



VICTORIA UNIVERSITY
MELBOURNE AUSTRALIA

Tapol bulletin no, 120, December 1993

This is the Updated version of the following publication

UNSPECIFIED (1993) Tapol bulletin no, 120, December 1993. Tapol bulletin (120). pp. 1-24. ISSN 1356-1154

The publisher's official version can be found at

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The Indonesia Human Rights Campaign

TAPOL Bulletin No. 120

December 1993

Free all political prisoners!

A major campaign is underway in Indonesia to press for the release of all political prisoners, whether already convicted or being held without charge or trial. There are more than five hundred political prisoners in all parts of the archipelago. Pressure is also growing for an end to the abuse of the civil rights of former political prisoners and their relatives.

The campaign comes as the pro-democracy movement is challenging the Suharto regime's rhetoric about openness. It raises for the first time an issue that has been kept under wraps ever since the armed forces under General Suharto seized power in 1965/1966.

The initiative for the campaign has come from several quarters. At a seminar to celebrate its 23rd anniversary on 28 October, the *Lembaga Bantuan Hukum* (LBH, Legal Aid Institute) approved a petition, to be signed by a wide spectrum of the population. The campaign will culminate on Human Rights Day, 10 December 1993. In November, former governor of Jakarta, Ali Sadikin, who heads the dissident *Petisi 50*, called for a campaign to end discrimination against released political prisoners and against their offspring. Similarly, *Yapeta*, a foundation of former army officers who were close Sukarno, has drawn attention to the injustices inflicted on former political prisoners.

The campaign embraces the rights of all those victimised, from left to right, communists as well as Muslims, and also the Timorese, Acehnese and Papuans.

The LBH seminar, which took as its theme "*Napol and Tapol and the Constitutional Perspective*" ('napol' means convicted and 'tapol' unconvicted political prisoner) was jointly sponsored by a number of NGOs and attended by former political prisoners, among them the leading novelist and writer, Pramoedya Ananta Toer, Oei Tjoe Tat, who was a minister in Sukarno's last cabinet before he was deposed by Suharto, the recently-released Muslim preacher, A.M. Fatwa, and Jusuf Isaak, publisher.

Ten years for mistaken identity

The former prisoners told the Seminar of their experiences in detention. **Suprpto Hardjosubroto** who is now 72 years old, described the atrocious conditions in prison and said that his children have suffered the consequences of his detention. They have been stigmatised because of allegations against him, a former activist of the railwaymen's trade union, SBKA, which was outlawed in 1965.

He suffered the indignity of detention without trial for ten years without ever being told the reasons for his arrest. After the LBH took up his case, he was told by the authorities that he had been a victim of *error in persona*, of mistaken identity; he was held because of the alleged deeds

of a namesake. [*Kompas*, 28.X.1993]

Injustices against ex-tapols

The main theme for Ali Sadikin was the injustices suffered by released prisoners and their families. At a gathering of released Muslim prisoners, he read out a letter from a 16-year-old woman lamenting the fact that whenever she has any dealings with government agencies, she is always turned away because her identity bears the initials, 'ET'. "I am even pessimistic about ever getting married," she wrote. He had long realised that former PKI prisoners and their families suffer discrimination because of the 'ET' letters (for 'ex-tapol') written on their identity cards. He had not realised before, however, that the children and relatives of released Muslim prisoners also face the same problem.

"I now hear that when their children apply for a job and their family tie with a former Muslim political prisoner is

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discovered, they come a cropper at the first interview." The regulation about 'a clean environment' punishes not one generation but several. "(Former interior minister) Rudini told me the regulation is no longer in force but the fact is that it still functions." [Forum Keadilan, 25.XI.1993]

Lawyers to seek judicial review

Lawyers from the LBH will back the campaign by filing a request with the Supreme Court for a judicial review of three government regulations that have made it virtually impossible to bring an end to the political prisoner problem. The first is a Decision of the now-disbanded security agency, *Kopkamtib*, conferring powers on the army to detain and imprison people for alleged involvement in the 1965 events. The second is a Decision of former interior minister, Amirmachmud, about inscribing 'ET' on the identity cards of former prisoners, and the third is the presidential decision about 'clean environment'. Luhut Pangaribuan will argue that all these regulations contravene state laws.

Amnesty wants unconditional releases

Amnesty International in London has meanwhile called on

the Indonesian Government "to release immediately and unconditionally all prisoners of conscience, to review the convictions of all political prisoners, to commute all death sentences and to take immediate steps to repeal the death penalty". [AI INDEX:ASA 21/21.93] The document comments on the conditional release in August of four Muslim political prisoners [see *TAPOL Bulletin* No 119, October 1993], but notes "that hundreds of other political prisoners, at least 180 of whom are prisoners of conscience, remain in jail serving lengthy sentences imposed after unfair trials, some of them under sentence of death".

Referring to the conditions under which A.M. Fatwa was released, after being obliged to write a paper giving his views of the State ideology, *Pancasila*, Amnesty said the Jakarta military commander, Major-General Hendropriyono, has confirmed that all prisoners convicted of subversion will be required to submit their views on the State ideology as a condition of release. This is "a violation of international human rights standards upholding the rights to freedom of expression and opinion". AI confirms that there are some three hundred Islamic activists in detention of whom dozens are prisoners of conscience, at least fifty prisoners in Aceh and more than one hundred advocates of independence in Irian Jaya (West Papua). [For a profile of the several categories of political prisoners, see *TAPOL Bulletin* No. 113, October 1992.]

Death sentence threat restated

Following intervention on behalf of Sukatno, a former member of Parliament who is under sentence of death, by the Inter-Parliamentary Union, President Suharto has confirmed that he has no intention of lifting the death sentence which was passed more than 22 years ago, on 11 March 1971. The IPU's special committee for the rights of parliamentarians which meets every six months, has been trying to save Sukatno's life for many years.

Sukatno is one of six Indonesian political prisoners who have been under sentence for more than twenty years, having been convicted, in blatantly unfair trials, of complicity in an alleged 'abortive communist coup' in 1965. They are all in their mid or late sixties or over seventy years old. The IPU's intervention and Suharto's response has again highlighted the death threat hanging over these men and the inflexibility of a dictator who holds their fate in his hands.

The IPU's Inter-Parliamentary Council regretted, at its meeting in Canberra on 18 September this year, that the Indonesian president has failed to respond favourably to the IPU's appeal for Sukatno's life to be spared and for his release. It noted that, under Indonesian law, "no convicted person may be executed as long as an appeal for clemency has not been lodged and rejected; and that since the President ... acknowledges that Mr Sukatno himself has lodged no such appeal, he could not be executed". The IPU also insisted that Sukatno's execution "would be arbitrary and unlawful and constitute a gross violation of human rights".

In a letter to the IPU on 4 September 1993, President Suharto said that Sukatno has not asked for clemency nor has (he) shown any sign of remorse over his criminal actions "which have claimed many lives and created serious

unrest in our community". Consequently, "there is no other choice for the Indonesian Government but to duly implement execution of the court's verdict". It is impossible to say whether Sukatno's execution is imminent though fears for his life were widely expressed after Suharto's letter to the IPU became public.

LBH appeals for Sukatno reprieve

Following the IPU's most recent effort on Sukatno's behalf, lawyers of the LBH in Jakarta filed a formal plea to the president to reprieve the prisoner by calling off the death sentence and freeing him or at least commuting his sentence. Sukatno, now 64 years old, insists that he is innocent and has refused to seek presidential clemency.

The LBH filed its appeal "in the name of humanity, law and human rights" and said that under Law No. 3/1950, a clemency plea can be filed by a third party.

The appeal, signed by three LBH lawyers, says that if Sukatno is executed now, he will have served two sentences - imprisonment and the death sentence. Sentencing a person twice for a single act is against the criminal code, they said.

From 1945, Sukatno was active in the Indonesian socialist youth organisation, *PESINDO*, which was a leading force in the armed resistance to the restoration of Dutch colonial rule after the end of the Japanese occupation. *PESINDO* later became *Pemuda Rakyat* (People's Youth) of which Sukatno was secretary-general. He became a member of Parliament for the Indonesian Communist Party (PKI) during the 1955 elections.

At the time of the army's seizure of power in 1965, he was a member of the PKI's central committee. After the crackdown on communists in late 1965, he went underground and joined forces with other leading leftwing

activists to establish a centre of resistance to the military government in South Blitar, East Java. He was arrested on

21 July 1968 in an armed attack on a police station in East Java, during which three people reportedly lost their lives.

Where are the Tanjung Priok massacre victims?

Nine years after the Tanjung Priok massacre when at least one hundred Muslims were shot dead by troops, the local community has called for a fact-finding enquiry and asked the government to say where the victims were buried. Only one of the bodies was ever returned to the family for burial.

The massacre occurred on the evening of 12 September 1984, when about 1,500 Muslims marched in protest to the local police station to demand the release of three mosque officials. Troops opened fire without warning, leaving dozens of people dead. Troops gave chase as hundreds fled from the scene, killing many more. All the bodies and all the injured were taken to army hospitals. The only body handed back to the family was that of Amir Biki, an informal community leader who had links with army intelligence. Fire-engines were speedily on the scene to wash away the blood from the streets so that by morning, everything had been 'cleaned up'.

The call for an inquiry into the tragedy was made when several hundred people gathered to welcome back several recently-released Muslims who were imprisoned on charges of subversion in the wave of trials that followed in the wake of the massacre. [See *Indonesia: Muslims on Trial*, published by TAPOL in 1985] Many of those present were relatives of the victims who disappeared and have never been accounted for. [*Tempo*, 2.X.1993] A White Paper issued two days after the massacre called for an inquiry; its author, A.M. Fatwa, was later tried and sentenced to 18 years for subversion. He has now been conditionally released.

The Tanjung Priok massacre bore a striking resemblance to the Dili massacre on 12 November 1991. But without any international outcry, the Suharto regime was able to survive the crisis without even a pretence at investigating the affair. The then commander of the Jakarta military command, General Try Soetrisno who is now the Vice-President, claimed at first that nine people had been killed although the official casualty figure was later increased to thirty.

The massacre occurred at a time when relations between the regime and Indonesian Muslims were very tense. At issue was the regime's push to make *Pancasila* the sole ideology for all groups and organisations. Muslim preachers condemned this as an infringement of religious freedom. The army provoked an incident at a mosque in Tanjung Priok where most people are devout Muslims. The subsequent massacre and the numerous trials of Muslims which ensued were intended to subdue Muslim opposition. Today, Suharto is wooing Islam and hopes to heal the wounds inflicted by the army crackdown in the mid-1980s. But the Tanjung Priok massacre, like the Dili massacre, is unfinished business. Hence the call for an inquiry came as an embarrassment for the regime.

Place of burial known

In an interview with *Tempo*, an army general who is now Deputy Governor of West Java, said that the bodies of the massacre victims were buried at a location in Jeger Village, Kampung Rambutan, East Jakarta. HMA Sampurna, who

was intelligence assistant of the Jakarta military command at the time of the massacre, alleged he had no idea how many people were killed but the corpses were taken by truck to Jeger Village for burial because "in some cases, they could not be identified". He could not say more as he was not in charge of the bodies but was dealing with people who were arrested and selecting those who should be tried.

He told the weekly that as the protesters were gathering and moving towards the police station, he reported to General Try who ordered him to "get things under control fast". Such a loosely-worded command would easily be understood in the army as being an order to shoot the trouble-makers. Indeed, if anyone should answer for the Tanjung Priok atrocity, that man is Try Soetrisno.

Sampurna was dismissive of calls by relatives of the dead for an inquiry. Some people have already been tried, he said, and if the incident were now re-opened for investigation, others might end up being tried as well, so "I think it's better to leave things alone". [*Tempo*, 16.X.1993] The very idea that people in the army should now be called to account for the atrocity clearly did not enter his head.

Islamic college re-opened, at a price

A similar tone was struck by the present commander of Jakarta, Major-General Hendropriyono, who became intelligence assistance at the Jakarta military command a year after the Tanjung Priok massacre. He spoke at the re-opening of a preachers' college in Tanjung Priok, the PTDI, whose rector, the elderly Oesmany Al-Hamady, was among the many preachers tried and sentenced after the massacre. He served nearly seven years in jail. Several PTDI lecturers were among those tried and sentenced in 1984. The PTDI has been closed down for the past nine years.

Hendropriyono used the occasion to warn the Muslim community "not to stir up the Islamic religion in the interests of politics" and cautioned people against "engaging in similar violent (sic) activities" which could threaten national unity. [*UPI*, mid-November 1993] The impression has gained ground that the army's *quid pro quo* for allowing Hamady's school to re-open was that the call for an inquiry into the 1984 massacre should be abandoned. Such deals make it possible for the army to commit atrocities with impunity, wherever they occur.

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Marsinah, symbol of workers' resistance

Marsinah, the workers' leader who was murdered after leading a strike for higher wages earlier this year at a factory in East Java, is now the symbol of working class struggle for decent wages and the right to organise. She has been nominated for the 1993 Yap Thiam Hien Human Rights Award.

Teten Masduki, coordinator of *Forsol*, the Forum for Workers' Solidarity which nominated Marsinah, said she not only represents the spirit of resistance to poverty and injustice, she also symbolises the powerlessness of the working people of Indonesia. The Award is given annually to commemorate Indonesia's foremost human rights lawyer who died five years ago.

Marsinah's badly mutilated body was found in a forest some 200 kms from her home on 8 May, three days after she disappeared. On the day of her disappearance, she had challenged the local military command for summoning thirteen of her colleagues who were involved in a strike at PT Catur Putra Surya (CPS), a watch-making factory near Surabaya, East Java. The army have powers to intervene in labour disputes on the strength of a 1986 government regulation which has now been challenged in the Supreme Court by a group of lawyers calling for a judicial review.



Marsinah has become the symbol of working class struggle and a test case for justice. Surabaya Pos, 3-XI-93

The tragic death of Marsinah has reverberated throughout the country and has become a *cause celebre* internationally. Indonesian NGOs drew attention to the tragedy at the UN World Human Rights Conference in Vienna while a US trade team which is investigating labour conditions in

Indonesia, made known its deep disquiet about the murder to the Indonesian authorities. Australian Foreign Minister Senator Gareth Evans, who rarely puts himself out for victims of Indonesian terror, felt obliged to discuss the tragedy during a recent visit to Jakarta.

Cover-up for the military

Central to the Marsinah tragedy and to the powerlessness of Indonesian workers in defending their rights is the direct, frequent and often brutal intervention by the military in labour disputes.

Few people doubt that the military had a hand in her disappearance, torture and murder. Since her death, pressure to find and charge the murderer(s) has been intense, not least because the US labour team must soon decide on whether to renew GSP trade facilities giving manufactured products from Indonesia duty-free access to the US market. [See *TAPOL Bulletin* no.117] So now, a frame-up of grave proportions is underway to pin the blame for her murder on the management of the company, deflecting attention from the role of the military.

On the day Marsinah disappeared, the army command in Sidoarjo had summoned thirteen workers who were active in the CPS strike; they were accused of holding 'unlawful meetings' and ordered to leave their jobs at the company. The officers even gave them severance pay from the company; this frightening charade took place in the presence of a company director and an official from the government-backed union, the SPSI, to legitimise the proceedings. The last thing Marsinah did before she disappeared was to protest to the military about this intimidation of her fellow strike-leaders. People now wonder why she was not summoned by the military along with the others. Was it because she was being singled out for 'special treatment' because she had been so vocal during the CPS strike?

Until September, the murder investigation by the police in East Java made little headway but in October, things took an ugly turn. On 1 October, nine people, including two CPS company directors, the personnel manager and other members of staff, were kidnapped and disappeared for nineteen days, causing great distress to their families and protests from lawyers. After they re-appeared, it was clear that they had been through a gruelling ordeal. When the personnel manager, Mrs Mutiari, met her husband briefly, she was distraught, looked unkempt and was unwilling to say anything about what had happened. There were similar reports about kidnapped company director, Yudi Astono.

Show-trials

Lawyers then initiated pre-trial proceedings against the police who were now holding the kidnapped people, but the police went to extraordinary lengths to frustrate this. They warned Mutiari's father to abandon the proceedings but her husband went ahead. The court hearing was brief: the judge

said that her trial was about to begin which meant that the pre-trial complaint would automatically lapse. Never before has a trial been started in such haste. Covering up for the military is one reason; another is the need to persuade Washington that 'justice' is being done.

The pre-trial complaint filed by the lawyer of company director, Yudi Susanto, was more successful. The judge held the police responsible for unjustifiable arrest and ordered Yudi's immediate release. It was a symbolic victory, a rare instance of independence on the part of the judiciary. However, outside court, Yudi the police immediately re-arrested him and he may soon go on trial as the prime suspect for Marsinah's murder.

Meanwhile, the press has already published detailed accounts of the conspiracy allegedly organised by the group of people who are yet to be tried for the murder. *Jawa Pos* devoted no fewer than four articles to the story. This paper is known to have close links with army intelligence and has often been privy to 'confessions' from people in custody in East Timor.

Lawyers insist that confessions made by people held in circumstances that violate the procedural code cannot be

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accepted as evidence in a court of law. There have been charges also of collusion between the police, the prosecutors' office and the judges, but while public opinion may gasp at the audacity of this frame-up, those in authority seem confident that the trials will go their way, given that the judiciary serves the interests of those in power.

Late in the day, it is being admitted that one army officer, the commander of the local military command (*koramil*), may have been involved. He could face disciplinary proceedings for allegedly not passing on information about the murder plot which he knew about because he attended a meeting of the plotters.

Few people are likely to see this show-trial as anything but an attempt to protect the army. Meanwhile, strikes continue to erupt in many parts of the country and Marsinah's name will continue to inspire workers and activists.

LAND DISPUTES

Four dam protesters shot dead

Four peasants died and three were injured when troops opened fire on 500 people protesting against seizure of their land for a dam on the island of Madura. The tragedy has traumatised a devout Muslim community, the first time that troops have opened fire on people involved in a land dispute.

The incident occurred on 25 September when surveyors from the National Land Bureau arrived unannounced to prepare land for a dam in Nipah, district of Sampang. The four who died were **Mutirah**, a mother of three in her fifties, **Nindin**, a 14-year old boy, **Simuki**, a 40-year old man and **Muhammad**, aged 30 who was injured and died later of his wounds. Among the injured were **De'ira**, a 30-year old woman who was shot in the stomach and two people who were shot in the leg, **Sunari**, a 30-year old man and **Surideh**, 24, a mother of two.

The dam will submerge seven villages in the sub-district of Banyuates, District of Sampang: Nagasareh, Tapaan, Tabanan, Pelanggaran Timur, Pelanggaran Barat, Tolang and Lar-lar, covering 170 hectares. Local residents will receive no compensation for their land and are concerned that their traditional communities will be uprooted.

Plans for the dam were first mooted in 1980 but it was only in June this year that the project received a licence to acquire land. Steps were immediately taken to start preparing the land so that construction can be completed by 1997. In July, several dozen people protested when officials started measuring their land. During August, larger protests occurred whenever officials turned up, now under military and police protection. At a meeting of the local assembly [DPRD] on 11 August, the district chief, H. Bagus Hinayana, a serving officer from the Brawijaya Regional Command, had some harsh words for anyone opposed to the dam:

"I will arrest anyone who prevents construction of this dam. I'm in charge of security. I have the armed forces. All I have to do is give the order." [Editor, 20.X.1993]



One of the many protests against military brutality in Sampang.

But larger demonstrations followed, demanding that the dam should be abandoned, with people pulling up marking sticks. After 8 September, when 250 people came out in protest, Bagus Hinayana held a 'dialogue' with the local community but after heated exchanges, a local spokesperson named Mahruf stormed out of the meeting. Mahruf and other local representatives have since been taken into custody.

The climax occurred when 500 people joined a protest in Pelanggaran Barat. They were more than 100 metres from

the site where the officials were working, separated by a 10m wide stream. From there, they shouted slogans like: "Nyo 'on odik! Nyo 'on odik!... (We want to live! We want to live!)"

Without warning, shots were fired over the heads of the demonstrators. When the crowd failed to disperse, the order to fire was heard and the authorities began firing indiscriminately into the crowd. Several people were hit and fell to the ground. As people ran for cover, several tried to assist the wounded but were chased away by more shots. The troops were using M16 rifles.

Security approach

At first, the security forces claimed that the troops felt threatened by menacing protesters who were "armed with sickles and knives". This was their excuse for using the *security approach* which is increasingly under fire in Indonesia. They even tried to shift the blame to 'outside forces' who allegedly 'incited' the community. However, investigations by the Legal Aid Institute (LBH) quickly established that the dam protesters were unarmed and did not behave provocatively.

The Nipah tragedy rapidly turned into a national issue—especially when Muslim leaders made clear their abhorrence of this deplorable use of force against peaceful protesters. The Maduranese are devout Muslims and, according to Abdurrachman Wahid, they are all "to a man and woman" members of the *Nahdatul Ulama*. Wahid is himself chair of the NU, whose main power base is in East Java and Madura. Ulamas enjoy high esteem throughout the island, with much greater authority than government officials. Many critics accuse the local military and civil authorities of riding roughshod over Muslim sensitivities, of not even bothering to consult with local religious leaders about the much-hated dam. And when the highly respected ulama, K.H. Alawy, spoke out angrily about the tragedy, regretting that none of the officials had consulted with religious leaders about the dam and condemning the local army and police, the regime was forced to act fast in an attempt to pacify the community.

As a result, the armed forces commander-in-chief, General Feisal Tanjung, announced an immediate investigation and within days, it was announced that the two local army commanders and two local police chiefs, all middle-ranking officers, would be transferred and disciplined. There has been no mention of anyone being charged for the deaths.

Calls for district chief to be charged

But these administrative measures have satisfied no-one; rather they have given the impression of a cover-up. The armed forces have resisted calls for an independent fact-finding commission to investigate the incident and the related opposition to the dam. They insist that the army's security agency, *Bakorstanas*, will be solely responsible for all investigations.

Community leaders and NGOs however have turned their attention to the district chief, Hinayana with calls for his dismissal and trial. The East Java governor, retired army general, Basofi Sudirman has blocked his removal. The LBH, which has carried out an investigation of its own, strongly believes that district chief Hinayana is primarily responsible for the tragedy. A provisional report of their

findings (which is due to appear in December) includes the following points:

- * That those who opened fire and gave the command should be brought to justice and punished according to the law;
- * That the official investigation team should make public their findings so far;
- * That no local inhabitants should be threatened or punished in any way;
- * That plans to construct the Nipah dam should be abandoned until its environmental impact is thoroughly investigated and proper consultations are held with the community; and
- * Full compensation should be given to the victims of the tragedy.

Madura under threat from big business

Comparisons have been made with Suharto's response to the Dili massacre in November 1991 which led to the transfer of some army officers and even to some dismissals. In the present political climate, Suharto is shifting his own power base away from the armed forces and relying more heavily on some Muslim groups [see separate article]. But this is not the full explanation. A major confrontation with Muslims in Madura, and, by extension, throughout East Java is very unwelcome at this juncture. But this is not all.

Plans are afoot to turn the island of Madura into a major industrial complex which is likely to cause profound social upheavals and threaten the cultural traditions of the Madurese. Land disputes are bound to proliferate as local farmers come under growing pressure to give way to investors.

Indonesia's leading tycoon and one of Suharto's cronies, Liem Sioe Liong, plans to build a large cement factory in Madura and has already acquired hundreds of hectares of land which land-owners originally handed over at dirt-cheap prices to what they thought at the time was the state-owned company, *Semen Gresik*, whose factory is located across the water in East Java. Rival companies, with Suharto's blessing, have obtained Japanese financial backing to build a three-kilometre bridge linking the island to East Java. For the Japanese companies, the *quid pro quo* is licences to set up industrial plants in the island, primarily to manufacture electronic goods. A dispute has arisen because electronics companies demand a pollution-free atmosphere for their plants and object to being located near a cement factory. (The small matter of polluting the atmosphere for the islanders appears not to have been raised.)

Added to this, the waters surrounding the island are known to contain rich oil and gas reserves and already twelve companies, including Humpuss which is owned by Suharto's son, Tommy, are prospecting for off-shore drilling. [*DeTik*, 12 October 1993]

With so much at stake, the vehement local response to the Nipah tragedy must have caused panic among business interests. At all costs, the Maduranese and their ulamas had to be pacified, to pave the way for a more 'peaceful' resolution of future conflicts over land and the environment.



Farmers against golf course

Another land dispute has erupted, with peasants struggling to save their paddy fields from being turned into a golf course. The conflict started in 1991. In recent months, the dispute has escalated. A peasant, Cheppy Sudradjat, has been sentenced to 10 months for master-minding the protest.

The dispute involves 450 hectares in West Java in the villages of *Rancamaya*, *Kertamaya*, *Bojongkerta* and *Genteng*, and is now known as the 'Rancamaya incident'. Some 200 peasants and their families organised a peaceful protest on 24 September at the office of the Coordinating Minister for Political and Security Affairs, ret'd General Soesilo Soedarman. Things had become desperate because the developer, *PT Suryamas Duta Makmur* which claims to own the land, had started bulldozing the crops, even destroying ancient tombs on Badigul Hill, a well-known historic site in West Java. A month earlier the company had promised to stop the bulldozing, yet went ahead more vigorously than ever.

Powerful backing

PT Suryamas is a subsidiary of the *Sinar Mas* Group, Indonesia's second biggest conglomerate, owned by the tycoon, Eka Cipta Widjaya. The company enjoys protection in the highest circles; its chief commissioner is Ret'd General Yoga Soegama, former chief of the National Intelligence Body, BAKIN. The company has interests in tea and coffee plantations but the Rancamaya project involves the development of a golf course, 1,200 residential units, a four-star hotel and a horse-racing track.

The villagers have done everything to save their land. They have filed complaints to government institutions, including the vice-president but all to no avail. They rejected the meagre cash compensation offered by the company and sought legal assistance from *LBH Ampera*, a locally-based legal aid bureau. The peasants were joined in their protests by student groups and human rights organisations. After the peaceful protest on 24 September, coinciding with National Agrarian Day, three peasants were seized from their homes and thirteen activists were taken to the Bogor military and police commands for interrogation.

As the dispute escalated, a series of demonstrations were held by students, activists and peasants on 27 September, 1, 6, 13, 14, 19 and 28 October.

Intimidation, harassment and arrests

On 11 October Cheppy Sudradjat, 43, a villager from Rancamaya, was sentenced to ten months' imprisonment for organising the protest on 24 September. A jail sentence is a way for the authorities to discourage others from joining peaceful protests, but rarely has a trial been held so quickly. Eighteen others were detained for questioning while the 300 other protestors, including women and children, were held by the military authorities for 13 hours.

Other forms of intimidation have also been used, in particular against people from *LBH Ampera*. The bureau's director, M.H. Sinaga, has complained that he was ill-treated and threatened with a pistol during his interrogation. Ahmad Jauhari, a *LBH Ampera* lawyer, received death



From the banned calendar TANAH UNTUK RAKYAT, Land for the People.

threats and his house was ransacked in retaliation for his support of the Rancamaya peasants. The authorities issued an arrest warrant against Dedi Ekadibrata, another *LBH Ampera* lawyer. He is also coordinator of *KAAPLAG* (*Kesatuan Aksi Anti-Pembangunan Lapangan Golf*, United Action Against Golf Course Development) which is part of the Global Anti-Golf Movement. On 8 November, Dedi, accompanied by a team of lawyers turned himself over to the police. At the moment of writing, it is not clear whether the authorities intend to charge him.

Foreign parties "behind protests"

The arrest warrant against Dedi Ekadibrata led to international as well as local protests. Amnesty International who earlier adopted Cheppy Sudradjat as a prisoner of conscience, launched an Urgent Action on 30 September which resulted in a pile of letters arriving on Major-General Nuzani Syukur's desk. The West Java Siliwangi Military Commander then accused "foreign parties" of master-minding the anti-golf course protest. Colonel Eddi Mulyono, Head of the Siliwangi Military Intelligence even said: "To meet their goals they are trying to influence, instigate and even finance people here to stage demonstrations." [*Indonesian Observer*, 18 October 1993].

Sources: *Amnesty International* reports: ASA 21/23/93, ASA 21/26/93, ASA 21/27/93; *APPEN* Action Alert 8.XI.1993, *Infight* Press Releases, *Inside Indonesia* March 1993, *Jakarta Post* 25.IX.1993, 2.X.1993; *Business Times* 17.VIII.1993, *Indonesian Observer* 14.X.1993, 18.X.1993, *Pikiran Rakyat* 17, 18 and 29.X.1993.

All the President's Men

When a senior army officer goes public with a statement that ABRI will decide on Suharto's successor and that "anyone without military support won't make it", a major political upheaval was inevitable. The battle for the succession is now out in the open and the simmering conflict between the different ruling factions is well and truly in the public domain.

Major-General Sembiring Meliala, the man who caused this minor earthquake, is no second-rate figure. Now deputy chair of the ABRI (armed forces) fraction in parliament, his illustrious military career has included key positions as commander of the Cenderawasih command in Jayapura and commander of Indonesia's UN contingent to the Middle East.

In an interview with the new political tabloid *DeTIK*, he challenged the 'election' of Harmoko as the new chair of *GOLKAR*. In essence, he was saying that ABRI might have lost the battle over who would lead *GOLKAR* but in the war for the succession, ABRI's word will be decisive. He poured scorn on the new *GOLKAR* board, with its dazzling array of sons and daughters of VIPs and said that when the time comes, in the post-Suharto era, these people will be swept away on the ash-heap of history.

ABRI sidestepped

So, has Sembiring gone mad or does he represent the views of ABRI officers and the rank-and-file? All signs are that these are the views of the ABRI mainstream. According to Lt.-General Harsudiono Hartas, General Sembiring represents the 'silent majority'.

The Suharto-ABRI feud has been simmering for ages. Suharto's increasingly personalised reign has repeatedly unleashed conflicts with the generals. Five years ago, at the People's Congress, Brig.-General Ibrahim Saleh, stood up in a plenary session to challenge the candidacy of Sudharmono as vice-president. It was well known that ABRI opposed Sudharmono, an army bureaucrat, but this was another lost battle. Ibrahim Saleh's career came to an ignominious end. This time, ABRI made sure that their candidate for the vice-presidency would make it. It was Lt.-General Harsudiono Hartas, *Kassospol* (chief-of-staff for social and political affairs), who pushed General Try Sutrisno so strongly that for President Suharto to have opposed him would have courted direct conflict. In any case, General Try Sutrisno is a former Suharto aide and can be expected to be loyal to his old boss.

Nevertheless, President Suharto was annoyed at being upstaged, so when ABRI wanted Hartas to lead *GOLKAR*, it was obvious he didn't stand a chance. He has now been kicked upstairs into the *DPA*, a toothless advisory body, and has been retired from active military duty. Some analysts argue the president has become an institution and he can afford to do ABRI-bashing.

Some ABRI officers made a last-ditch attempt to field ret'd General Susilo Sudarman for *GOLKAR* chair but Suharto and his palace clique had already decided to appoint Harmoko, the three-times Information Minister, to head *GOLKAR* with Brig.-General Ary Mardjono as secretary-general. Major-General Sembiring's outburst in *DeTIK* was a measure of the pent-up anger in army ranks.

The battle over GOLKAR

Several books have been written about *GOLKAR* but it is no easy matter to explain exactly what it is. Some people call it the ruling party or the government's party. This is not entirely true because *GOLKAR* doesn't see itself as a political party. It was originally set up before 1965 by military fractions to counter the growing influence of the Indonesian Communist Party and its mass organisations. In those days it was a federation of groups working in state companies along with thugs, petty gangsters and lumpen-proletariat. After the military takeover in 1965 it was used in the anti-communist witch-hunt. In 1969 Suharto, by now firmly in the saddle, assisted by his inner core, notably General Ali Murtopo, used *GOLKAR* as his electoral vehicle for future general elections. In those days, Suharto, a military man himself, still enjoyed the full backing of ABRI. *GOLKAR* was turned into an electoral bulldozer and won a comfortable majority of 62.8 per cent in 1972. Its share of the votes has been around 70 per cent ever since.

How GOLKAR wins elections

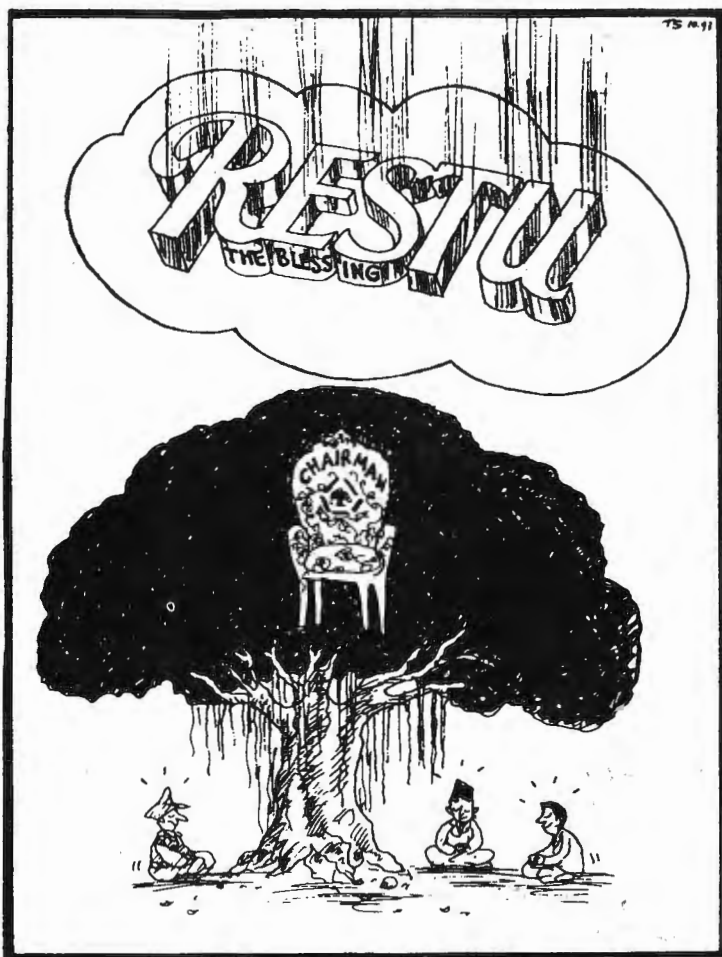
Major-General Sembiring explained in an interview how *GOLKAR* has easily won an absolute majority.

You told *DeTIK* that ABRI might abandon *GOLKAR*. What did you mean?

In the 1992 elections everything went well - smooth and fair, and they won. OK, we all know that ABRI was behind this, because we told the *babinsas* (local NCO officers) to get a win victory for *GOLKAR*. Can you imagine ABRI not backing them? They definitely wouldn't have won.

.....
Everybody knows ABRI is behind all this, although, it is said that we are neutral. Villagers ask the *babinsa*: "Who do we have to vote for, Pak?" *GOLKAR* is the answer. He is just being *to the point* (original, English). If it wasn't like this, they wouldn't vote for *GOLKAR*. [*Forum Keadilan* No.16, 25.XI.1993]

As the 'founding fathers' of *GOLKAR*, ABRI had overall control and *GOLKAR* was seen as the political arm of ABRI. Besides the backing of the armed forces, the vast army of civil servants (including their extended families) were compelled to become members. The rural population were driven by local army officers to vote for *GOLKAR*. Over the years, it has developed a vertical network like a political party, but is in effect an extension of the government (or bureaucracy). Cabinet ministers are automatically



The banyan tree is the symbol of Golkar Jakarta Post 9-X-93

GOLKAR stalwarts and its supremos hold top positions in government. Its 27 provincial offices control huge funds and live on the interest from their bank accounts. They provide jobs and a power base for ambitious people, just like the privileged *nomenklatura* in the former Soviet Union.

Suharto's personalised rule is also reflected in **GOLKAR**. As chair of its Board of Trustees, his word is law on who leads the party and he can veto any decision. **GOLKAR** is not so much the ruling party as the party of the ruler.

In the growing alienation between Suharto and **ABRI**, **GOLKAR** has become one of the battle-grounds and now the battle has become more intense. Although Suharto filled the **GOLKAR** National Board with loyalists, the army has grabbed control of 21 of the 27 provincial chairs. Who can say when sparks will start flying between the centre and the regions?

Civilians versus military?

In one way, the conflict is described as a civilian-military conflict with Suharto now relying on people like Rudy Habibie, the high profile chairman of **ICMI**, the Muslim Intellectual Union. It was Habibie who promoted Harmoko as the new **GOLKAR** chair. Although most *Golkar* provincial boards opposed Harmoko, it was clear that he would get the job. His 'election' was left to a team of wise men under power-broker Rudy Habibie who was ready with his list of candidates for the entire board. The resigning chair, General Wahono was humiliated and publicly criticised by Suharto for letting the party's vote in 1992 slip by four percentage points. The outgoing board was wiped clean.

Harmoko is a staunch Suharto loyalist. Serving as Minister of Information for a third term, Harmoko is Suharto's mouthpiece with responsibility for curbing the press. With

Habibie, he is now one of Suharto's closest aides, the possible future chair of Parliament and the People's Congress, while Habibie is seen as the likely future President.

The new **GOLKAR** board is nepotism and political clientelism at its crudest. Nine sons and daughters of VIPs are on the board, including Suharto's daughter, Tutut Suharto as deputy chair, and his son Bambang Suharto, as treasurer. Habibie has put 11 of his cohorts on the board, proving the point that **ICMI**, set up three years ago, is now the best stepping-stone into higher circles. **ABRI** was allotted a paltry three places, with Brig.-General Ary Mardjono as secretary-general. But he is not from mainstream **ABRI**, having been in the bureaucracy for years.

While some analysts express optimism that the Suharto-**ABRI** conflict has created more space for civilians, other Indonesia-watchers see the conflict as a conflict between two wings of the armed forces. As Harold Crouch, a specialist on Indonesian military affairs, writes:

"...For me the issue over GOLKAR indeed contains a civilian-military element, but more important is the fact that Harmoko was fielded as candidate not because he was a civilian and also not because he enjoys the support of all the civilians. He was fielded because he was the candidate of Pak Harto. So what we see is Pak Harto's candidate against another candidate, let's say in this case from ABRI. If for example Pak Harto himself had chosen or fielded an ABRI candidate, things would remain the same. So the crux of the matter is Pak Harto's candidate against another candidate. Hence, it is not an issue of civilians against the military. It so happens that Harmoko who was fielded by Pak Harto is a civilian but the important fact is that he was endorsed by Pak Harto." [DeTIK, no.033, 20-26.X.1993]

In Suharto's camp, he can still rely on the loyalty of key officers. In the last few years he has made strenuous efforts to place loyalists in top positions [see **TAPOL** Bulletin no. 117, June 1993]. The **ABRI** commander-in-chief, General Feisal Tanjung is a Suharto loyalist. The army chief-of-staff General Wismoyo is married to Mrs. Tien Suharto's younger sister. Rear-Admiral Tanto Kuswanto, the Navy chief-of-staff is a former Suharto aide, as is Vice-President ret'd General Try Sutrisno.

In the **ABRI** camp, resentment against the Suharto group is rife and Sembiring's outburst is a signal that things could get worse. **ABRI**'s share of the economic cake has been in decline for years while Suharto's offspring are running numerous profitable state-backed projects. People like Habibie and Harmoko are notoriously greedy (and rich), much to the dismay of **ABRI**'s rank-and-file. At the same time **ABRI** officers have been trained to accept the uniqueness of the Indonesian military, entitled to involve themselves in politics but steering clear of coup d'etats. Such things are in the Latin American tradition, the military say, not the Indonesian military tradition.

ABRI's dilemma

While Suharto has provided openings in the political atmosphere as a tactic to strengthen his political base, **ABRI** is stuck with its (*sospol*) or social and political doctrine. This doctrine, known as *Dwifungsi*, legitimises the role of the military in everyday life. The bottom line ideologically is militarism: curbing the basic rights of the population.

This results in conflicts with a growing middle class who want more freedoms. Many of *ABRI's* eminence grise have been criticising this style for years. Retired generals like Abdul Harris Nasution and Soemitro have called for a more back seat role for *ABRI*. While the top generals have had difficulties adjusting to a lesser role in society, Suharto has complied with the plea of his retired colleagues by curbing the *Dwifungsi*.

Suharto and the old guard nowadays prefer *ABRI* to take a more modest position or *tut wuri handayani* (leading from behind) while *ABRI* stalwarts like Sembiring still insist on being in the vanguard. The idea of the military going back to the barracks is not part of *ABRI's* vocabulary.

The security approach

While *Dwifungsi* theory and practice is sailing through storms, *ABRI's* role as the force for security and order is coming under heavy criticism. The random killing of villagers in Nipah (see separate item), the clumsy handling of peaceful protests, interference in labour conflicts are some examples of *ABRI's* methods. The free-for-all economy has changed the social landscape, with millions of underpaid workers, villagers evicted from their homes to make way for prestigious projects and indigenous peoples driven from their ancestral forest lands. This explosive social climate has erupted many times. *ABRI's* has only one solution: suppress protests by whatever means. While *ABRI's* role in society is in decline, their pitbull terrier role has remained the same. More intelligent officers perhaps realise how sensitive their situation has become. The unjust



"The military is the only good choice to lead Indonesia"

society created by Suharto and his ilk is creating social upheavals which *ABRI* has to handle by bashing the heads of angry crowds.

For the democratic forces in Indonesia the message is clear: both Suharto and *ABRI*, are negative forces. Both are undemocratic and destructive. Democracy and the full implementation of human rights is the only option.

HUMAN RIGHTS BRIEFS

Hard times for the student press

No fewer than ten campus journals have been closed down by the authorities since the beginning of the year. Campus censorship has been made the responsibility of university administrations which must ensure that students do not get involved in anti-government activities. The system of control was put in place after student unrest in 1978.

The latest journal to come a cropper is *Politika*, published by students at the Social and Political Science Faculty of the National University (UNAS), Jakarta. The Rector alleged that the journal was involved in a recent protest movement at the University but the journal's general manager refuted this: "Many people don't like *Politika* because it is critical of political developments," he said.

In Yogyakarta, *Arena* which is published by students at the Sunan Kalijaga Islamic Institute (IAIN), was banned in May for writing about matters "outside its campus remit". Nor did it have a publishing permit (STT). The last issue contained articles criticising the business activities of the president's offspring and cronies. When students organised a sit-in at the rector's office, they got a promise that the journal could re-appear once a permit had been issued. Now, the authorities insist that even though the STT has been granted, the editorial board must change, so the journal has not yet resumed publication.

Three other journals at the same college, *Paradigma*, *Orator* and *Advokasia*, have also been shut down because they have no STTs.

Sintesa, the students' journal at Gadjah Mada University,

Yogyakarta, has been given a final warning after publishing an article calling for Indonesia's Constitution to be overhauled. At the state university in Semarang, *Opini* is also under a cloud for publishing an article that discussed the role of the armed forces in public affairs. The offending article was blacked out before circulation was permitted. [*Forum Keadilan*, 25.XI.1993]

Kennedy Award for Indonesian lawyer

An Indonesian lawyer, Bambang Widjojanto, was one of three recipients of the Robert Kennedy 1993 Human Rights Award for his outstanding contributions in supporting the rights of the people of West Papua. The Award is given yearly to people who risk death threats, torture or other kinds of harassment in the fight for human rights.

Bambang Widjojanto has run the Legal Aid Institute in Jayapura for the best part of a decade.

The Award was given in recognition of his work to defend indigenous people against mining, logging and industrial interests who encroach on the rights of the tribal people, in particular their land rights. [*AFP*, 18.XI.1993]

Ban on Pramoedya's books to stay

Despite a call from seventy writers and artists for the ban on the books of Pramoedya Ananta Toer to be lifted, the government has decided to maintain the ban.

The junior Attorney-General for intelligence affairs said it was unlikely the ban would be lifted until the anti-communist decrees enacted in the late 1960s were repealed.

"His books implicitly contain teachings of (Marxist) class struggle which a 1966 decree does not allow." But the official denied that there is a ban on Pramoedya travelling abroad. "There is no such ban. He did not commit any crime."

Pramoedya, 68, who was jailed for 14 years without trial, said he was unperturbed by the ban. "I can publish in foreign lands. I would like to publish (in Indonesia) but that depends on the government." [Reuter, 7.X.1993]

Newspapers in trouble

The *Asian Wall Street Journal* which sells 3,500 copies daily in Indonesia, was off the newsstands for several days in October, on the orders of the Information Ministry because of an article by its correspondent, Richard Borsuk, on the GOLKAR congress in Jakarta. The article was considered to have reflected unfavourably on President Suharto.

The *Jakarta Post* was meanwhile reprimanded for publishing an article which reflected 'negatively' on Malaysia's Finance Minister. The reprimand came after a complaint from the Malaysian government.

Seminar condemns press regulations

A seminar in Yogyakarta condemned press regulations for being uncondusive to press freedom. The seminar was originally sponsored by the Forum of Yogyakarta Journalists, an organisation independent of the government-backed journalists organisation, PWI, but the PWI urged the local police not to allow it to proceed so the Bar Association, IKADIN, took over the event.

Senior lawyer, Harjono Tjitrosubono said that the law requires the creation of a Press Council, but the Council that has been set up is headed by the Information Minister, with the Director-General for Press and Graphics occupying the post of secretary-general. [Jakarta Post, 6.IX.1993]

The latest bans

A book published in Japan which consists of photos of Dewi Sukarno, one of the late President Sukarno's widows, has been banned because it contains photos of her in the nude. The authorities justified the ban on the grounds that it was offensive to the country's former President.

Copies of a cassette with songs performed by the popular singer, Atiek CB, have been confiscated because the label has a photograph of men wearing necklaces with a hammer-and-sickle. The attorney-general's office in Central Java, where the cassette has caused consternation among officials, has ordered staff to crack down on all shops selling the cassette. [Jakarta Post, 20.X.1993]

Toba Batak Church conflict far from resolved

The *HKBP*, the Protestant Batak Church, has become an example how state and army intervention in a religious dispute only makes matters worse. The church's current leader, P.W.T. Simandjuntak, seized control with government backing while S.A.E. Nababan who was forcibly removed from office enjoys the support of the majority of the congregation. Although rarely reported in the press these days, the conflict simmers on and occasionally erupts. Pro-Nababan ministers have been physically ejected from their churches and lately, three lecturers at the Nommensen University which is linked with the church, were summarily dismissed and ejected from their homes. This time it was members of the notorious youth organisation, *Pemuda Pancasila*, who were instrumental in evicting the lecturers.

The governor of North Sumatra, ret'd General Raja Inal Siregar, is pro-Simandjuntak and has made things worse with an order to all district heads to ban all pro-Nababan church services. Such a move will only inflame the conflict.

The return of Petrus

In Indonesia, *Petrus* is not only the name of a holy saint but also an acronym for *penembak misterius* (mysterious killer), which is how the death squads of the mid-1980s that conducted an anti-crime wave, were known. President candidly admitted in his autobiography that he gave orders to commander-in-chief General Benny Murdani: "to shoot to kill" as a shock therapy against criminals.

While occasionally *petrus* squads are still used by security officers, they are not as rampant as in the wild-west days of a decade ago. With urban poverty on the increase, the crime rate is soaring. So Jakarta local councillor Syarifuddin Siregar Pahu, concerned about the level of violent crimes, has called for "the return of *Petrus*". The councillor, vice-chair of PPP, the Muslim party, was considerate enough to say that the police should make sure to warn their victims first. [Jakarta Post, 10.XI.1993]



Military commander warns protesters

The Jakarta military commander, Major-General Hendropriyono, has warned that the armed forces will not stand by and allow mass protests to take place on the streets of the capital and threaten security. He was speaking a few days after angry Muslim crowds demonstrated outside the President's Place to protest against a decision to renew the licence for the State Lottery. The last demonstrations outside the Palace took place in 1965/66, pressing for the removal of President Sukarno.

Asked whether his troops would adopt the security approach, the general said the larger the crowd, the more difficult it was to control. "In everything we do, we have to consider the security aspect," he said. It was enough for people to take their complaints to parliament or other 'representative bodies', and not take their protests to government offices. [Merdeka, 13.XI.1993]

12 *Haur Koneng* survivors tried for assault

Twelve people are being tried for assault against the police in the Haur Koneng affair when security forces killed four and injured many more last July. A fact-finding team from the Legal Aid Institute has concluded that the official version of the affair is a grave distortion of the facts.

The *Haur Koneng* ('yellow bamboo') tragedy is yet another example of the army and the police using armed violence and the security approach against a defenceless group, with devastating consequences. In this instance, a peaceful and pious Muslim group was accused of being a 'deviant' religious sect and of resisting government regulations. The authorities are now trying twelve people, all of them survivors of the armed attack that killed four of their co-religionists and injured more than a dozen others.

The attack by well-armed troops against the tiny Muslim community of poor villagers who occupy just four houses in the secluded village of Gunung Seureuh in Sirnagalih valley, district of Majalengka, West Java, took place on 28 July. The day before, police went there to seize three of their colleagues and during the fracas that ensued, one of the policemen was killed.

LBH fact-finding team

There has been widespread anger and criticism of the government's handling of the affair, its strong-arm tactics and disbelief at the claims made to justify the attack. The Legal Aid Institute (LBH) in Bandung therefore set up a fact-finding team to investigate the affair. The team publicised its findings early in October. It believes that the *Haur Koneng* community has been the victim of a slanderous misrepresentation of the facts. The following are some of its conclusions:

- * The community did not, as the government claims, refuse to take part in a census; its conflict with a local village chief was over a longstanding dispute regarding the right to a small plot of land where the community lives.

- * There was nothing 'deviant' about the community's Islamic beliefs; their *tarekat* rituals are common to many communities in Indonesia.

- * The group leader, Abdul Manan – who was killed in the armed attack – did not instigate his followers to oppose the government, only advised them to keep a distance from the authorities, not to buy lottery tickets and so on.

- * No attempt was made by the authorities to sort out differences that arose through established village institutions.

- * During the incident in which a policeman was killed, the community acted in self-defence after shots were fired by the police and teargas bombs were thrown.

- * Without any justification at all, the authorities used the security approach, surrounding the community with three lines of police and troops who opened fire, killing the community leader and three others. [*Tempo*, 9.X.1993]

The chair of the fact-finding team, Effendi Saman, told the press that the team's findings would be submitted to the UN Human Rights Commission in Geneva. It has called on the armed forces commander-in-chief to bring those responsible for opening fire to justice and regrets that only

those alleged to be responsible for the death of a police sergeant have been brought to trial.

The trials

The twelve people scheduled to go on trial are accused of "resisting the authorities in the performance of their duties", and for being responsible for the death of a policeman and inflicting injuries on his deputy. The first four in court were three women and a boy of 14 years. One woman is Abdul Manan's 17-year old wife, another is his former wife and the third is his older sister. The eight others are also being tried in groups and, as frequently occurs in trials of this nature, they are being required to appear as witnesses in each other's trials. The charges could lead to sentences of up to seven years.

All the indictments make the charge that the police unit which went to the community to arrest three men came under attack when the leader allegedly shouted an order to his followers to "attack" the police. Several of the defendants have vehemently denied this, retracting statements which they are alleged to have made during pre-trial interrogations. One of the men who is accused of giving chase to the police told the court: "I ran towards the police not because I wanted to attack them but because wherever I ran there were police officers. [*Jakarta Post*, 6.XI.1993]

Procedural irregularities

Lawyers from the LBH in Bandung were prevented from meeting the accused to offer their services and were told by the police that the four already had lawyers. Yet, when the trial began, this was shown to be false. The four told the court they could not afford to employ lawyers and were persuaded by the court to accept the services of a lawyer appointed by the court. The lawyer in question, a retired police captain, has been criticised by experienced defence lawyers for not bothering to enter a demurrer at the commencement of the trial. Moreover, he has said that he will not seek to prove the innocence of the accused, only to persuade the court to give them lenient sentences. LBH lawyers have also criticised the prosecution for bringing charges against a 14-year old boy who is below the age of criminal responsibility, according to Indonesian law. [*Republika*, 26.X.1993]

The lawyer appointed by the court to defend two men in the second of the trials is the husband of one of the judges hearing the case.

The *Haur Koneng* trials of massacre survivors are proof yet again that, whereas victims get rounded up and are brought to trial, the security forces can commit violent crimes against defenceless citizens with impunity.

Note: Apologies to our readers for publishing an unedited draft on this topic in our last issue.

Indigenous peoples' struggle spirals

The UN Year of Indigenous Peoples has passed virtually unnoticed in Indonesia. There was the cultural festival for Asia Pacific tribal people in September, organised by the Riau Provincial Government, the idea being to promote indigenous culture for tourism. Meanwhile the indigenous peoples in the Indonesian archipelago are desperately fighting to defend their lands and livelihoods.

The Asian continent is home to the majority of indigenous peoples on this globe. In Indonesia alone some 300 indigenous peoples can be traced on its 13,000 islands. They live in the mountains, in the tropical forests and on the coastal plains. Although many Indonesians have been reassessing indigenous peoples, the majority still regard them as primitive, backward, animist and uneducated. This attitude is reflected in the paternalistic policy of the government towards indigenous peoples: they have to be modernised, civilised and permanently resettled to fit into Indonesian society. 'Care' of the *suku-suku terasing* (isolated tribes), as they are officially called, falls to the Ministry for Social Affairs. Paternalism is also practised by other government departments – Home Affairs, Transmigration, Forestry, Education, Health and Public Works. State and private plantation and logging companies, who threaten the livelihood of indigenous peoples most directly, take a similar approach.

Government officials sometimes recognize that 'external factors' are squeezing out the indigenous peoples of their natural habitat. Less space means less chance to gather food, less hunting ground, fewer forest commodities, and less to fall back on. And the process of 'acculturation' is hardly of benefit to the indigenous peoples: they are pushed off their ancestral grounds, forced to settle elsewhere, and used as cheap labour by the incoming entrepreneurs.

Three quite distinct cases have lately emerged: the struggle of the *Bentian* people against loggers in East Kalimantan, the struggle of the *Anak Dalam* people in Sumatra also against logging companies, and struggle of the *Chaay* people in Jayapura, West Papua against the local government.

The plight of the Suku Anak Dalam

The *Anak Dalam* are often described as part of the *Kubu* tribe, a larger indigenous group living in the same region of Sumatra. Like the *Kubu*, the *Anak Dalam* people do not practice agriculture and rely entirely on hunting and gathering for their subsistence. Living in the isolated mountainous region of Bukit Duabelas, *Bungotebo* district, in the Jambi province of Sumatra, they move from place to place according to the seasons (of fruits and other forest commodities like wax, honey, petai and rattan). A respect for the delicate balance of nature is essential for this way of life, as is evident in the strict traditional rules which apply among them. Anyone caught destroying trees or vegetation is fined, or in severe cases banished from the community. Some trees have a special sacred meaning for the forest people. The *Anak Dalam* people move from place to place (*melangun*) in small groups of between 5 and 15 families. Two years ago their quiet isolation was disrupted when the government opened the forest for a transmigration site. They moved further inwards. But now the threat is more



An Asmat symbol

serious, with logging companies entering the forest at a rapid and destructive pace.

On 12 October the *Anak Dalam* people allegedly attacked a base camp of *PT Intan Petra Darma*, a logging company with an *HPH*, a legal forest concession. The camp was destroyed and its contents taken away. The companies accused the *Anak Dalam* of behaving aggressively and threatening the loggers with spears. According to press reports, the 7 *HPH* holders in the *Bungotebo* district control 731 thousand ha of forest. The entire region has been declared *hutan produksi* (production forest): the green light has been given for the logging companies to move in.

The struggle of the Bentian people

The *Bentian* people are one of the many *Dayak* tribes in Kalimantan. They live in the village of *Jelmu Sibak*, *Kutai* district in East Kalimantan. They are shifting cultivators, they belong to the very few tribes who have developed a method of cultivating rattan. Their forest is full of tropical fruit trees like durian, rambutan (sim. lychee), langsung, cempedak (sim. jackfruit), aren (sugar palm), salak (*Zalacca*), asam (tamarind) and limau (citrus fruit).

Since at least the end of the last century, the *Bentian* have been cultivating the forest, but in 1992 the government declared that this forest was to be converted into an *HTI Trans* (*Hutan Tanaman Industri Transmigrasi*) area. The *HTI Trans* is a relatively new government scheme in which a logging company clear-fells the area so as to later replant it as a monocultural timber estate (eg eucalyptus, accasia) – either for construction, pulp and paper or wood energy. For the timber estate, transmigrants will be used as workers.

In October, the environmental group *WALHI* accused the logging company of having already bulldozed at least half

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of the *Bentian* forest, destroying all the fruit trees, cultivated rattan estates and ancestral burial grounds. The company, *PT Hutan Mahligai* (a joint venture between the giant *Kalimanis* group and the state company *PT Inhutani*) claim that the *ladang berpindah* (shifting-cultivation rice fields) have not been used for 3 years and are therefore considered as unused, unowned land. As anyone should know, the whole principle of shifting agriculture is to leave land fallow for several years for it to restore its nutrients. The wealth of the trees and rattan developed and owned by the *Bentian* people has thus simply been ignored.

Kalimanis is owned by Bob Hasan, often nicknamed 'King of the Jungle', one of the very few privileged businessmen in Indonesia who can drop in on Suharto unannounced. Timber tycoon Bob Hasan owns two huge pulp and paper factories in East Kalimantan and fresh supplies of timber are always welcome.

The scheme to set up timber estates in East Kalimantan is an ambitious one, and regarded with much scepticism by environmental groups in Jakarta. Not only do monocultural plantations raise serious environmental concerns, but they provide the excuse for otherwise prohibited logging. Once cleared, forest areas are rarely replanted with new seedlings for timber estates.

The pressure on the *Bentian* people is not new; they have been appealing against the loggers with letters and visits to the local authorities with negligible results but reports in the national press and pressure from Jakarta NGOs are a new ray of hope.

The Chaay people's lawsuit

The spokesperson for the *Chaay* is Rev. Silas Chaay who has taken three government institutions and a construction company to court. The provincial government, the municipal government of Jayapura, the National Land Board (*BPN*) and the private company *PT Jayapura Pasifik Permai* are charged, in this unprecedented case, with unlawful possession of the *tanah ulayat* (traditional land) of the indigenous *Chaay*, also known as the *masyarakat adat*

Kayu Pulo (community of the Pulo tree tradition). It is not only the strategic Yos Sudarso Bay which is claimed by the *Chaay* people but also sea territory in the bay which is called *Numbiai Raro* in the local language.

In 1991, the construction company *PT Jayapura* began digging white sand from the beach, despite many protests. According to the present plans, the Yos Sudarso Bay will be converted into a huge business centre: shops, office space and luxury apartments. The strategic site next to the harbour offers a lucrative business opportunity. An investment of Rp250 billion (US\$125 million) is planned by *PT Jayapura*.

Rev Silas Chaay has a strong case: the Dutch administration recognised the claims of the *Chaay*. LBH lawyer Bambang Widjojanto confirms that the indigenous peoples on the island of West Papua have traditional rights to the coastal waters. Such rights do not exist in Indonesian law.

Different cases, same principles

These three cases on three different islands involve three different indigenous peoples. But there are similarities. Logging, plantations, agribusiness, accelerated industrial expansion - all are bringing indigenous peoples into conflict with the outside world on a massive scale. Although traditional rights are nominally recognised in Indonesian law, the three examples show how these *adat* rights are being trampled upon. For the sake of development and economic growth, indigenous peoples are being sacrificed.

Another source of devastation for indigenous peoples in Indonesia looms. On 4 December President Suharto will announce a new programme of *TSM* (*Transmigrasi Swakarsa Mandiri*, or Self-initiated Transmigration) which will aim to develop 'empty' plots of land as transmigration sites, later forcing forest dwellers like the *Anak Dalam* to resettle there too. This scheme, it is feared, will create at least as much havoc and upheaval as the ambitious transmigration programme of the 1980s.

Source: *Tempo* 16 October 1993 & 30 October 1993, *Kompas* 18 October 1993.

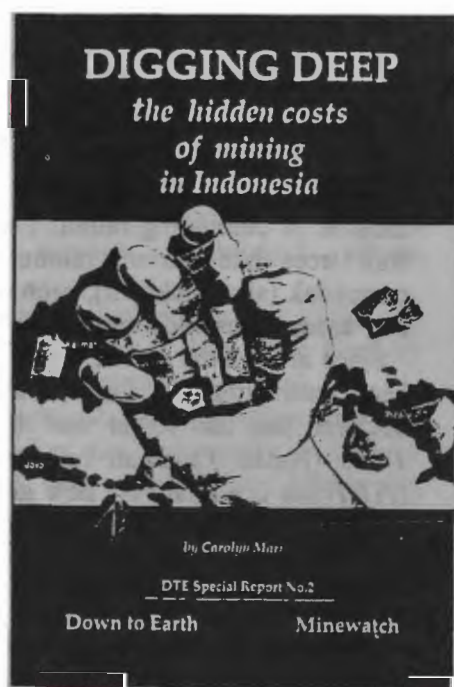
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STOP PRESS

ICJ: Xanana verdict should be annulled

The Geneva-based International Commission of Jurists has called for the verdict passed against East Timorese resistance leader, Xanana Gusmao, to be annulled. Drawing attention in particular to the refusal of the court to allow him to read out his defence plea and that fact that he was not allowed to pick his defence counsel, the ICJ report complained that "procedural fairness and international principles of natural justice were denied to Xanana Gusmao in the conduct of the trial". Besides breaching international covenants, the ICJ said the trial breached Indonesian law on all the counts brought against the accused.

Xanana was sentenced to life imprisonment in May. The sentence was later commuted to twenty years.

The report was made public by the Australian section of the ICJ which sent two observers to the trial. [*Reuter*, 25.XI.1993]

UNHCR criticises TAPOL over East Awin reports

The United Nations High Commission for Refugees office in Port Moresby has criticised TAPOL for giving a 'very false picture' of conditions at the refugee camps in East Awin, Papua New Guinea. The charge is made in a document that has not been sent to TAPOL; it was reproduced in the West Papuan Courier.

The UNHCR was responding to articles in *TAPOL Bulletins* Nos 116, 117 and 118 of April, June and August 1993 which, it claims, reflected badly on the work of people employed at the camp with the refugees by addressing grievances against the UNHCR that "give a very false picture to friends of refugees who might be in PNG, Irian Jaya and overseas which could cause great distress".

After seeing the document in the September issue of *West Papua Courier*, we sent a fax to the UNHCR in Geneva regretting that we had only seen it through a third party and asking for it to be addressed to our office. As yet we have had no reply. Although we still do not know the precise origin or status of the document, we have now written to the UNHCR giving our response to the substance of their complaints, the main points of which we summarise below.

Eight letters, one reply

The document describes at some length the situation in the camps from the vantage point of UNHCR staff there. It criticises TAPOL for our lack of accurate detail, accusing us of writing 'half-truths'. But as we say in our letter: "There has always been a serious lack of information about the situation at the East Awin site. On occasion, refugees have made clear their dissatisfaction, and sometimes the PNG press have published brief reports. Where possible, we have published this information, knowing full well that,



East Awin

photo:Norbert Suchanek

since long before the crisis exodus of West Papuans to Papua New Guinea in 1984, international interest in the refugees' plight has been abysmal. Endeavouring to be accurate and up-to-date, we have gone to considerable lengths to solicit comments from those concerned in the refugees' fate. Over the past two years, we have written eight times to the UNHCR but have received only one reply. In most instances, we were seeking your clarifications about reports which appeared in the PNG press."

Flag-raising demonstration

The UNHCR document gives a different account of events in January 1993, when refugees raised the West Papuan flag in place of the UN flag. It says that despite "repeated requests by the resident policeman to pull down the West Papuan flag ... the demonstrators still steadfastly refused to remove the flag; each morning a small group would ceremoniously raise the flag, each sunset lower it. On the night of 1 February the ... UN flag [was] restored to its original position, this apparently being carried out by a faction of refugees unhappy with the demonstration."

In our Bulletin 116, we said that the flag-raising demonstration as well as the looting of a foodstore were evidence of refugees' dissatisfaction with the situation in East Awin. Correspondence sent to us by refugees at East Awin in June confirmed this. The nature of their frustrations was spelt out in Bulletin 118. They involved in particular the fact that camp projects were being run along business lines which had led to the introduction of high transport fees.

The UNHCR document confirms that refugees are charged for transport if they go to Kiunga on 'private business' for shopping or selling goods but fails to respond to the complaint that this may be 'more than what a family will spend on provisions, doubling the cost of what they buy.' We are concerned that refugees who have to survive on their own garden produce which they sell in Kiunga in exchange for other basic necessities are required to pay prohibitive transport costs which virtually eat up everything they earn from their produce. It is surely unreasonable to classify these as 'business trips' when the refugees are only going to Kiunga to exchange goods for what is nothing more than subsistence survival.

Grievances against the UNHCR

The refugees' grievances against the UNHCR which we quoted in Bulletins 116 and 118 were made plain in the placards and leaflets used during the flag demonstration. The UNHCR describes their grievances as 'unfair', considering "the activities and services provided to returnees in the settlement (sic)". It notes that since the PNG government signed the UN Convention and 1967 Protocol on Refugees on 9 July 1986, it has classified all refugees who crossed en masse between 1984 and the

signing as *prima facie* refugees. As we say in our letter to the UNHCR, this fact "does not address the real issue, which is not whether the refugees are recognised as refugees with rights *in theory*, but whether they are allowed to *practise* those rights."

The UNHCR claims that "it is not reasonable to describe the East Awin refugees as 'prisoners' [a comment made by a refugee at the camp.] "The complaint about not having free transport to the nearest town indicates the open nature of approximately 60,000 ha site on which the refugees are located". As we see it, the comparison "was intended as a metaphor. The fact that there is no electric fence round the camp does not mean the refugees have the freedom, for example, 'to choose their place of residence and to move freely within the territory' as the 1951 Convention relating to the status of Refugees stipulates."

The UNHCR document ends with an assurance given in response to a petition from refugees that the PNG government "is currently addressing a long-term policy regarding refugees in such areas as integration, freedom of movement, education, employment etc". While this is encouraging, we remain concerned, not least because the UNHCR plans to withdraw from the camp at the end of the year.

German visitor also criticised

Some sections of the UNHCR document relate to information summarised in Bulletin 117, based on a report by Norbert Suchanek, a German who visited East Awin earlier this year. In reply, the UNHCR provides data about many aspects of life in East Awin - transport, housing, food production, health, livelihood and education. We have decided to send this information to the refugees in East Awin, inviting their comments. In fairness, we feel that the refugees are the ones with the strongest right to comment but the least opportunity to do so.

Suchanek came across the UNHCR document as reproduced by *West Papua Courier* and sent a response to the UNHCR in Geneva. He writes that the UNHCR Public Information Service has already been sent his report and slides. "My faithful report relies on interviews which I conducted with all those responsible in the camp, starting with the Camp Administrator."

"In fact, the percentages given for the diseases in the camp ... are not from me." [TAPOL's summary was taken from an earlier edition of the *West Papua Courier*. We mistakenly thought that the figures in their summary of Suchanek's report were taken from his report, a copy of which we had not seen; we now realise that they were from *Courier's* own sources.] "In my original report I simply quoted the head of the Health Centre of East Awin and I deliberately did not use any figures or percentages for epidemics and deaths at the camp as the Camp Administrator declared that this information was 'Top Secret' and refused to give me a copy of the official health report."

"The UNHCR mentions that the West Papuans are very successful hunters. That may be the case, but it should know that the refugees are banned by the landowners in the area from hunting in the rainforest. West Papuans - who nevertheless hunt, out of hunger - run the risk of becoming the victims of a 'hunting accident'. My informants in the camp told me that there was evidence that at least one West

Papuan was murdered by a landowner because he hunted in the rainforest in spite of the ban."

Suchanek called on the UNHCR to retract their criticism - bordering on insult - of his journalistic work, and to read his original report, a copy of which is available at the UNHCR Public Information Service.

Contradictory accounts

There is a stark contrast between Suchanek's report, the refugees' accounts which TAPOL reported in Bulletin 118, and accounts from the UNHCR. No doubt the situation differs from camp to camp, and perhaps from family to family. But the contradictions and grievances point to a lack of communication and understanding between the camp staff and the refugees. TAPOL stands by its decision to publish the words of people who rarely have an opportunity to speak to the outside world, and who have complained to TAPOL that journalists are not given an opportunity to speak to them. It is the refugees, after all, who have gone to the extremes of demonstrating, flag-raising, looting and so on in order to express themselves.

Note: TAPOL apologises for twice mis-spelling Norbert Suchanek's name.

WEST PAPUAN BRIEFS

Teruko Wainggai released

Mrs Teruko Wainggai, arrested in 1988 for taking part in a flag-raising protest in support of independence for West Papua, was released on 20 November after serving more than half her 8-year sentence. This harsh sentence was for sewing the flag which was unfurled. Her husband, Dr Tom Wainggai is serving a 20-year sentence.

Troops sent to 'clean up' the GPK

In a send-off for Infantry Battalion 401 before it left Central Java for Irian Jaya (West Papua), the regional military commander, Major-General Soeyono called on his troops to take part in operations to "cleanse Irian Jaya of GPK" [GPK stands for 'security disruptor terrorists', the regime's way of referring to the Free Papua Movement, OPM]. There is no greater glory, he said, than being sent out for operational duties.

The dispatch of troops, used on rotation in West Papua, is evidence that the army there continues to face a strong challenge from the OPM.

continued from page 23

government calling into question the judicial grounds for the decision to sell 39 warships to Indonesia. They draw attention in particular to Indonesia's unlawful occupation of East Timor and West Papua and the repressive regimes in both territories.

* US military training ban renewed

The US Senate has renewed the ban on International Military and Education Training to Indonesia during 1994. No vote has been taken on the US Foreign Appropriations Bill to which the Feingold Amendment linking US arms sales to Indonesia to the human rights situation in East Timor has been attached. [See *TAPOL Bulletin*, No 119, October 1993]

East Timorese received by people in Britain

The word about East Timor was spread farther than ever in Britain last month when two Timorese visited the country on a speaking tour. The Coalition for East Timor, which organised the tour, reports:

'I asked some schoolchildren the other day what they knew about East Timor. "What's that?" they replied. "Is it a kind of car?" suggested one. "A new fashion?" offered another. "No," I said, "it's not a kind of car, and it's not a new fashion. It is a country. It is my country: I was born there. But now it is not allowed to be a country because Indonesia won't allow it."

This is how Maria Braz introduced herself and her homeland to a meeting in Chester, northwest England. Had she asked the same question there, she might well have got a similar response a few years ago. But many of those present had seen the television pictures of the Santa Cruz massacre in November 1991: they had an idea that East Timor is a place of bloody repression.



The two Timorese with the mayor of Wirksworth, Derbyshire.

But in the eighteen months since those pictures, scant attention has been paid to East Timor by the British media. During the information lapse, Britain became the largest supplier of major weapons systems to Indonesia.

So the Coalition for East Timor invited two East Timorese to come to Britain and break the silence. The Free East Timor Tour, the Coalition's largest event since it was founded in December 1991, was the first major step in putting East Timor firmly on the map for people in this country. Accompanied by a large photo-exhibition, the Tour went to twenty-five meetings in England, Scotland and Wales, reaching almost one thousand people. In Lancaster and St Andrews, it was joined by Estevao Cabral, Timorese political exile and chair of the Coalition. Occasion was also given to meet government officials, MPs, MEPs, peers, solidarity groups and church officials. Over the two and a half weeks, our Timorese guests were interviewed for ten national and local radio programmes.

Hosted by local schools and universities, peace, church and development groups, our Timorese guests were two very interesting people. Jose Antonio Amorim Dias, European representative of the National Council for Maubere

Resistance, left East Timor in 1985 having attended the Catholic seminary for eight years. In November 1991, when studying in Jakarta, he was involved in the demonstration there one week after the Santa Cruz massacre. He was arrested and tortured. A few months later, he managed to escape from Indonesia to Europe. Like all Timorese who have fled the Indonesian regime, he cannot go back to East Timor in safety until his country is free.

Maria Braz fled East Timor with her family when she was seven and went to live in Portugal, where she continued to learn the Tetum language as part of the Timorese community there. Having spoken at length to most Timorese who have fled to Portugal since 1975, she is well aware of the continuing atrocities committed by Indonesian forces in her country, and of the day to day sufferings of the East Timorese living under Indonesian occupation.

Jose and Maria were received generously in each place they spoke. This was, after all, the very first time the audiences had heard East Timorese people speak about East Timor. However bad you know or suspect the situation to be, to hear a graphic first-hand account makes an indelible impression.

Jose spoke with dignity and great emotional strength about his father, whose torture he had been forced to witness, and who died as a consequence. *"Indonesia says it has improved conditions in East Timor, with schools, roads, hospitals. But you know, if they came to me tomorrow, if they offered me a car, a house, I would not accept it. I would say: these things can do nothing for me. Nothing. Give me my father back. That is what I want."*

Maria explained, *"I am one of the lucky ones. I am living in a place where at least I can walk down the street, visit friends, enjoy my family, and speak my language. My people in East Timor can do nothing. They have no rights. Everyone lives in absolute fear. Women are treated like animals: they are dragged from their houses, beaten and raped. Sometimes they do not even have the right to bear a child because they were sterilised when they were not aware. And when they do have a family, they have to accept that they will probably lose their sons to the war."* Such details were not easy to express in any meeting, but it was when Maria spoke to the audiences of schoolgirls that the words came most hard.

The impact was deeper when the speakers would point out, *"Where we can speak, we must tell people what is happening in East Timor, because our brothers and sisters there cannot do so. We hope that with your good hearts and your good faith, you will help our people in the struggle for justice and for freedom..."* [Jose]

British arms: a witness

Jose had come to Britain wanting to inform people here of the important link between Britain, Indonesia and East Timor: that Britain is perhaps the biggest arms supplier to the Indonesian regime. When raising this issue with the

EAST TIMOR TOUR

British government, protestors have always been told that there is no evidence to suggest the equipment Britain has sold has been used against the people of East Timor.

But what transpired in the course of the tour made such assurances worthless. Jose told audiences, *"I myself have seen these fighter planes in East Timor. When we used to go on pastoral visits with Monseigneur da Costa Belo, we would pass Baucau airfield, and there I saw with my own eyes, several Hawk planes, loaded with bombs. And the British Landrovers are very powerful vehicles, used to carry troops and weapons up into the mountains. I have seen these too."* Jose appealed to people in Britain to *"press your government, to press British Aerospace, not to sell these machines, because Indonesia uses them to kill my country"*.

Government reticence

After initial reluctance, the Foreign Office agreed to meet Jose and Maria to hear their testimonies, and to discuss arms sales. The two Timorese, with a representative of the Coalition and Mark Curtis, former researcher at the Royal Institute of International Affairs, met the FCO official with responsibility for Indonesia.

His approach throughout was dismissive and non-committal. Jose's first-hand account of Hawks at Baucau military airbase in East Timor appeared to make no difference to Britain's position. The testimony did not constitute "cast-iron evidence". And it made the government no more committed to monitoring the use of British equipment sold to Indonesia. But while unable to say whether there had been any investigations into its use in the past, the official could give no categorical assurance that British equipment has not been used in East Timor.

Having heard Jose's testimony, the official suggested that East Timor may be a "training ground". Jose pointed out that Indonesia's major airforce base was situated in East Java, which is where training takes place. Furthermore, if Indonesian pilots had been trained in East Timor, their training would, by its very nature, be suited to active service in East Timor.

The government is not known for substantive responses to controversial questions, and the bland words from the official who received the delegation were to be expected. There was one point of government policy, however, on which he was able to respond categorically: that the government could not possibly take a unilateral initiative to send, for example, a parliamentary delegation to East Timor as this would "interfere with the negotiations underway between Portugal and Indonesia". Presumably Sweden and the US are to be criticised for taking such a direct interest in the situation in East Timor.

Lobbying

Jose and Maria were also able to meet representatives of several trade unions, introducing the issue of East Timor in some cases for the first time. All were responsive, pledging to bring the issue to the attention of the appropriate bodies. In addition, they met several MPs, as well as foreign affairs spokespeople in the Labour Party and the Liberal Democrat Party. As a result, the government found itself being questioned about the sale of Hawks to Indonesia in the House of Commons, and in a personal letter to Foreign Secretary Douglas Hurd from the Labour Party.

Two years on

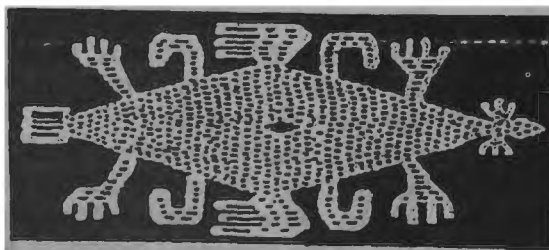
On 12 November, to commemorate the second anniversary of the Santa Cruz massacre, more than fifty people held a prominent candle-lit vigil on the steps of St Martins-in-the-Field, in London's busiest location, Trafalgar Square. At a social event in the evening, organised together with the Campaign Against Arms Trade (CAAT), over one hundred people concluded the Free East Timor Tour listening to live music as they ate Southeast Asian food.

The Tour has prepared the groundwork for a nationwide network to campaign on East Timor in Britain. Its impact will long continue to ripple through the country. But two and a half weeks of continuous talking on such a sensitive subject took its toll on both of our guests, physically and emotionally. "I am exhausted," Jose said on leaving, "but my mind is happy. Something is happening here. The problem now is how to keep the candle alight."



Vigil at Trafalgar Square, London 12 November 1993

The Coalition for East Timor's new Campaign Pack containing leaflets, ideas for action, a 6-page background, resources list, window sticker and more, is available from PO Box 2349, London E1 3HX or tel/fax 071 639 4700. Suggested donation £1. T-shirts with black-on-white crocodile design (all sizes) are £5.



Bishop Belo treads a narrow path

Bishop Belo, head of East Timor's Catholic Church, is a man walking a tightrope. He preaches reconciliation with Indonesia and urges caution on young Timorese but he is better informed than most about the military's tight grip on life in his country. Like his predecessor, the late Mgr Martinho da Costa Lopes, he refuses to keep silent. Here are a few recent comments.

On curbing demonstrations

"(This is) what happened in my residence on 5 September [1993]. The visit of three congressional staff members was planned for this day.... the military took measures to avert a demonstration. We celebrated Mass on my patio, attended by a large number of... young people. After mass, some went into hiding in the rooms to wait for the right time to demonstrate. There were about 100 young people [and] more arrived during the day [but] most left when I asked them to do so, but some remained hidden in the bathrooms.



"At 5pm I escorted them to the door [but] the house was surrounded by [about 200] military, police, police informers. I took them by truck to their homes. That was why there was no demonstration. But when the young people were in front of my residence, they were filmed by Indonesian intelligence. On the next day, soldiers took all these young people to their headquarters. They had not even demonstrated but were barbarously beaten and tortured.

"Please pray for me because now I have to confront two sides, the soldiers [who] accuse me of promoting demonstrations and the young people [who] accuse me of having sold out to Indonesia because I don't allow them to demonstrate at my residence." [See *Bishop Belo's Diary of Oppression*, in *Timor Link*, October 1993]

On the army's presence

"The Indonesians are saying that they have already withdrawn battalions from East Timor but this is not true. On the contrary, they are increasing the presence of military units in all places.... the following battalions are here:

- * *Batalyon Tempur*, a combat battalion to fight Fretilin.
- * *Batalyon Territorial*: according to the Indonesians, this battalion is dedicated to development but all they do is spying on people and beating them.

* *Kodim*, soldiers in the districts, administrative centres and villages, for control and intelligence-gathering.

* [Battalions] 745 and 744 are special units consisting of Timorese and Indonesians [who] penetrate the bush and fight the guerrillas.

* Police who are to be found everywhere.

* Security troops, *hansip* and *ratih*, East Timorese civilians trained to collaborate and be the servants of the military.

* *Red beret* battalions of commandos, known here as *nanggalas*. These are the worst, their task is to spy, capture and torture. [See *Bishop Belo's Diary of Oppression*]"

On the environment of terror

The military continue to kill civilians. Two village heads in Waigae, Vermasse were shot dead by *red berets*. They were Armanso and Vicente. After having killed the men, the soldiers buried them in a hidden place. It was only on 7 August that the families were able to get the bodies...."

"Yesterday I returned from Turiscai, Maubisse, Ainaro and Aileu. I heard many complaints: the people are under constant surveillance, In Alas, Fatuberliu, people may not venture beyond 2kms from their vegetable gardens. The Indonesians are settling more families from Java as transmigrants in Alas and Natarbora. I saw many military control posts [where] they search everything, including wallets, briefcases, suitcases. On 5 September they beat a young man until he almost died. In Dili *Kommando* hq they continue to torture people with electric shocks.

Controlling the faithful

"On Sundays, the churches of Dili are guarded by well-armed Indonesian troops because they fear demonstrations.

"On 1-2 September, I was in the parishes of Maliana and Bobonaro and the Christians of the village of Saborai were not allowed by the military to participate in the church services. When the Apostolic Nuncio visited Bobonaro on 23 July, the students of the school of agriculture did not come to church services because the military commander prohibited them and some families from attending mass. So much fear has been created among Christians that Catholics are now afraid to approach the bishop and priests." [From *Bishop Belo's Dairy of Oppression*]

Asked by *Timor Link* how the Timorese can express their faith, Bishop Belo said:

"There are many ways, in the Church, the Eucharist, the chapels. They organise processions with a statue of the virgin which they carry from house to house. This is allowed. Other kinds of group meetings, to sit down together and read the Bible and to pray is not allowed because the military don't trust them. They think that they will discuss politics and that is not allowed. But really, the Catholic faith of the people is a kind of symbol to unite the people, it is a way of expressing the fact that they are

Timorese. They don't like any other religion, they don't like Indonesia." Asked whether the Pancasila safeguards freedom of worship, the Bishop said:

"That is the theory but in practice it is very different because they are intent on Islamisation. I heard yesterday that about 400 boys were taken to Java to attend Islamic study centres. The theory is all very well but the practice is different." [Interview in *Timor Link*, October 1993]

"We have about 600,000 Catholics in East Timor, 80 per cent of the population, and with 29 parishes and 72 priests we can make our own way.... There are now about 50,000 Muslims and one or two large new mosques are being built with many small mosques spread throughout the country. There are Buddhists and Hindus as well but inter-faith relations hardly exist. We observe *Idul Fitri*, the end of the Muslim festival of *Ramadhan*, and Christmas. Otherwise there are no relations between us. [*The Australian*, 15.XI.1993]

Troop reduction in East Timor, a propaganda trick

Much international criticism about East Timor focuses on the large number of Indonesian troops in East Timor. To counter this, Jakarta has announced the withdrawal of all combat troops by the end of October, leaving only 10 territorial battalions working on 'development'. How true is this?

One of the army's doctrines is *HANKAMRATA*, according to which the army's territorial command and control structure parallels the civilian administration structure down to village and neighbourhood precincts. It is a "shadow government", monitoring political and social life and controlling the conduct of the civil administrators.

In the case of East Timor, with its specific security problems, a special territorial military operation, *Operasi Tuntas* (Operation Once-and-for-all) is being conducted, similar to the 'low-intensity conflict' in the Philippines or Central America in the eighties. The aim is to isolate the armed resistance from the population and create a new social (i.e. Indonesian) structure in the villages.

The alleged combat troop withdrawals from East Timor is part of a huge propaganda stunt. It also gives the impression that security and order in East Timor has improved and is under control. The territorial troops are portrayed as soldiers engaged in development: building roads, houses, bridges and so on. While some territorial troops are involved in such work, their chief duty is territorial. Although distinct from *KOSTRAD* (Army Strategic Command) and *KOPASSUS* (elite force) combat troops, they are trained and equipped for combat and can be deployed in any crisis, to provide back-up for the police or to engage in skirmishes with the guerrillas in the bush.

Major-General Theo Syafei now says only nine territorial battalions and one combat battalion remain in East Timor. A full-strength battalion consists of 650 men, which means that at least 6,500 soldiers are permanently based in East Timor, if official figures are to be believed. Even so, this is a sizable force. According to Indonesian military standards, a region the size of East Timor would have only 2 or 3 battalions.

By 'normal' procedures, the territorial troops in East Timor should be part of *Kodam Udayana/IX*, the military command based in Bali. In fact, most battalions there come from other military commands and rotate every few months. This has been going on since 1975 with no indications that things are about to change. On the very day the military authorities were announcing the withdrawal of troops from East Timor, the *Jakarta Post* [18 October 1993] published a photo of the army chief-of-staff, General Wismoyo Arismunandar, bidding farewell to Battalion 201 (from the South Sumatra command) on its way to East Timor.

East Timor has always been treated like a war-zone.



Army Chief-of-Staff General Wismoyo saying farewell to Infantry Battalion 201, before it left for East Timor.

Jakarta Post 18 -X-93

Although the Timorese resistance has switched to a strategy of focusing more on clandestine work in urban areas (to which the Indonesian military respond by launching territorial warfare), armed resistance continues to be a symbol of resistance. The Indonesian military commander in East Timor, Colonel Jhony Lumintang recently claimed that there were only 107 guerrillas in the bush. Such a precise figure is laughable but while the army of occupation tries to minimise the significance of the guerrilla, it needs at the same time to remind the outside world that there is a security threat in East Timor. Following a claim that guerrillas had killed six villagers recently, 200 *KOSTRAD* combat troops were deployed to track down guerrilla units. Claims about alleged atrocities by the guerrillas help to portray the armed resistance as bandits who rob villages and murder villagers, as 'security disruptor gangs'.

The armed forces reorganisation in 1983 led to the birth of two rapid deployment regiments which can reach any part of the archipelago in 48 hours. Should the need arise, East Timor could be flooded with combat troops overnight.

Timorisation of the war

The Indonesian military continue to pursue a strategy of "Timorization of the war". This started years ago with the establishment of battalions 744 and 745, largely consisting

of Timorese soldiers. On 5 October, Major-General Theo Syafei inaugurated a new force called *Pasukan Adat* with 3,844 Timorese paramilitaries from all districts. What the name, 'traditional troops', actually means is not clear but a recent visitor said local people have seen a 'new army' of well-equipped Timorese under training, continuing the strategy of using Timorese to kill Timorese.

Military attachés visit East Timor

In October, the army invited several dozen military attachés in Jakarta to visit East Timor, heralding "the largest group of attachés to visit the territory in years". The aim was to convince the international community of the improved security situation and the planned reduction of troops. Seven EC military attachés were invited but TAPOL has learned that the EC governments decided it would be inappropriate to go as they would only see what the Indonesians wanted them to see. The presence of military attachés might also signify acknowledgement of the occupation which has not been recognised by any EC country.

The notable exception was the UK which allowed its

military attaché to go, breaking ranks with its EC partners.

Though the US military attaché was quoted as praising the 'impressive advances' in the territory, *Reuters* [5.XI.1993] reported that "Indonesia imposed tight security" for the visit. "They almost sealed the place off for our visit. Everywhere we went, there were police in strong numbers," one attaché told the agency." Despite being told that Indonesia now has only one combat battalion and seven battalions engaged in 'development', *Reuters* quoted a Jakarta source as saying after the visit: "I would estimate there are up to 14 battalions still in the area."

From its own sources, TAPOL understands that the attachés were unpersuaded about the claimed withdrawal of troops. They were told that territorial troops do carry out patrols and are not confined solely to civic mission type activities. [See article about Bishop Belo for his estimate of troop presence in East Timor.]

Timorese students in Java targeted again

Major-General Theo Syafei has accused East Timorese students in Salatiga of being instigators and organisers of an anti-integration campaign and of plotting demonstrations in East Timor. It is not the first time that this sabre-rattling officer has made wild accusations.

East Timorese students at the Satya Wacana Christian University in Salatiga, Central Java have protested strongly against Syafei's accusation that Salatiga has now become the centre for an anti-integration network covering many cities in Java. He alleged before 12 November that plans to hold demonstrations in Dili on the anniversary had been drawn up in Salatiga and Yogyakarta. Later, he claimed that Salatiga was now the main hotbed of anti-integration activity. "The centre has shifted from Bali to Salatiga," he asserted, alleging that 'committees' have been set up in Bali, Yogyakarta, Malang, Solo, Jakarta and Surabaya. According to Syafei, "almost all movements that have ever taken place in East Timor have been organised outside the territory". [Name of newspaper unclear, 9.XI.1993]

Students in Semarang have also expressed outrage at Theo's allegations, but when they took their complaint to the Central Java military commander, Major-General Soeyono, they could hardly have been mollified to be told that Theo Syafei was only referring to 'certain elements'. All the names of these 'elements' are known to us and to the public prosecutor's office, Soeyono said. [*Suara Merdeka*, 20.XI.1993]

In the old days, before the Santa Cruz massacre, army intelligence kept a close watch on East Timorese students in Bali, Jakarta and elsewhere who were suspected of channelling information abroad about the human rights situation in East Timor. Some of the students listed in secret army intelligence documents at the time are now serving long prison sentences in Jakarta. Now that Syafei has made it virtually impossible for young East Timorese to move an inch in their homeland, he has pounced on East Timorese students in Java as a way of further restricting Timor's room to manoeuvre.

Many scholarships withdrawn

Syafei's attack comes after months of speculation about plans by the administration in East Timor to withdraw scholarships from students studying outside the territory. Earlier this year, governor Abilio Soares introduced new regulations with powers to cancel scholarships for students who have failed to complete their studies in the allotted time. It was evident at the time that this would be used against students for engaging in activities regarded as 'anti-integration'.

In October, it was announced in Dili that 123 scholarships had been cancelled, allegedly because the students had failed to complete their studies in time. Syafei later revealed that 122 scholarships (one less than the figure announced in Dili) had been stopped because the students were involved in anti-integration activities. [*Jawa Pos*, 14.XI.1993] The same paper a month earlier had revealed how shocked five students at the Development University in Solo were at a sudden decision to withdraw their scholarships and stop their allowances. They were all in the final stages of their studies. [*Jawa Pos*, 6.X.1993]

Syafei's very damaging attack has caused consternation among students in Central Java. The official students' organisation, *Impelitim*, which represents about a hundred East Timorese university students and school-pupils in Salatiga, has protested to the rector of Satya Wacana University and other authorities in Central Java and called on Syafei to retract his accusations.

All East Timorese students who go anywhere in Java to study are registered and monitored by the local military command "to anticipate undesirable developments". [*Jawa Pos*, 15.XI.1993]

The Indonesian authorities seem to expect that allowing East Timorese to study at their universities will create

reliable pro-Indonesian intellectuals to run their '27th province'. But colonial countries the world over know to

their cost that their universities often became the breeding ground for their staunchest anti-colonial rebels. Most of Indonesia's republican leaders were educated in the Netherlands so why should Syafei be surprised if some East Timorese follow in the same tradition?

High alert in East Timor for 12 November

As people in cities around the world took to the streets to commemorate the second anniversary of the Dili massacre on 12 November 1991, Major-General Theo Syafei announced that his troops were on high alert to prevent any demonstrations from taking place anywhere the country.

Such warnings surface every time an important anniversary comes round or foreigners visit East Timor, proving yet again, if proof were needed, that freedom of assembly and freedom of expression are outlawed in occupied East Timor.

The high alert was also connected with a visit to East Timor by a group of Members of the European Parliament who visited Dili on 9 November. The visit was sponsored by the 'Indonesia Friendship Association' set up at the European Parliament at Jakarta's instigation to promote Indonesia's line on East Timor. The leading light in this Association is a pro-Jakarta Dutch MEP, Jansen van Raay who has, for the second time, obliged Indonesia by leading

a pro-Jakarta parliamentary mission to East Timor.

Major-General Syafei, commander of the Udayana Military Command, is based in Bali, from where he rules over East Timor with an iron fist. He claims to have thwarted plans in the territory for demonstrations on 12 November and said 'illegal pamphlets' had been discovered. Ever since taking command of East Timor in January 1992, Syafei has made it his prime task to prevent the Timorese from demonstrating. The lengths to which he has gone every time a suitable occasion arises, is a mark of how strong resistance to Indonesian rule is in Jakarta's "27th province".

EAST TIMOR BRIEFS

Human rights award for East Timor

On behalf of the people of East Timor, José Ramos-Horta received Norway's prestigious Thorolf Rafto Human Rights Prize for 1993 at a well-attended ceremony in Bergen on 4 November. During the ceremony, Ramos-Horta outlined the Peace Plan of the CNRM (National Council of Maubere Resistance) and described his vision of a free East Timor and its democratic institutions. The ceremony was followed

by a panel discussion which looked at the prospects of a peaceful solution to the question of East Timor.

Ramos-Horta was very critical of Norway's policy on East Timor which he described as 'an ostrich policy'.

Xanana Gusmao moved to Jakarta

Xanana Gusmao, leader of the East Timor resistance who was tried in Dili earlier this year, is now being held in Cipinang Prison, Jakarta. He was moved to Jakarta from Kedungpane Prison in Semarang after waging a hunger strike in protest at being held with common criminals.

As far as is known, Xanana has been held in isolation in Cipinang since arriving there in September.

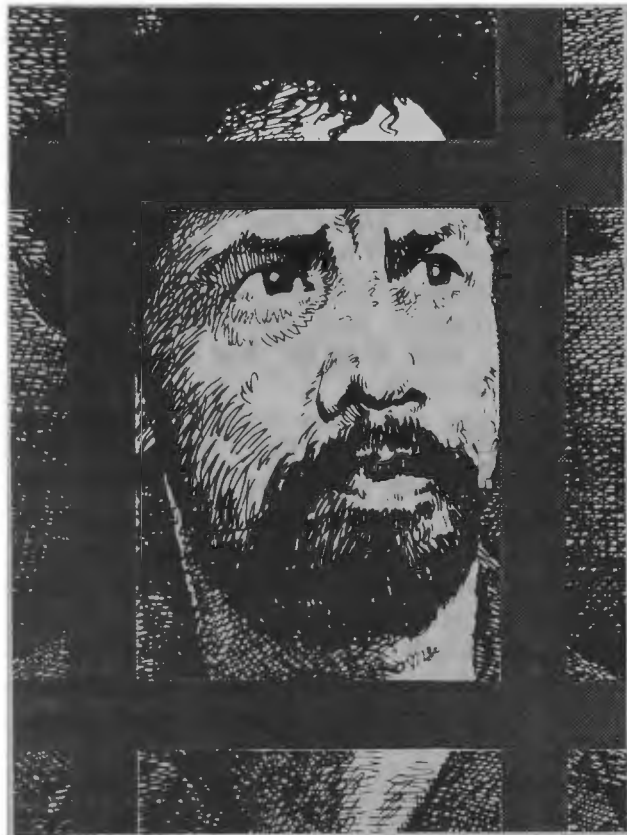
A worldwide campaign to send messages of support to Xanana on the occasion of the first anniversary of his arrest on 20 November 1992 was launched by solidarity groups in Portugal. We reproduce the postcard designed by the Portuguese groups for the occasion.

Members of US Congress write to Clinton

Thirty-seven members of the US Senate and 101 members of the House of Representatives wrote to President Clinton urging him to raise US concerns about East Timor with President Suharto during the Asia Pacific Economic Conference in Seattle on 22 November.

Senator Russ Feingold and a bipartisan group of Senators drew attention to the abysmal human rights situation in East Timor and reiterated the need for a long-term solution to the East Timor tragedy under UN auspices.

Representative Tony Hall with one hundred members of the House from both parties also called for a lasting resolution of the issue and asked President Clinton to raise with the Indonesian President the severe human rights abuses in East Timor.



Peace activist in court for damaging BAe equipment

Chris Cole, the Christian peace activist who spent five months in remand after entering British Aerospace premises and destroying equipment destined for export to regimes like Indonesia, is now a free man. He argued his case so cogently it went for re-trial before a guilty verdict was passed.

Chris Cole slipped into BAe's factory in Stevenage early on Epiphany morning, 6 January this year and destroyed equipment worth £500,000, including nose-cones for Hawk aircraft. He left a message: *"The Epiphany remembers when three men presented gifts to the infant Jesus. My gift of disarmament is for all infants who are threatened by BAe weapons, from Northern Ireland to East Timor."*

He was arrested and held on remand for five months. His first trial started early in October. He argued the moral justification of his act so convincingly that the jury failed to agree a guilty verdict and was dismissed. This led to a re-trial when he was found guilty, sentenced to eight months but released immediately as he had already served more than half that time in detention.

A special case

From the start, it was clear that the judiciary regarded this as not just an 'ordinary crime'. When the trial opened it was announced that because of the legal complexities, it would be heard by a high court Judge, Mr Justice Sedley.

Chris conducted his own defence from the advocates' bench. He had two jurors with British Aerospace connections replaced. The prosecution case rested on the damage to the company's property; the prosecutor called six witnesses and read out ten statements from witnesses.

Chris wanted to call Dr Peter Carey from Trinity College, Oxford, and Dr Paul Rogers from Bradford University, as expert witnesses to testify about BAe equipment sold to Indonesia. Neither was called because the judge ruled that the issue at stake was the strength of the defendant's beliefs, an argument which, in itself, raised the case to one of moral commitment rather than a simple criminal act.

A member of a pacifist action group, BAe Ploughshares, Chris told the court he entered BAe premises because the company is engaged in criminal activity, and his motive was to prevent the crime of murder. He had made numerous attempts to engage the company in dialogue by writing letters, talking to shareholders and disrupting arms conferences, but to no avail. When the company's public relations director told him BAe employees *"have to leave their consciences at the door"*, he was determined to try to *"disturb the consciences of BAe workers"*. While on the company's premises, he came across a document on an overhead projector which said, *"Kill rationale. Kill probability"*. But when he asked for the document to be exhibited, the court was told that it had been wiped clean.

Judge: "You are the conscience"

Judge Sedley told the jury in his summing up that they were *"the conscience of the community"*. If what the accused had said in court about East Timor was true, it would amount to genocide which is a crime under both international and English law.

After five hours of deliberation, the jury announced they had not reached a verdict, three apparently believing that

Chris had done the right thing, so they were dismissed and the prosecution demanded a re-trial.

Re-trial confusion

At the re-trial before the same judge, the prosecution produced a BAe witness who denied that the company was breaking the law but he did not take the witness stand to prevent Chris from cross-examining him. Chris had pressed company employees hard on whether they would take responsibility for what the company did: they all said, No.



UK Defence Secretary Malcolm Rifkind and his Indonesian counterpart, General Edi Sudradjat, inspect the guard of honour.

This time, the judge asked the jury to return a 'special verdict', meaning that although there was a single charge of criminal damage, many items had been affected – nose-cones, a fence, a wall – so he could be convicted of damaging all or some. Chris objected that this might result in a compromise. The jury found him guilty; they said they had some problems though these were not pursued, leaving the jurors confused. Several shook their heads as the judge sentenced Chris to eight months. As he had already spent five months in detention, he was released immediately.

Arms sales update

* Sweden to block future arms sales

The two major parties in Sweden, the Centre Party which is in government, and the Social Democrats which is in opposition, have both decided to block future arms sales to Indonesia, in protest against Indonesia's continued illegal occupation of East Timor. With both parties opposed, Sweden's State Council will not be able to approve any future arms sales to Indonesia.

* Sixty German MPs question arms exports

Sixty German Members of Parliament, most of them from the opposition Social Democrats along with some Greens, have jointly submitted thirteen written questions to the

continued on page 16

Mass protest forces government climbdown over lottery

Nationwide protest has forced the government to cancel the licence for the state lottery, SDSB. The issues raised go beyond the complaint that the lottery violates Muslim law which regard all forms of gambling as vices. Corruption and exploitation of the poor are also part of the problem.

The SDSB was launched more than three years ago to raise money for sports and social activities but it was only when the Social Affairs Minister announced earlier this year that its licence would be renewed that many Muslim groups voiced strong protest, calling for the lottery to be stopped.

In October, protesters took to the streets in many towns and cities, leading in some places to physical confrontations between demonstrators and the police. Many of these incidents did not get reported in the press, apparently because the media had been warned not to cover them. Muslim teachers or *ulama* also condemned the lottery, organising public prayer gatherings. The tidal wave of protest led all three government-endorsed parties to call for an end to the lottery forcing the government to respond fast to the growing threat to its credibility.

Protesters have not only concentrated on the rejection of gambling as a vice under Muslim law but also on charges of corruption over the use of the huge funds raised and the fact that the lottery was a way of extracting money from the country's poor, the ones mainly attracted by the prospect of windfall earnings. A lottery ticket costs Rp5,000 or \$2.50, more than twice the minimum daily wage fixed by the government for lowest-ranking factory workers.

Turning the spotlight on Suharto

A turning point in the protest occurred when a demonstration took place outside President Suharto's palace on 10 November, making the point that the president himself was involved. It is widely known that members of the Suharto family have interests in the Foundation which runs the SDSB. Many commentators have pointed out that the last time demonstrators took their protests to the presidential palace was in 1966, when there was intense pressure, backed by the military under Suharto, to force President Sukarno to resign. He handed over power to Suharto in March 1966.

Comments on the political fallout of the government's climbdown have been rather bleak for the regime. The dean of the political science faculty at the University, Juwono Sudarsono said: "An important symbolic victory has been achieved by students and religious leaders (who) will probably press on to other issues." Another commentator saw the SDSB problem as lying in the performance of the political system." Yet another thought that "Muslims will keep asking for more. The process is already under way and has been for a long time."

Saleh Abdullah of the human rights group, INFIGHT, said: "Some of us agree that the SDSB is only the product of an undemocratic system, a tool to exploit the poor. We do not all see it as a Muslim issue." [*Reuter*, 26.XI.1993]

Arrested for insulting President

The withdrawal of the SDSB licence was announced after a meeting in Parliament. Outside were 500 protesters, among whom were activists from *Pijar Foundation*, a human rights group who distributed large-sized stickers with the slogan: "Suharto is the cause of all the barbarity", using words that fit the initials, SDSB. Mentioning massacres in Madura, Dili, Aceh, Tanjung Priok and against the

Haur Koneng sect, the sticker proclaimed: "You are the person responsible!"

Police rounded up four protesters who had attached stickers to their bodies. Later that night, Nuku Sulaiman of the *Pijar Foundation* was arrested. The warrant states that he was being arrested for "insulting the President/Head of State". The four arrested outside Parliament have since been released but Nuku Sulaiman is likely to face charges.



Demonstrators protesting against the SDSB outside Parliament in Jakarta on 25 November 1993, just before the government's climbdown.

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