of the demonstration in Medan on 14 April.

He is charged under Article 160 for "*inciting others to engage in punishable offences, to oppose the authorities by means of violence, or to incite them not to comply with the law or legal provisions issued in accordance with the law*". He faces a penalty of up to six years. Under Article 161 which is about 'incitement in writing' as a crime, he faces a penalty of up to four years. If these Medan trials lead to convictions, it will mean that, although under Indonesian law it is not illegal to strike, it will be a criminal offence to organise a

strike and call on workers to take action in defence of their rights.

At the second court hearing on 22 September, Pakpahan had to be rushed to hospital after slumping on his chair as he was presenting his demurrer, challenging the legality of the trial. Observers noted that he looked depressed and unfit at the first hearing even though a medical team had found him well enough to go on trial. His request for a medical examination on the day before the hearing was ignored.

Medan branch leaders on trial

The three Medan branch executive members who went on trial in Medan before Pakpahan are: **Amosi Telaumbanua**, 33 years old, chairman of the SBSI branch in Medan, **Riswan Lubis**, 26 years old, secretary of the branch, and **Hayati**, 22 years old, the branch treasurer. Like Pakpahan, they are all being charged under Article 160 of the Criminal Code.

The two other branch executive members under arrest are: **Fatiwanolo Zega**, deputy secretary, and **Soniman Lafao**, deputy chairman.

Two NGO activists were arrested in June: **Janes Hutahean**, of the *Yayasan Pondok Rakyat Kreatif*, the Creative People's Foundation; and **Parlin Manihuruk**, of the *Yayasan Kelompok Pelita Sejahtera*, the Group for a Prosperous Way. Both NGOs advocate workers' rights and helped to organise the workers' action in Medan on 14 April.

On 18 September, **Maiyasyak Djohan Nasution**, a human rights lawyer and director of the *Lembaga Advokat Anak Indonesia*, the Child Advocacy Unit, was also arrested. In protest at his arrest, Maiyasyak immediately started a hunger strike and refused to answer any questions

Peaceful protest, a criminal offence

The indictment against Amosi Telaumbanua whose trial opened at the Medan District Court on 24 August, accuses him, in cooperation with the other leaders of the branch and NGO activists, of calling on workers, of displaying posters calling on workers to go on strike and take part in a demonstration in support of workers' demands for higher wages. He is accused of attending preparatory meetings during the twelve days leading up to 14 April. The meetings were attended by dozens of workers from various factories.

The indictment spells out what the demands of the action were. The prosecutor also accused Amosi of distributing leaflets to workers on the day before the action and of organising 25 people to make posters and banners at his home or at the office of the SBSI branch. The indictment accuses Amosi of going to the office of the Child Advocacy Unit (LAAI) on 14 April and phoning Mochtar Pakpahan in Jakarta to report that the demonstrators were on their way to the governor's office.

The prosecution then describes how Amosi led the workers on their march to the provincial governor's office, held up posters and banners and made use of a loudspeaker during the march. Together with 22 other workers, he asked to meet the governor and when this was refused, he got up onto a wall and, speaking through a loudspeaker, said: "Now you know what was said to your delegates. It's up to you to go home or remain here for the rest of the day." [*Pelita*, 26.8.1994] Thereafter, according to the indictment, the disappointed workers dispersed and went home. [*Kompas*, 25.8.1994]

The indictment against Hayati is equally focussed on the preparations for the



Mochtar Pakpahan, accompanied by his mother, being escorted to court.

demonstration on 14 April. These include attending a meeting on 3 April of a hundred workers from 16 companies to discuss the strategy, demands and so on, and attending another meeting of about a hundred workers from 21 factories on 10 April, at which union and NGO leaders spoke, giving support and encouragement to those who would take part in the demonstration. On 13 April, the accused went to the SBSI office in Medan where he saw fifty workers making posters in readiness for the following day's march. [*Waspada*, 5.8.1994] The indictments against the other branch leader follow much the same pattern. Each defendant is being called by the prosecution to testify in the other trials.

The prosecution have asked for a one-year sentence for Hayati.

No riot charges against the SBSI

The indictments make it clear that the charges relate to peaceful actions, the kind of activity undertaken when workers decide to take strike action to improve their working conditions. There is no mention of the anti-Chinese rioting and damage to property, the apparent reason why the union leaders were taken into custody.

The trials are a blatant move to criminalise activities to organise workers in defence of their rights.

In June, the head of the North Sumatra public prosecutor's office in Medan, Martin Basiang, publicly stated that he was not convinced that the SBSI was in any way involved in the anti-Chinese actions. He recognised that there were many non-workers among the rioters. Asked by journalists about the SBSI's involvement in the attacks on property, he said: "*We have no evidence as yet that the SBSI either masterminded or encouraged the attacks on property that occurred during the demonstration in Medan on 14 April.*" [*Republika*, 3.6.1994]

It would appear that subsequent interrogations of SBSI have failed to unearth evidence of any such involvement.

An investigation by two teams of lawyers, from the Indonesian Legal Aid Foundation [YLBHI] and the Forum of Labour Advocates has also found that the attacks on property were the result of provocations by a third party. Publishing their findings, they said that several people claiming to be factory workers came to the house of a labour activist on the morning of 15 April urging him to 'hold a violent strike'.

"*What's strange is that these people were not found among the workers who were arrested.*" [*Jakarta Post*, 7.9.1994]

Protests against the trials

The opening of Riswan Lubis' trial on 8 August was marked by a solidarity demonstration outside the courthouse. Dozens of people from several human rights NGOs and from the Forum of Labour Advocates in Jakarta and from Medan protested against the trial because they were convinced that Lubis is not guilty of breaking any laws. After presenting their views to an official of the court, the demonstrators dispersed peacefully. SBSI chairman, Muchtar Pakpahan, was in court at the time, along with the team of defence lawyers.

In Jakarta, dozens of human rights activists went to the Public Prosecutors Office on 31 August, to protest against the arrest and forthcoming trial of Muchtar Pakpahan. They took an open letter to the Public Prosecutor stressing that holding a strike cannot be used as the reason for an arrest. Law No 13 of 1969 stipulates that strikes, demonstrations and lockouts are regulated by law and that workers are entitled to organise strikes and demonstrations. [*Merdeka*, 1.9.1994]

Three weeks later, after Pakpahan's trial began, workers in several industrial areas around Jakarta released balloons as

a sign of protest. According to SBSI spokesperson Dhiah Prekesa Yoedha, 150,000 workers took part in the action. Four workers who demonstrated at the same time were arrested, along with two balloon sellers. [*AP*, 21.9.1994]

US questions Pakpahan's arrest

The US embassy in Jakarta issued a statement three days after the arrest of Muchtar Pakpahan, saying:

"The US embassy is concerned about Mr Pakpahan's arrest and detention. We hope that his case can be resolved promptly and we will continue to monitor Mr Pakpahan's situation."

"With respect to the ongoing dialogue between the US and Indonesia concerning GSP (Generalised System of Preferences), workers rights and human resource development, the Pakpahan case may come up during the course of that dialogue."

The US dialogue with Indonesia will decide whether GSP privileges, allowing manufactured goods to enter the US free of import duty, will be discontinued because of the disregard for workers rights in Indonesia. The decision, scheduled for February this year, was postponed to August and is still under discussion.

Twenty-eight members of the US Congress called on Trade Representative Michael Kantor asking that he deny Indonesia GSP privileges. In a letter dated 9 September, they referred to the arrest of Pakpahan and other SBSI leaders as "*just a small chapter in Indonesia's troubled history of human and workers' rights abuses*".

The letter also spoke about the deteriorating labour rights situation and Jakarta's refusal to allow workers the right to organise freely.

Workers charged for rioting

Meanwhile, 77 workers are being tried or are awaiting trial on charges of criminal damage. They were arrested on 14 or 15 April and the charges relate to the rioting that broke out after the workers' action had ended. The workers are being tried in groups.

In some of the trials, the defendants withdrew powers of attorney they had already given to lawyers from the local legal aid institute, giving the impression that they had been under pressure not to use these lawyers. On one occasion, ten workers who were being tried in four separate trials (in groups of threes and twos) that commenced on the same day all withdrew the powers of attorney they had given before the trial.

A number of verdicts have been passed but reports in the press about these verdicts are not consistent. In the case of five defendants, one paper reported that they had been sentenced to four months; according another paper, they had been given twenty months. The absence of proper legal representation has also made it more difficult to monitor the results. As far as we know, all the men on trial have lost their jobs.

A team of fifty or so lawyers has been formed to handle the dozens of trials in Medan. The lawyers include Adnan Buyung Nasution of the Indonesian Legal Aid Foundation (YLBHI), Harjono Tjitrosobono of the bar association, Ikadin, and Abdul Hakim Garuda Nusantara of the Social Advocacy and Study Institute (LSAM). A number of lawyers from the Medan Legal Aid Institute (LBH) are also members of the team.

29 years on, no end in sight

October 1, 1994 is the 29th anniversary of the event that opened the way for General Suharto to seize power in Indonesia. An estimated one million people were killed in the massacres that followed. Half a million people were arrested, many of whom were held without trial till the late 1970s. Hundreds were tried by military tribunals and kangeroos courts with no chance of waging a proper defence against political charges.

To this day, the following convicted men remain in prison. Some have lived under the shadow of a death sentence for twenty years or more, others are serving life sentences with no chance of release. To commemorate the 29th anniversary of the installation of Suharto's New Order, we remind our readers of some basic facts about all those who remain in prison for alleged involvement in the events of 1 October 1965 or later events connected with the outlawed Indonesian Communist Party.

In Cipinang Prison, Jakarta

Yohanes Ruslan Widjajasastra

78 years old.

Arrested on 14 June 1966.

Leader of the peasants' union, BTI.

Sentenced to death.

He is paralysed. His mental faculties no longer function properly and he is frequently ill.

Asep Suryaman

69 years old.

Sentenced to death.

Member of the PKI's Special Bureau.

Arrested on 26 August 1971

He is suffering from leukemia.

Sukatno

64 years old.

Arrested on 25 July 1968.

MP and leader of the People's Youth.

Sentenced to death.

He is suffering from rheumatics and is in a poor state of health.

Bungkus

67 years old.

Arrested on 10 October 1965.

Army sergeant.

Sentenced to death.

Poorly in health

Nataneal Marsudi

67 years old.

Arrested on 5 October 1965.

Air force sergeant major.

Sentenced to death.

Poorly in health.

Abdul Latief

68 years old.

Arrested on 11 October 1965.

Army colonel.

Sentenced to life imprisonment.

Both legs are affected by bullet and bayonet wounds inflicted when he was arrested. There is renewed swelling. His general state of health is also very poorly.

Sugeng Sutarto

76 years old.

Arrested in 1968.

Brigadier-general. Deputy head of the State Intelligence Bureau, BPI, under President Sukarno.

Sentenced to life imprisonment.

He is severely mentally disturbed and suffers from a nervous disorder.

Dr Subandrio

79 years old.

Arrested in March 1966.

Deputy Prime Minister and Foreign Minister under President Sukarno.

Sentenced to life imprisonment.

He is suffering from old-age disorders and is poorly in health.

Omar Dhani

70 years old.

Arrested in March 1966.

Air force marshal.

Sentenced to life imprisonment.

His health is good.

Padang Prison, West Sumatra

Sri Soehardjo

66 years old.

PKI activist.
Arrested in 1967.
Sentenced to life imprisonment
In good health.

Bali Prison

Pudjo Prasetyo

68 years old.
Trade union activist.
Arrested on 2 November 1967.
Sentenced to life imprisonment.
He is suffering from tremors which may have been caused by a stroke. He is in a poor state of health.

Tanjung Gusta Prison, Medan

Isnanto

70 years old.
PKI activist.
Arrested on 23 February 1969.
Sentenced to death.
He has cataracts and is in poor health.

Kalisosok Prison, Surabaya

Manan Effendi

74 years old.
He was deputy chair of the PKI in East Kalimantan.
Arrested on 9 October 1965.
Sentenced to life imprisonment.
His is in a poor state of health.

Alexander Warouw

77 years old.
PKI activist.

Arrested on 9 October 1965.
Sentenced to life imprisonment.
In poor health.

Pamekasan Prison, Madura

Suryabrata

67 years old.
PKI activist.
Arrested on 22 October 1967.
Sentenced to life imprisonment.
In poor health.

Banjarmasin Prison

Ahmad Darlian Gani

68 years old.
PKI activist.
Date of arrest not known.
Sentenced to life imprisonment.
Unwell and paralysed.

Note:

A PKI prisoner, identified only as **Mbah Yohannes** who would now be nearing 80 years old, was being held at the high-security prison on Nusakambangan Island, off South Java. His presence there was noted by a prisoner who spent a short time on the island about three years ago. It is not known whether he is still alive.

A prisoner named **Haji Kamba**, a member of the PKI, who was held for many years at Ujung Pandang Prison, South Sulawesi and had been sentenced to life in the late 1960s, died at the beginning of 1994. He was 94 years old when he died. He was paralysed, unable to move without the assistance of other prisoners and his mental faculties had virtually ceased to function.

Land grabbing and forest fires

While not necessarily connected, several land conflicts have resulted in the burning of property owned by timber companies. At the same time, a long drought is causing forest fires in Sumatra and Kalimantan, causing atmospheric disturbances in neighbouring Singapore and Malaysia.

Alarming reports from East Kalimantan, South Sumatra, North Sumatra, South East Sulawesi and West Papua describe continuing conflicts between indigenous people and forest companies who have seized their ancestral land. Although details of most incidents are unavailable, one conflict did hit the headlines: the struggle of the Sandai Dayaks of West Kalimantan, against a timber company *PT Lingga Teja Warna*. The grievances of the Sandai Dayaks concern a *HTI-Trans* (Timber Estate-Transmigration) project which was established without proper consultations regarding land rights or compensation. First reported a few weeks ago, the dispute escalated when 1,600 Dayaks, forest inhabitants, marched to the camp base to protest against eviction from their ancestral forests. Nobody from the management was

present and the situation quickly got out of hand. Soon, all the buildings were ablaze and 6 tractors, 4 bulldozers, 3 cars and 15 oil tanks were destroyed. The entire plantation was also destroyed.

Eyewitnesses say that this is probably the biggest demonstration ever to have taken place in the region. The security forces were unable to reach the area as the protesting Dayaks had destroyed the bridge, the only approach to the plantation. The 3,000 ha plantation is now unattended. This incident occurred on 11 August, but according to more recent reports some Dayak tribal people have been arrested.

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Human rights briefs

Lawyer punished for meeting with clients

A lawyer from the Surabaya Legal Aid Institute, Munir has been fined for 'holding an illegal meeting' when he met clients to discuss their response to a verdict by the Supreme Court favourable to their interests.

The police raided the Malang office of the Institute while the meeting was in progress, ordered those present to disperse, and took the lawyer away for questioning. He was held overnight. He was later charged under Article 510 of the Criminal Code for holding the meeting without police permission. The case led to widespread protest from the legal profession as a gross violation of the professional freedom of lawyers.

"I cannot accept this verdict. It's not a question of the size of the fine. It's a question of fighting for justice," said Munir, after the court hearing.

Munir was acting for 22 workers who were unlawfully dismissed. They took their case to court but the district and high courts found in the company's favour so they went to the Supreme Court which found against the company, ordered the employers to pay the workers Rp 400 million (about £100,000) in compensation and publish an apology for seven days running in the local newspaper.

After the company decided to seek a judicial review, Munir held a meeting with his clients to discuss their response. It was this meeting that was broken up by the police. [*Forum Keadilan*, 29.9.1994]

Police disperse land seminar

A seminar in Jakarta on 7 September attended by eighty people, many of them academics from different universities, was closed down by police claiming that it could not go ahead as police permission had not been granted. The morning session was just getting under way. Two keynote speakers had already delivered their papers and two were still to speak when the police appeared and ordered the participants to disperse within four minutes "or measures will be taken". The seminar committee tried to persuade the police to allow the meeting to proceed, but without success.

The seminar, convened to discuss papers on the question of Pluralism in Land Legislation, had been convened by the Indonesian Legal Aid Foundation (YLBHI). The Institute immediately made a strongly-worded protest to the armed forces command-in chief.

Trimoelya D. Soeryadi, a lawyer from Surabaya, who was also present, said the ban was a sad reflection on freedom of assembly in Indonesia. "What I can observe," he said, "is a tendency to act according to who is convening the meeting. If such-and-such an institute is running the event, the authorities aren't bothered about a permit, but if other institutes are running it, then a permit is required." [*Kompas*, 8.9.1994]

The YLBHI has filed a lawsuit against the police and government agencies involved in the decision to disperse the seminar. The institute has demanded an apology which should be published in the national press because its good name has been tarnished by the police action. [*Jakarta Post*, 17.9.1994].

Law on demonstrations being drafted

General Faisal Tanjung, armed forces commander-in-chief, has announced that a new law on demonstrations is being drafted, to make sure that demonstrations do not pose a threat to national stability.

Insisting that there is no intention to cramp people's freedom of expression, the armed forces chief said demonstrations would be allowed so long as they did not threaten stability. The new law will clarify what is and what is not allowed and all demonstrations will need to have police permission. [*Pelita*, 8.6.1994]

Until now, the regime has arrested demonstrators and brought them to court under Article 510 of the Criminal Code which provides for a sentence of up to two weeks or small fines for anyone participating in demonstrations without police permission. The article makes no reference to 'national stability' but simply requires that permission be obtained for 'public rallies and events'. As such, it does to serve the purposes of the regime which freely uses 'national stability' to curb activities it sees as threatening.

Article 510 was rarely used until about a year ago when the authorities began to use it against students involved in demonstrations in the latter part of 1993.

NGOs meeting disbanded

A meeting of fifteen non-governmental organisations (NGOs) convened to discuss the government's intention to introduce a presidential decree to control NGOs, was disbanded by the police in Solo, Central Java.

The meeting had been under way for two hours and the participants were just about to sign a joint declaration protesting against the decree when five police officers entered and ordered everyone to leave. Two people were taken away by the police for questioning and released later in the day. The police had claimed that the meeting could not go ahead because it did not have a police permit. [*Java Pos*, 30.8.1994]

Poetry-reading banned

An evening of poetry reading by one of Indonesia's foremost artists, **Emha Ainun Najib**, was abandoned after the



Jubilant students greeting their ten colleagues being released from prison. The ten were part of the 21 students arrested last December. The remaining 11 must still serve several months in prison.

police announced that they would not allow it to go ahead if two of the twelve poems on the programme were not withdrawn. The two poems were entitled: *A Ditty about the Head* and *Couplets about Indonesia Raya* (the name of Indonesia's national anthem).

The poetry reading was to have taken place at the Culture Centre in Yogyakarta, a large hall where, the evening before, Emha was the star turn in an evening of poetry-reading and music before a packed hall of some two thousand people. The convenor said all the poems on the programme had been submitted to the police together with the application for the permit well in advance but the police asked for changes at the very last minute.

Emha has since announced that he will not stage any more cultural events in Yogyakarta until the question of police permission has been resolved. It is not for the police to adjudicate on works to be performed. That is a matter for cultural bodies. The police should only take care the technical aspects an event. [Bernas, 3.9.1994]

Muslim sects upset the authorities

In the past couple of months, the authorities in Indonesia have seen fit to take firm action against two Muslim 'sects' which they see as being out of step with the Islamic orthodoxy as represented by the Indonesia Ulemas Council (MUI). The Suharto regime has banned many 'deviant' Muslim sects in the past and outlawed a number of 'deviant' books but the latest wave of 'deviancy' has caused more fuss than usual.

The *Al Arqam* movement has won a large following in Malaysia where it was seen as representing a challenge to the government of Mahathir. The followers wear a distinctive form of dress and the women are heavily veiled. It focuses on developing business interests, setting up schools and other social institutes. It was banned in August after much publicity and its leader, *Ashaari Muhammad Al Tamini*, who had lived in Thailand for several years, was arrested by the Thai authorities and returned to Kuala Lumpur where he was immediately taken into custody.

The same movement also has a following in Indonesia where it is known as *Darul Arqam*. After the MUI came out

with a demand for the group to be banned, a number of prominent Muslim intellectuals warned against such unwarranted interference in religious freedom. Abdurrahman Wahid, chairman of the largest Muslim organisation, the *Nahdatul Ulama*, said the group's teachings were close to the *thoriqot* teaching which has roots in Indonesia. "Why do we have to ban it. Just leave them alone," he said. [Suara Merdeka, 25.7.1994.] A Muslim intellectual who teaches at several private universities, Abdul Dahlan Ranuwihardjo, said that, if Indonesia recognises freedom of religion, the group has the right to practice its own form of Islam even though its teachings are not in line with that generally accepted by Muslims in Indonesia. "I don't agree with it myself... but I respect their right to practice Islam in accordance with their beliefs. To ban the group would be an abuse of human rights." [Merdeka, 31.7.1994]

The attorney-general announced that the central government would leave it to the regions to decide whether to ban *Darul Arqam*. So far nine provinces have done so.

Another 'deviant' group, based in Pandeglang, West Java, has also been in the news. The nature of their religious 'deviance' is unclear; their crime appears to be that they are not in favour of the state ideology, *Pancasila*. The local authorities took the precaution of taking 117 of its followers into custody, a number of whom are local government officials. Some of these people were subjected to intensive questioning for six days though no names have been released.

Suharto's *New Order* has always been deeply suspicious of any groups that do not conform with the structured organisation of society and is particularly fearful of what it calls 'extreme right' groups defining an independent way of practising their religion. The authorities know very well that if a different religious practice gains hold, it can quickly get out of control. Although the regime has displayed a degree of caution in dealing with the latest 'problems', diversity in Islamic practice will not be tolerated.

Mandela visits Suharto again

A few months after becoming president of South Africa, Nelson Mandela visited Jakarta for talks with Indonesia's dictator, Suharto. This was his second trip to Jakarta. He first visited Suharto in October 1990, soon after his release.

On this occasion, Mandela went to Jakarta as president of the ANC, not as State President. Just before his departure, it was reported that he would be seeking cash to help the ANC pay back debts incurred during the recent elections. In 1990, Mandela received \$10 million from Suharto. This time, there was caution about money. When asked in Jakarta whether he had obtained any financial pledge, Mandela said the subject was 'confidential': "I am very happy about my visit here. It has been very fruitful in all respects." [AFP, 3.9.1994]

In a letter to Mandela, TAPOL said that his visit was 'inappropriate'. We drew his attention to Suharto's murderous campaigns since taking power in 1965, against communists, against liberation struggles and against Muslim communities. We drew his attention to East Timor's struggle for independence and to Xanana, now in a Jakarta jail.

"... it is inappropriate for a person like yourself, for years the victim of a repressive regime, to be meeting and shaking hands with a dictator who presides over one of the world's

most repressive regimes... we appeal to you to raise these issues while in Jakarta. This would help to remedy the unfortunate impression created by your visit to Jakarta."

Mandela said he urged Suharto to enter into dialogue over East Timor but he not express support for East Timor. He would not acknowledge that he had got a letter from Xanana although the letter had been made public. Mandela also admitted that he had "received representations from a wide variety of people about my coming here." [Reuter, 3.9.1994]

Correction

Our report in *TAPOL Bulletin* No. 124 [page 11] about protests in Paris during the CGI meeting contained two errors:

1. One of the two press conferences in Paris was convened by the 'Four months for East Timor' Campaign.

2. It was not INFID that wrote to the French government about the high level of French aid to Indonesia. The letter was signed by nine French NGOs including the funding agency CCFD, a member of INFID. INFID was not a signatory.

We apologise for these errors.

Independent journalists' alliance set up

No longer willing to accept the regime's insistence that only one organisation of journalists may exist, several dozen journalists set up the Aliansi Jurnalis Independen (AJI) and given birth to an Indonesian Samizdat. This is in response to the banning of three major weeklies in June. Protests against the bannings have continued but the Indonesian press not allowed to report them.

The *Aliansi Jurnalis Independen* was set up on 7 August at a conference in Sirna Galih, West Java. The 60 signatories expressed their commitment to freedom of the press and access to information. They rejected interference, intimidation, censorship and bans as well as the idea of a single, compulsory organisation for all journalists. For more than six weeks following the banning of *Tempo*, *Editor* and *DeTik*, journalists had called on the *Persatuan Wartawan Indonesia* (PWI) to take a stand but all it said was that it "could understand" why the government had acted.

Marking the start of an Indonesian *Samizdat*, AJI has already produced two issues of a three-weekly journal called *FOWIMedia* [*Forum Wartawan Indonesia*]. This is an unlicensed magazine, described as an 'in-house journal'. The organisation's general secretary, Santoso, told the *BBC World Service* [23.9.1994] that AJI has also published a book entitled *Breidel 1994* (The 1994 Bannings) containing eleven articles by journalists, lawyers and a sociologist, all experts in their fields. The first edition of two thousand copies is sold out, he said. "We sold them by handing them round through our network, so that we could get the proceeds back fast as we intend to produce a second edition very soon."

Responding to a statement by Information Minister Harmoko that AJI is 'illegal', Santoso told the BBC that it exists on the basis of the 1945 Constitution which guarantees freedom of association, "the highest legal instrument in the country. Harmoko can say what he likes but we shall continue to exist".

Ahmad Taufik, who chairs the organisation's five-person presidium will be visiting London in late September to discuss international campaigning about press controls in Indonesia with international censorship organisations. He will be meeting Article 19, International PEN, the International Press Institute, Index on Censorship and the National Union of Journalists.

Indonesian press silenced

The clampdown on the press has extended far beyond the closure of the three journals. Soon after the bans, several other publications were given warnings that they could lose their print licences. Towards the end of July, further warnings were served against *Sinar*, a weekly journal, *Forum Keadilan* (Justice Forum) a fortnightly, Indonesia's leading

daily, *Kompas* and the English-language daily, *Jakarta Post* as well as the *Indonesia Business Weekly*.

The publications were warned for carrying reports about the bans and protests against the bans. They were also warned for covering unrest in East Timor. [Reuter, 26 and 27.7.1994] The warnings came less than two weeks after a students' demonstration in Dili was broken up by police and the military. Veteran journalist Mochtar Lubis, whose daily, *Indonesia Raya*, was banned under the former regime of Sukarno, said that the papers "will have to conform. It may not be until 1998 that we see examples of recent reporting."

[Reuter, 27.&.1994]

On 27 July, a group of journalists delivered a letter to the Information Ministry protesting at renewed intimidation of the press. Complaining that seven publications had been warned in the past month, the journalists wrote: "Such intimidation conducted in a shameless manner... is no longer needed since you buried the three leading publications in June."

In addition to the Jakarta-based periodicals mentioned above, the North Sumatra weekly, *Bintang Sport Film* was served a warning for publishing revelations about sexual harassment by the provincial governor. Later, the editor of the weekly, Romuthu Setia Dharma was suspended from membership of the PWI for two years, a move that seriously damages his professional activities as a journalist. Other regional papers, *Waspada*, *Sinar Pagi* and *Sentana* were also warned for covering the story about the governor. [*Jakarta Post*, 22.8.1994]

Copies of several foreign publications were prevented from entering Indonesia because of reporting about the bans and the protests. They included: *Newsweek*, *International Herald Tribune*, *Bangkok Post* and *Straits Times*. Issues of *Time* magazine were not available in Indonesia for three weeks in July.

November APEC Summit

The *New York Times* [13.8.1994] commented editorially:

A few weeks ago, two respected magazines and a popular tabloid were banned.... When a magazine called Forum reported the press crackdown, another sharp warning emanated from... the Ministry of Information explaining that Forum did not comprehend the meaning of press freedom in



The cover of FOWIMedia portrays the Last Supper. Surrounding the sketch are the words: Liberty, Press and the Freedom of the Press.

Indonesia. The inference is plain: Indonesia's press is free to guess what it can write about.

.... All this is becoming a matter of more acute concern to the US. In November, President Clinton is due to attend a meeting of Asian and Pacific leaders that President Suharto will host in Jakarta... The interesting thing is how Mr Clinton will deal with this come November and whether the Indonesian press, or what's left of it, will be free to report what the President of the United States says on Indonesian soil.

This is a reminder that the Asia-Pacific Economic Cooperation Summit on 15 November will be a critical moment for international attention. At least 2,500 journalists have applied to cover the event and many will want to know what has been happening to the Indonesian press.

Troops break up demonstration

On 4 August, scores of people took to the streets again in Jakarta. They were beaten up by troops as the demonstration was dispersing. As reported in *TAPOL Bulletin* No 124, several demonstrations were brutally broken up by unidentified troops in June and July, leaving many people injured. Dozens were also charged and fined for causing an affray.

The demonstration on 4 August was directed at the PWI. Some two hundred people, including journalists, students from several cities, members of the independent trade union, the SBSI, and pro-democracy activists, went to the organisation's head office asking that it keep a month-old promise to adopt a position on the three bannings.

After marching back to Sarinah building in orderly fashion, the demonstrators were about to board public transport in order to return home when troops made their attack. One man was badly hurt by kicks and punches and his camera was smashed. Others were chased down side streets. Passers-by and a street trader were also caught up in the assaults. Dozens of injured demonstrators were rounded up and driven off in trucks. Two students, Eko Maryadi and Wahyu, who were apprehended in a busy car park were forced by troops to take off their shirts. They were then beaten in the face by the soldiers, using their rifle butts. [Reuter, 4.8.1994]

continued from page 5

A few weeks earlier a similar incident happened in the *Sungai Laur* sub-district. Local people also took action against a timber company. Environmental groups in Jakarta have listed the main thieving timber companies: *PT Lingga Teja Warna*, *PT Hutan Raya Utama*, *PT Tri Ikasari*, *PT Inhutani III* and *PT Gudang Garam*. It is well known that timber concessionaires are closely connected with influential circles in Jakarta. Timber products constitute one of the major sources of foreign currency, bringing in last year about US\$ 5.5 billion which is nearly 15% of all Indonesian foreign currency earnings.

In the meanwhile, there are explosive situations in East Kalimantan's Bentian and Pasir Adang districts. We plan to report these conflicts at greater length in our forthcoming issue. Thousands of local inhabitants all over the archipelago are in conflict with timber companies; the greed of the timber barons has aroused the fury of the local people.

Alarming forest fires

Latest weather reports from the eastern states of Malaysia describe a thick haze over Sabah and Sarawak. A forest fire in East Kalimantan has destroyed more than 700 ha of a palm oil estate. The haze from this fire is affecting the entire region. On 22 September the atmosphere in Kuching, the

CENSORSHIP

TAPOL has not seen a single Indonesian press clipping reporting this serious incident. Our sources are wire stories from the foreign press agencies, a report in the *London Financial Times* [5.8.1994] and a chronology of the incident produced by the *Indonesian Legal Aid Foundation* (YLBHI)

Tempo journalists apply for new licence

A team representing the vast majority of journalists and staff who worked for the now-banned *Tempo* has applied to the Information Ministry for a licence (*SIUPP*) for a new weekly to be called *Opini*. They plan to finance the new venture by selling their joint 20% stake in Grafiti Publishing House which published their old magazine. This would enable them to produce the new journal without having to depend on outside investors. If successful - and there are serious doubts whether the Information Minister Harmoko would allow such a venture to proceed without imposing severe restrictions on their choice of editors - this would be the first Indonesian periodical totally owned by a collective form of share-holding. [*Jawa Pos*, 7.9.1994] This venture would ensure editorial independence and enable the employees produce a periodical along the lines of its predecessor.

Not all the former employees of *Tempo* have thrown in their lot with this venture. A small group, probably feeling that they can better safeguard their livelihoods this way, have opted to join the staff of a journal, *Masa*, which has applied to take over the *Tempo* licence. It owned by *PT Era Media Informasi* in which the timber tycoon, Bob Hasan holds a 40% stake. Plans for the take-over by this company had already been hatched within days of the banning order in June.

In a separate move, former senior editor of *Tempo*, Goe-nawan Mohammad, has filed a lawsuit against Information Minister Harmoko, calling for the weekly's licence to be restored. Although he did not expect to win the case, he had decided to go ahead as a way of publicly challenging the minister's powers and trying to ensure that other Indonesian publications will be safe from closure. [*Kompas*, 8.9.1994]

capital of Sarawak, had reached unhealthy levels with dust and particles put at 180 mg per cubic metre. Already in August, weather reports from Singapore were referring to a dense haze over the city.

Virtually nothing has yet been reported in Indonesia about these alarming fires, which suggests that the press is being prevented from revealing the extent of the tragedy. However, the Malaysian and Singapore press have reported alarming conditions. On 18 September, thick haze prevented Information Minister Harmoko from landing in Palangka Raya, the capital of South Kalimantan. Instead he had to land in Banjarmasin, 900 km northeast of his destination. Malaysian press reports estimate that at least 8,000 ha have been destroyed by the forest fires in Kalimantan and Sumatra.

By mid September visibility had fallen to less than a kilometer. Weather officials describe the weeks-long haze as the worst ever experienced in Singapore. 'Satellite pictures show smoke emerging from either Central or South Sumatra with a light wind deflecting it towards Singapore', according to one weather report. Several public health warnings were issued in Singapore and Malaysia as there was a sharp increase in the number of respiratory complaints. In mid-September, the haze forced cancellation of flights in and out of Kuala Lumpur.

NGOs under threat from new decree

The vast network of non-governmental organisations (NGOs) will be subjected to strict government monitoring and control because of a new presidential decree. This measure reflects the regime's animosity towards grassroots activism and could force many NGOs to close down. Already, local authorities have started implementing the decree.

Many NGOs and human rights lawyers have already protested at the latest attack on activism and warned that the new decree will jeopardise the interests of a large swathe of local community groups. The NGOs deal with a large number of issues - human rights, workers' rights, legal aid, the environment and preservation of the forests, child advocacy, women's rights, and pollution.

Most of the NGOs came into existence during the 1980s as a way for activists to be able to work because the political parties and social organisations had been rendered meaningless by laws introduced in 1985 to control the parties and social organisations. Some of the bigger NGOs work quite closely with government agencies but many are involved in land, labour and other disputes which puts them into a position of confrontation with national or local government officials.

In August this year, the Interior Ministry made public a list of 738 registered 'social organisations'. The Ministry made a point of noting that the independent trade union, the SBSI, and the Muslim sect *Al Arqam* were both missing from the list, which means that they are both 'illegal'. It was stressed at the time that the NGOs would be the next to be targeted by the government.

Government enforcement and control

At present, most NGOs have constituted themselves as 'yayasan' or foundations. They have no mass membership and come into being on the basis of a notary's deed which is registered with the local court. There is no question of their having to register with any government agency. As such, if they commit misdemeanours they can be taken to court under normal legal procedures.

The new decree will require them to register with the local government, provide written clarifications about their programme and submit a list of their managerial personnel, including their curriculum vitae. They will also be under obligation to adopt the state doctrine *Pancasila* as their guiding principle and objective.

An NGO will be liable to dissolution if it engages "in activities which threaten public security and order and/or receive foreign assistance without prior approval of the central government and/or provide assistance to foreign parties of a damaging nature (to) state or national interests"

Suspension may also occur if the NGO "undermines national unity and integrity (or) undermines the authority of the government and/or discredits the government". All funding from foreign sources will be subjected to close government scrutiny.

All existing NGOs that have not registered with the government are required to bring themselves into line with the new decree soon after its enactment.

Authoritarian

Many of the best-known NGO activists, have been outspoken in their rejection of the new decree. Nursyahbani Katjakungkana, former director of the Jakarta Legal Aid Institute and now of *Solidaritas Perempuan* or Women's Solidarity, said the move is a reflection of the government's authoritarian approach. Stressing that it conflicts with the State Constitution, Article 28 of which guarantees freedom of association, she said: "We will just wait and see what happens to NGOs that refuse to register."

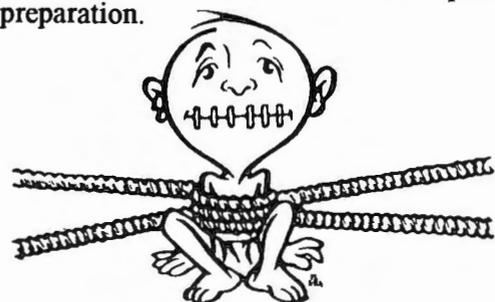
Arist Merdeka Sirait of *Sisbikum*, an NGO concerned with workers' rights, foresees legal battles over attempts to ban existing NGOs. "NGOs are legal institutions so why should they be regulated by a decree?" [*Jakarta Post*, 10.8.1994]

Human rights lawyer Mulya Lubis warned the government that regulating NGOs with a presidential decree could be counter-productive. Many have been created under the Law on Foundations (*UU Yayasan*); in legal terms, it is doubtful whether they could now be subjected to a presidential decree. Hendardi, Communications Director of the Indonesian Legal Aid Foundation (YLBHI) said that the government is using a 'legalistic strategy' to curtail the activities of the NGOs.

INFID, the International NGO Forum on Indonesian Development, said in a statement that the decree: "aimed at controlling, commanding and overcoming NGOs' right to organise, freedom of speech, right to exist, access to information and external financial resourcing, right to disseminate information and to decide working partners". Opposition has also been voiced by NGOs in North Sumatra where grassroots activism has deep roots.

Implementation already under way

Although enactment of the decree has not yet been announced and all the talk is still about a 'draft', TAPOL was informed as we were going to press that many NGOs in Jakarta and in the regions have already been visited by government officials at the village (*kelurahan*) level, requesting information about their activities and demanding to see their books. This has sent a shudder through the NGO community, a sign that implementation could be swift and a clampdown may already be in preparation.



Jakarta paralysed by micro-bus strike

A massive strike by drivers of micro-buses, a major form of public transport in Jakarta, disrupted life in the capital for three days. Municipal company buses transport people to and from the main bus terminals along the main roads; the micro-buses provide the connecting links between the sprawling residential regions and suburbs of Metropolitan Jakarta.

The micro-buses known as 'metro-minis' take commuters from the outskirts to the centre of the city. For a city of more than 12 million people the metro-minis which seat 30 passengers and mikrolets which seat 12 are indispensable. The majority of working people, students and school children use them daily. Of the 17,500 registered public transport vehicles, 12,500 are metro-minis or mikrolets. By contrast with the municipal buses, the micro-buses are privately owned.

On Monday, 5 September, metro-mini drivers from two companies decided to abandon their vehicles at the terminal. A few hours later, other drivers followed suit. The following day the entire city was paralysed as all the drivers joined the strike. The Jakarta municipality and the army brought in hundreds of trucks and buses to relieve the congestion, but without success. On Tuesday evening during the rush hour, the chaos was complete; tens of thousands of people were stranded along the main streets with no possibility of getting home. The situation turned grim as security officers started arresting strikers.

muters and vehicles were damaged. The windows of some privately-owned buses that continued to operate as strike-breakers were broken by the strikers. On the third day, the peak of the strike, the impact was dramatic; hundreds of thousands of people were unable to get to work or school. At all the major bus terminals, there were thousands of strikers picketing while even more security officers were brought in.

The Jakarta military commander, Major-General Hendro Priyono, clearly frustrated at the army's failure to end the chaos, warned that 'third parties' or 'trouble-makers' were responsible for persuading bus-drivers to go on strike. Claiming that he already knew who they were, Hendro Priyono warned that 'firm action' would be taken against anyone seeking to 'force' drivers to go on strike. [*Republika*, 8.9.1994]

On Friday, 9 September the drivers decided to end the strike, hoping that their actions had drawn the attention of the public and the authorities to the plight of the mini-bus drivers. Chief of the Jakarta Metropolitan Police

Major-General Hindarto announced that 35 'instigators' had been arrested. Six of them who were described by Hindarto as having masterminded the protest are at present undergoing intensive interrogation.

The micro-bus strike attracted nation-wide attention. On 7 September a special cabinet session was held to discuss the situation. Armed Forces Commander General Faisal Tanjung said after the meeting that there would be no negotiations with the striking drivers. 'The issue is clear, the drivers have to be disciplined' [*Media Indonesia*, 8 September 1994]. At the same meeting, President Suharto issued

an instruction to 'severely punish' the 'instigators' as they had harmed the interests of the general public. The Governor of Jakarta, ret'd Lt.General Surjadi Sudirdja, spoke in the same vein, referring to the implementation of



Stranded Jakarta commuters.

On Tuesday, 86 people were detained for picketing the main bus terminals, to persuade municipal bus drivers to join the strike. Some incidents occurred during the five-day strike when taxis or car-poolers picked up com

the new traffic Law UU No14/92 which had been enacted to protect and guarantee users of public transport.

Background of the strike

It is the controversial traffic law of 1992 that lies at the heart of the conflict. Two years ago, the government announced plans to bring Law No. 14/92 into effect but huge protests forced a retreat. The protests and the ensuing chaos would have come just as Suharto was preparing to host the Non-Aligned Movement Summit. Suharto himself then announced a one-year postponement and the implementation till September 1994. It was hoped that the 2-year breathing-space would dampen opposition.

As it turned out, this year's implementation of the law was the trigger of this strike.

One controversial section fixed fines for drivers who violate traffic regulations. Fines have gone up nine times, from Rp 15,600 (about US\$ 7.00) to Rp 125,000. On 1 September, the first day of the new rules, a metro-mini driver on the *Kampung Melayu-Pondok Kopi* route was fined Rp 150,000 because he could not produce his driving license and was driving with an open door. In the following days hundreds of drivers were fined, in particular drivers who operate the 'open door' policy, a way of increasing the number of passengers they can attract.

The 'open door' tradition is a long-standing system

that benefits both passengers and drivers. The passenger can jump on a bus anywhere along the street, while the driver is able to pick up passengers at any spot, whether stopping is allowed or not. The new law aims to prevent this as it not only causes traffic jams but often leads to accidents. The drivers are aware of this but feel that it is unfair on them to have to pay such whopping fines. The microbus companies refuse to pay the fines and insist that they are the driver's responsibility. The system of payment is very unjust. The drivers must pay huge fees daily to the owners, forcing them to take part in a rat race, using all kinds of practices to attract as many passengers as possible.

Another major grievance is the behaviour of police officers. Traffic police and municipal officials are notoriously corrupt and the so-called *sidak* (*inspeksi mendadak*, unannounced inspections) has long been a cause for complaint by drivers. Whenever something goes wrong with a bus, they usually find it easier to bribe the police instead of paying the fine. Some thirty per cent of a driver's income goes to paying extra 'levies' to officials.

The moment the new law came into effect, the streets of the capital were saturated with policemen and the traffic police treated drivers very roughly, causing yet more grievances. When drivers were unable to pay the huge fines on the spot, the police confiscated their license or even the bus. With such crude practices, the situation could not but explode into a spontaneous, city-wide strike.

Indonesia's casino economy

Corruption and huge scandals are rampant in Indonesia. Foreign investors must struggle against a the bureaucracy and Indonesia is known to have the highest hidden business costs in the region. Recent scandals involving the Suharto family and their cronies have rocked the banking system and exposed the shaky state of the economy.

Casino economy, a product of the eighties has also swept Indonesia. A major feature is that everything happens on a huge scale. Corruption in Indonesia, for long a tradition, has now become 'mega'. Huge credits to doubtful projects owned by people with connections in high places characterise the cronyism occurring on a massive scale. The Indonesian word is *kolusi*, or 'collusion', indicating an alliance between businessmen, bureaucrats and decision-makers. In the mega cases the Suharto family involvement is very transparent.

Whatever the form, *kolusi* is disastrous. Projects collapse leaving behind huge unpaid debts. Bad debts held by state banks now amount to US\$7.12 billion, according to Minister of Finance Mar'ie Muhammad, 21% of outstanding loans in the seven state banks. According to one list in circulation, almost all top-ranking enterprises have benefitted from unlimited bank loans, often originating from Japanese banks. As with the Savings and Loans scandal in the US, disasters were also bound to happen in Indonesia. We discuss here the three most publicised scandals: Bapindo, Kanindo and Barito Pacific. It is to be

expected that many more scandals will follow in the coming months.

Bapindo, textbook example of collusion

The Bapindo case is seen as the country's biggest fraud. Eddy Tansil aka Tan Tjoe Hong of the Golden Key business group (GKG), the key player, is a well-connected businessman and obtained credit worth US\$ 450 million which, with unpaid interest, grew to US\$ 650 million, from Bapindo, a state-owned bank. He was tried and convicted in August to 17 years, ordered to pay compensation of Rp 500 billion (about US\$ 250 million), a fine of Rp 30 million plus the confiscation of property including hundreds of hectares of land, 81 houses, 38 private cars and 8 motor-bikes.

The 40-year old Eddy Tansil is a typical, ruthless businessmen, prepared to go to any lengths to achieve his aims. Within a few years he managed to secure easy loans through contacts with three former cabinet ministers and Suharto's youngest son. Ret'd Admiral Sudomo and Tommy Suharto were instrumental in 'persuading' Bapindo executives to lend money to Tansil's petro-

chemical project. Tommy's involvement was major; he took Eddy Tansil to meet the bank directors and had a share in the project. When things started to go sour, he withdrew. Sudomo used his position as coordinating minister for political affairs to 'advise' the bank to give the loans to Eddy Tansil. But the project proved unworkable and Tansil defaulted. Initially, press reporting was frank but Tommy Suharto's name soon disappeared.



The role of the three ex-ministers: Sudomo, Finance Minister J.B. Sumarlin and Junior Finance Minister Nasrudin was front page news. Sudomo became such a target that his political role is finished. That is probably the only positive spin-off of the scandal.

The Bapindo trials are still continuing and four executives are expected to receive stiff sentences, but *Cendana* (the Suharto residence) managed to keep Tommy out of the picture. The Bapindo scandal is a clear case of cronyism: political power games outweighing economic feasibility. The petrochemical project, still under construction phase, will probably end up on the scrap heap.

Another crony, Robby Tjahyadi

Robby Tjahyadi aka Sie Tjia Ie is an even worse example. In 1975 he was released from prison after serving thirty months of a seven-and-a-half year sentence for smuggling. He was also involved in running illegal casinos and was an organiser of the lucrative *TSSB*, a nationwide lottery. In the eighties he was close to Tutut Suharto, Suharto's eldest and most enterprising daughter. In 1989 he launched *Kanindo* (*Kansas City Indonesia*), South East Asia's biggest spinning factory. On a 115 ha site in Semarang, 11,000 workers worked for Robby. The company expanded; in 1991 he built *PT Kanindo Success Chemical*, to support the factory and acquired a textile factory in Mexico, renaming it *Pt Kanindo Oxford Textile*. He went into real estate, purchasing the office towers, Enterprise Building, Century Plaza and Kanindo Plaza. Other purchases were *Hotel Papandayan* in Bandung, a private hospital *Rumah Sakit Jakarta* and investments in offices in Jakarta's main thoroughfare

Besides Tutut Suharto, Ret'd General Soemitro and others are his cronies which helped him secure huge loans from two states banks, *Bank Bumi Daya (BBD)* and *Bapindo*. He received Rp 800 billion in credit (about US\$ 400 million) for his textile empire but used more than half in real estate. The real estate boom collapsed and with it Robby's empire. Unlike Tansil, Robby seems

to be rescued from a trial. The finance and justice ministers have agreed on a rescue operation. The management has been taken over by *GKBI*, the association of batik producers, controlled by an *ICMI* business group, the influential association of Muslim intellectuals headed by Technology Minister Rudy Habibie.

The bad debt saga

Anwar Nasution, a senior economics lecturer, said in March: *'This (Bapindo scandal) is the tip of the iceberg. This country is like a banana republic'*. In April, the central bank, announced a special study of problem banks and companies suspected of being in trouble with debts. It assured the public that the problem would be contained. But the *Kanindo* disaster showed that Bank Indonesia was caught off guard and was unaware of Robby's liquidity problems even though the *Kanindo* problem was raised in Parliament and the company was on the list of fifty suspected bad debtors.

It is well-established that *kolusi* is the major cause of bad debts. Laksamana Sukardi, a former banker turned politician, said: *'I know exactly what kind of political pressures they (bank officials) had to endure from government officials to extend loans to certain parties'*. [Reuter, 21.3.1994]

An assessment by Standard and Poor, a New York based credit rater, calls the Indonesian banking system a "high risk environment" and "undergoing a period of financial stress". It has a "relatively uncertain and unstable medium-term outlook" and the high risks are based on "aggressive lending growth and inadequate lending procedures". The Standard and Poor criticised the performance of the state banks which account for 54% of total bank lending. These banks were rated "in the worst situation". While state banks are in poor shape, the Indonesian public has not forgotten the two scandals concerning private banks. In 1990 Bank Duta, directly connected with the Suharto family, had to be bailed out from a US\$ 420 million loss in foreign exchange speculations. In 1992 the government had to declare Bank Summa bankrupt with debts of US\$800 million; it was owned by Indonesia's second biggest conglomerate.

Prayogo Pangestu, a mega problem

In the June 1994 the Chinese language edition of Forbes business magazine published a list of the top ten richest businessmen in East Asia, Prayogo Pangestu aka Phang Djun Phen was tenth, with personal assets of US\$ 4.5 billion. Political circles in Jakarta put Prayogo Pangestu in a league apart and say his political connections make him more powerful than a cabinet minister. Although the Chinese minority traditionally has little political cloud, Prayogo is an exception. The banned political weekly *Tempo* wrote that Prayogo, with estimated assets of Rp15 trillion (US\$7 billion), has even surpassed the two other Indonesian-Chinese tycoons Soedono Salim (aka Liem Sioe Liong) and Eka Tjipta Widjaja (aka Oey Ek Tjhong). He owns 70% of the 700 million shares of *Barito Pacific Timber*, 10.1% of the shares of *Astra International*, 12% of *PT Trypolita* and holds large stakes

in paper and pulp, palm oil, rubber and pepper plantations, properties, timber estates and several banks. *Barito Pacific* is the world's largest tropical plywood producer and its factory in Mangole, the Moluccas, is the world's largest plywood factory.

Barito itself holds 27 forest concessions, but Prayogo also has a chain of companies with forest concessions. He has a 45% stake in *Chandra Asri*, Indonesia's largest petrochemical plant, now under construction, and Prayogo recently went international, taking control of Construction & Supplies House (CASH), an East Malaysian timber company.



Djamaloedin and Prayogo after their meeting, a reluctant smile before the press.

The Barito-CASH merger

This merger is bad news for the environment. *Barito Pacific* is Indonesia's biggest publicly listed company and the merger is the biggest joint venture between Malaysian and Indonesian companies. Prayogo Pangestu started his business ventures in cooperation with Tutut Suharto and won the political backing of President Suharto. CASH, an array of companies, is owned by the Sabah tycoon, Ambrose Lee, a close associate of the Malaysian Prime Minister Mahathir Mohammad. The merger, with the blessing of the two governments, can literally move mountains; timber concessions in Sabah are expected to follow. Both tycoons are Hakka Chinese, an ethnic group prominent in business and politics. On 25 August, CASH announced a deal with a company in Papua New Guinea for rights to extract timber from a 300,000 ha area in Makapa. CASH will be the exclusive contractor, buyer and marketing agent for all the timber extracted for 20 years.

Barito, scandal after scandal

While Bob Hasan has been nicknamed 'King of the Jungle', Prayogo Pangestu is now 'Lord of the Forests'. His concessions cover more than 5 million hectares, larger than Switzerland and he still wants to grow. He tops the list of bad debtors but, unlike Eddy and Robby, his political backing is all-powerful. The First Family owes him some favours. Tutut learned how to do business from him. He invested US\$ 250 million in the ailing Bank Duta, a bank with many palace

interests. The polyolefin factory *Chandra Asri* is a joint venture between Prayogo, Bambang Suharto and others. This billion dollar project caused uproar when state-owned banks were unable to finance it and it became a 100% foreign investment project, an unprecedented decision considering its local participants. In 1993 a scandal erupted when Prayogo needed cash. *Barito* got Rp 375 billion from *PT Taspen*, the Civil Servants Savings and Insurance Company, a decision taken at the highest level, by the president and finance minister, even before *Barito* went public.

It is well known that *Barito's* logging practices damage the environment. Environmental groups have attacked the company. In 1991, *Barito* was fined Rp 12 billion for logging outside its concession areas. Thanks to its political connections, *Barito* only paid 10% of the fine.

Djamaloedin loses face

While the powers of the forestry minister are rather limited, Minister Djamaledin occasionally tries to show his muscle. Indonesia has the second largest tropical forest area after Brazil, and on paper its reforestation policies look good. He has had bouts with Prayogo but every time the 'Lord of the Forests' came out on top. In September Djamaledin took revenge, stating that if *Barito* wanted to renew its forest concessions, it would have to hand over 49% of its shares to a state-owned company because 'reckless logging has damaged *Barito's* forest concessions and the government wants to have its own man in the company's management to ensure sustainable management of its forest concessions' [*Jakarta Post*, 8.9.1994]. Saleh Abdullah of *Skephi*, the Forest Conservation Network, for once supporting the minister, said: 'I think this is a good move from the government because our studies last year proved that Prayogo is the worst forest destructor in Indonesia'.

The following day Prayogo struck back and explained that the alleged damaged forest concessions were owned by *PT Yayang Indonesia* and *PT Aya Timber*, both in South Kalimantan. 'The two forest concessions, totalling 121,500 ha are not among the concessions owned by *Barito*'. While technically speaking the two companies are not part of *Barito*, they are part owned by Prayogo and managed by *Barito*. The minister had to retract. At a meeting between the two men, a face-saving device was found. Djamaledin told the press: 'Prayogo told me that he has agreed to meet our demands for the acquisition of 49% shares of the two companies'.

The final word has probably not been said regarding this takeover. Business circles are worried: 'If Prayogo can be treated like this, what about foreign investors?' [*Forum Keadilan*, 29 Sept. 1994]. Some newspapers are calling it 'nationalisation'.

It could be argued these cases of unbridled free enterprise are extreme examples of a young dynamic economy. The Prayogos and Cahyadis are the Carnegies and Rockefellers of Indonesia. But there are problems with this argument: Public money is being wasted, projects are not based on feasibility, greed instead of social justice is promoted, the environment is harmed beyond repair and the gulf between rich and poor gets wider than ever.

Church Service on 12 November 1994

The British Coalition for East Timor will hold a Church Service at 7pm on 12 November 1994, to commemorate the Santa Cruz Massacre in Dili in 1991. The service will be at:

St Aloysius Church,

Phoenix Road,

London NW1 (near Euston Station)

UN concerns with Indonesia grow

The UN Sub-Commission on Human Rights this year heard complaints about Indonesia on a number of fronts. In addition to considering a resolution on East Timor, the Sub-Commission also for the first time discussed and voted on a resolution about Indonesia.

The most important new development at this year's meeting of the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities was that a recently-released political prisoner, **Bonar Tigor Naipospos**, attended and made a submission on the question of political imprisonment. It was also very significant that, whereas the Sub-Commission has in the past only ever considered resolutions on the question of East Timor, this year a resolution was tabled under the general heading, 'Situation in Indonesia' as well as under the heading 'Situation in East Timor'. Although the 'Indonesia' resolution only mustered seven votes, against 14, this is an important first step towards broadening the front of issues raised at this body.



Coki Naipospos in London

The UN Sub-Commission is composed of human rights experts elected by the UN Human Rights Commission and consists of 26 experts from all the regions and continents. Formally speaking, the experts are chosen as people who are independent of their governments; in some cases however, notably some experts from Third World countries, the experts also happen to be government employees or are in other ways closely associated with and beholden to their governments. This makes it possible for states whose human rights record is under scrutiny to exert pressure on

certain experts through the 'good offices' of their government.

Defeat for Timor resolution

For the first time in many years, the resolution tabled on East Timor was lost. The voting was 11 in favour and 11 against with three abstentions, which meant defeat. This was the result of last-minute manoeuvres by the Indonesian mission attending the session as observers. Just before the vote was due to be taken, the Indonesians announced that they had issued an invitation to the chairperson, the Nigerian expert, to visit East Timor *'in order to see for yourself the real situation and to share with your colleagues first-hand, honest and objective information'* on East Timor. This means that the question of East Timor will certainly be back on the agenda at next year's Sub-Commission meeting. It is a moot question whether the experts will be prepared to accept the vision presented by someone who visits East Timor as the invited guest of the Indonesian government.

Another trick used by the Indonesians was to lobby the Cameroon expert intensively, eventually convincing her to withdraw her sponsorship of the resolution at the last minute. If nothing else, all this proves just how hard Jakarta's diplomats are expected to work to prevent the adoption of resolutions censuring Indonesia.

Indonesia resolution, a first

The resolution tabled by four experts entitled: *Situation in Indonesia*, opens a new chapter in Indonesia's position at the UN. The resolution was tabled by four experts from the US, Greece, Cameroon and the UK, all of them women. Seven experts voted in favour while 14 voted against; there were three abstentions; one expert was absent.

Although the resolution was defeated, it is a signal for Indonesia that, in future sessions, it will have to face close scrutiny on a wider range of issues than hitherto.

Speaking at length about Indonesia in her general contribution to the discussion under Item 6 of the agenda (the item under which both resolutions were tabled), Claire Palley, the UK expert said: *'I shall introduce a resolution on the Indonesian situation even though others may not wish to raise a precedent about non-decolonisation and self-determination, especially as they see an Indonesian military regime as giving a kind of stability to the vast South East Asia area occupied by Indonesia. Having now been seven years in this Sub-Commission and heard repeated Indonesian government assurances that the situation in Indonesia is improving*

from a human rights point of view, I am not satisfied, however dynamic the Indonesian economy may be.'

The operative paragraphs of the resolution read as follows:

The Sub-Commission,

1. *Expresses its deepest concern at reports of continuing violations of human rights in West Papua, the Aceh region of Sumatra and the Moluccas;*

2. *Expresses its alarm at all repressive policies and practices directed against particular ethnic groups, and calls upon the government of Indonesia to ensure the protection of the rights of all peoples and individuals regardless of their national or ethnic, religious or linguistic identity;*

3. *Condemns population transfer and settlement ('transmigration') in West Papua and other regions as a violation of the human rights of the peoples concerned;*

4. *Calls upon all governments, specialised agencies and multilateral financial institutions to refrain from supporting, with financial or technical assistance, population transfer and settlement in the above regions;*

5. *Urges the government of Indonesia to permit representatives of non-governmental organisations concerned with human rights, and journalists to visit these regions freely;*

6. *Requests the High Commissioner for Human Rights to monitor the situation in West Papua, the Aceh region of Sumatra and the Moluccas and to report his observations to the Sub-Commission at its forty-seventh session.*

Ex-prisoner speaks out

Bonar Tigor Naipospos was released on parole in May this year after serving five years of an eight-and-a-half year sentence. He went to Geneva to present a submission to the Sub-Commission. He also visited the UK and the Netherlands to speak about human rights violations in Indonesia. [For more background about Naipospos, see *TAPOL Bulletin*, No 124, August 1994.]

He told the sub-commission he had got such a heavy sentence for attending study group discussions and reading books by Pramoedya Ananta Toer.

"If, during the coming four years, I commit anything regarded as unlawful by the authorities, I will be returned to prison... So I am not a free man... My coming here is not without risk."

In a wide-ranging statement, he spoke about the many groups of political prisoners in Indonesian jails today. On the five-year sentence for Nuku Soleiman and the 21 students serving sentences of up to 18 months, he said that the simple act of peacefully demonstrating lands people in jail. In particular he drew attention to the elderly and in some cases ailing prisoners held after 1965 and said the regime should release them on humanitarian grounds. He spoke also about Acehese, West Papuan and East Timorese prisoners, some of whom are serving

long sentences, stressing that their trials had all been unfair. He went on:

"I have taken the tremendous risk of coming here to appeal to you to hold the Indonesian regime responsible for grave human rights violations during the past 29 years... It occupies the presidency of the Non-Aligned Movement and exerts a great influence over the countries of South East Asia. Third World countries no longer look to the West for examples, they look to other Third World countries. Can we allow a country with such a high international profile to set an example of authoritarianism and grave human rights abuses?"

He called on the UN to condemn Indonesia for these abuses and appoint a Special Rapporteur for Indonesia.

Coki visits western Europe

Naipospos, known to his friends as Coki, visited London and the Netherlands to make contact with groups doing solidarity work with Indonesia. In London he visited the headquarters of *International PEN* which adopted him during his imprisonment. *English PEN* appointed him an honorary member. Other groups he met included *Campaign Against Arms Trade*, *World Development Movement*, *Amnesty International* and *Article 19*. He also had a discussion about the human rights situation in Indonesia with Barry Seddon of the South East Asia Department of the Foreign and Commonwealth Office.

In Holland, he met the Dutch Amnesty Section and spoke at meetings of Indonesians. In an interview with the daily, *Het Parool*, he called on the Dutch Government to exert greater pressure on Indonesia over its violations of human rights.

UK - East Timor activists

ARROW is a direct action affinity group in London which has carried out many actions in connection with East Timor over the last year. Groups in Manchester and Bournemouth have also voiced their concerns through direct action. They are protesting against the sale of 24 British Aerospace (BAe) Hawk Aircraft to Indonesia in light of the slaughter and oppression of the East Timorese population.

TAPOL pays warm tribute to Andrea Needham, Chris Cole, Emily Johns, Milan Rai, David Polden, Paddy Williamson, Doreen Morris, Tricia Allen, Michael Bane, Rachel Julian, Kate Witham and Ed Johnston, all of whom have been prosecuted for taking action in protest at the sale of Hawk aircraft to the Indonesian dictatorship.

Direct actions include a "Fountains of Blood" action - the fountains at BAe Farnborough were dyed red and "BAe Hawks = East Timor deaths" was painted in red. Eight protestors climbed onto the roof at BAe Warton and unfurled a huge banner: "BAe Hawks = East Timor Deaths". Workers at BAe plants have been leafleted. Other groups have conducted die-ins and mass trespassing, and the blockade of factories where BAe Hawks are assembled. A sign "No Photography Allowed" was changed to: "We make things that kill people - Don't look at us", and the distribution of leaflets, holding vigils and peace camps, and leaving flowers and appropriate banners at Hawk manufacturing sites.

Are peace talks looming?

An Open Letter from Bishop Belo in which he offered to mediate in talks about the future of East Timor called forth several responses from the East Timorese resistance as well as from the Indonesian side. The growing alienation inside occupied East Timor may be forcing Jakarta to realise that fresh moves are needed to reach a settlement to the 19-year old conflict.

The Open Letter from Bishop Belo which bore the diocesan seal was dated 31 July. In it, the head of the Catholic Church in East Timor spoke about the continued use of 'institutionalised force' and 'excessive control... extra-judicial killings, punishment, torture, arbitrary arrest and unlawful detention, especially by extra-judicial institutions'

The Church, he wrote, would accept whatever the people chose and suggested the holding of a referendum, but if there were worries about possible bloodshed among East Timorese, "the ruling power occupying this territory (should) provide greater autonomy and special status". But, he added, to accomplish this, the Indonesian government "should hold a series of dialogues with the political parties that formerly existed in East Timor". To help bring this about, he wrote, the Church would be ready to mediate in these talks.

Belo also called on Indonesia to reduce the armed forces being deployed in East Timor and to reduce extra-judicial powers in East Timor which are causing so much suffering.

And where do these 'worries about bloodshed among East Timorese' come from? From the army, of course. Colonel Lumintang, still then East Timor commander, told a visiting German parliamentarian that "civil war could break out if Indonesian troops are withdrawn. You may not believe it but the Vatican's ambassador to Indonesia is the one who has warned of such a possibility." [AFP, 15.8.1994]

Responses to Belo's offer

Shortly after the Open Letter became public in mid August, Major Simbolon, spokesman of the East Timor Military Command, welcomed the mediation offer from Belo and stated: "We are ready and willing to hold talks with anyone." But he sought to quash any mention of a referendum. "Holding a referendum is like taking a step backwards. East Timor has seen much progress under Indonesian rule... although there have been some minor problems." [Reuter, 12.8.1994]

This prompted Konis Santana, the commander of FALINTIL, the East Timor armed resistance, to declare, in a message relayed to the world by co-leader of the resistance council, CNRM, Jose Ramos Horta, that "the guerrillas... would declare a unilateral cease-fire if the Indonesian government was prepared to start serious talks with them. We do not want to waste an opportunity. We do want to be accused of being

extremists or radicals who refuse dialogue." [Reuter, 13.8.1994]

A week later, a warning of the need for caution came from resistance leader Xanana Gusmao in Cipinang jail, Jakarta. "I don't think the military leaders will negotiate in good faith," he told the Lisbon newspaper, *Publico*. [28 August 1994] Xanana was himself involved in talks with the army in March 1983; they came nothing when pledges made by Colonel Purwanto, the military commander, were disowned by General Benny Murdani who launched an all-out attack on the resistance in August of that year. "For the Indonesian generals, talks only means the other side, in this case us, accepting all their points of view," Xanana said. "Any serious talks... should take place with Foreign Minister Ali Alatas, rather than the army, and within the ambit of current UN initiatives."

EAST TIMOR It's time to talk

Meanwhile, Horta said he had received an assurance from Francesco Vendrell, a senior UN official closely involved in the Secretary-General's initiatives regarding East Timor that "the UN would be disposed to accept mediation by Bishop Belo in talks between the resistance and Indonesia". [Diario Noticias, 19.8.1994]

Within a week however, Major Simbolon had changed his tune and ruled out negotiations with 'the rebels'. "There is no reason for the armed forces to have negotiations with him. Santana is no more than ... a self-proclaimed resistance leader who has lost his basis." [AP, 21.8.1994] This prompted an angry response from Bishop Belo who accused the Indonesians of "arrogance", adding: "They don't like to reach a solution for East Timor." [AFP, 21.8.1994]

Enter the Prabowo factor

Meanwhile, the Belo letter had prompted another response. A high-powered team from the military, consisting of Colonel Syahnakri (then still deputy commander of the East Timor Military Command who has since been elevated to the post of commander) and Colonel Prabowo, the son-in-law of President Suharto, met Bishop Belo and told him that the people of the

territory may be allowed to choose their own governor and local council members. Governor Abilio Soares was also present at the talks. Further details of these talks were not forthcoming and Major Simbolon even said he was unable to confirm that the talks had taken place. [Reuter, 19.8.1994]

The offer 'to choose their own governor' is a strange one since provincial governors are supposed to be 'chosen' by the provincial assembly which is 'elected' by the people of the province. But the impression given was that this team, with instructions to report back to Suharto, was seeking to persuade Belo that 'autonomy' might be on offer. Indeed, several Timorese aligned to Indonesia have spoken of moves to draft a statute granting 'autonomy' or 'special status' to East Timor.

Another piece in the puzzle emerged with a visit by an army captain to Xanana Gusmao, the resistance leader in Cipinang Prison, Jakarta, on 16 August. During these talks, which lasted two hours, the question of a referendum in East Timor was raised. According to Reuter [5.9.1994], the meeting "*appeared to be linked with broader moves to establish contact with dissidents in East Timor*".

CNRM representative overseas, J Ramos Horta was cautiously optimistic about this development. He told Reuter in the same report: "*I believe there is a rethink in Jakarta in military and intelligence circles, not necessarily that they have made up their minds but that no longer is the issue of a referendum or even independence completely off the agenda.*"

Although there is no doubt that discussions did take place in Cipinang jail, the Indonesian foreign ministry expressed 'surprise'. This was no more than a "*disinformation campaign*" by anti-Indonesian groups "*to 'pollute' the talks on East Timor between Jakarta and Lisbon under the auspices of the UN*", said a spokesman for the ministry. [Reuter, 5.9.1994]

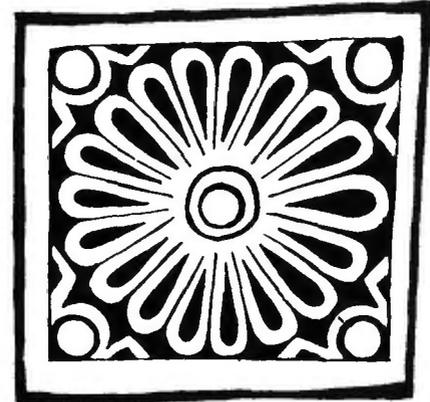
This rebuttal is disingenuous for as the Indonesian foreign ministry knows only too well, agreement was reached at the UN-sponsored talks in Geneva last May, for Lisbon and Jakarta "*to meet with leading East Timorese supporters and opponents of integration respectively*". [UN Secretary-General's Communiqué issued in Geneva, 6 May 1994]

The Geneva agreement can only mean that some time between now and the next round of talks in January next year, Foreign Minister Ali Alatas is likely to meet representatives of the resistance. This could occur at this year's UN General Assembly with Jose Ramos Horta. But talks with Xanana in jail or the resistance in East Timor would also fall within that framework. One can only assume that the hot air about 'disinformation' is just a ruse to conceal some movement in Jakarta.

Fitting the pieces together

What are the factors prompting a rethink by Indonesia over resolving the East Timor question?

Growing alienation in East Timor among a new strata of the population, those whom the forces of occupation had thought were 'theirs', is now a well-established fact [see separate item on 'A new kind of resistance']. As Hugh O'Shaughnessy has said, East Timor is a 'power keg', waiting to explode. The outspoken statements by Bishop Belo, whose access to the world's media is getting better every day, have further aggravated things for Jakarta.



Bishop Belo's call for 'autonomy' may be seen by Suharto as a face-saving device to create a new status for East Timor, while keeping Jakarta's occupation intact. However, Indonesia's strongly centralised political system allows little leeway for such a move. Aceh was offered the sop of 'autonomy' in religious and educational affairs in the early 1950s to end a rebellion led by Daud Beureuh. There are no illusions about the hollowness of Aceh's 'autonomy'. Moreover, Belo was careful to stress that he sees autonomy only as a step in the process, requiring negotiations with all the political forces in East Timor.

There would appear to be no difference between Belo's idea of autonomy and that being offered by the CNRM as the first stage of its Peace Plan.

Other initiatives taken by Jakarta, notably the London 'reconciliation' talks, have led nowhere even though a second round is planned for late September. Bishop Belo refuses to see this as a platform for the reconciliation he also seeks (as mentioned in his Open Letter) because so many political forces are excluded. With so much disenchantment inside East Timor, ambassador Lopez da Cruz, may have greater difficulties keeping his team together.

Nor should Suharto's domestic problems be underestimated. The crackdown on the press and on the labour movement has only helped to broaden the front of international condemnation. The forthcoming *Asia-Pacific Economic Co-operation* Summit in Indonesia in mid-November, to be attended by President Clifton and other heads of government, will put the spotlight on the Suharto regime however much those involved insist that political and human rights questions will not be on the agenda.

As other long-standing conflicts move slowly towards a solution, the latest being Northern Ireland, there is every reason to be confident that dialogue to resolve the East Timor question could be near. The flurry of initiatives and denials during July and August is surely a sign that things are moving, however slowly.

A different kind of Timorese resistance

While the armed and clandestine resistance in East Timor is still active, other forms of resistance have begun to emerge. A growing civilian resistance which should not be seen as part of the clandestine front, is becoming a major threat for the Indonesians.

A frequent visitor to East Timor, journalist and writer Hugh O'Shaughnessy noted after his last visit to East Timor that the place has become explosive. He writes of a younger generation of East Timorese, educated under Indonesian rule, becoming vocal and politically aware of Indonesia's political intrigues. Quoting a Timorese called Paolo: *'A new generation of politically-conscious young men and women is growing up here. They're beginning to co-ordinate with Indonesians in Java who don't like Suharto and what's he's doing in their name in Timor.'* Another Timorese said: *'Timorese opposed to the occupation no longer have to choose between joining the guerillas or going into exile. They are being quietly and effectively active here.'* [The Observer, 14.8.1994].

The anti-colonial backlash

East Timor bears all the hallmarks of a colony; the Timorese are denied their basic rights, history and cultural heritage. Half a century ago at the time of the Nehrus and Nkrumahs, and Sukarno and Hatta, colonial education created a layer of intellectuals who became vocal activists in the anti-colonial resistance. This is now happening in East Timor. As Hugh O'Shaughnessy concludes: *'The occupying forces are living to rue the day they brought higher education to Timor. But it is too late for them to do anything about that now.'* This anti-colonial stance is taking different forms and is like a powder keg for Suharto.

One indication of Jakarta's failure to win hearts and minds is the recent 'celebration' of integration day. In previous years prominent Timorese within the Indonesian administration tried to make it a joyful celebration but this year's was bleak and dull. Even top-ranking Timorese who have for years enjoyed privileges are becoming dissatisfied. The henchman of the Indonesians, Governor Abilio Osorio Soares, is now expressing criticism of Jakarta. He was quoted as saying that the physical development (infra-structural improvement, economic growth etc.) has failed to defuse political problems. The behaviour of the Indonesians, he said, has created a crisis which is difficult to resolve. He stated: *'In fact, I see this crisis as becoming a political obstacle that could destroy all our good efforts, in particular, how to resolve the East Timor problem'* [Jawa Pos, 27 August 1994].

Indonesian military commanders. Major-General Adang Ruchiatna and Brig. General Johnny Lumintang have said that it will take two more generations before *Integrasi* is accepted, an open admission of failure.



A traditional Timorese dwelling, an increasingly scarce article

Growing dissatisfaction

Some analysts have described the new form of resistance as 'cultural'. Alongside the armed and clandestine resistance, this third form of resistance is growing fast. In fact it is anti-colonial, broad in scope and goes far beyond cultural affairs.

The complaints of Governor Abilio Soares, who was a staunch member of *APODETI*, the pro-integrationist party, are about the obscure role Timorese now play in their homeland. His concept of a political solution for East Timor within the Indonesian context is based on the Timorese being given a greater role. The problem of East Timor can only be solved by the Timorese themselves, he argues, so the Timorese should be given more opportunities and decision-making powers.

This attitude created problems for Abilio Soares when he wanted a Timorese to become district head in Viqueque. The Home Affairs Minister appointed an Indonesian officer, arguing that East Timor being an 'Indonesian province', any Indonesian is entitled to fill a job. This was a humiliation for Abilio Soares but apparently he has stuck to his views of special treatment for East Timor. The governor's recalcitrance probably explains why his powers as governor have effectively been curtailed. Now the *de facto* governor is Vice-Governor Brig.-General Johannes Hari Wibowo who takes most of the important decisions for the region.

Other forms of resistance

While Abilio Soares views can be described as frustrations, other forms of dissatisfaction can better be defined as resistance. The large scale demonstration at the University of East Timor reflected much more than dissatisfaction. While it is true that provocation by the Indo-

nesian military intelligence provoked religious sentiments among the students, new organisations have emerged which cannot be identified as part of the clandestine network of the organised resistance.

Armindo Maia, vice-rector of the university, said that Timorese not directly opposed to Indonesian rule are now forming new organisations that could pressure the authorities without triggering reprisals. A group of Timorese intellectuals including Maia has formed an organisation called *Duc In Altem* to organise seminars on East Timorese culture. It was registered with the governor's blessing and follows the formation of *Sapiente*, a similar group. These groups do not speak out for an independent East Timor and insist that they have no links with the guerillas or the clandestine network. They aim to push for greater autonomy, human rights and a scaling down of Indonesia's military presence in East Timor. This new approach has helped many young Timorese to adopt a stance against Indonesian rule without being accused of being part of the organised resistance. [Reuter, 26 July 1994].

This new form of resistance has grown since the Santa Cruz massacre in 1991; the arrogant stance of the Indonesian administrators and military has only strengthened anti-Indonesian feelings. The stream of new Indonesian settlers, spontaneous settlers and transmigrants is also exacerbating discontent as it means ancestral Timorese land being seized for the newcomers.

All important economic activities are in the hands of non-Timorese [see *Tapol Occasional Reports No.24*, Indonesian Monopolies in East Timor, by G.J.Aditjondro]. Another problem is the stagnant economy in East Timor which is unable to absorb the young Timorese graduating from high school and vocational colleges, creating another layer of Timorese who have every reason to be anti-Jakarta. The Indonesian government constantly brags about the huge amounts of money allocated for the development of East Timor but Timorese are no longer impressed. Paolo, a Timorese intellectual interviewed by Hugh O'Shaughnessy, says: *'The Indonesians say they have spent billions of rupiahs here. But we don't want their money. We want to be our own people - even if this means we stay poor. Enough of this slavery!'*

Autonomy

The new buzz-word in East Timor is 'autonomy', a word with a variety of meanings. For most Indonesian administrators, it is an empty shell. Aceh was declared a province with special autonomy but in practice all the important decisions are taken in Jakarta. The only concession is that an ethnic Acehnese has been appointed governor. A similar situation applies to Yogyakarta, the seat of two Javanese sultanates. The region has been declared a special region, and the sultans have some ceremonial functions but important decisions are taken in Jakarta or Semarang, the capital of Central Java.

In East Timor, the governor's views on autonomy differ starkly from those of Bishop Ximenes Belo. The gov-

ernor still functions within the limits set by Jakarta. His recent criticism of Jakarta is based on the fear that things are getting out of hand. The so-called results of *integrasi* are being overwhelmed by discontent. The only solution, according to Governor Abilio Soares, is to grant more autonomy which means more Timorese in decision-making positions while East Timor remains the 27th province of Indonesia.

A number of previously pro-integration Timorese see autonomy in a different light. Monsignor Belo is somebody who represents the views of the majority of Timorese who see autonomy as the first step on the long road to self-determination. At the same time there are many more Timorese who realise that changes in East Timor must go parallel with democratic changes in Jakarta. The democratic forces in Indonesia are seen as natural allies against Suharto and the military. This reflects the views of many Indonesians in the opposition who realise that democracy in Indonesia can never come without resolving the East Timor issue.

There are also signs that some highly-placed people in the Indonesian administration understand that a kind of autonomy for East Timor is the only way if Indonesia wants to avoid persistent criticism. In the international arena, Indonesia has been losing ground. Some Indonesian diplomats realise that an internationally acceptable solution for East Timor means that Jakarta has to make compromises. A kind of autonomy as the stepping stone towards a referendum is probably a figment of the imagination at present but positive changes in Dili and Jakarta could turn the views of Monsignor Belo into a reality.

Colonel Kiki Syahnakri, the new commander

In September Colonel Kiki Syahnakri was appointed new commander of *Korem 164/Wira Dharma*, the military command in East Timor. Before his appointment, he was second in command and replaces Colonel Johnny Lumintang who has been promoted to Brigadier-General.

Colonel Kiki Syahnakri's involvement with East Timor is a long one. He graduated from *AMN*, the military academy, in 1971 and was sent to West Timor in 1973. He became subdistrict commander in Atapupu, which borders on East Timor. In 1976, after 'integration', he was promoted as assistant of operations in Atambua, West Timor. In 1978 Syahnakri was posted to Bali and became commander of battalion 741. This battalion frequently operates in East Timor. In 1982 he was based in Dili, as deputy-commander of the Timorese battalion 744. Following an upgrading course, Syahnakri had a brief stint in the airborne battalion 502. Before being posted back to East Timor, he served as commander of Infantry Brigade 06 in Solo, Central Java.

Timor information network in Indonesia

Dissemination of information about East Timor has improved recently not only abroad but also in Indonesia. Until the banning last June of three political weeklies, the Indonesian press was more open about conditions there, so East Timor is no longer a hidden tragedy. But now, two publications have appeared in Bahasa Indonesia which will enrich the knowledge of the Indonesian public about the latest developments in East Timor.

The two publications are *SUARA RAKYAT MAUBERE* which is published in Yogyakarta, and *FUNU*, which for security reasons uses an address in Australia but is printed and circulated in Indonesia. Both describe themselves as monthlies. Although their circulations are limited, these publications are bound to find their way to a larger circle of people.

Suara Rakyat Maubere

Suara Rakyat Maubere (SRM) is produced by a non-governmental organisation called *LEKHAT (Lembaga Kajian Hak-hak Masyarakat, Institute for the Study of People's Rights)* based in Yogyakarta. *LEKHAT* was founded on Human Rights Day, 10 December 1989 by a group of Indonesian students and human rights activists. It aims to undertake research, issue publications and campaign in defence of people's rights. It sees as its primary task the widening of the democratic space at all levels of society in social, political, economic and cultural affairs, based on universal principles. *SRM* is printed in A5 format, and states that it will "disseminate information about the struggle of the people of East Timor to a broad section of Indonesians. By giving proper information about the history, aspirations and aims of their struggle we can develop solidarity with the East Timorese people."

Using *Maubere* in the title of an Indonesian publication is a courageous step. The term became popular before the invasion in 1974-75, during the campaigns waged by *Fretilin* in the countryside of East Timor. It is now synonymous with the common, oppressed people.

So far, four issues of *SRM* have appeared. The first contained the full text of a message from Xanana Gusmao to solidarity groups in Indonesia. It was written by Xanana in Cipinang prison, Jakarta and smuggled out. The latest issue we have contains excerpts from the defence plea of Xanana Gusmao which he was prevented from reading out at the Dili court on 27 March 1993.

We welcome *Suara Rakyat Maubere*. It will certainly play an important role in filling the information gap regarding East Timor in Indonesia.

FUNU

FUNU, which is published in A4 format, is an independent magazine published by East Timorese activists living in Indonesia. According to a box on the title page, the team producing *FUNU* works under the general guidance of the *CNRM* troika leadership, the armed resistance

leadership and the clandestine front leadership. *FUNU* is the Tetun word for war, in this case the war of the East Timorese against the illegal occupation of the Indonesian army. *FUNU* used to be the organ of *AST*, a Timorese political organisation, but new political conditions have transformed the bulletin into a general publication of the Timorese resistance.

The May 1994 issue which is its second issue includes a critical article of the 'reconciliation talks' held in December 1993 in London between Timorese leaders. It also contains an interview with guerrilla commander Mate Restu from the Hacsolok region who also strongly criticises Dr. Abilio Araujo, the former *Fretilin* leader who initiated the 'reconciliation talks'. Reports about the military situation in East Timor, the text of the message from Xanana Gusmao to solidarity groups in Indonesia and other reports are also included of the 40-page bulletin. The articles are signed by Timorese using pseudonyms. An article about problems within the structure of the *CNRM* leadership, is written by 'D.B.U. Ie'.

The magazine includes a range of topics and reflects the diverse information they receive, including material in Indonesian, Portuguese and other foreign languages.

Despite its serious character, *FUNU* also has space for humour. Here is a joke published in the May issue:

A teacher at a primary school in Balide asks a pupil named Ana:

"What does *TIMTIM* stand for? [This is Indonesia's abbreviation for 'East Timor']"

The 7-year old Ana answers smartly:

"*Timor Ingin Merdeka Tetapi Indonesia Melarang*" [East Timor wants independence but Indonesia won't allow it] The teacher who is not a Timorese orders Ana to leave the room.

FUNU is available from: The Centre for Human Rights, P.O.Box 93, Fitzroy, Vic 3065, Australia. With its invaluable information, it is indispensable for East Timorese as well as Indonesians.

Tory MPs give Jakarta a helping hand

Jakarta has always been very choosy about the people it will allow into East Timor on official visits. Several groups of parliamentarians have been allowed in recently; others have been kept out. A group of British MPs were accorded very special treatment and have done Indonesia a big favour.

Two years after Yorkshire Television screened *In Cold Blood* with shots of Indonesian troops killing East Timorese youngsters at the Santa Cruz cemetery in November 1991, the screening of John Pilger's *Death of a Nation* by ITV in February this year again drew the attention of the British public to East Timor. In an attempt to reverse the wave of outrage prompted by the film, the Indonesian embassy in London turned for help to a very willing Tory, Patrick Nicholls, a back-bencher known for hostility towards anything faintly 'liberal'.

Nicholls chairs the *All-Party Indonesian Parliamentary Committee*. He obliged Jakarta by writing a letter to *The Guardian* in March, arguing that talk of Indonesia as a brutal dictatorship is "at variance with the truth. The letter which stoutly defended Jakarta's version of what happened at Santa Cruz has since been widely disseminated in Britain by the Indonesian embassy.

But condemnation of Indonesia continued, so the Indonesian government invited the parliamentary group to send a mission to Indonesia and East Timor, all expenses paid. The mission consisted of four Tories and two Ulster Unionists (Northern Ireland's version of Tories) led by Nicholls. Before leaving for Dili, the MPs met Indonesian parliamentarians and told them that "*the purpose of (our) visit is to help the government of Indonesia inform the people in Britain about the implementation of human rights in Indonesia because the reports which reach them were really negative*". [Jakarta Post. 14.9.1994]

After meeting the military commander, Colonel Kiki Syahnakri, in Dili, Nicholls felt confident enough to tell the BBC World Service that the 'claim' that three hundred people had died during the massacre was "*unsubstantiated*" and that the military 'assessment' that 18 had died was "*nearer to the truth*". We have not yet seen any reports about who else the mission met.

Lord Avebury not welcome

Four months before the Nicholls visit, another British parliamentarian was bluntly refused permission to visit East Timor. Lord Avebury, chair of the Parliamentary Human Rights Group, has tried three times over the past eight years to visit East Timor. His latest request was made last November. After waiting for six months, he was told by the Indonesian ambassador, in a letter dated 19 May 1994: "*As you may well know, of late my Government has been quite preoccupied in organising a series of visits by diplomats, Parliamentarians, human rights and humanitarian groups.... I am sure you can appreciate that we will be very busy with these activities and that we would have difficulties in arranging a visit by members of your group.*"

Australian senator excluded

In the very week that British MPs were being given red-carpet treatment by the Indonesians, Jakarta refused entry to Senator Rob Hill, leader of the Coalition - the opposition - in

the Australian Senate. Senator Hill, who had planned to visit East Timor along with another Senator, told John Pilger that just as they were about to leave Darwin for Timor: "*I was told the flight had technical difficulties. But then it was suggested that it wouldn't be 'convenient' for me to come.*" He also said that he had planned to meet Bishop Belo: "*I hoped to meet everybody I could. Interviews had been arranged for me.*" [Article submitted to *The Age* by John Pilger on 14.9.1994]

Japanese MPs given limited access

One group of parliamentarians that Jakarta was not able to keep out was from Japan consisting of members of the All-party Diet Forum on East Timor. But then, as the mission pointed out in its report, several key members of the Murayama Cabinet, formed just prior to the visit, had themselves been members of the Forum from the start, including the prime minister, the foreign minister, Kono, and speaking of the House, Takaka Doi. Given Indonesia's enormous reliance on Japan for aid, trade and investment, Jakarta could not afford to be too choosy.

The mission's report reveals that their visit was far from satisfactory:

- * The staff members originally proposed were refused permits and permits for the replacements were held back till the very last moment;

- * The mission was told it would be 'free to go anywhere and speak to anyone'. In fact, the MPs were not allowed to leave Dili and, apart from moments when they slipped away from their minders, they met overwhelmingly the people whom the Indonesians had set up for them.

- * The mission had been told they would have 'absolute freedom'. In Dili, they were told this means that 'freedom entails responsibilities and duties' and 'we want you to stick to the schedule that we have set up for you'.

- * They had supplied, six months in advance, the names of people and places they wanted to visit but, in East Timor, they were told they could not do so because 'transport is not available', 'no-one answered when we called' or 'other groups were meeting these people.

- * Everywhere in Dili, the mission was preceded by motor cycles and surrounded by the military. When Diet members went out for early morning walks, Japanese embassy staff raced after them and brought them back to the hotel by car.

- * In a brief respite from their 'freedom in principle', members of the mission met two priests and heard about the true state of human rights abuses. They received a message from students who oppose the Indonesian occupation.

- * They asked a student whom they met through a priest whether he would be in danger because he had spoken to them. In reply he said: '*I am used to imprisonment and torture*'.

Bob Hasan's ad ordered off the screens

Bob Hasan is the self-appointed spokesperson for Indonesia's timber tycoons. Some months ago he declared war on NGOs inside and outside Indonesia. He swore that he would use unlimited funds to promote the Indonesian timber industry. In May a major worldwide advertising campaign was launched which included a glossy, TV ad. In June, the ad was taken off the screens in Britain by the Independent Television Commission.

Environmental groups like Down to Earth, Earth Arc, the Environmental Investigation Agency, Greenpeace and various individuals approached the broadcasting authorities in the UK to have the advert withdrawn because of serious inaccuracies.

The advertising campaign was launched under the cloak of MPI (*Masyarakat Perkayuan Indonesia*, the Indonesian Timber Community), one of the many organisations Hasan chairs. It was launched in Indonesia, the Netherlands, Germany, Japan, France and on satellite channels, CNN and Star TV. A typical public relations exercise, it showed lush tropical forests, with a text that was full of lies. *Down to Earth* (DTE) was able to convince the broadcasting authorities that the ad was propaganda, designed to deceive the public about destructive logging practices by Bob Hasan and other timber tycoons. It stated, for example, that clear cutting is not permitted, which is untrue. DTE also challenged the ad's assertion about 9 billion replanted trees and 280 million acres having supposedly been turned into vast permanent forest. The environmental groups were able to show that the ad was at best misleading and wholly inappropriate. The Independent Television Commission suspended the ad in June for further adjudication and decided to scrap it on 13 August. In

other countries, attempts are under way to have the ad taken off the screen.

Defeat for Bob Hasan

In June, the London *Financial Times* produced a profile of Bob Hasan entitled, 'Private King'. Bob Hasan's powers are indeed huge; being a close associate of Suharto for over thirty years has been his greatest asset. Bob Hasan owns more than a hundred companies; several of the enterprises are linked with the Suharto family. The vast majority of Hasan's companies are in forestry and timber products and this lies at the heart of his feud with the NGOs. Bob Hasan and Suharto are typical of people around the globe known as the *kleptocracy* (who take power to grab everything) in the same league as Mobutu or Cedras. They are bad news for the environment. They also enjoy immunity from criticism.

Bob Hasan made a disastrous public relations trip to Europe earlier this year when NGOs briefed European parliamentarians about the true facts of forestry destruction in Indonesia. This was hard for him to swallow. A tour to promote the Indonesian timber industry turned into a barrage of criticism. It was after he returned to Jakarta that he decided to declare war on the NGOs. But then came the cancellation of his ad, another setback for Suharto's 'favourite son'.

NGOs file suit against Suharto

IPTN, Indonesia's flagship military company, is in financial difficulties. The prospects of selling its aircraft remain bleak because of the global recession. This prompted Suharto to issue a decree, granting it a loan from the forestry department. The money grabbed in this way was originally intended for reforestation, enough reason for 7 NGOs to file a lawsuit against Suharto.

WALHI, Indonesia's leading environmental group, and 6 other NGOs have decided take the matter to court. Their lawyers, YLBHI (Indonesian Legal Aid Foundation) argue that *Keppres No.42/1994* (Suharto's presidential decree) contradicts an earlier presidential decree of 1990 which states that the reforestation fund, acquired from levies on all forest concession holders, can only be used for that purpose. LBH lawyer Bambang Wijoyanto, in charge of the case, also explained that President Suharto is violating his own instruction in *InPres No 6/1989* according to which the interest accruing from the fund may only be used for the purposes of reforestation.

IPTN's grand ambitions

IPTN gobbles up Rp 600 billion (about US\$300 million) of taxpayers money every year. This is the official figure

which would tend to be on the conservative side. It is several years since the company announced its medium-range aircraft, the N-250, which is due to go into production in 1997. Now IPTN has plans to produce a cheap car, the *Mobil Masyarakat* (MM, People's Car). The MM car is to be produced in collaboration with British Aerospace (Rover Division). Habibie, the IPTN czar, has announced that the decision was taken by the Top Man himself. President Suharto, who also chairs DPIS, the Guidance Board of Strategic Industries.

IPTN will receive a Rp 400 billion interest-free loan from the reforestation fund. The government claims that the loan will consist only of interest from the fund. The forestry minister Djamiloeudin has backed the decree, alleging that the loan is 'in the national interest'. On 24 September an unexpected approval was given by the court to go ahead with the case.

Ordeal in Indonesia

For ten days I felt absolutely powerless. Incommunicado in the hands of the Indonesian authorities, there was nothing I could do. Physically, I was not seriously harmed. But I was lucky: I had a British passport.

I had been teaching English in Bandung, West Java. Having worked with TAPOL for two years, I was aware that to live in Indonesia one has to keep a low profile where human rights are concerned. But in June, just after the closing of the three news weeklies, the temptation to go to a political discussion group was overwhelming. The meeting was infiltrated by intelligence. Although I didn't utter a word during the meeting, my attendance seemed to serve as sufficient evidence that I was a 'subversive'.

I was interrogated for three days. A deportation order was made. But by the time I was put on a plane to Singapore, I had spent another seven long days in detention.

The official reason for my deportation was that I did not have a work permit. So why was I not simply asked to leave the country? As the British Consul himself confided, Immigration are a law unto themselves....

Although my interrogators were ostensibly from Immigration, they undoubtedly comprised intelligence officers as well. One woman claimed she was from the Legal Aid Institute and was there to help me. She was, in fact, the most aggressive of all. Not surprising. As I discovered later - off the record - she was a specialist interrogator.

They were interested in two things. They wanted to prove that I had come to Indonesia to 'stir up trouble', and also hoped they would be able to gain some useful information on Indonesian activists from me. They were able to do neither. But in their minds, I was a 'subversive': guilty until proven innocent.

My treatment varied from the cordial to the insulting. On one hand I was plied with food and drink. On the other, I was only allowed to contact the British Embassy once a violent attempt to deport me - with none of my belongings - had evidently failed. That was on the fifth day.

At times, the more junior of my 'minders' seemed embarrassed at the orders they had to carry out. The man issuing these was Rahardi, Director of Immigration's Surveillance and Implementation Department. Whenever he saw me, he would pop in his cursory spoon of syrupy patronisation, commenting on my figure or my hair. Meanwhile, he was no doubt instructing his team of interrogators to press me as hard as possible.

Only after three days of intensive questioning, endless accusations and abuse-hurling, did they let up: suffering from a severe migraine, I could barely open my eyes. Quarantine came as a relief.

My treatment left me feeling angry, repulsed and humiliated. I did not eat again until I left Indonesia.

The unnecessary length of time I spent in Kalideres Quarantine was either meant as a punishment, or it was a measure of how long it took the Intelligence to search all my belongings for 'evidence'. Everything was finally returned to me, except all the personal letters I had received while living in Indonesia. Specialist interpreters will no doubt be required for those.

I was also given a leaving present: a virus in my computer

Immigration's Guest House

Deep in the suburbs of Jakarta, Kalideres Quarantine is renowned for its obscure location. 72 'visa-violators' - mostly political and economic refugees - languish there. One inmate has been there since 1959: he is Chinese.

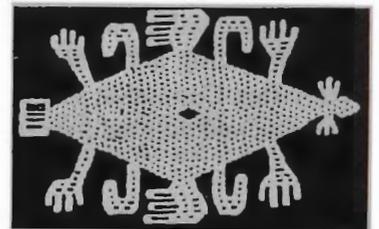
It is a dumping centre. There seems to be no established procedure for processing the inmates' cases. The fortunate few are those supported by more conscientious embassies or the church. These also seem to be the only sources of medical attention.

Different inmates receive different treatment. I was officially 'incommunicado', and everyone but the mosquitos were discouraged from talking to me. Some inmates are allowed out to go shopping, go to church, and one girl, having spent two years there, has just started school in Jakarta, provided by the Christian community.

On the other hand, one of the three women in Kalideres at the moment - another Chinese - has been punished to months of solitary confinement for resisting rape by an official.

One day Kalideres was dressed up in carpets and wall hangings. A local dignitary came to visit, and the scene was filmed for an official documentary.

Anne Heaton



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