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## East Timor in a state of terror

*While President Suharto in Jakarta and Foreign Minister Ali Alatas around the world have been engaged in damage limitation to convince governments that the Santa Cruz massacre was a 'regrettable incident', the situation in East Timor has deteriorated. A reign of terror has eclipsed the occupied island. In particular the role of the hawkish Brig.General Theo Syafei, the new commander in Dili, shows how 'law and order' is now being implemented in East Timor.*

Brig.General Theo Syafei has made it a matter of prestige and a personal crusade to maintain 'law and order' in East Timor. Ever since becoming *KOLAKOPS* (the special operational command) commander, he has repeatedly made it clear that he will not pursue the soft approach of his predecessor. General Theo, an old Timor hand, has put the clock back to the late seventies and early eighties, when military rule was virtually absolute. The 'opening up' of the last three years is now on the way out; every measure taken by General Theo reinforces this.

### The new 'old' approach

Brig.Gen. Theo Syafei was among the invasion troops in December 1975 and has spent nine years on active duty in East Timor. This includes the bloodiest period from 1975 to 1980.

From the moment he was appointed commander in January, General Theo Syafei has made it clear that he is in charge. The press has published one warlike statement after another from the new commander, who makes no secret of his belligerent approach. Here are some examples:

#### *On the Santa Cruz killings:*

*.....Thus, as I have said, if something similar to the 12 November event were to happen under my leadership, the number of victims would probably be higher. [Editor, 14 March 1992]*

#### *On running East Timor:*

Excerpts from an interview in *Kompas*, 17 March 1992:

Q.: You have served in East Timor for nine years. What are the issues in Timorese society? Why do incidents occur so often?

TS: *The crux of the matter is that in many cases we have not been decisive enough and have lacked consistency. Besides there are still factors which make East Timor unstable. We need to be more consistent.*

Q: It seems that every time a foreign official pays a visit, demonstrations occur. Can you explain that?

TS: *We have to remember: East Timor belongs to us. Why do we have to receive all those foreign officials? Someone who has donated a 4km water-pipe is received with more honours than our own Inspector-General. Their kind of aid is not comparable to the efforts poured in by our Republic.*

Q: Why then do demonstrations still occur?

TS: *It's like this. We thought that by showing love to the people, it would work both ways, but it didn't turn out like*

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that on that day. [the day of Santa Cruz bloodbath, TAPOL] Our love was taken as being a sign of indecision and weakness. In the villages our programme functions wells and is accepted. But in the city where things have been 'polluted', it was interpreted as indecision, an attitude of wait-and-see. Moreover, there is fertile soil for agitation and propaganda with an estimated 8,000 people unemployed in Dili.

Q: About people's attitudes, what happens if they adopt an anti-Indonesia stance?

TS: *That is impossible. This is the territory of the Republic of Indonesia.*

Q: So what attitude will ABRI (the armed forces) take?

TS: *I'll say to my troops: win over the people. The people are obliged to follow. If not, please flee to the bush. Conditions in Dili must be made not favourable [original English] for them. If they use public transport, they have to feel this is not a Fretilin bus. The cinema is not a Fretilin owned cinema. We will create such a situation.*

Q: If they flee to the bush, then what?

TS: *Please, please let them go to the bush. If they go to the bush, they become GPK [security disruptor gangs].*

Q: In the post 12 November period, it seems the security approach has been stepped up?

TS: *I'm only restoring ABRI standards. Demonstrations don't exist according to Indonesian law.*

## Tough words backed by tough measures

Syafei's tough language has been backed by tough measures. East Timor, a little more relaxed in the period of 'opening up', has now moved in the opposite direction, comparable to the early years after the invasion.



*The new military commander of East Timor, the 'never smiling' General Theo Syafei.*

Neither the visit of Amos Wako, the special UN envoy, nor the high-profile journey of the Peace Mission by the *Lusitania Expresso* led to demonstrations in Dili. The reason is clear: General Theo Syafei left nothing to chance in his determination to forestall any disturbance. By using massive force and a huge military presence, he 'passed the test with flying colours'. From crack of dawn on the day of Wako's arrival, row upon row of troops were spread across the fields and in between the trees surrounding Comoro airport. The troops were stationed there from five in the morning and remained in place even in during a heavy downpour, to await the arrival of Wako. During Wako's brief visit, General Syafei personally inspected the town throughout the day. In the afternoon, drenched by the rain, he watched a local football match between two kampungs, to make sure it was only a football match. He spent the night in the room next to Wako's in Hotel Mahkota.

## Combat readiness for the Peace Boat

The measures taken to meet the *Lusitania Expresso* were even more ferocious. General Theo created a special task force [*Satgasus, Satuan Tugas Khusus*] of 1500 people which was kept in a state of combat readiness for all eventualities. Things were placed on a war footing so as to enhance the dominant role of the military. Weeks before the *Lusitania Expresso* was anywhere near the waters of Timor, Syafei started arresting people in Dili, including the village-head of Santa Cruz, Jacobus dos Santos, who was accused of preparing a welcome for the Peace Mission.

The Peace Mission was portrayed by ABRI as a political provocation. Several layers of 'defence' were set up. The first was the outer cordon in the Timor waters, consisting of a destroyer, corvettes, frigates and landing craft backed up by planes and helicopters. In case some passengers managed to get ashore, a second line of defence was formed. The six police subdistricts from Liquica, west of Dili, to Viqueque on the south coast, were charged with taking care of the 'unwanted guests'. The infamous *pagar betis* method was employed, a 'fence of legs' of people stretching along the coast for more than three hundred miles from Liquica to Viqueque, to stop the aliens from landing. In case the second line of defence proved unable to prevent foreigners from entering Dili, there was another line consisting of military and police forces, who were combat-ready to receive them in Dili.

Meanwhile, people in Dili were prevented from going to the beaches to look out for the boat. Anti-riot units were on patrol in Dili from mid-February, creating an atmosphere of fear and tension.

## Theo Syafei's overhaul

In the brief period since becoming *Kolakops* commander, Syafei has conducted a major overhaul of the structure. Although continuing the territorial operation of the two former commanders, Sintong Panjaitan and Rudy Warouw, the thrust of *Operasi Morris Diak* [Operation Good Life] under Theo Syafei has taken a different direction. Previously, the hearts-and-minds strategy of *Morris Diak* was implemented partly through persuasion. Theo Syafei is now openly critical of his predecessor. Asked how his strategy differed from Brig.Gen. Warouw's, he said:

*The position and policy of ABRI never change. Our mission is to bring stability in East Timor. In a technical sense our approaches are different. Pak Warouw had his love and caring approach. But as I see it, because of a different*



*culture, his approach came to be seen as indecision. Some regard the soft approach as a weakness. I only want to stress the importance of restoring ABRI's credibility and to make sure that softness is by no means weakness. This is the position I want to put across. And indeed, this position has been accepted by many. [Suara Pembaruan, 4.III.92]*

Syafei's approach is fully backed by ABRI headquarters in Jakarta. For Dili alone the *Morris Diak* territorial operation has been allotted 2.3 billion rupiahs (more than one million US dollars). This amounts to 88 million rupiahs for each of the 26 neighbourhoods in Dili. The objective is to drive the 'anti-integrationists' into an impossible position. A special territorial battalion, Battalion 'Red Bear'/641 from West Kalimantan, has been assigned for the job in Dili. It will stay for one year, with units in every one of the 26 neighbourhoods. The former scheme of classifying villages as green [relatively safe], orange [so-so] and red [security-threatening] zones still applies. On average, 30 soldiers have been stationed in each neighbourhood in addition to the existing structures of military subdistrict, police subdistrict and para-military forces. As Timorese in Dili whisper: "Before, they were everywhere in the streets, now they have entered our bedrooms."

Under Warouw, there was still a grey area of people not openly expressing anti-integration feelings. But Theo Syafei will only tolerate people being 'with us or against us'. There can be no 'floating mass', People must either accept Indonesian domination or join the guerrillas. In El Salvador and the Philippines, the hearts-and-minds strategy came to be known as low intensity conflict, this term has not been applied to Indonesia's military strategy in East Timor. General Theo Syafei's strategy resembles this type of conflict, so it is now possible to speak about a low intensity conflict in East Timor. All the ingredients are there: separating the guerrillas from the population, focusing on control of the population, combining military duties with civic duties and using all kinds of intelligence operations.

### Streamlining intelligence

The use of intelligence has always been excessive in East Timor. Each wing, the air force, the navy, the police and the army, have their own intelligence. In the army *KOLA-KOPS* had its own intelligence unit, the territorial commands from *Korem*, *Kodim* down to *Koramil*, the military sub-district command, all had their own intelligence. Moreover there was a combined, intelligence task force 86, a special intelligence unit for sector C (Dili) and each battalion also had its own intelligence. The two national intelligence agencies *BAKIN* and *BAIS* were also represented in East Timor. On top of that, the prosecution service had its own intelligence unit. In the last few years, the different intelligence units have competed with each other. As a result of using Timorese informers, quality fell because of misinformation and half-truths. Special intelligence units consisting of East Timorese were established, *Satgas Elang* [Hawk Task Force] and the *Railakan* unit.

Syafei soon recognised that the situation was chaotic. The military now admit that intelligence units often overacted. The 28 October incident at Motael church, the prologue of the 12 November tragedy, is cited as an example of this, when fighting took place between *Satgas Elang* personnel and Timorese youth and two people died, including Sebastiao Gomes. Syafei has decided to disband the different intelligence units and establish a coordinating body to centralise everything.

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Nobody talks about 'opening up' East Timor any more; the slender margins of the last three years have disappeared. It is back to the grim reality of absolute military rule in East Timor. Brig.-General Theo Syafei, the archetype of a hardliner, clearly enjoys his new job. He wants to be known as a tough guy and his reign of terror is rampaging all over East Timor.



*The presence of military is the daily routine in the streets of East Timor.*

### Terror confirmed by visitors

People who have visited East Timor since Santa Cruz, confirm that brutality is a daily occurrence, with an atmosphere of fear and the military displaying their arrogance. The US journalist Peter Goodman, a freelancer based in Jakarta, visited East Timor in February and was told to leave because he did not possess a travel permit. He went to East Timor for the visit of Amos Wako and had told the authorities of his journalistic intentions. He has given a graphic account of the situation in Dili:

*Dili is dominated by fear, the streets devoid of activity throughout much of the day. On one recent morning, virtually everyone had a quick look about to see who else might be in the area before saying so much as good morning to a foreigner.*

*At least 10,000 Indonesian troops remain in East Timor and Dili has the air of a city under siege.*

*On a steamy morning earlier this month, 500 soldiers in 20 lorries stood in formation in a field in central Dili. All carried full packs and M16 assault rifles slung over their shoulders. Their commander addressed them loudly while*

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he stood beneath a flagpole, the red-and-white of Indonesia lifted by a gentle breeze. Most East Timorese walking by did not even dare look.

While none of the dozen or so soldiers at ease on the sides of the field cared to say where the men were going, several East Timorese said troops have been entering villages frequently of late.

"They go from house to house, warning people not to make trouble," said an elderly East Timorese as he sat beneath an enormous banyan tree on the edge of the crumbling broadwalk that fronts the harbour. "The soldiers come and beat people up. Many are taken away for questioning and often disappear. The military has killed many in the last few months." [Daily Telegraph, 28.II.1992]

Reports by Indonesian journalists confirm Goodman's description, although their accounts, for obvious reasons, are more indirect. The reporting in the Indonesian press about the implementation of Syafei's policies is revealing enough to describe the atmosphere of terror in East Timor.

Another foreigner who was recently banned from Indo

nesia is Sidney Jones, the Executive Director of Asia Watch, the US-based human rights organisation. She visited East Timor in February as a tourist and spent four days there. From the moment she and her colleague arrived in Dili, they were photographed and followed. The surveillance ended only when they left Jakarta airport. Sidney Jones is an experienced East Timor researcher and her testimony is worth quoting:

*I was skeptical of accounts of post-massacre killings before going to East Timor. I am much more inclined to believe them now. In a place where the only checks on the military are a relatively powerless governor and a beleaguered Catholic church, where fear prevented many witnesses from giving testimony to the National Commission of Inquiry and still prevents ordinary conversations on the street, I began to understand why we weren't getting proof. [Testimony by Asia Watch before the US Senate Foreign Relations Committee, 27.II.1992].*

Life in East Timor under Indonesian occupation has always been wretched but under the hawkish Brig.Gen. Theo Syafei, the situation is ten times worse.

## EAST TIMOR TRIALS

# Defendants challenge court's jurisdiction

*Thirteen East Timorese are now on trial in Dili and Jakarta. They were all arrested in the wake of the Santa Cruz massacre last November. The trials are being conducted by Indonesian courts but Indonesia is an occupying power whose presence in East Timor is illegal. Two defendants charged for subversion have challenged the court's jurisdiction to try them for upholding their right to self-determination.*

When their trials opened in Jakarta on 16 March 1992, the two defendants **Fernando de Araujo**, 26 years old, and **Joao Freitas da Camara**, 37, who face subversion charges for which the maximum penalty is death, objected to being identified as Indonesian citizens. "We are Portuguese citizens," they said.

Five East Timorese, all students, have gone on trial in Jakarta. Besides Araujo and da Camara, they are: **Agapito Cardoso**, 25, **Dominggus Bareto**, 29, and **Virgilio da Silva Guterres**, 26, who are charged with 'inciting hatred towards the government' which carries a maximum penalty of seven years.

Fernando de Araujo and Freitas da Camara are accused of having repeatedly spread hostility, hatred and insults against the Indonesian government and of having engaged in a series of activities "to stir up unrest or anxieties among the population and between the Indonesian state and other countries". Their political activities were subversive because they aimed to take East Timor out of the Indonesian Republic.

When Araujo was arrested in Bali last November, the security forces planted hand-grenades in his home, which suggested that he might face charges of armed insurrection. As far as is known, however, the indictment makes no mention of arms. The authorities are apparently satisfied that they can build a case of subversion simply on the

grounds that he is anti-integration and has pursued political objectives aimed to win self-determination for East Timor.

### Contacting the outside world

It is well known that the security authorities have been monitoring East Timorese activists in Java and Bali and tapping their phones for nearly two years. Much of the evidence used by the prosecution is based on phone-taps of calls both internal and with the outside world. Last February, an army intelligence document leaked abroad identified members of the East Timorese students' organisation, *Renetil*, among them two of the men now on trial, Fernando de Araujo and Agapito Cardoso. The document accused them of disseminating information to the outside world, contacting the International Red Cross or other groups "to send out information discrediting the Indonesian government and mobilising support", and sending information to foreign journalists or tourists. [See *TAPOL Bulletin*, No 105, June 1991]

In a submission to the UN Decolonisation Committee last August, Amnesty International said:

*"...none of the student activities described in the document is unlawful and none involves the use or advocacy of violence. Especially disturbing is the fact that the activities considered threatening and worthy of investigation by*



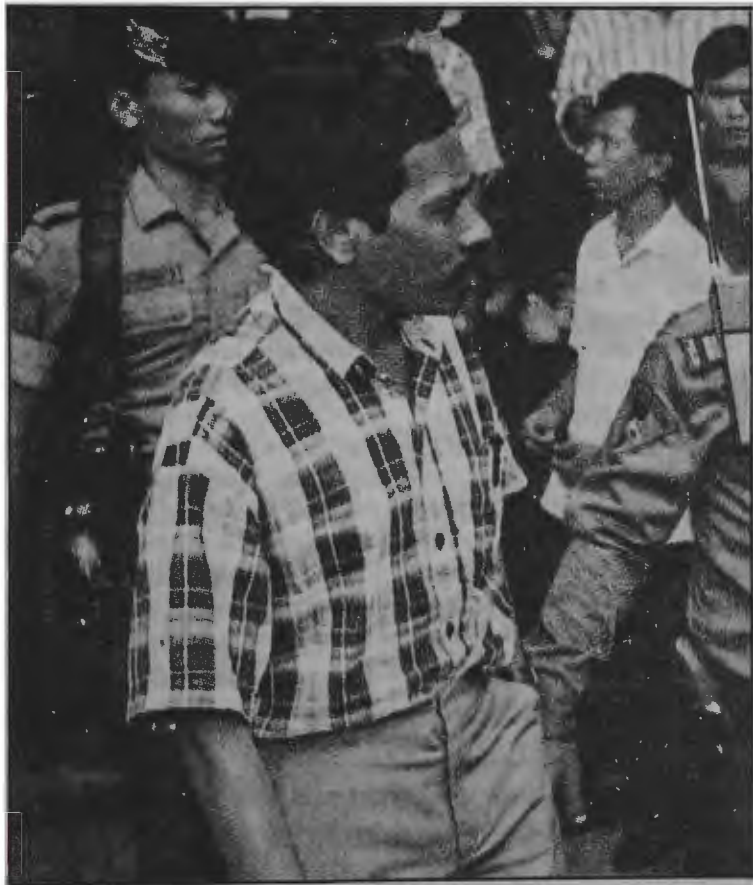
*military intelligence involve efforts to monitor and disseminate information about human rights and political questions."*

The indictment against Fernando de Araujo focuses on his efforts to send out information about human rights abuses in East Timor. When intelligence officers opened fire at Motael Church, Dili, on 28 October, 1991 killing two persons, he was informed about this by phone from Dili and relayed the information to Freitas da Camara in Jakarta, asking him to pass it on to Carmel Budiardjo in London, "to gain the sympathy of the outside world because human rights violations had taken place in East Timor".

He is also accused of receiving information from a clandestine contact in Dili about plans to organise a demonstration in Dili on 12 November 1991 to coincide with a visit by a UN human rights envoy and a Mass for Sebastiao who was killed at Motael Church on 28 October.

He received information from clandestine sources in Dili about the massacre on 12 November and passed it on to the foreign press, foreign embassies in Jakarta and informed ACFOA in Australia and Amnesty in London.

Many of Fernando's contacts abroad are cited in the indictment - Geoff Robinson of Amnesty International, José Ramos-Horta and Alfredo Ferreira, Timorese representatives in Australia, Luisa Teotonio Pereira of the Lisbon-based solidarity group CDPM, Estevao Cabral, a Timorese living in London, the London-based Catholic Institute of International Relations, and Carmel Budiardjo of TAPOL. In some instances, they are described as having donated money.



*Fernando de Araujo escorted into the courtroom by security officers.*

### **Princen targeted**

HJC Princen, who chairs the Jakarta-based human rights organisation LPHAM, is also cited as having given support to East Timorese activists. Judging by the prominence given to this in some Indonesian newspapers, the authorities seem bent on discrediting him. He is likely to be called to testify by the prosecution; he was unable to join the legal defence

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team because of this. He has said he will make clear in court his support for the East Timorese students. Princen is

### **Camara rejects court's jurisdiction**

Joao Freitas da Camara told a Jakarta court trying him for subversion that he rejects the court's jurisdiction and will refuse to attend further hearings.

In a demurrer on 21 March, after the indictment was read out earlier in the week, Camara said Indonesia has no right to try him and his East Timorese colleagues. "My/our question is the question of East Timor which is an international question that cannot be resolved unilaterally by the Indonesian government through the courts."

He cited UN resolutions since 1975 upholding East Timor's self-determination, condemning the occupation of East Timor by the Indonesian army and calling on Indonesia to withdraw, recognising Portugal as the administering power and calling for a referendum in East Timor.

East Timorese cannot remain silent in the face of army brutality in East Timor. "We have the right to defend ourselves and everything we did was in reaction to what the armed forces (ABRI) did against our people. Every act of violence by ABRI in East Timor is the consequence of the army's occupation of East Timor which has been condemned by the UN since 1975. Our right to organise is protected under the Universal Declaration of Human Rights. Our purpose in organising was to defend our people by diplomatic means against ABRI's violence towards our people. It was not our aim to undermine the Indonesian state. We want Indonesia to resolve the East Timor question with justice and wisdom, and avoid a repetition of the Santa Cruz event on 12 November 1991.

"If Indonesia has a poor reputation in the world, this is because of its own actions, not because of any attempt on our part to undermine the state."

Camara ended his demurrer:

"1. I object to this action and I refuse to attend further hearings.

"2. I demand that my/our question be resolved through diplomatic channels under UN auspices.

"If I am forced to attend the trial, I am entitled to charge the Indonesian government with responsibility for all the human rights violations perpetrated against East Timor since the start of the occupation in 1975.

"I demand that those responsible for the 12 November event when hundreds were killed and wounded should be tried in open court. What we did was only in reaction to this."

### **Lawyers' demurrer**

In another demurrer, lawyers from the Legal Aid Institute who are defending Freitas da Camara challenged the court's right to charge him under the anti-subversion act which is unconstitutional and undemocratic. The lawyers asked the court to reject the indictment and throw out the case.



already a 'banned person' and has been repeatedly refused permission to leave for Geneva to give testimony to the UN Human Rights Commission.

## Freitas da Camara and Araujo defiant

Both defendants facing subversion charges presented demurrers declaring their refusal to be tried in an Indonesian court. (See box for the demurrer of Freitas da Camara.)

The charges against Freitas da Camara focus on his role in organising the 19 November demonstration in Jakarta. Since 1986, he allegedly received funds from among others: Fretilin in Darwin, the Catholic Institute of International Relations in Britain, Amnesty International in London, ACFOA [Australian Council for Overseas Aid], and HJC Princen of the League for the Defence of Human Rights in



Joao Freitas da Camara, surrounded by journalists, at the 19 November peaceful demonstration at the UN Office in Jakarta.

Jakarta who allegedly gave him Rp. 50,000 a month from March 1990 to January 1991.

Another of his 'crimes' is that since 1986, he supplied information about government policy in East Timor to agencies abroad, the foreign press and various people at home and abroad, to the detriment of the Indonesian government. The data he supplied came "from sources that ought not to have been regarded as reliable, whereas he made no effort to check the accuracy of the information with the competent authorities". [Berita Buana, 17.III.1992]

Fernando Araujo has been seriously ill during much of the time in detention and was taken to hospital a few days after being indicted, suffering from a kidney complaint. He appeared in court on 23 March, looking frail and unsteady. But even so, he was defiant as he read out his demurrer and spoke of the harsh treatment during his arrest and detention in Bali. An observer who attended the session said there were dozens of military and intelligence personnel milling around inside and outside the courtroom. When Fernando was handing out copies of his demurrer to journalists and other members of the public, several men grabbed some of the copies and tore them to pieces. All those attending the session, including journalists, were required to hand in their identity cards.

## Forced to become an Indonesian

The trials of Agapito Cardoso, Dominggus Bareto and Virgilio da Silva Guterres started in Jakarta on 17 March. They are accused of having been "instructed by Joao Freitas da Camara to come to Jakarta after the 12 November incident". Along with other East Timorese activists, they attended several meetings to plan a demonstration to the UN office in Jakarta. The demonstration took place on 19 November, attended by 70 persons, carrying banners and posters, so as to "embarrass the Indonesian government and demonstrate their rejection of East Timor's integration into the unitary state of the Republic of Indonesia".

After the indictment was read out, Virgilio told the court, "I was forced to become an Indonesian citizen."

Two of the three are defended by LBH lawyers. The third, Dominggus Bareto, has refused legal aid and will conduct his own defence.

## Dili demonstrators go on trial for subversion

*Eight trials in Dili are taking place in more difficult circumstances than those in Jakarta. Shortly before they commenced, foreign journalists were barred from visiting East Timor. An Australian jurist sent by the International Commission of Jurists to observe the trials had great difficulty gaining entry into court. Monitoring these trials is proving far more difficult than the trials in Jakarta.*

When the two subversion trials commenced in Dili, the court tried to force the defendants to accept a court-appointed lawyer. For both trials, a team of lawyers from the Jakarta-based Legal Aid Institute (LBH), had come to Dili, having been given powers-of-attorney by relatives of the accused. Twice the judge refused to allow them to act, using spurious arguments regarding lack of authorisation to keep them out. Eventually, after the Supreme Court in Jakarta passed down two rulings backing the LBH's entitlement to conduct a defence in Dili, the Dili court was

forced to back down.

This means that the defendants have been allowed to exercise their basic right under Indonesian law to be defended by lawyers of their own choice. Yet East Timor is under illegal occupation and the right of the forces of occupation to treat East Timorese as subversives under Indonesia's anti-subversion law because they have engaged in activities in support of self-determination is grossly unjust and highly questionable. The LBH won against the Dili court when the Supreme Court pronounced that all



lawyers licenced by the Minister of Justice are entitled to function *there*. The military commander tried to prevent the local lawyer from being replaced but Jakarta realised this would have exposed the trials to even more condemnation.

### Independent observer gains entry

Rodney Lewis, an Australian lawyer representing the International Commission of Jurists in Geneva, the London-based International Bar Association and Law Asia, encountered considerable obstructions before finally gaining entry to one of the Dili trials. He was forced to wait for several days in Bali before obtaining clearance to travel to Dili. When he arrived at the courthouse in Dili to attend the trial of Gregorio da Cunha Saldhana, security officials refused to let him in. It was only after vigorously protests that he was eventually allowed into the courtroom.

### The two subversion trials

Two of the eight on trial in Dili face subversion charges and a possible death sentence: Gregorio da Cunha Saldhana, 29, formerly a nurse at the Dili General Hospital, and Francisco Miranda Branco, 41, a civil servant.

The case against Gregorio rests on two basic charges – first, that he was active in two clandestine organisations, the



Gregorio Saldanha, on trial for subversion.

'Central Executive' and the 'National Resistance Committee of the East Timorese Youth' which both form part of the National Council of Maubere Resistance under the leadership of Xanana Gusmao; second, that he played a prominent role in a number of mass actions, since 1990, protesting against Indonesian rule, including the action in Dili when the US ambassador was on a visit in early 1990.

He is further charged with preparing mass demonstrations that were to have welcomed the Portuguese parliamentary mission (cancelled at the last minute). The climax, according to the indictment, was his involvement in planning the demonstration held in Dili on 12 November, to coincide with the visit of the UN Special Rapporteur on Torture, Professor Kooijmans. At this demonstration, Fretilin flags and photos were displayed and slogans insulting the Indonesian government were used. The demonstration led to the 'Dili incident' which ended in many number of people being killed (what Indonesian newspapers now call the 'bloody demonstration'). This, according to the prosecution, makes him liable under Indonesia's anti-subversion law.

### Six others to be tried

Although the Attorney-General originally announced that 32 East Timorese would go on trial in Dili, the number was

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later reduced to eight. Besides the two who face subversion charges, the six being tried under the Criminal Code are: Bonifacio Magno, Juvencio de Jesus Martins, Filomeno da Silva Ferreira, Carlos dos Santos Lemos, Saturnino da Costa Belo and Jacinto das Neves Raimundo Alves.

### Released into the clutches of the army

The 24 prisoners who were not selected for court proceedings have now been placed in army custody. Each of them has been handed over to a company commander with instructions to turn them into "reliable Indonesians", untainted by anti-integration sentiments and willing to take part in "development".

After their 'release' from police custody, mystery surrounded their whereabouts when their families told lawyers they had not returned home. Then came a statement from Brig.Gen. Theo Syafei revealing that they were being subjected to a special programme of indoctrination. "They all fell under the influence of separatist agitation," he said. "If they are returned to society, they could be given a heroes' welcome or some people could turn on them and kill them."

"So, I am giving them special treatment. Each company commander will receive one detainee to be given guidance and educated into becoming good Indonesians who will participate in development."

There is no time limit; it all depends on how quickly they change their outlooks. They will undergo 'Kolakops-style indoctrination' in locations outside Dili, he said. [*Suara Karya*, 9.III.92]

## STOP PRESS

### Indonesia ends aid ties with Holland and cancels IGGI meeting

Coordinating Minister for Economic and Financial Affairs, Radius Prawiro announced on 25 March that Indonesia has suspended aid relations with Holland. Holland was one of three countries which imposed economic sanctions against Indonesia after the Santa Cruz massacre.

Prawiro accused the Dutch Government of using aid "to intimidate" Indonesia by linking it to human rights in East Timor and to implementation of the family planning programme. Jakarta also strongly resented criticism from Holland when communist prisoners were executed in 1990.

The Indonesian government has asked for the cancellation of this year's meeting of the international aid consortium, the Inter-Governmental Group on Indonesia, chaired by Holland, and wants the World Bank to establish a forum for consultations between Indonesia and the donor countries.

The announcement, which took the Dutch government completely by surprise, came shortly before Jan Pronk, Dutch Minister for Development Cooperation, was to visit Indonesia in preparation for this year's IGGI meeting.

Jakarta's unprecedented move is clearly intended as a warning to all donor countries not to link aid with human rights criteria, a policy that has been generally accepted, in principle at least, by all the member-states of the European Community.



## UN Commission adopts half-hearted decision

*The UN Commission on Human Rights at its 48th session (February–March 1992), adopted a consensus declaration "deploring" the Santa Cruz massacre and calling on Indonesia "to improve the human rights situation in East Timor" and to "facilitate access to East Timor for human rights organisations". Although this means that East Timor is now placed on the Commission's agenda and will be discussed at its 49th Session next year, the statement was a great disappointment, an anti-climax to the worldwide condemnation of Indonesia in the wake of the Santa Cruz massacre last November.*

East Timor was one of the most visible and widely discussed issues at this year's Commission meeting. Numerous non-governmental organisations (NGOs) condemned the massacre and Indonesia's 16-year record of atrocities, including the International Commission of Jurists, Amnesty International, Pax Christi, the International League for Rights and Liberation of Peoples, and the Paris-based International League for Human Rights.

### A resolution drafted

Halfway through the Session, a resolution drafted by the European Community was tabled with the endorsement of no fewer than 32 countries of which 14 have voting rights as members of the Commission. The draft expressed "grave concern" at the unprovoked violence used by Indonesian security forces on 12 November 1991 which occurred in the context of a deteriorating human rights situation in East Timor. While "welcoming the prompt response" of the Indonesian government and the measures it had taken, it made specific reference to the UN's "Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions" which set out the criteria for a proper, independent inquiry of an incident such as the Santa Cruz massacre.

While condemnations of Indonesia continued to be made at the Session, behind-the-scenes manoeuvres were under way to persuade Portugal to reach an agreement with Indonesia. As with other issues discussed by the Commission, notably Tibet, Asian countries ganged up to support each other, with active backing from the Japanese delegation. Leading the lobbying to deflect criticism of Jakarta was the Australian delegation. The US team also backed these efforts, while working on a similar endeavour to sabotage a resolution condemning China on the question of Tibet.

### Talks behind the scene

Talks between Portugal and Indonesia dragged on for several days, the purpose being to agree on a consensus statement incorporating all the substantive points from the draft resolution and obtaining formal undertakings from Indonesia about a UN report on human rights in East Timor and access for human rights organisations.

But why did Portugal, having won EC support for a resolution and secured endorsement from many other countries, devote so much attention to reaching a consensus with Indonesia? Although there seemed to be a majority in the Commission for the resolution, the danger was that before the resolution could be put to a vote, Asian delega-

tions would steamroll a no-action motion through, preventing a vote on the resolution. Portugal preferred not to risk a defeat so opted for a consensus statement. Among NGOs in Geneva, many felt that Portugal should have pressed for a resolution although this meant risking defeat.

### The Australia-Indonesia holy alliance

The final hours before the statement was read out were tense and acrimonious. The chief Australian delegate, hand in glove with the 25-strong Indonesian team, accused Portugal of deceit over whether the consensus would be expressed as a binding 'decision' rather than meaningless declaration. The statement which was finally read out is described in the introductory paragraph as a statement "which has been agreed by consensus by the Commission" and is initialled by the heads of the Dutch, Portuguese and British delegations (the EC 'troika') and the Indonesian delegation. Although in formal terms, the wording can hardly be read as binding undertakings by Indonesia, the consensus statement provides required standards against which Indonesian action in East Timor can now be measured.

In paragraph 3, the Commission "calls upon the Indonesian authorities to ensure that all civilians arrested on the occasion (of the massacre) are treated humanely, that those brought to trial are assured of proper legal representation and fair trial and that those not involved in violent activities are released without delay".



*Two Timorese lackeys were part of the Indonesian delegation in Geneva. Francisco Lopes da Cruz (left), member of the Advisory Council and Guilherme dos Santos, chair of the Local Assembly.*

[Even before the ink was dry, Indonesia was contradicting this consensus on every single point, in the courtrooms in Jakarta and Dili!]

Paragraph 5 reads as follows:

*"The Commission urges the Government of Indonesia to improve the human rights situation in East Timor; commends the report entitled 'Visit by the Special Rapporteur to Indonesia and East Timor' of its Special Rapporteur on Torture following his visit at the invitation of the Indonesian Government; urges the Indonesian authorities to take the necessary steps to implement its recommendations and looks forward to a report thereon; calls on the Indonesian Government to facilitate access to East Timor for additional humanitarian organisations and for human rights organisations; and requests the Secretary General to continue to follow closely the human rights situation in East Timor and to keep the Commission informed at its 49th session."*

Indonesia, so widely denounced since last November, has come through largely unscathed. As *The Guardian* wrote in

## EAST TIMOR

an editorial entitled 'The Human Rights Omission': "Campaigners have to settle for what they can get.... Jakarta's good faith can now be put to the test." Unfortunately, pledges of good faith by Indonesian diplomats in Geneva are light years away from the reality experienced by the East Timorese, under the jackboot of Brig.General Syafei and his thugs.

However, human rights organisations and solidarity groups should use the Commission statement as a yardstick and make known to the UN Centre for Human Rights in Geneva [address: UN Secretariat, Geneva] each and every instance where Indonesia departs from the undertakings it made at the Commission. This may be of little comfort to the East Timorese as the grip of repression tightens each day, but it make it possible to build up a strong case against Indonesia when the Commission discusses the human rights situation in East Timor under Item 12 (n) at its meeting next year.

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# East Timor round-up

## Foreign journalists barred from Timor

Foreign journalists have been barred from visiting East Timor. An Information Ministry official said no recommendations for foreign journalists to go to East Timor would be given "for the time being". He added, as Orwell would have predicted, that "this is not a ban".

Although since 1989, journalists have been free to visit the territory, the authorities there have insisted that they come with a *surat jalan* or travel permit from the Ministry. A number of journalists say applications to go to East Timor have been turned down; others have been told not to go even though they have made no request to do so. Among those who were refused permission is a Jakarta-based journalist from a Japanese newspaper.

At first when the ban was announced in late February, it was said to be related to the scheduled visit to East Timor by a Peace Mission aboard the Portuguese car-ferry, *Lusitania Express*, but later Information Ministry officials would not link the ban with the Peace Mission. [*Jakarta Post*, 28.II.1992]

According to the *Far Eastern Economic Review*, there are "signs that the army is preparing to close East Timor to foreign journalists and tourists as a prelude to a renewed military crackdown". [12.III.1992]

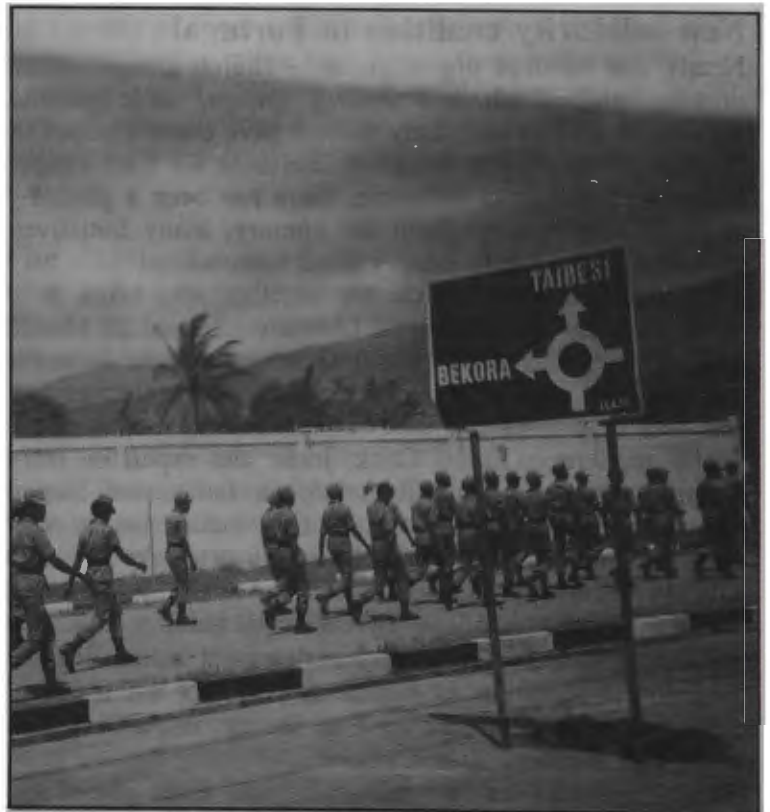
## Last foreign journalist in East Timor

The ban came a week after a US freelance journalist based in Jakarta was ordered to leave East Timor. The journalist, Peter Goodman, writes for *Japan Times*, the *South China Morning Post* and other newspapers, as well as several US radio stations.

Goodman told Associated Press in Jakarta that he had been questioned by security officers in his hotel room. According to *Kompas*, he was prevented from leaving the hotel to travel to Same and had to leave East Timor

immediately. He had travelled to East Timor to cover the one-day visit there by UN special envoy, Amos Wako.

In an article published in London's *Daily Telegraph* [28.II.1992], Goodman described how Indonesian troops are still cracking down hard in East Timor in the wake of last year's massacre. The article is entitled: "East Timorese defy terror tactics in the fight to be free". He published a similar article in *New York Newsday* [29.II.1992]



*Hansip, paramilitary units in Dili*



## US to train more ABRI officers

The US government wants more cash from Congress to train 180 military and security officers "to prevent the recurrence of similar incidents to the bloody Dili killings on 12 November", according to a report of the General Accounting Office (GAO), a congressional investigative agency. The report, prepared at the request of members of the Senate and House foreign affairs committees, said there were no US-trained Indonesian officers in senior-level positions in East Timor on 12 November, but after the incident "at least seven" US-trained officers were placed in positions of responsibility for East Timor operations and on commissions established by President Suharto to investigate the incident.

The report would appear to affirm that US-trained officers are being brought in as part of the changes being wrought by East Timor's new commander, Brig.Gen. Theo Syafei with his tough policy of not allowing the Timorese the slightest leeway to express their aspirations. The request for more cash on the grounds that more US-trained officers might have prevented the massacre, is being used to counter members of Congress like that of Senator Claiborne Pell who ask, "Why should we give Indonesia a nickel?". Behind the claim that more US-trained officers would improve Indonesia's performance in East Timor lies the implication that US army circles are critical of the situation in East Timor under its former commander.

The GAO report said that US and Indonesian officials suggested additional IMET (International Military Education and Training programme) training, "aimed at preventing the recurrence of incidents such as the shooting in East Timor".

GAO "found no IMET graduates among the 14 Indonesian army officers whom we have identified in the East Timor command structure on the day of the shooting incident. These officers held ranks from major-general to lieutenant". [UPI, 6.III.1992]

## New solidarity coalition in Portugal

Nearly one hundred organisations – church groups, peace organisations, youth and student groups, trade unions, regional coalitions and many more – have come together in Portugal to coordinate solidarity activities for East Timor. Since the Santa Cruz massacre, there has been a groundswell of activity throughout the country; many initiatives unknown in Portugal's history have been taken.

The decision to work closely together was taken at a *Convention for East Timor* in Lisbon on 14 and 15 March 1992, attended by more than 150 representatives from 96 organisations. Among those who addressed the Convention was José Ramos-Horta, external spokesperson of the East Timor resistance, Roger Clark, jurist and expert on self-determination and Dipa Ramelan, an Indonesian human rights activist from Jakarta, the first Indonesian to visit Portugal coming direct from the country, to take part in a solidarity action for East Timor.

Actions agreed include a boycott on all Indonesian goods imported into Portugal, a sustained protest action against Shell for its decision to exploit East Timor oil reserves under the terms of the Timor Gap Treaty, and a Live Aid programme for East Timor.

Many speakers on the platform and from the floor criticised Portugal's diplomacy for failing to take timely action. For instance, the government had failed to lodge a

formal protest against Indonesia for blocking entry into Timor waters to the Portuguese vessel, *Lusitania Express*.

The closing session on Sunday afternoon was particularly lively as many of those who had taken part in the *Peace Mission for Timor* aboard the *Lusitania Express* came to the Convention straight from the airport, having just returned from Darwin.

## Socialist International resolution

At its meeting in Madrid on 13–14 March, the Presidium of the Socialist International adopted a resolution calling for "an Indonesian military withdrawal from East Timor and the organisation of a UN supervised referendum so that the East Timorese can determine their own political future". It also called for direct negotiations between the Indonesian government, the East Timorese and Portugal. The presidium reiterated the willingness expressed at the last Council meeting of the SI to organise a mission to visit East Timor immediately.



*Delegates from Japan, UK, Indonesia and Holland during the Annual Consultation of East Timor Solidarity Groups in Geneva.*

## Solidarity groups meet in Geneva

East Timor solidarity groups from 13 countries held their twelfth annual consultation in Geneva from 14–16 February. Participants came from Indonesia, Australia, Japan, the United States, Canada, Belgium, France, Italy, the Netherlands, Portugal, Switzerland, and the United Kingdom.

The meeting reaffirmed its support for peace talks without preconditions, as proposed by East Timorese resistance leader, Xanana Gusmao. It welcomed the Portuguese government initiative in urging the restarting of UN-supervised negotiations including Timorese representatives. The composition of the Timorese delegation should be decided by the resistance leadership inside East Timor.

Promoting peace talks and the release of political prisoners were the top priorities of a plan for 1992. In response to a message from Xanana Gusmao (see page 24), the meeting expressed support and greetings to him and to the Timorese resistance and, to strengthen communications, conveyed the results of our discussions.

# Extrajudicial killings in Aceh continue

*These days, human rights abuses in Aceh are rarely reported in the Indonesian press, but this does not mean that the situation has improved. Far from it. TAPOL has obtained reports from reliable sources indicating that killings, arrests, disappearances and torture continue unabated.*

## Territorial operations

The military situation in Aceh closely resembles the situation in East Timor. After a long period of combat operations, the army is gradually shifting to a territorial strategy, to prevent the guerillas from maintaining contact with the civilian population. In particular the three strongholds of GAM [*Gerakan Aceh Merdeka*, Free Aceh Movement], the districts of Pidie, North Aceh and East Aceh, have become the focus of a territorial military campaign. The operation is called *PKT Ter* [*Proyek Kegiatan Terpadu Teritorial*, Integrated Territorial Project] and Jakarta has been generous with extra-budgetary funds. The allocation for Pidie district is Rp1.1 billion [about US\$500,000], for North Aceh, Rp1.3 billion and for East Aceh, Rp1 billion. The money will be spent on the infrastructure, such as building roads and bridges, which means that Acehnese will be forced to contribute their labour without pay. On top of this, as in East Timor, the money will be used to recruit and train para-military gangs to reinforce 'law and order' in the region.

## Violations

TAPOL has received reports of the following human rights violations occurring during first two months of 1992:

On 8 January, **Saleh bin Yusuf** (24) was dragged from his bed at 1 in the morning by a *Kopassus* (red beret) unit. He was taken to *Rancong* Detention Centre, notorious for torture. His whereabouts are unknown at present.

On 10 January, three village elders from Reubée in Pidie: **Piah Syech** (60), **Ismael Kunyet** (65) and **Ismael Husin** (40), were dragged from their houses to the village square and shot dead for alleged Aceh Merdeka sympathies.

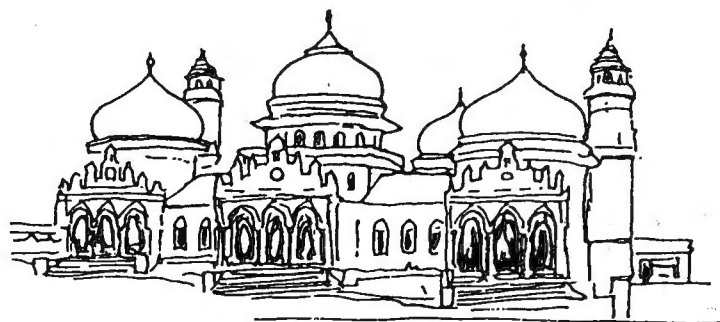
On 12 January, **Muhammad Sabi** (28), from the village of Beureugang, Buloh Blang Ara subdistrict, Lhok Seumawe district, was arrested by a *Kopassus* unit. He was reportedly taken to the *Rancong* Detention Centre and has since disappeared.

On 17 January, **Ibrahim G. Panglima** (65), from the same region, was summarily executed. His body was removed by the military and dumped in an unknown place.

On 18 January, the son of **Tengku Abdullah Tanoh Mirah**, a local dignitary, was taken from his home by a red beret unit and taken to *Rancong* Detention Centre. His whereabouts are unknown.

On 20 January, **Bong Djamin** (26) was arrested by the *Kopassus* in the town of Matang Kuli. He was one of the 'wanted persons' whose photo appeared on a poster which was widely displayed by the Indonesian army. According to the report, Bong Djamin did not survive the torture in *Rancong* Prison.

On 20 January, **Sofyan Hasan** (67) and his son **Basri Hasan** (35), from the village of Kunyet were arrested and summarily executed.



— Masjid Raya  
Banda Aceh

Drawing by: Hans Borkent

On 24 January, **Abdullah Pari** (35) of Idi village in Peureulak was on his way home from the market. He was shot dead by an Indonesian soldier in front of his house – no questions asked.

On 26 January, **Zainuddin bin Achmad** (32) from the village of Paloh Punti, Pasé was arrested at 2am and taken to *Rancong* Detention Centre. He has not been seen since.

On 2 February, **Ismael Bambong** (52), suspected of being a GAM follower, was summarily executed by Indonesian soldiers. His body has been taken to an unknown location.

As *Asia Watch* said in a report on Aceh issued on 19 February 1992: "A string of deaths of alleged Aceh Merdeka leaders suggests that the government has been pursuing a policy of shoot to kill and may have deliberately shot suspected leaders rather than taking them into custody."

Another report obtained by TAPOL gives details of 20 cases of extra-judicial killings in Pasé in 1991 and gives details of a number of arrests in the region, made without warrants.

## The death of Yusuf Ali

After a period of uncertainty it has been confirmed that **Yusuf Ali**, an important leader of GAM, was killed by Indonesian troops on 28 December 1991. His capture had become a matter of prestige for the Indonesian army and for months, thousands of troops were deployed to track him down with his unit. On 28 December in a place called *Krueng Gunci*, in the subdistrict of Peusangan, two platoons of Indonesian troops managed to track down the guerilla encampment. **Yusuf Ali** died of gunshot wounds and two of his guards **Yahya bin Husain** (25) and **Bukhari** (23) were also mortally wounded during the ambush.

**Yusuf Ali** has a long record of defying Indonesian rule in Aceh and was Free Aceh commander for Pasé for 10 years. In 1978 he was arrested by the Indonesian authorities and jailed for two years. The death of this commander is a great loss for the Aceh Merdeka movement.

In jubilant mood, Colonel **Sutrisno**, intelligence officer of the *Bukit Barisan* Military Command announced the death



of Yusuf Ali: "All the terror in Aceh was under the command of Yusuf Ali" [*Kompas*, 30.XII.1992]. The body of the deceased was flown to Lhok Seumawe to be presented as a proof of a glorious victory by ABRI. Army chief-of-staff General Eddy Sudradjat flew to Aceh to grant the 22 soldiers involved in the ambush special promotions.

### The arrest of Mariani Yusuf Ali

It is now also confirmed that Mariani Yusuf Ali, the wife of Yusuf Ali, has been arrested in the village of Cot Jeuram, in Pidié district. She is regarded as one of the most important leaders of the Free Aceh Movement from the Pasé province. It is part of the tradition of Aceh that if the husband becomes a commander, the wife is often seen as a commander as well. The case of Teuku Umar and his wife Cut Nya Din who fought the Dutch for a long period, is the shining example. It is worth noting that these latter two are regarded as heroes by the Indonesians.



Mariani Yusuf Ali

Mariani Yusuf Ali reportedly led a women's resistance unit called *Lasykar Inong Atjeh Sumatra* ['Lasykar' means unit, while inong is Acehnese for women]. She was captured far away from the battle scene, 200 km to the west, and had apparently gone into a retreat position. She has been taken to the notorious *Rancong* Detention Centre near Lhok Seumawe where few prisoners survive to tell their tale. Latest reports from *GAM* sources confirm that Mariani Yusuf Ali is being torture and has been raped. Unless an international campaign is launched, it is feared her life might be in danger.

### "Overshadowed by the Timor massacre"

Jakarta-based journalist, Margo Cohen, visited Aceh in January this year and wrote about what she called "Indonesia's hidden terror". [*Independent on Sunday*, 9.II.1992] In words reminiscent of the situation in East Timor she wrote that most Acehnese "remain reluctant to speak openly of the excesses aimed at the 3.4 million local people", adding that the local press has been warned against probing too deeply.

She described the case of Abdurrahman Ed, a 57-year-old illiterate rice farmer in the remote Acehnese village of Teungoh Reuba, who showed her a snapshot of his only son, 28-year-old, Mohamad Jafar. Jafar was detained by the military in August 1991, suspected of helping the rebels. Two witnesses said they saw Jafar beaten with wood and electric cable, blindfolded and loaded into a car. Nothing has been heard of him since. "Is Jafar alive, or not? If not, it should be reported," said Mr Ed.

With the help of the Indonesian Legal Aid Institute which supported him in a previous land dispute, he appealed to the armed forces commander, General Try Sutrisno, and the governor of Aceh, Ibrahim Hassan, in a letter dated 15 November. So far, he has had no reply.

She also wrote of one East Acehnese woman -- who preferred to remain unnamed -- who spent four months looking for her husband, who was seized by the military last April near the town of Peureulak. Whenever she got word of a corpse abandoned along a road or stream, she rushed to the scene. Eventually she gave up, concentrating on the four small children she must bring up alone.

## Three sentenced in 'secret documents' trial

After an adjournment lasting several weeks, the trials in Dili of three East Timorese accused of stealing and sending abroad documents from the East Timor military command have been resumed.

In the last issue of *TAPOL Bulletin*, we incorrectly reported that they had been sentenced to nine and seven years based on a confusing series of press reports where prosecution demands for sentencing were mistaken for verdicts. When the trials resumed, evidence was heard from witnesses, which always precedes the prosecution's sentencing demand. This suggests that the courts reverted to an earlier stage in the trials but the reasons for doing so are unclear. This confusion only highlights the difficulty of monitoring court processes in Dili.

On trial were Filismena dos Santos Conceicao, 29, a woman employed at the secretariat of *Korem*, the Dili military command, Amarao de Araujo, 30, a mechanic related to Filismena, and Afonso Rangel, 48, another

relative who runs a business. Filismena was accused of stealing documents from *korem*, which were passed to Rangel via Araujo to be sent abroad. All the defendants were defended by Ponco Atmono, a local lawyer attached to the courts.

During his trial, Rangel retracted earlier statements that he used tourists as couriers; he now said he gave the envelopes containing documents to Bishop Belo, head of the Catholic Church, who undertook to transmit them abroad. This surprising claim was potentially very damaging for the Bishop, but after much press comment, the issue faded away. Some circles say this provided the authorities with a useful tool to blackmail Belo into toning down criticism of the situation in East Timor.

All three were found guilty. Filismena and Rangel were sentenced to five years. Araujo was given a three-year sentence.



## Asia Watch on Aceh

*The US-based human rights organisation, Asia Watch, issued yet another special report on Aceh in February this year. Aceh was also highlighted in this year's US State Department Chapter on Indonesia in its report on the human rights situation.*

### Asia Watch calls for international inquiry

The *Asia Watch* report provides well-documented accounts of a number of summary executions and arrests during 1991 and also in early 1992. The gravity of the human rights situation in Aceh is summed up in the report's opening paragraphs which are worth quoting in full:

"As the international community condemned the massacre in East Timor on November 12, 1991 and pressed the Indonesian government to account fully for the killings, other human rights abuses attributed to the Indonesian military went largely ignored. In Aceh, for example, where as many as 1,000 may have died since mid-1989 in a combination of separatist guerrilla attacks and army reprisals, disappearances remain unresolved, suspected guerrillas continue to be shot on the spot rather than taken into custody, large numbers of people are believed to remain in unacknowledged detention and trials which violate international norms of fairness continue to take place. Asia Watch also remains concerned for the wellbeing of the few dozen refugees who returned "voluntarily" to Aceh after fleeing to Malaysia in 1991. No international organization had access to these people before they left Malaysia to ensure that they indeed were returning of their own accord or after their arrival back in Aceh, to ensure that they faced no reprisals.

"In sharp contrast to the sacking of several army officers for failing to prevent the killings of unarmed demonstrators in East Timor, eleven Indonesian officers in Aceh, including nine members of the army special forces, Kopassus, were given special promotions in January 1992 for their role in suppressing the conflict with a ruthlessness that involved large number of extrajudicial executions, arbitrary detention and torture of civilians. With no significant exile population or interested external parties to focus attention on Aceh, no direct involvement of the United Nations, and no spectacular incidents in recent months to attract the local and international media, there has been no international pressure on the Indonesian government to account for deaths and disappearances over the last two years or investigate the behavior of the armed forces in Aceh. The much-needed attention to the East Timor massacre and its aftermath should not obscure other violations by the Indonesian army. In particular, a full and impartial investigation into abuses in Aceh should be set in motion."

### State Department on abuses in Aceh

The US State Department's Chapter on Indonesia in its annual report on the human rights situation around the world, issued in February 1992, has some harsh words to say about conditions in Aceh.

"There are credible reports of a pattern of abuse against the civilian population in Aceh by security forces.... These include summary executions of suspected Aceh Merdeka

supporters - part of an effort to intimidate or eliminate potential rebel sympathisers-- as well as the incitement of villagers to summarily kill suspected guerrillas. Substantiation of individual cases is often lacking and rebel forces doubtless have caused some civilian deaths, but government forces clearly appear to be responsible for the majority of these civilian deaths. While some military commanders have acknowledged privately that excessive force was sometimes employed by their troops, the Government has denied a pattern of abuse, and no charges have been brought against members of the security forces in connection with the civilian deaths."

### Aceh at the UN Human Rights Commission

The leader of Aceh Merdeka, Tengku Hasan di Tiro, made a submission on the right of selfdetermination of Aceh to the UN Human Rights Commission in Geneva in February. Last year he spoke to the Human Rights Sub-commission. The deplorable level of state violence in Aceh was also part of a submission made by Liem Soei Liong, speaking on behalf of the London-based organisation, *Liberation*. The French organisation *ACAT*, represented by H. Fauzi presented a submission on the use of torture in Indonesia where Aceh was used as example.

### West Papua: The Obliteration of a People

The first two editions of this book appeared in 1983 and 1984. This third edition, published in response to continuing demand, has been substantially revised and updated, with new data on military operations, an appendix on the murder of the well-known West Papuan anthropologist, Arnold Ap, and recent information about the exploitation of West Papua's natural resources.

Published by Tapol, the Indonesia Human Rights Campaign. 160pp.

Price: £3.50 Sterling plus postage

Tapol, 111 Northwood Road, Thornton Heath, Surrey CR4 8HW, UK

West Papua:  
The  
Obliteration  
of a People





## The Kooijmans report

*A report presented to the UN Human Rights Commission by Professor P. Kooijmans, UN Special Rapporteur on Torture, following a visit to Indonesia and East Timor last year is strongly critical of the Indonesian judiciary for failing to protect detainees against the scourge of torture. A request from the UN for him to visit Aceh was not granted by the Indonesian authorities.*

Much of the report is devoted to an examination of detention and interrogation procedures insofar as they fail to provide protection to detainees against the use of torture. For the initial period of detention, a detainee is in the hands of the police which is part of the armed forces; often, especially in political cases, the detainee is held by the army. Kooijmans noted that during police detention, which is when interrogation and most torture takes place, there is no judicial control at all. Although detainees may challenge their arrest in pre-trial hearings, these hearings do not allow a detainee to complain of treatment. A complaint of torture can only be lodged with the police, the very agency responsible for the abuse.

It is only in court, if the detainee goes on trial, that a complaint can be made; however, as a member of the judiciary admitted to Kooijmans, at this late stage, it is difficult for a judge to examine the complaint but must rely on the documents filed and proceedings during the trial.

Although the Procedural Code (KUHAP) does not permit detention by the army, this happens especially in areas of civil unrest such as East Timor and Aceh. Such practices are illegal, said Kooijmans, yet even so, evidence obtained during military detention finds its way into the file and there is no provision which forbids the judge from taking such evidence into consideration.

Such arrangements are at odds with the provisions adopted by consensus by the UN General Assembly in 1988, "Principles for the Protection of All Persons under Any Form of Detention or Imprisonment".

Having dealt at some length with the inadequacies of the judiciary, Kooijmans delivered a stinging rebuke to the President of the Supreme Court, (ret'd) General Ali Said:

*"He [the Rapporteur] deeply regrets that the President of the Supreme Court, whom he had asked to see, was of the opinion that a meeting with him would not be useful since torture practices concerned mainly the executive branch. The Special Rapporteur can only conclude that such a reaction seems to confirm that, in Indonesia, the judiciary is not aware of the important function it has in suppressing and eradicating torture. A vigilant judiciary is indispensable if the struggle against torture is to be successful."*

### Anti-subversion law should be repealed

Professor Kooijmans also criticises the Anti-Subversion Law and recommended its repeal. Its definition of subversion is "broad and loose". It is not necessary "that the acts concerned actually have the effect of endangering the security; it is sufficient that they might have had that effect. Procedurally, subversion cases fall outside KUHAP. The Attorney-General may order a person to be held for up to a year (as compared to 60 days under KUHAP). No pre-trial proceedings can be started, nor can the detention be subjected to any other form of judicial control. Although its

legality is disputed, "no judicial body so far has declared the Anti-Subversion Law to be invalid while a considerable number of people have been convicted under it".

### Visit to East Timor

Professor Kooijmans arrived in East Timor on 11 November, the day before the Santa Cruz massacre but he was kept in the dark. He outlines briefly what happened, saying he was only informed of the event "at a very late moment". He met privately with five persons whom he had asked to meet following reports that they had been subjected to torture. "They all seemed afraid and some expressed anxiety at being rearrested and subjected to torture after the Special Rapporteur left East Timor. (He) told them that the fact of publishing their names in a UN report should constitute a guarantee against any harassment."

The day after the massacre, on the way to the airport, Professor Kooijmans asked to be taken to the hospital where dozens of wounded were being treated. "This request was refused, with the explanation that a visit by the Special Rapporteur to the wounded would be interpreted as 'UN endorsement of anti-government' forces and could lead to more rioting." The section on East Timor ends with another stinging rebuke:

*The Special Rapporteur regrets being obliged to put on record his feelings of astonishment and disappointment at not having been informed promptly by the military authorities of East Timor about the incident of 12 November 1991.*

### Recommendations

Besides his call for the repeal of the anti-subversion law, Professor calls for "greater awareness within the judiciary of its role" in protecting enforcement of respect for human rights. "The independence of the judiciary should be scrupulously respected." The problem is that such a recommendation remains a forlorn hope under the present regime which is a negation of the Trias Politicas. Other recommendations - that an arrested person's right of access to a lawyer, and that all evidence obtained in a way which is not in conformity with the law should be dismissed in court - will suffer the same fate for this reason.

The Special Rapporteur also said Indonesia should accede to the 1966 UN Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights which it has neither signed or ratified. Indonesia should also ratify the 1984 Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

Most of Professor Kooijmans's findings are well known to Indonesian human rights lawyers and advocates of human rights around the world. The advantage lies only in having them set out in a UN document for use as a yardstick against the authorities.

## Human rights briefs

### Ban on return home of dissidents

A new law on immigration passed last month includes an article giving the government powers to prevent the return home of Indonesian citizens who engage in what the authorities deem to be anti-Indonesian activities. The article was proposed as an amendment from the armed forces faction to the draft law presented to Parliament by the government. The Justice Minister accepted the amendment after consulting with the President. This in effect means depriving Indonesians of their citizenship.

The law also empowers the executive to prevent Indonesian citizens from leaving Indonesia or prevent foreigners from entering Indonesia. The armed forces spokesperson said it was necessary to anticipate cases where citizens fled abroad to seek protection, such as people who fled at the time of the 1965 upheavals, or Fretilin members trying to get back in. During the discussion, the Marcos regime's attitude to Aquino's return was also mentioned, hinting that some people fear there may be someone abroad who wants to challenge Suharto for the presidency.

The only party group to speak out against the proposal was the *Partai Demokrasi Indonesia* whose representative described the decision as a serious violation of human rights. He said: "If (Indonesian citizens) abroad are suspected of doing anything against the state, they can be prosecuted at home according to the law."

### Sudomo threatens to move against NGOs

Admiral (ret'd) Sudono, Minister-Coordinator for Political and Security Affairs, has announced that an implementary regulation will soon be enacted placing non-governmental organisations (NGOs) within the terms of 1985 Law No 8 on Social Organisations. He said the purpose was not to turn them into 'yes men' but to have them regulated under the 1985 law. "Everyone under the sun must want to be regulated by that law. If an NGO doesn't want this, then it will have to dissolve."

Up to the present, many NGOs were breaching the conditions laid down in the 1985 law, he claimed, for instance by receiving funds from abroad without first consulting the government. The law stipulates that organisations can be disbanded if they violate the regulations. This includes receiving money from abroad and helping foreign bodies without the knowledge of the government. They can also be disbanded for doing things that disrupt the public interest. [*Pelita*, 30.I.1992]

### Asia Watch barred from Indonesia

Sidney Jones, the executive director of the New York-based human rights group Asia Watch, has been barred from entering Indonesia after a recent visit to the country. Sidney Jones was informed on 8 November when departing from Jakarta's Sukarno-Hatta airport that she had been placed on the Immigration Department's blacklist. In the past year, Asia Watch has published reports critical of Indonesia's human rights record in Aceh and in East Timor. [*Far Eastern Economic Review*, 20.II.1992]

### 'Guidance' for ex-tapols

248 former political prisoners who had been arrested, but never charged or tried for being members of the Indonesian Communist Party, banned in 1965 when the military came to power, have been required to attend indoctrination sessions by the authorities in Kebayoran Baru, a Jakarta suburb. The purpose was to reinforce their comprehension of Pancasila and the 1945 Constitution. They have now been declared eligible to take part in the 'festival of democracy', the term by which Indonesian general elections are known. [*Pelita*, 12.III.1992]

This brief item of news draws attention to a 'guidance' session in one corner of the country. It is a reminder that hundreds of thousands of men and women are still, after more than a quarter of a century, being treated as political pariahs, in need of indoctrination.

### Forum Demokrasi meeting banned

An MP has criticised the West Java police for stopping a routine meeting of Forum Demokrasi in Bogor, West Java, saying that the meeting did not pose any threat to security. Marzuki Darusman said the government should not be suspicious because the Forum was concerned only with the promotion of democracy.

"Forum Demokrasi was established in line with the principles of democracy and it is distasteful to stop its gathering," said Marzuki, a member of Commission I on defence and security and GOLKAR member of Parliament.

The meeting was convened to review the Forum's policies and to emunerate the criteria for those wanting to participate in its activities. Attended by about 50 people, it was stopped by local police who said a permit from police headquarters in Jakarta was required. The police ignored Forum coordinator Abdurrachman Wahid's guarantee that the meeting posed no threat to security.

"The police should attend to more serious security affairs instead of wasting time over a gathering of democracy activists," said Marzuki. [*Jakarta Post*, 25.II.1992]

*continuation from page 18*

laying flowers at the Santa Cruz cemetery in memory of the 180 East Timorese massacred last November. Yet in the context of East Timorese tradition, we were still able to honour those slain. The East Timorese believe that flowers thrown into the sea to pay reverence to the deceased will be received by their spirits on the peak of Mount Ramelau, East Timor's highest mountain. After reciting words of prayer in a dozen languages, we threw wreaths, flowers, and olive branches given to us by the East Timorese communities in Lisbon and Darwin into the sea, all while navy helicopters circled noisily above."  
*Lorne Rider, member of the US group.*





# Ambitions to become a high-tech ABRI

*The Indonesian Navy's show of force to turn back Lusitania Peace Mission was a display of the regime's jingoism and militarism. The event was used by ABRI to conduct a combined military manoeuvre and show their military muscle. ABRI's ambition to become a regional military superpower is clear and for this they need a well-equipped and high-tech armed forces.*

The *Lusitania* with a hundred students and journalists on board was hardly a threat to the Indonesian armed forces, but the Navy confronted it with a large fleet of destroyer, frigates, corvettes, patrol boats, to beat back a rather decrepit, unarmed ferry boat.

## Indonesia, key defence market

Discussing ABRI's ambitions to acquire new weapons, *Military Technology* [February 1992] notes that 'Something big is brewing'. In *RENSTRA V* [ABRI's Five-Year Plan 1993-1998] the focus will be on developing the air force and navy while the army will enhance its capability for rapid deployment. There is a plan to purchase 20 FG-90 class of frigates. One lead ship will be built overseas with the main contenders in the UK, Holland, Germany and China. The other 19 units will be built at the *PAL* shipyard in Surabaya. The vessels will be equipped with an integrated system for which rival bids have come from Holland Signaal, Westinghouse, Rockwell and TST.



Helicopters at Dili airport

Photo: N. Kumar

Other vessels to be acquired by *ALRI* are three FPB-57 patrol boats (design by Lürssen and built at *PAL*), another two amphibious LST vessels, two Tripartite (Alkmaar) type MCMV boats and two type 200/1300 submarines to be awarded to the German firm HDW.

The purchase of refurbished vessels will continue. On 17 February it was reported that Britain will sell an ex-Royal Navy ship "*Green Rover*" to Indonesia. The sale worth £11 million is for a 7,200 tonnes 460 ft supply vessel to be refurbished by Swan Hunter in Tyneside. Whitehall delayed the announcement of the sale to allow time for the shock

generated by the *First Tuesday*, Yorkshire film on East Timor to subside.

*AURI*, the air force, is also planning new purchases. The recent agreement between IPTN and British Aerospace will pave the way for the purchase of the *HAWK 200* as replacement for A4 Skyhawks. The deal involves 30-34 aircraft. For training purposes, Indonesia will acquire around 10 *HAWK 100s* and *HAWK 60s*.

Another *BOT* (Build, Operate, Transfer) deal is being negotiated between IPTN and General Dynamics for the purchase of 36 F-16A and 12 F-16B fighter planes. IPTN will receive a considerable part of the workshare.

The army will acquire new armoured vehicles, anti-tank and anti-aircraft weapons and new artillery systems. Many lessons are being learnt from the experiences fighting the guerillas in East Timor, Aceh and West Papua. The two special *KOSTRAD* rapid deployment battalions will be supplied with the most advanced weaponry so as to be combat-ready and available throughout the country.

ABRI's shopping-list is obviously much longer than this and the arms industry in many countries are seeking the ear of the Indonesian officials for big deals.

## Indonesia, a regional super power

*Renstra V* comes at a time of rapid global changes and the end of the cold war. Indonesia's top military figures have anticipated these changes and want Indonesia to play a major role in the security 'vacuum' of Southeast Asia and the Pacific. The Indonesian armed forces, traditionally staunchly nationalist and cautious about commitments with other countries, is now loosening the reins. Vice Admiral Soedibyo Rahardjo, chief of the general staff of *ABRI*, said recently that Indonesia would step up joint naval exercises with the US and may eventually engage in joint air force training, something unthinkable a few years ago. Indonesia has also withdrawn its objections to Singapore's plans to allow the US air and naval forces access for repair maintenance, resupply and training exercises and has joined the ASEAN chorus to open its dockyards to US warships. As Admiral Soedibyo explains: 'We understand the need for this kind of thing since the presence of American forces, to be quite honest, is needed to maintain stability in this part of the world' (*International Herald Tribune*, 29 Febr.-1 March 1992). He hopes that the collapse of the Soviet Union and the gradual and partial withdrawal of the US Seventh Fleet from the region should be accompanied by an enhanced role for *ABRI* and should not be left to the other Asian giants, China, India and Japan. Admiral Soedibyo need not worry too much about a US retreat from the region. With the eclipse of the Soviet threat, the US has extended its sway in the region. New agreements with Singapore, Brunei, Thailand, Australia and New Zealand (Aotearoa) have been signed. The loss of Subic Bay in the

Philippines is being compensated many times over. Last September, Admiral David Jeremiah, vice-chairman of the Joint Chiefs of Staff justified the US expansion by stating that the US strategic commitment to the Pacific was 'separate and isolatable' from the cold war.



*President Suharto proudly carrying assault rifle SS-1/IV-1 produced by PT PINDAD in Bandung. Minister Habibie, on the left, is the one who heads all the arms-producing companies.*

Indonesia's aspirations to become a regional watchdog has several dimensions. Geopolitically, Indonesia is by far the largest country in the region. Increasing military cooperation, agreements and joint training exercises have been developed with its neighbours. With Malaysia and PNG, each with specific 'problems' (Aceh and West Papuan refugees), joint border patrols and other activities have been developed. Both countries take a cautious approach towards 'big brother' Indonesia while Jakarta takes a paternalistic attitude towards its two smaller neighbours.

Then there are the dazzling ambitions of B.J.Habibie, Indonesia's Minister of Technology. This minister, seen as a foster son of President Suharto, is determined to develop a high-tech military industrial complex (MIC) to supply the entire Southeast Asian region, from the highly marketable Super PUMA and Bell 412 helicopters, manufactured at IPTN, to different types of civilian aircraft. The PAL dockyard in Surabaya is expanding fast and can produce a wide range of vessels. The expanding economies of countries in the region could boost Habibie's ambitions. His credo is simple: through the introduction of a high-tech military industry, a spin-off to other industries will have a 'trickle-down' effect over the entire economy. His concept enjoys the backing of the president, and the state has poured billions of dollars into the militaristic plans of Indonesia's high-tech supremo. Habibie's plans also have the support of the top brass of ABRI and fit in with their plans to enhance Indonesia's position in the region.

### Setbacks

But there have been setbacks. The hopes of producing profits have proved unachievable and the state has had to pour money in. The sale of a few helicopters or airplanes has not made up for the heavy losses. The global recession has led to stagnation for Habibie's MIC. The drop in oil prices in the mid-eighties was a bad period for Habibie and he was forced to shelve some of his plans.

At the same time, the Indonesian economy has changed from a 'petroleum' economy into a modern, export-oriented, manufacturing economy. Habibie's spin-off theory has only worked for a small group of conglomerates which have swiftly developed a sophisticated international network. The state-led industries like Habibie's were lagging behind. The fast expanding manufacturing industry has also used good

## ARMS SALES

connections with the Suharto family. Suharto's interests in Habibie's projects may have faded as the other side of the economy has expanded, creating huge profits for the first family. By 1990 Habibie's pet projects gradually began to fade. A serious heart-attack in 1991 and a bypass operation incapacitated him, leaving him watching from the sidelines.

### The next elections and the MIC.

The ambitious plans of Habibie and ABRI can only proceed if certain changes occur after the presidential election in 1993. If nothing changes, Suharto will serve a sixth term and the vice-presidency will be crucial for the development of Indonesia's MIC and the procurement of weapons. Habibie's name has been mentioned as a candidate, if his health permits. Suharto might well take him as 'running-mate'.

Habibie has recently emerged as a politician with considerable Muslim backing. He became chairman of ICMI (*Ikatan Cendekiawan Muslimin Indonesia*, Organisation of Indonesian Muslim Intellectuals), an asset for Indonesia's high-tech czar. If he fails to become vice-president, the appointment of any ABRI top-brass could pave the way for the developments described above.

### The need for an arms embargo

There are many rational and humane arguments against the further militarisation and enhancement of Indonesia's military role in the region and its procurement of weapons. Foremost is the global trend to cut back defence expenditures. In the case of Indonesia, this is even more valid. Indonesia remains poor even by Southeast Asia standards. As the fourth most populous country in the world, it has many mouths to feed and any expenditure on defence is indefensible.

But equally important is the fact that Indonesia, one of the worse human rights violators must not be allowed to continue with their heinous crimes. As voices grow louder to stop aid to Indonesia, an arms embargo is the least the international community can do.

**SOCIAL CHANGE IN THE PACIFIC**

*Edited by David Robie*

**NEW**

The Pacific is in upheaval - growing poverty, nuclear testing, independence struggles, militarisation and massive dislocation are pressing, often intractable issues. Topics covered include the Bougainville crisis, the environmental impact of mining on indigenous communities in Australia, Aotearoa and PNG, hazardous waste dumping and the Johnston Atoll, human rights violations in Fiji, PNG, the Philippines and East Timor, the struggle in Kanaky and tino rangatiranga in Aotearoa.

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# Warships turn back Timor Peace Mission

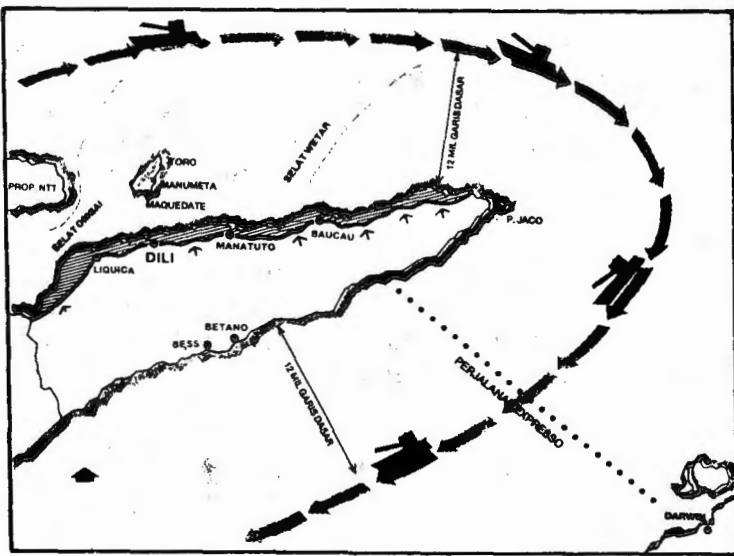
*We publish below extracts from two people, one from the US and one from the UK who were on board the Lusitania Expresso, an old Portuguese car-ferry which was chartered by a Portuguese student organisation to sail to Dili. The Peace Mission for East Timor planned to sail into Dili and lay wreaths at the Santa Cruz cemetery, to commemorate the victims of the Santa Cruz massacre on 12 November.*

## An illegal threat of force

"I tell you directly to leave this area. You are now in Indonesian territory. Turn back immediately or force will be used." The warning issued from the bridge of one of the Indonesian warships shadowing the Peace Mission.

"Before leaving Darwin, the flat-bottomed peace boat had been buzzed twice by Indonesian planes. This paled into insignificance when set aside threats by hardline Indonesian MPs to blow up the boat.

"These intimidating tactics did create greater apprehension for the participants, but also served to fuel the interest of the international media in the mission and of putting more restraint on what the Indonesians could get away with. To this extent, the eye of the world was upon the Indonesians and essentially the plight of the Timorese people.



*The island of East Timor secured by three layers of defence against the 'threat' of the Peace Boat.*

"On March 9, over 400 well wishers from the East Timorese community finally saw the *Lusitania* depart from Darwin port. As we left there was a feeling of euphoria throughout the boat and also an indescribable calm until 2.00pm the next day when Indonesian planes buzzed the boat, this time five times. At 11.30 that night, the glow of a single light was seen on the horizon. As the *Lusitania* maintained its course, the orange glow grew brighter as it changed its direction and speed to exactly that of our own. Keeping precisely the same distance from us, this indistinguishable vessel shadowed the peace boat throughout the night. Despite numerous attempts to make contact, no communication was established.

"At 7.50am the first direct contact was made with the Indonesian warship, now joined by two others just south of the East Timorese '12 mile limit'. A warning was issued

while two helicopters hovered overhead. The Indonesian commander stated there would be no discussion despite attempts by Rui Marques, the mission's director to contact the warship. The *Lusitania* held its position until the eighth repeat warning. At all times, three Indonesian warships manoeuvred themselves to be sideways to our boat. Their guns were on us.

"This illegal threat of force left our captain with no choice but to comply with the Indonesian's command. With the East Timorese mountainous terrain in the background, the *Lusitania* turned on its port side and proceeded slowly southwards. An emotional wreath laying ceremony was held on deck. Prayers for the future freedom of the East Timorese were said in eight languages. Throughout the ceremony the Indonesian intrusion was felt as their helicopters clattered overhead. As members of the mission cried on deck, all three Indonesian frigates continued to shadow our southwards course".

*Tim Slater, a student from London*

## The Lusitania and George Bush

"For those of us aboard the *Lusitania Expresso*, it has been an astonishing Wednesday morning, but half way around the world it is still Super Tuesday. Yet I can state with conviction that none of the [US presidential] candidates are putting East Timor high on their foreign policy agenda.

"Especially for former CIA director George Bush, who understands fully the embarrassing parallels between Iraq's illegal occupation of Kuwait and Indonesia's illegal annexation of East Timor, any mention of the situation would further puncture his already-deflated "foreign policy president" balloon.

"Even for the enlightened Jerry Brown, who has been afforded the luxury of becoming a presidential candidate by his family's flow of Indonesian oil wealth, East Timor (whose oil reserves could make Australia a net exporter for a half-century), is a touchy subject indeed. Only Tom Harkin had kept the genocidal situation in East Timor on the congressional agenda.

"The captain of the *Lusitania Expresso* was told seven times to turn back or risk retaliation. At no time did the Indonesian commander allow us to plea the case we had hoped to articulate: international law does not recognize Indonesia's authority over East Timor and we should therefore be allowed to proceed without further molestation. The captain, who had been informed by *Reuters* in Jakarta last night that the Indonesians unequivocally intended to sink the unarmed peace ship, was not prepared to run the risk of provocation by his persistence.

"We were prevented from achieving our objective of

*continued on page 15*



# Renewed fighting in Merauke: more Papuans flee

*As OPM guerilla activity seems to be gathering momentum, causing a new flow of refugees into Papua New Guinea, the spotlight is focusing on the closer cooperation between PNG and Indonesia. PNG is far more tolerant of border incursions by Indonesian soldiers than of the fear-driven flight of hundreds of West Papuan villagers.*

In the first two months of this year the OPM staged two offensives against Indonesian forces near the southern end of the PNG border, according to reports in the Indonesian press. The first, on 25 January, was on the police station in Sota village. The fighting left one OPM member dead and several Indonesian soldiers wounded, according to Indonesian press reports. In the wake of the incident, hundreds of Sota villagers fled into PNG in fear for their lives [Wires, Jan 28]. A further clash on 27 February in the same region sent villagers of Erambu fleeing into neighbouring Jagebob village [Jakarta Post, 6 March 9].



OPM warriors

(photo: Claudio von Planta)

In recent years, reports of such OPM attacks have been relatively few and far between, the last being in June last year at Batom village, Jayapura district. More has been heard of the Indonesian army's often violent operations in pursuit of OPM guerillas, both in West Papua and in PNG. In October 1991, a special task force of the Kodam VIII/Trikora (East Indonesia military command) carried out an operation in Yabandatu village, Senggi province, in the light of information on the location of an OPM hideout. Three guerillas were shot dead [Tifa Irian, 1 Nov 91].

In November, the PNG Times printed a letter from a school teacher in Boset village, Western province in PNG, reporting that villagers had moved into hunting camps in fear of an Indonesian army attack. Their fear was based on the activities of two armed men who recently visited their village seeking information on the whereabouts of OPM

guerillas, and drawing up maps of the area.

Following the OPM attack on Sota in January this year, Indonesian soldiers pursued the guerrillas into PNG at Weam: on seeing these soldiers, PNG villagers fled. Parry Zeipi, the MP for South Fly in the PNG parliament, called on the PNG defence minister to deploy defence personnel in the border area to provide security for villagers. These people have good grounds for their response: the violent behaviour of Indonesian soldiers in a series of border incursions in 1990 is not easily forgotten (see TAPOL Bulletin 101).

Indonesia seems unceasing in its practice of border incursions. Yet it has never been allowed the right of 'hot pursuit' on PNG soil, nor has it been able to persuade PNG to carry out joint border control activities. The latest Status of Forces Agreement signed between the two countries in January this year makes no legal change to this situation. Where it provides for cooperation is in the fields of military equipment, training, and 'civic action' programmes. While for PNG villagers, this last provision may mean access to shopping at Indonesian village cooperatives, so far it seems to consist of intimidation by Indonesian soldiers.

## Refugees

Whereas Indonesia is preoccupied with curbing the OPM's newfound momentum, PNG is troubled by the latest influx of refugees.

At first it was reported that some 1500 villagers from the Sota area had fled over the border at Weam. But by the time the refugees had been moved to Indorodoro, their number was put at little more than 200. There is great scope for numerical discrepancy in estimations of this kind.

The PNG border is not always immediately apparent to West Papuans, either geographically or as a boundary to kinship and traditional land rights. This has always presented problems for the PNG authorities when dealing with the sensitive issue of immigration. While Indonesia uses the universal term of 'border crossers', PNG has tried to distinguish between traditional border crossers (crossing because the border divides their family or land), asylum-seekers and illegal immigrants. But these have in practice proved fine lines to draw.

Since the early 1980s, PNG's ever closer ties with Indonesia have meant that there is no longer much chance for OPM supporters - active or no - to receive protection from PNG: if detected, they are deported as illegal immigrants. The most recent example is the case of two OPM members who last year visited their family in Kiunga, PNG, and were thus apparently crossing for 'traditional' purposes. They were arrested and are soon to be placed in the hands of the Indonesian authorities. [Times of PNG, 9 Sept 91; Suara Papua, Jan/Feb 92]. Given the fate of deportees to Indonesia in the past, there may well be cause for concern about



their treatment [see *West Papua: The Obliteration of the People*, p101].

For West Papuans who flee over the border out of fear, things are not much better. During the 1980s, repatriation has increasingly been the focus of refugee management policies in PNG. Repatriation would often not be to the village of origin, but to transmigration or special 'pacification' settlements run by the Indonesian government. So it is not surprising if many who fled from Sota do not wish to present themselves as asylum-seekers. It may help explain how the number of refugees fell so dramatically from initial estimates. On previous occasions, when fear-driven West Papuans have fled over the border, many have spent years in the forest before arriving at a refugee camp.

Three weeks after the Sota villagers fled it was reported that 211 people at Indorodoro are to be repatriated. The impetus for this move seems to have come from "the PNG government's desire to return the Sota people immediately." (*Jakarta Post*, 15.II.92). The "burden" of the refugees on the PNG government seems to have been the paramount concern, and much credit to be won with Indonesia from returning the West Papuans.

But whereas in 1986 an Indonesian repatriation programme denied the UNHCR or the ICRC a role in monitoring the returnees' homecoming, both agencies have been involved in the plight of the Sota villagers. The ICRC has said that the situation in Sota is safe for their return, while

the UNHCR has guaranteed that the repatriation will only take place on a voluntary basis. (To what extent and for how long returnees would be monitored is unknown.)

Yet the UNHCR is not willing to grant the Sota villagers refugee status, saying that fear of the military is not adequate grounds. So what is the alternative offered for those who do not want to return? The UNHCR has not yet answered this question from TAPOL.

The plight of those in the camps has always been a sensitive question. In 1984, before the UNHCR could operate in PNG, the PNG government approach appeared to be "permitting conditions in camps to deteriorate, in order to try to persuade their inhabitants to go home", according to one observer. In 1991, the UNHCR was to cut supplies of food and medicine to Iowara, East Awin camp since the inhabitants were supposed to be self-supporting (see *TAPOL Bulletin* 106).

The UNHCR may lack adequate funds to provide support for any Sota villagers who do not wish to return home while PNG officials are trying hard to sway their minds: after visiting Sota, they reportedly returned with letters and videos from the children of those who crossed into PNG, pleading for their parents to return.

## Soldier found guilty of subversion

A West Papuan serving in the Indonesian army, Zeth Rumbaku, 38, has been sentenced to six years under Indonesia's anti-subversion law, for selling weapons to the OPM. Corporal Rumbaku was also dismissed from the army. [*Sunday Age*, 22.III.1992]

## OPM guerrilla leader outlines his strategy

*Bernard Mawen is the leader of the armed resistance movement, the OPM, in Merauke, the south-eastern district of West Papua. His forces have engaged the Indonesian troops on several occasions since January. The following are excerpts from a letter he sent to TAPOL which reached us in mid-March.*

"Our war is not against the Indonesian people, it is against the fascist clique under Suharto whose interest it is to protect the interests of imperialism, colonialism and monopoly capitalism and who trample on the rights and freedoms of we, the Melanesian people of West Papua.

"I respect the Indonesian people for the struggle they waged against the Dutch and I would hope that they will respect our struggle. I feel a sympathy for the Indonesian people who live under a fascist regime. What we can do to show our sympathy for them is to condemn the western powers which, during the last war, fought against the Axis powers and have more recently condemned the South African apartheid regime. Yet, they now support the fascist government in Indonesia which is oppressing the 200 million people of that country. They support it by supplying economic aid and weapons and do this through the intermediary of international agencies like the World Bank and the Inter-Governmental Group on Indonesia. They should be made to realise that such support destroys many nations in the world; if they do not heed us, we will take revenge by strong action against their interests in our country. We would prefer cooperation and mutual respect.



*Bernard Mawen, OPM Commander for the Merauke region.  
Photo: Claudio von Planta*



## General elections are irrelevant

"Our West Papuan people are now being required to participate in the Indonesian general elections. We cannot condemn or blame them for doing this because they have no alternative, they are being forced to join in – it is not voluntary. We respect their decision to take part for their own survival. Some think we should sabotage the election, but in my opinion, this tactic is not relevant. We have other tactics that are more important than sabotaging the election.

"Strategically speaking, I do not think that sabotaging the election will produce anything because it will not change the position of the fascist Suharto government. Even if Suharto is forced out, the fascists will still be in power. Changes can only occur by means of a physical movement

## WEST PAPUA

throughout Indonesia; an election will change nothing. History proves that it is only by means of a physical revolution that a fascist regime can be overthrown. There are no instances in history of fascism being overthrown by normal processes such as general elections. The people of West Papua know this and do not look upon the election as an alternative strategy.

"I remain confident that we will succeed in ending the colonisation of our country, West Papua, by the Indonesian fascist regime and that we will create a democratic and peace-loving West Papuan state."

---

## International support for Moi as they stand firm

*TAPOL has received more information about the demonstration of Moi people reported in the last issue. There is exploitation of extreme proportions. The victims are determined to fight off the loggers, PT Intimpura. A recent visitor to Sorong has written a disturbing report which TAPOL have published as Occasional Report no. 18. The report is arousing international support for the Moi people. In February, the First Forest Peoples Conference in Malaysia passed the following Resolution:*

We, the delegates to the Conference of the Indigenous-Tribal Peoples of the Tropical Forests gathered from 12–15 February 1992 in Penang, Malaysia, declare our commitment and solidarity with the struggle of the Moi people of West Papua.

The Moi people of West Papua, numbering almost four thousand, live on the extreme western tip of the island, on the "beak" of the so-called "Bird's Head" Peninsula, in the environs of the town of Sorong.

The neo colonialist military government of Indonesia has awarded PT Intimpura a vast 339,000 hectare logging concession in the heart of Moi ancestral land.

We demand that the Indonesian government:

- respect the traditional land ownership of the Moi people, namely their legitimate indigenous rights based on their Melanesian culture and concept towards nature;
- stop immediately all logging activities in the Moi ancestral homeland;
- compensate all damage to the people and its forest, to be paid immediately, based on the demands of the people themselves;
- stop further exploitation of all forests in West Papua without the full and free consent of the indigenous people affected;
- respect the right to self-determination of all the indigenous peoples of West Papua;

We, the indigenous/tribal peoples of the tropical forests, through our Charter, demand that the Indonesian government respect the rights of all indigenous/tribal people communities in Indonesia as well as in West Papua.



*Moi villager pointing to a sign: INTIMPURA TIMBER CO - SORONG ARE EXPRESSLY FORBIDDEN FROM ENTERING THE TERRITORY OF THE KLAYILI VILLAGE, SUBDISTRICT OF MAKBON.*



## Famine victims are new targets for resettlement

Following the Soba earthquake in 1989, 3500 Hupla people were moved, apparently without consultation, to a new lower-altitude settlement far from their traditional lands. The resettlement target at the time was 10,000 people from the region (Hupla and Yali) by 1993. 'It remains to be seen what methods the government officials will employ to reach that target,' noted Carolyn Marr in 1990 [*IWGLIA Newsletter*, Dec 1990]. [See also *TAPOL Bulletin* 98].

### Resettlement Programme

The earthquake had provided a 'good' reason to move the Hupla. When this was exhausted, when the government wanted to expand the programme to other valleys, and when the resettlement programme started to receive some harsh publicity, the government tried sending in teams to persuade rather than force people to move to Elelim, a new site located between Wamena and Jayapura, near Landikma. Yet these 'persuader teams' often had a forceful effect. With promises of TVs and electricity, they fuelled cargoistic expectations; with assurances of food and schooling, they made the local situation miserable in comparison. Many people moved. Families were split, the social structure fragmented as if struck, like the land, by an earthquake. Only those families fortunate enough to be reunited, because their relatives returned, disillusioned with their new life at Elelim, have recovered from the trauma imposed by the programme.

When the 'persuader teams' withdrew from their targeted villages, those who had defied their efforts could not expect any further help from the government. Soba, where the efforts had been much more forceful, has in effect officially ceased to exist. Remaining villagers have been refused requests for rice on the basis that they should now be in Elelim.

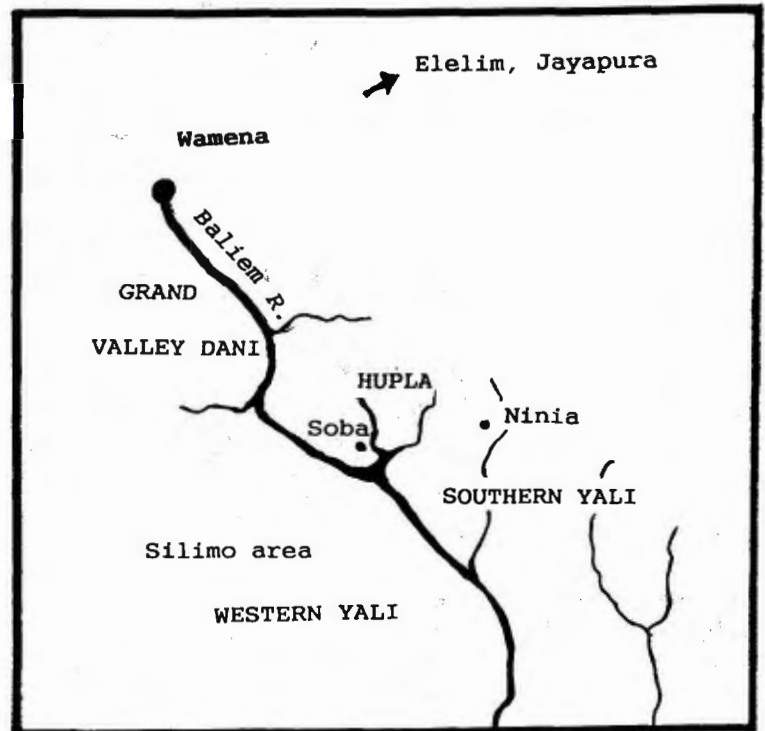
### Famine

*TAPOL Bulletin* 109 reported a famine in the subdistrict of Kurima. It has since transpired that some of the worst areas hit are those visited by 'persuader teams', for example in Ninia [*Suara Pembaruan*, 21.I.1992]. While the famine appears to have been the product of a number of factors, this particular coincidence suggests that the teams, while encouraging a new life for the villagers in Elelim, may have actually discouraged their preparations for a new garden season where they were.

But Indonesian press reports have focused on one area that did not seem to have been the target of government teams: Silimo. While in other areas food shortages had been overcome, it was said, here the famine was severe, indeed exceptional. 148 people of the Yali tribe are reported to have died, of around 8,000 at risk [*Antara*, 1.III.1992; *Reuter*, 17.I.1992].

The reason? Villagers were busy collecting coconuts in the forest, and forgot to harvest their gardens, according to JB Wenas, the district chief of Jayawijaya [*Suara Pembaruan*, 17.I.1992]. This crude attempt at a cultural explanation, however, must be rejected. Coconuts do not grow in the highlands. The Yali collect Pandanas nuts, a scarce

crop, from the forest. And it is neither only in Silimo nor only in 1991 that they have done this while also having gardens to tend. That they might have *forgotten* about their gardens last year seems improbable.



Perhaps conscious of the insensitivity of Wenas' account, the Coordinating Minister for People's Welfare, General (ret'd) Soepardjo Rustam, promptly explained that heavy rains had prevented people from cultivating their lands, causing food shortages [*BBC*, 5.II.1992]. This is much more in keeping with past experience in the New Guinea highlands, where food shortages are not uncommon. Tubers like sweet potatoes are very vulnerable to harsh weather conditions just after planting. But in the past, and apparently last year in other areas of Kurima, villagers have overcome the resulting shortages by means of mutual assistance. So what happened in Silimo?

Initial reports claimed that the food shortages had led to famine because the missionaries in Silimo were on holiday. The food shortages that began in April were therefore not discovered until the missionaries returned in December [*Suara Pembaruan*, 17.I.1992]. But it seems implausible that people in Silimo need to rely on missionaries to communicate their situation. If a radio link was not available, the terrain between the Silimo and Wamena is clearly traversable: around 200 children from Silimo attend school in Wamena [*Suara Pembaruan*, 30.I.1992]. The available picture of events thus seems uncomfortably inadequate.

### New opportunity for resettlement?

No doubt reports of the famine in Silimo came as a blessing in disguise to officials trying to fulfil their Elelim relocation targets. The timing of events leaves one perplexed about the government's response to the famine. The missionaries are said to have reported it in November 1991; JB Wenas said



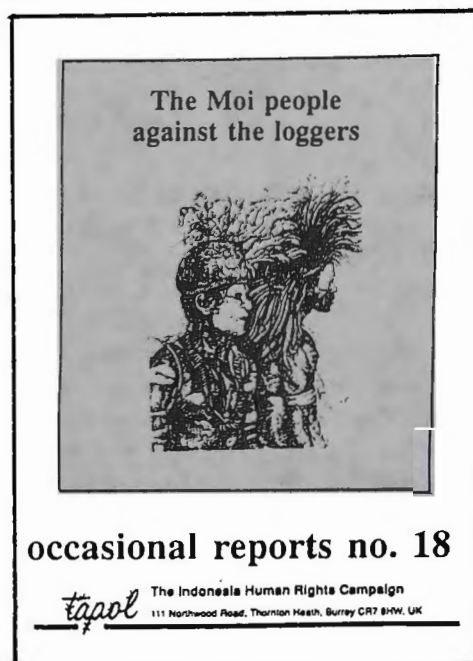
he received the information on 19 December [*Suara Pembaruan*, 17.I.1992]. But it was not until 17 January that he made the news public. And in the very same statement, Wenas announced the resettlement of 155 families to Elelim. No officials are reported to have visited the area until 24 January. A team was landed by helicopter and tribal heads were then taken to Elelim to survey the site. Yet by 5 February, and with 25 more deaths since the initial report, stocks of food supplies were still sitting in Wamena, waiting for the weather to improve before they could be flown in to the mountainous area of Silimo [*BBC*, 5.II.1992]. By the time the aid reached them, the promises of Elelim must have sounded irresistible. Although when Soepardjo visited Silimo, he said people were reluctant to move [*Indonesian Observer*, 6.II.1992], by 1 March, 613 people were reported to have been relocated. Weather, it seemed, ceased to hamper the 40 odd flights from Silimo to Elelim [*Antara*, 1.III.1992; *Tempo*, 22.II.1992]

The transportation of food supplies was in the end assisted by two helicopters provided by PT Freeport Indonesia. As with the company's development around Tembagapura (see *TAPOL Bulletin*, 109), and as with the relocation of the Hupla (for which it provided \$25 000), Freeport's latest promotion of resettlement in an area contracted to the company is true to style. (Freeport geologists have indeed recently been surveying the area south-east of Wamena.)

Yet it is by no means obvious that resettlement is the best response to this famine. In the long term, a consistent planting programme ensuring that crops are not all vulnerable at the same time would be the wisest response, according to Dr Bourke at the Australian National University. Moreover, moving to Elelim will bring problems: on resettling, people suffer from the separation from their relatives and ancestral lands; they may experience tension because they are living on the traditional lands of others; and in Elelim, they face the threat of malaria, with which the Yali, like the Hupla, are unfamiliar and so have no built-up immunity.

## WEST PAPUA

What is clear, however, is that those who are moved to Elelim will be far more accessible to the government, by means of the Wamena-Jayapura road under construction. And should Freeport want to operate in the southern Kurima subdistrict, they will meet less resistance from traditional land-owners, many of whom will be in Elelim. Increasingly, it seems, the government is prepared to encourage the break-up of traditional social fabric for the ends of national development.



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Occasional Reports no. 18 contains a report of the struggle of the Moi people against a logging company.

## Protest actions against East Timor trials

East Timor solidarity groups around the world decided to hold actions in mid March to protest against the trials of East Timorese now under way in Dili and Jakarta. There were protests outside the Indonesian consulates in Los Angeles and New York, a discussion about East Timor, including the trials, at the University of Toronto, a special meeting in Paris on 24 March, a mass meeting in The Hague on 21 March, and actions in Norway and Belgium. In Australia, a protest demonstration to 'Free the Timor detainees', was held on 12 March, the day on which the first trial opened in Jakarta. A new group in Ireland plans to hold vigils outside several embassies in Dublin on Good Friday and have invited an East Timorese refugee in London to attend.

### Memorial service in London

In the UK, the fourth in a series of actions since 12

November took place on 20 March. The main event, organised by the newly-established British Campaign for East Timor, was a well-attended Memorial Service for East Timorese victims of the massacre and for those now facing trial. The service was held at St Bride's Church, Fleet Street. Among the priests officiating were the Rt Rev. Patrick Kalilombe, former Bishop of Lilongwe, Malawi and Fr. Sarath Wasanta from Negombo, Sri Lanka.

There were short addresses and readings by Hugh O'Shaughnessy, a journalist with *The Observer* who visited East Timor last year, James Gibbons, brother of Kamal Bamadhaj who was killed in the massacre, Estevao Cabral, a Timorese refugee in London, and John Joseet, a former political prisoner in Malaysia.

A 'cage' protest took place the same afternoon outside the Indonesian embassy. English students who went to Australia to sail with the *Lusitania Espresso* Peace Mission took part.

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# Xanana Gusmao's message to solidarity groups

Warm greetings friends and companions in struggle. I speak to you from the mountains of East Timor. We are between marches and combats and in our backpacks we carry the information we receive on the situation of generalised terror under which the Maubere people are living.

If the 12 November massacre had happened two years earlier, it would have been unnoticed by the world. The massacre would not have had such wide repercussions if it had not been for the video that the British journalist managed to get out of East Timor. We are aware that a lot of governments only took a definite stand after hearing about the film. It became the catalyst for international reaction, which was initially sceptical, as has been the custom in politics.

There have been cases, as in Australia, where at every increasingly obvious violation of human rights in East Timor, Australia would send its ambassador, Philip Flood, to talk to the puppet governor and the military authorities and return saying he saw no evidence of violations. If this time Gareth Evans had been in Canberra he would have sent his ambassador for more lunches with Carrascalao and shaken hands with the murderer Warouw and stated that the most recent grave in the Santa Clara cemetery was that of Sebastiao Rangel, there being no evidence of any massacre.

The position taken by Holland, a tireless defender of the annexation of East Timor as a historically consistent continuation of the process of annexation of Western Papua, was unanticipated and admirable. We also believe that the images of the film had an effect here.

This film is our weapon, ours and yours, but mainly yours, for your work of raising the awareness of people and governments in the countries where your groups are based.

We propose that all East Timor solidarity groups set up small groups to go to other countries where solidarity groups have not yet been set up, providing the opportunity for raising awareness about the problem and creating the conditions for setting up groups there. We are fully aware of all the difficulties, especially financial, in the running of your and our projects. We propose the following themes as general lines of action:

1) The setting up of a UN or other international investigation team to verify the facts of 12 November.

2) Putting pressure on governments to reconsider their complacent policies in relation to Indonesia and support Portugal's position. The difference in criteria adopted for the violation of Human Rights is notorious; a house arrest in Rangoon is enough to provoke the western powers to a storm of protest, but they continue to affirm their total respect for the cultural difference between Indonesia and the western world and justify the crimes committed by Indonesia as mere questions of national interest.

3) Putting pressure on governments to maintain or apply cuts in economic aid to Indonesia as long as it refuses to allow a UN or international inquiry team to visit East Timor. Jakarta's arrogance comes from its commercial ties with Australia, Japan, UK, France, Spain, Holland etc.

I express our sincere appreciation for your unstinted and unselfish solidarity work for the just cause of freedom for our people. Your work and dedication to the people of East Timor, has been a moral incentive enabling us to believe in the solidarity of peoples involved in the common struggle for freedom, peace, justice, and progress. We especially hope for renewed effort from groups in the EC countries, in the United States, Canada, Australia and Japan so that the intentions announced at governmental, political, party and

parliamentary levels are not forgotten.

The Maubere people after 16 years of a difficult war in difficult conditions, can only ask that you speak for them.

To all of you, a warm embrace from all the fighters of FALINTIL and from all our people, and a special greeting from the National Council of Maubere Resistance.

Honour and glory to the martyrs of the Maubere fatherland! Viva the people of East Timor! Viva international solidarity! Fatherland or death! The struggle continues on all fronts! Resistance is victory!

*General-headquarters of the National Council of Maubere Resistance the mountains of East Timor, 24 November 1991. Kay Rala Xanana Gusmao Commander of FALINTIL.*

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