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# TAPOL

British Campaign for the Defence

of Political Prisoners and Human Rights in Indonesia

TAPOL Bulletin No. 73

January 1986

## UK steps up arms sales to Indonesia

In December, Britain concluded another huge arms deal with the Indonesian government, with the promise of much larger deals to come. The *Financial Times* on 16 December reported that a contract for the sale of £82.7 million worth of Rapier missile system units had been signed on 14 December, following a deal of similar value a year before. It added that "discussions are said to be well advanced on the sale of up to 600 British-built Scorpion light tanks to the Indonesian Army", and that British Aerospace, manufacturer of the Rapier air defence system, hopes to supply Indonesia with its new, single-seater Hawk fighter. This would be the "fourth generation" aircraft that the Indonesian Air Force aims to be able to use in the near future.

If the Scorpion tank sale goes through, it will be one of the largest deals involving such vehicles ever undertaken by Britain, proof of the great importance the Indonesian and British governments attach to each other as arms buyer and supplier. The cost of a Scorpion today is probably in the region of £500,000, depending on the weaponry installed. However, one of the key factors in attracting the interest of B.J. Habibie, the all-powerful minister in charge of Indonesia's arms industry, is Britain's apparent willingness to consider joint manufacturing arrangements and technological transfer.

When Habibie visited Britain in July last year, proposals were discussed with Alvis for "collaborative ventures to manufacture the Scorpion" [*Financial Times* 8 July 1985], so the actual cost per unit could be considerably less. Habibie may also be thinking of

exporting Scorpions assembled or manufactured in Indonesia. [For an analysis of Indonesia's military-industrial complex, see special article inside.]

The significance of such deals for Indonesia's operational capacity in its colonial wars in East Timor and West Papua is made clear by the photograph, published in *The Guardian* on 16 January, showing for the first time Indonesian tanks in East Timor. They are T76 tanks supplied by the USSR in the early 1960s, part of a massive arms re-equipment effort then to support Indonesia's campaign to take over West Papua. They are indicative of how obsolete much of the Indonesian army's equipment is, and why ABRI chief Benny Murdani is so keen to buy new hardware.

In 1978, Washington supplied new aircraft to enable Indonesia to carry out its devastating aerial bombardment of the East Timorese population in the mountains. All the signs are that a further updating of Indonesia's military equipment, this time mainly by Britain, will help the Suharto regime to cope with the powerful and growing resistance in its occupied territories.

Scorpion tanks are manufactured by Alvis Ltd. in Coventry, and are made to British army specifications. It is exceptionally light, being made entirely of aluminium, so that two can be transported over 1600 kms in a C130 Hercules aircraft. This would be a major plus for ABRI, which relies heavily on the C130 for transportation around the archipelago. The Scorpion is also very fast and manoeuvrable, and designed to be able to operate day or night in any terrain under all possible climatic



Indonesian tanks during a military parade in Uatocarabau, East Timor in October 1985. This is the first photograph of Indonesian Army tanks in East Timor ever to have been smuggled out by the resistance.



## ARMS SALES

conditions. In the ASEAN region it is already used by Thailand, Malaysia and Brunei.

A number of variants have been produced - armoured personnel carrier, guided weapon carrier, armoured command vehicle, armoured ambulance and an anti-armoured personnel gun carrier - and the tank version has been steadily modernised. [Source: British Defence Equipment Catalogue]. There can be no doubt that the deployment of Scorpions in East Timor would greatly enhance the destructive potential of Indonesia's war effort against Fretilin and the East Timorese people.

### More Dutch frigates and armoured vehicles for Indonesia

The Netherlands government has also approved major new arms deals with Indonesia. The Indonesian Navy will acquire six frigates from the fleet of the Dutch Navy, as well as an undisclosed number of YP408 armoured vehicles. The deals were announced by the Dutch Defence Chief-of-Staff, General G.L.J. Huyser, on his return from a visit to Indonesia on 28 January.

Indonesia obtained three new corvettes from the Netherlands several years ago, as well as a number of AMX tanks that have been reported in use in East Timor.



A Hawk ground-attack aircraft firing rockets.

### New Hawk squadron created for tactical duties

A new Air Force [AURI] squadron using Hawk fighter aircraft was established in mid-January "for purposes of advanced training and tactical combat". Air Force Chief-of-Staff Marshall Sukardi said this new Air Squadron 15 will reinforce AURI's operational strength while the original purpose for which the aircraft was acquired, as a trainer, will proceed in a more consolidated form.

From the point of view of technological advance, these Hawks are third generation. AURI aims at reaching an operational capability to handle fourth generation Hawks by the end of the decade. They are fully equipped with rockets and machine-guns for ground-attack operations. [Kompas, 14 January]

Whenever pressed to explain the decision to grant licences for the Hawk aircraft, successive British governments have insisted that the version being exported was only for training purposes. The facts about this new squadron shows that, as we have always maintained, 'trainer' aircraft will sooner or later be used for combat purposes.

Fretilin's UN representative, Jose Ramos Horta told several public meetings in Britain last month that Hawk aircraft had been spotted at the military airfield in Baucau, East Timor, which means that they are being used operationally in Indonesia's war of annexation.



The Scorpion tank



Steve Bell in *The Guardian*, 20 April, 1985



# Indonesia's military-industrial complex

*The austerity and retrenchment that was signalled in Suharto's January 1986 budget speech is not being allowed to affect purchases of advanced equipment for Indonesia's Armed Forces. Shortly after the budget speech, it was announced in Jakarta that Indonesia hopes to purchase eight advanced F-16 fighters which can cost between \$25 million and \$35 million each. A month earlier, Indonesia had announced a new deal with British Aerospace worth \$120 million for Rapier missiles. The deals with British and other European arms manufacturers are distinguished by the combination with the transfer of technology which represents a major boost to Indonesia's military-industrial complex.*

## **Habibie, Suharto's golden boy**

The story goes that one evening in January 1974, Dr B.J. Habibie who had just returned from a long sojourn in West Germany, was summoned by Indonesia's "number one". The President had received reports about this high tech wizard's outstanding performance with the West German helicopter manufacturer, Messerschmitt-Bolkow-Blohm where he reached the position of vice-president. Being himself obsessed with modern technology, Suharto discussed his plans for an industrial take-off before the end of the century. By the end of the evening, he had decided that Habibie was "the man for the job".

From then on, Habibie was the man to watch. As Minister for Research and Technology, his ministerial ranking was rather low, but with time he acquired numerous positions, to become one of the country's most powerful men. Some even call him the "second man" though few doubt that Armed Forces commander, General Murdani is the real "number two". But in certain respects, Habibie has all the running. Though the economic crisis has hit Murdani who is under orders to cut down on routine expenditures, Habibie still has access to unlimited funds.

The high-tech czar, as he is often known, has a dazzling array of jobs. Besides his ministerial post, he is president-director of PT Nurtanio and PT PAL, the state aircraft and shipbuilding industries, head of Puspitek, the Science City, and responsible for innumerable projects such as the multi-million dollar free trade zone on Batam island, the state railway construction, the Agency for Applied Technology, a board member of Pertamina, as well as being in charge of all procurement for the Armed Forces.

His gushing manner dismays the more conventional developmentalists but impresses foreign leaders like Margaret Thatcher and Helmut Kohl who know that he has the ear of Suharto which means that anything goes without the need to consult the National Planning Board. No-one else has such a free hand.

## **The core company, Nurtanio**

Habibie's "parade horse" is Nurtanio (now officially renamed IPTN), the state aircraft company based in Bandung. He hopes to have the company join the ranks of the world's major jet manufacturers in thirty years. His strategy has been to begin by assembling aircraft under licence from established western companies, then "work backwards" through the transfer of technology into manufacturing more and more components. His first three partners were Germany's MBB, France's Aerospatiale and Spain's CASA. US companies like Bell Helicopter and Boeing are also developing joint technical programmes with Nurtanio.

His ambitions have already absorbed almost \$500 million of government money for a company with a skilled work force of 12,000, and much more will be ploughed in to reach the target of 60,000 employees by the year 2000. With all its funds coming from the state, Habibie has no need to raise capital on the free market. He is optimistic about conquering a sizable share of the world market, especially in South East Asia and the Middle East, though the Super Pumas and BO 105s he produces with Aerospatiale and MBB are still only sold to domestic companies.

Many Indonesian bankers and government officials don't

share his confidence about the future. They claim he enjoys a privileged position, with state companies being under orders to buy his products, which is a very different thing from competing on the world market. Habibie's answer is: "Thirty years ago, nobody was buying Japanese cars, but look at the streets now"

His current pet project is the CN235, a larger and technologically more advanced aircraft than the CN 212, his first under-licence aircraft with CASA. Production of the 35-seater plane is well behind schedule and is believed to be suffering from problems known in the industry as "longitudinal instability". But Habibie says the new plane will be launched soon, and insists that this plane is specially suited to meet the needs of developing countries. Orders are expected from the Middle East, Burma, Thailand, Turkey and even Japan.

In January, agreement was reached with Boeing of the US and MBB of West Germany to investigate the possible joint production of an advanced medium-sized passenger plane. Habibie hopes the venture will go into production by the early nineties. Asked whether he was not being unduly optimistic about marketing, considering that Nurtanio's present products are not selling well enough, Habibie said marketing was always a problem. "Come what may, we must soon master the technology to produce aircraft large enough to carry 120 passengers." [Kompas, 13 January]

Not being a man of modesty, Habibie says of himself: "I'm building a nation". Indeed, the Habibie phenomenon is based not on commercial but ideological considerations. But there are plenty of generals who are unhappy. Not only would they prefer Fokker F27 troopships to the CN235 but they regret the loss of sizable rewards from the smear money so integral to international arms deals.

## **P.T.PAL**

Last April, President Suharto officially opened the state shipyard P.T. PAL in Surabaya. Built in 1892 by the Dutch for repair and maintenance, the present PAL will function as the base for a modern maritime industry. The yard has been producing small and medium-sized ships since early 1984, primarily for the Indonesian Navy and the state oil company, Pertamina.



B.J. Habibie in a meeting with a British trade mission headed by Lord Remnant of Ultramar. [Jakarta Post, 9 November 1985]





B.J. Habibie signing a procurement contract with Indonesian Defence Minister, General Poniman. [*Jakarta Post*, 19 October 1985]

Habibie says the yard will now focus mainly on ship-building. It has received technical assistance in the past few years from the German company, Luerksen Werft, Mitsui Engineering of Japan and Boeing Marine Systems on the US west coast. Although the Indonesian Navy will still buy its corvettes and frigates from abroad, smaller vessels used for patrolling Indonesia's vast waters can now be produced by PAL. It is currently producing the 400-ton FPB57 patrol boat under German licence for coastguard duties with SAR (search and rescue) equipment and appropriate weaponry, as well as the FPB 28, a smaller vessel for use by police and immigration squads.

The company hopes by 1990 to be able to build 3,000-ton frigates although the type has not yet been agreed. It will also be producing oil tankers; its first 3,500-ton tanker for Pertamina was launched by Suharto last April. The shipyard now employs 6,000 and has four floating docks each with a capacity to handle ships of up to 20,000 tons.

#### P.T. Pindad

The third pillar in Habibie's empire is the arms factory P.T. Pindad in Bandung. This started off as a Dutch company producing ammunition and bullets. After recent modernisation, it now produces assault rifles for all branches of the Armed Forces. Widely in the Vietnam War, the M-16 was chosen as the main weapon for Indonesia's elite troops. But when Benny Murdani took command, it was decided to switch to the Belgian FNC produced by Herstal S.A., largely because the Belgian offer included technological transfer.

The Belgian deal means that the Armed Forces will no longer need to import rifles. Indonesia is the first country to make use of this weapon which is similar to the Minimi automatic machine-gun used by US marines. The FNC and M-16 use 5.56 mm bullets with interchangeable magazines. The FNC has the benefit of a collapsible butt, which is more convenient for airborne troops.

General Poniman, Defence Minister has described the recent contract between his Ministry and Pindad for the supply of new weapons as a great step forward in the move towards transfer of technology, paving the way for ABRI self-reliance in armaments. Besides FNC rifles, Pindad is also producing SUT torpedoes for the Indonesian Navy.

#### Transfer of Technology and Arms Deals

Both Suharto and Murdani have promised the younger generation of officers who have now taken over many commanding positions in ABRI that they will get all the modern equipment they need. But with Indonesia's arms industry still at an early stage of growth, much of the larger, more sophisticated equipment still needs to be purchased overseas. This is why Habibie, in the company of several senior generals, visited several European capitals in mid 1985 armed with a lengthy shopping list.

Indonesia's market being what it is, Habibie's party was given red-carpet treatment everywhere. The fact that a junior minister from a third world country was received by heads of governments like Margaret Thatcher, Helmut Kohl and Dutch Prime Minister Ruud Lubbers shows the importance western powers attached to the trip. West European manufacturers were virtually crawling on their knees to win Habibie's favour.

In Britain, Habibie's main focus was on British Aerospace, now a major supplier for ABRI. It has already supplied two squadrons of Hawks and more than \$200 million of Rapier missiles. On top of that, Suharto decided last summer to purchase a 146 jet from the company with an interior especially designed to meet his personal needs. Cost: about \$20 million.

Habibie's July 1985 visit to the UK did not immediately result in new sales. He preferred to visit all the competitors in the field so as to strengthen his position as a potential customer. By the time his new British deal was concluded in December, he had made sure of getting not only the hardware but a huge "packet of offset" as well. In the jargon, "offset" means an arrangement under which the seller agrees to manufacture part of the product locally or subcontract an agreed amount of the work to the local manufacturer. Habibie's other demand was the transfer of technology, the magic formula nowadays among Indonesian developmentalists.

His visit to Alvis in Coventry which produces the Scorpion light tank also augured well for a future deal. This light tank equipped with a twin 20 mm cannon or anti-tank missiles has won favour among Indonesia's generals for use in the hilly and mountainous regions of the archipelago, not least for military operations in East Timor. Habibie held extensive talks with the Alvis directors on a collaborative venture for the manufacture of Scorpion tanks in Indonesia.

He also visited the Vosper Thornycroft shipyard in Southampton which has already refitted three frigates for the Indonesian Navy.

Although he signed no contracts in the UK, Germany, France and Holland, Habibie signed bilateral agreements for cooperation in science and technological development. The UK-Indonesia agreement was signed with Norman Tebbit, then Secretary of State for Trade Industry (now chairman of the Conservative Party).

Habibie's West German training has given him a closer affinity to European arms manufacturers. Moreover, Washington's refusal to transfer technology has swung the pendulum in favour of Europe. The US has thus lost ground as a supplier for ABRI. The only advanced, heavy military equipment the generals are still keen to buy is the F-16 jet fighter from General Dynamics, but Washington refuses to give the go-ahead, much to the dismay of the generals. Departing US ambassador, Philip Holdridge said only that the US had "taken note" of Indonesia's desire to buy advanced American fighter aircraft, adding: "The US does not regard Indonesia as a military ally but we consider them a friendly country." [*Asian Wall Street Journal Weekly*, 6 January]

The latest batch of bilateral agreements will do much to satisfy Habibie's obsession with high-tech and science. Seven hundred Indonesian students and postgraduates will go abroad for study as part of this cooperation, 200 of them to the UK to get PhDs or masters degrees. The Dutch government will also grant scholarships for Habibie's students.

The bilateral agreement with the French socialist government goes even further. Signed in November by Emile Blanc, French Director for Armaments, and the ubiquitous Habibie, the agreement provides for arms cooperation covering research and technological development. At the time, Habibie also said that Indonesia may produce French Exocet missiles, battle-tested in the Falklands War, and the Thomson radar system. The bilateral agreement with France focusses on long-term cooperation in weaponry for the army, the navy and the air force. "We have a lot to learn from France," said Habibie.

# PNG opts to internationalise refugee issue

The government of Paias Wingti, who replaced Michael Somare as Prime Minister in November last year, has announced that it will accede to the UN Convention and Protocol relating to the status of refugees, and that it will deal with the refugees in fuller co-operation with the UN High Commission for Refugees (UNHCR). It is notable that the refugees are no longer referred to as 'border crossers'.

This follows a visit to PNG in December by the head of the UNHCR's South and South East Asia Section, Denis McNamara. He was encouraged by assurances, confirmed by several ministers, that no more refugees would be forcibly repatriated, and by the approval of an increase in the UNHCR's staff in PNG [PNG Times 13 December]. Some members of the new government are known to be in favour of a humanitarian solution to the problem, notably Warren Dutton, the Justice Minister, Gabriel Ramoi, the Communications Minister and Micah Wes, the Health Minister [Niugini Nius 18 December].

Under the new policy, the government will move all the refugees now living in 13 camps along the border into fewer camps and transfer them to settlements away from the border for screening to determine their status. Many will be allowed to resettle in areas away from the border while the more politically active refugees will be found places of asylum in third countries.

Initial reactions to the new policy have been very positive, in particular from the UNHCR whose legal advisor for Asia, Shun N. Chetty described the move as a 'light at the end of a long tunnel' [Niugini Nius, 23 January]. For the refugees, this will be the most encouraging official decision over their plight taken in PNG since they fled from West Papua nearly two years ago.

## TAPOL welcomes new policy

TAPOL telexed the following message to Prime Minister Paias Wingti on 31 January:

TAPOL welcomes your decision to accede to the UN Convention on Refugees, thus internationalising the refugee issue. We hope you will safeguard all refugees against deportation to Indonesia. Be assured of our support in your efforts to seek third country asylum for all those at risk for political reasons.

## Domestic opposition

But serious problems face Wingti before the new policy takes effect. Not least is an apparent lack of unity among members of his cabinet. This was demonstrated by the much talked about plan to relocate the refugee camps away from the border, announced in the Niugini Nius on 16 January. The relocation was part of an overall policy for the refugees drawn up by Deputy Prime Minister, John Momis under the Somare government. Some of Wingti's ministers openly support this policy which also recommends using "minimum necessary compulsion" to repatriate refugees, obviously unacceptable to the UNHCR. But the cabinet rejected such treatment [Niugini Nius 21 January] and would not confirm the relocation plan as official.

Nevertheless, a number of provincial premiers were consulted by Foreign Minister Legu Vagi about the proposed relocation, some of whom criticised the move as "a deliberate attempt to attract more 'border crossers' into PNG". The East Sepik provincial premier, Jonathan Sengi claimed that the policy "will open up the flood gates and Irian Jayans will be crossing to our side in their thousands." [Niugini Nius, 16 January]

Moreover, officials at the Foreign Affairs Ministry are still working hard to persuade the government to adopt their own hard-line policy towards the refugees, designed to appease Indonesia, the policy which held sway under Michael Somare. Back in December, after the visit of the

UNHCR official, Foreign Minister Vagi announced that some refugees would definitely be sent back. [PNG Times 21 December] At two consecutive cabinet meetings, the Foreign Affairs Ministry made hard-line submissions about the refugees that were unacceptable to the rest of the government.

## Renewed pressure from Indonesia likely

It remains to be seen how Indonesia will react to the new direction being taken by Wingti's government, but it is unlikely to be favourable. In December, when the Wingti government seemed to be on course for a policy unfavourable for the refugees, Indonesia's Foreign Minister Mochtar Kusumaatmadja praised PNG's "willingness to co-operate" [Jakarta Post 4 January]. But as soon as things began moving the other way, Jakarta went silent.

Indonesia has insisted throughout that the refugees must be handled as a bilateral issue between the two bordering states, excluding the UNHCR as well as any third countries. The Wingti government's decision to internationalise the issue represents a direct challenge to Jakarta and is likely to make agreement difficult to reach when PNG Foreign Minister, Legu Vagi visits Jakarta early in February.

One PNG politician who is trying to make political capital of the new refugee policy is Michael Somare, the former Prime Minister. He was quick to insist that Indonesia would object, adding: "I would have thought that the Indonesian stand that the matter is a bilateral issue would have been taken into account." [Niugini Nius, 22 January] In other words, humanitarian concerns must be sacrificed because "Indonesia may object". Remarks like this from a senior politician show that some political forces inside PNG are likely to do what they can to undermine the Wingti line, and they can be sure to get overt or covert support from Indonesia. As Josephine Abaijah, a well-known political figure in PNG, remarked: "Mr Somare's outburst is nothing but a desperate attempt in defence of Indonesia's interest". [Niugini Nius, 23 January]

## Church supports regime's drive against OPM

A conference of Irian Jaya's Protestant Church [GKI] held in Biak last October has rallied behind the Indonesian regime's efforts to defeat the OPM and bring back the West Papuan refugees in PNG. The conference asked the Indonesian government to "involve the Church in bilateral negotiations" with PNG to have the refugees repatriated, and the general secretary of the Communion of Indonesian Churches [PGI], Fredelin Ukur, said the Church would send an Irianese priest to PNG to persuade the refugees to come back. The Protestant Church would no longer maintain a policy of mediating between the government and the OPM, but felt "the OPM has brought nothing for Irian Jaya and that the way to development for the province lies in national unity" [The Australian 26 December]. The Catholic Church which also attended the conference said it regarded the OPM as a 'trouble factor' and would not talk to it.

The GKI decision has brought strong reactions. PNG lawyer, Bernard Narakobi condemned the planned visit of a priest from Irian Jaya to the refugee camps as a "wolf in sheep's skin", and said that the Church should instead be talking to Indonesian leaders about West Papua. In attacking the OPM, "they were undermining the struggle of one of the most oppressed peoples in the world". [Weekend Nius 28 December].

The willingness of the mission aviation services to transport Indonesian military personnel to inaccessible and sensitive areas [Robin Osborne, Indonesia's Secret War, Allen & Unwin, 1985, page 103] shows how far the Churches are prepared to co-operate with the regime.



# Corry Ap talks about the murders of Arnold Ap and Eddu Mofu

*The following is the first part of an interview of Corry Ap, the widow of Arnold Ap who was killed by Kopassandha troops on 26 April 1984 after being tricked to "escape" from prison together with four other prisoners. Corry arrived in Holland on 21 December 1985 with her four sons, and is now living there with relatives.*

## Where are you from?

I'm from Biak and my husband was from nearby Numfur. I studied midwifery in Jayapura. After graduating in 1972, I went to work for a church clinic in the interior, in a place about 2 days walk from Wamena. At the end of 1974, I went back to Jayapura and married Arnold Ap on 5 October that year. Then I worked as a midwife at the Abepura Hospital, the main hospital in West Papua, up to the beginning of 1984, when I left Jayapura for PNG.

## Arnold's arrest

### When was Arnold first arrested?

In 1980. He had been invited to a youth conference in Tanzania by a German mission. Not long after returning home, a group of students raised the West Papuan flag in Jayapura, on 1 July. The authorities suspected my husband of inciting the students. So he was arrested, and held by Laksusda [the regional military commander in his capacity as executive officer for the security command, Kopkamtib] for five days. He told them he had nothing to do with the flag incident.

His second arrest was on 30 November, 1984. The night before, there was a big gathering of officials, including military attaches from 17 countries, and Arnold and his group were asked to perform. Benny Murdani and his wife were also there. The next morning, two men came from Kopassandha for Arnold. They didn't have an arrest warrant but told my husband there was a visitor from Papua New Guinea who wanted to meet him in town. My husband was rather surprised and wondered why the visitor couldn't come and see him at his office, but he went along. I felt very uneasy as such a thing had never happened before. So I asked someone to follow the vehicle on a motor-bike, and that is how I knew he was taken to Panorama.

When I heard what had happened, I immediately told the head of the Museum who wrote to the Rector of Cendrawasih University. The Rector sent a letter to Panorama that same day saying that a member of his staff should not have been taken away like that, and asking for him to be allowed to return home immediately.

### Is Panorama well known to people in Jayapura?

It used to be a night-club, then Kopassandha took it over and turned it into a detention centre.

Arnold spent the morning at Panorama. Then he was taken to Kodam [the regional military command], thrown into a dark cell and held under atrocious conditions for four days. All that time, I was taking food and clothes every day to Panorama, but they said I wasn't allowed to meet him. I felt very uneasy, wondering what had happened to him, especially as they kept telling me I needn't bring him any clothes because they were supplying clothes.

## Corry's departure for PNG

So he was interrogated at Kodam, not at Panorama?

Oh, at both places. The first time I met him after his

arrest was on 6 December. His face was very swollen all over from being beaten. From then on, I was allowed to meet him every day, morning or evening. On 20 January, he was transferred to Kodak 17 (Irian Jaya police headquarters) in Jayapura. When we met after that, I told him I was often being questioned about him by the



Corry Ap on her arrival in Holland

security forces. So he told me to go to Papua New Guinea. It only take two hours to Vanimo by sea and costs about 30,000 rupiahs by Johnson, or with extras it could cost at most 100,000. We left on 9 or 10 February, 1984 just before the incident in Jayapura, and landed in Vanimo. After that, people started arriving every day.

I never imagined that such a terrible thing would befall my husband. You know, there are laws and the constitution in Indonesia, and the Pancasila and all that. However heavy the charges may have been, I thought things would turn out alright, but two months after I left, he was murdered. At first, I couldn't believe it. I didn't cry or anything, I just thought maybe the story was being spread to stop people fleeing to Vanimo.

But then, a nurse came across to Vanimo and told me it was true. Later on, a Brimob policeman, John Kraar told me how it all happened. I knew him quite well. He told me how Eddu Mofu and my husband had been murdered and how the others in the same group then surrendered. There are still many things I don't understand. For instance, who was it who drove the vehicle which took them from the prison? Another thing: why were only Eddu and my husband killed and not the others as well if they were all said to be OPM. Why were they only charged and sentenced?

When I used to ask my husband - and I did it very often - why he had been arrested, and what would be likely to happen, he always replied: Don't worry. Nothing can happen to me because I haven't committed any crime



against the government. All I did, he would say, was to act in accordance with the government's own intentions, cultivating regional cultural art forms so that it could grow, like other art forms in Indonesia. This was in line with the policy of the Department of Education and Culture. So whenever there were song and dance performances, my husband was often asked to perform. And as a result, he set up the Mambesak group. At first, the members were only from among students, but then they began to include school-pupils as well and people from other colleges.

But then, apparently, the government began to think that these songs and dances were getting too popular, being performed everywhere. They began to suspect that this was dangerous even though the Mambesak artists were simply acting in accord with government plans.

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## No trial, no justice

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### Was Arnold ever tried in court?

According to a tape Arnold made, Arnold says he was brought before a court on 31 March and was told that he was going to be released on 10 April. After that hearing, they were told that an SK (Surat Keputusan or Decision) had been issued for all of them to be released except Alex Mebri because there were still charges against him.

### Was that SK based on a court decision or based on the fact that the permitted detention period had lapsed?

I don't know. All I know is that my husband was told that the SK had all the necessary signatures. He said Pak Djoko [the Irian Jaya chief of police intelligence] also knew this. But when 10 April came, nothing happened. Then, on 14 April, my husband was summoned again and it seems he was again accused of all kinds of things. These new charges apparently made things far more serious for him, though I don't know what they were.

On 10 April, my brother had come over to Vanimo to tell me Arnold was about to be released and said I should go back to Jayapura so I was planning to return home. I had only gone to PNG to avoid the constant questioning after his arrest. I went to PNG at Arnold's suggestion and was not intending to stay away any longer than necessary.

Then about two weeks later, someone else came over and told me Eddu was dead and I immediately felt that my husband must be in danger. People were coming over every day so we got news from Jayapura all the time. We heard on 23 April that they had left prison and had gone into the bush, but that Eddu had been killed. At first I thought Arnold would soon arrive in Papua New Guinea, but because Eddu had been killed, we began to wonder whether it was true they had escaped from prison or had been tricked into leaving prison. It often happens that prisoners are tricked in this way, then kidnapped late at night. It's very difficult to break out of prison.

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## Arnold is murdered

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Then I heard he'd been killed. There was no point going back after that. I was a government employee so it would have been virtually impossible for me to get my job back. My children would also have had many problems, being regarded as the children of an OPM supporter.

The UNHCR got in touch and asked me what I wanted to do. I said I wanted resettlement, and when they asked, which country, I said Holland because the Dutch are responsible for what has happened to my people and they should take care of us. If the Dutch had given us independence, all these terrible things would never have happened. I had relatives in Holland as well.

### What about the LBH's efforts to defend your husband?

Not long after Arnold was arrested, I was summoned by the Kopassandha commander who showed me a telegram they

had received from the LBH saying that my husband should be treated in accord with the Procedural Code. And another group had also contacted the Army about Arnold. I think it was Amnesty, but I'm not sure. Anyhow, they showed me these two telegrams. When they asked me how it was that my husband's arrest had aroused interest abroad, I said I knew nothing. They asked me if Arnold was a member of Amnesty. I told them I didn't know.

### Did the LBH make any attempt to defend your husband?

There wasn't an LBH group in Jayapura, only the Law Institute of Cendrawasih University. But there was nothing they could do. Not even the University Rector succeeded in helping. He had sent a statement to the Army asking that Arnold should not be held more than a day. Church efforts also had no effect at all. ABRI [the Armed Forces] take all the decisions and ignores anything anyone tries to do. There was an attempt to get legal aid for Arnold but it failed. Herku Kafiar, one of the members of the lawyers' team that was formed to defend Arnold and the others is now at Blackwater Camp. He's still a BA, not a full sarjana. The team consisted of two law lecturers and two sarjana muda (BA). But they were afraid to help because of what the intel might do.

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## Political trials in West Papua

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Did you ever hear or read anything in Jayapura about political trials there? Trials in Jakarta and other parts of Java do get reported in the press, but I wonder whether political trials in Jayapura ever get reported.

The newspapers only report news about development, government announcements and so on. It's the same on the radio as well. They never report anything about political developments, political trials and so on. Of course, we know that some people are tried, but nothing is ever reported about the trials, about what the defendants said, or what the court verdict was.

The 12 men deported last October are likely to be tried so we need to think about whether they can be defended.

There has been so much publicity at home and abroad about those 12 men that I think the authorities will be careful about about how they treat them. But they will watch things very closely. If they remain in detention, they will be heavily guarded, but if they are released,



Arnold Ap



they are sure to be kidnapped later on, which is what happens to so many Papuans. We're so used to that.

What amazes me is that when people are arrested in West Papua on political charges, they never seem to remain in prison for long, to serve a long sentence. We never know of anyone serving long sentences, life imprisonment or the death sentence. If that happened, our people would know where they stand. But things don't happen like that. Someone is arrested and held for several months or perhaps a year, then after being released, they are kidnapped or disappear or are killed.

The government does what it likes, never in accordance with any laws. If they made it clear what law a prisoner had violated and what punishment would be given, our people would understand better what is going on and what they should or should not be doing.

I suppose an example of what you're talking about is **Baldus Mofu**, the father of Eddu. What happened to him?

He was an elected member of the New Guinea Council set up by the Dutch in 1961. Others with him were Marcus Kaisiepo and Nickolas Jouwe who left West Papua and went to Holland in 1962. But Baldus Mofu decided to remain at home and didn't get involved in anything any more. But the government kept a close watch on him, and suspected him of all kinds of things. Whenever the guerrillas went into action or unrest broke out in the towns, he was always arrested, beaten up and tortured. Then after one of these bouts of treatment, after he'd been released, he died of his injuries. He was by then mentally disturbed because of everything that had happened to him.

His son Eddu was a student, and later worked at the university. He joined the Mambesak group. Perhaps when they arrested him in 1984, they accused him of OPM connections, but there was never any trial, nothing was

ever proven. At the time of his arrest, he was an assistant lecturer at the university.

## Eddu Mofu's murder

**How was Eddu was killed?**

[Corry showed me a photo of Base G, where the prisoners were taken by taxi from the prison on 22 April.]

This is where they got off the taxi. My husband and the others were told to get on a Johnson which was waiting a short distance from the coast, but Eddu was murdered on the beach, and his body was thrown into the water. He didn't drown. His body was thrown in the water. The water there is very dangerous, full of swirling currents. There are no waves because it's a protected bay, but no-one ever swims there because the water is so treacherous. Right close to the shore, the sea floor is very deep.

According to John Kraar, Eddu was the last one to get off the taxi, and he was stabbed in the back by Pius

Wanen [the prison guard who unlocked the prisoners' cells] and thrown into the water. Then Pius joined the others on the Johnson.

When the boat began to move, my husband couldn't understand why it went westwards, not eastwards to PNG. He asked but got no reply. Then he asked where Eddu was and got no reply either. Then he asked Arobaya, the fisherman who had supplied the boat, why they weren't going to Papua New Guinea. Arobaya said he didn't have enough fuel, so he would leave them on the coast and would return the next day with more fuel to continue the journey. They stayed there for five days, without food. Then Kopassandha troops came and started shooting. The other two prisoners, Gento Romainum and Agustus Runtuboy, fled but Arnold was shot and died later that day.

## Possible death penalty for West Papuan deportees

Eleven of the twelve refugees forcibly repatriated on 12 October 1985 may face the death penalty in Jayapura. An assistant to Irian Jaya's puppet governor, Isaac Hindam, informed PNG reporters that any West Papuan who had killed someone "during subversive actions" could be sentenced to death [Niugini Nius 13 December].

The eleven men are apparently being charged with subversion against the Indonesian Government, although it will be difficult to assess just what sort of a trial they will face. Trials in West Papua are never reported in the Indonesian press. When the LBH [Legal Aid Institute] campaigned to have Arnold Ap treated according to Indonesia's procedural code [KUHP] in 1983, the newspaper, *Sinar Harapan*, which reported the case was reprimanded by the security services and forced to retract its report.

Bernard Narokobi, the lawyer defending the refugees in PNG, has called on the Indonesian Government to allow UN and human rights officials to observe the court proceedings [Niugini Nius 13 December], but it is certain that no independent assessment of the trials will be permitted.

Even before they are convicted in a trial, the lives of the deportees are in danger. As reported in TAPOL Bulletin No 72, four refugees deported on 24 June were all killed by troops from Kopassus, the paracommandos within two weeks of their arrival in Jayapura. According to an Amnesty International report on the deportations published in November, three other refugees, out of a group of eight forcibly repatriated on 20 December 1984, may have been killed. However, the Indonesian newspaper *Sinar Harapan* ran an article on 30 March 1985 stating that all eight were alive and well, and to prove it,

printed a photograph of three of them purportedly taken at the time. One of those in the photograph, Jehezkiel Klafle, was among those alleged to have been killed, an allegation supported by an admission from Indonesian authorities later in the year to Australian Ambassador Bill Morrison that Jehezkiel had died [from natural causes, of course!] back in December 1984. *Sinar Harapan* must surely be a publication with truly remarkable resources at its disposal, to be able to photograph him in the full bloom of health three months after he had died.

### The eleven who are facing trial

*Eliap Kareni*-from Ambai village, E. Yapen district. He left Blackwater Camp to join the OPM, was caught near Wutung, PNG, in early 1985 and charged with firearms offences. After being detained in Wewak, he was moved to Telefomin prior to being deported. Eliap had asked for asylum in Vanuatu.

*Lucas Maro*-from Ormu village, Depapre district. Left Blackwater Camp to join OPM, caught, charged, detained and sent to Telefomin as with Eliap. Also requested asylum in Vanuatu.

*Rehabeam Nian*-from Bring village, Kentuk-Gresi district.

*Robby Nian*-also from Bring village.

*Aben Pagawak*-from Kelila district.

## WEST PAPUAN REFUGEES

**Isaac Rumpaisum**—from Supiori village, N. Biak district. Former student at GKI Theology School, Abepura. Had completed his studies but left before being ordained. Fled to PNG after finding Edy Mofu's body\* in Jayapura. Involved in demonstration against Indonesian delegation to Blackwater Camp, November 1984, and banished to Telefomin. Travelled under pseudonym, Yuvisky Smash.

**Sonny Sesezay**—from Wanya village, Demta district. Sent to Telefomin prior to deportation. Requested asylum in Vanuatu.

**Amos Sorondanya**—from Yonsu village, Depapre district. Sent to Telefomin. Requested asylum in Vanuatu.

**Edison Yakadewa**—from Ormu village, Depapre district. Sent to Telefomin. Requested asylum in Vanuatu.

**Sem Yaru**—from Aimbe village, Kentuk-Gresi district. Sent to Telefomin. Requested asylum in Vanuatu.

**Lamech Yoafifi**—from Ormu village, Depapre district. Sent to Telefomin. Requested asylum in Vanuatu.

\* Edy Mofu was killed with Arnold Ap in Jayapura by Indonesian troops in April 1984

## A determined legal battle to defend the refugees

For many months, the most significant action to protect the West Papuan refugees in PNG has been taken by Bernard Narokobi, a lawyer and politician with a long-standing commitment to the West Papuan people's cause. Since the first refugees arrived in PNG in February 1984, he has used his expertise as a constitutional lawyer so that some protection might be given them within the PNG legal system, in the face of the PNG Government's resolve to return them to Irian Jaya.

Back in October 1984, Bernard took legal proceedings on behalf of four refugees - Tom Ireeuw, Jimmy Wawar, John Wakum and Cory Ap representing many other refugees in Blackwater Camp - to stop the governments of PNG and Indonesia forcibly repatriating them and other refugees.

His original submission to the Supreme Court in Port Moresby asked it to consider whether the PNG Government's actions regarding the refugees were subject to the court's jurisdiction, whether they were acceptable in a democratic society, and whether the refugees had any constitutional or other rights while in PNG [see TAPOL Bulletin No 69, May 1985]. This led to court hearings on 30 October, 25 November and 13 December, after sworn affidavits were presented during the preceding months.

During the hearings, Bernard aimed to show that the refugees' constitutional rights had been infringed on a number of occasions, but that in particular PNG's policy of forcibly repatriating the refugees was in breach of Customary International Law which upholds the UN Convention and Protocol on the treatment of refugees.

### Judge dismisses Narokobi's case

The Judge hearing the case, Mr Justice Cory, an Australian, did not regard the evidence given by the applicants as sufficient to make a case against the PNG Government. As TAPOL has not received details of the evidence presented, it is difficult to assess this decision. However, regarding allegations referred to in the Judge's final conclusions, we have already received details and can pass our own judgement.

\* Section 32.2.c of the PNG Constitution states that no-one is obliged to do anything which is not required by law. The refugees claimed that they were coerced by officials from the Foreign Affairs Department into meeting an Indonesian delegation on 3 November 1984 in the Blackwater Camp, Vanimo, with the object of having the refugees screened for repatriation. The Judge decided that the refugees had met the Indonesian delegation voluntarily.

This is contrary to information received by TAPOL from Constantin Ruhukail, one of the refugees charged with involvement in the violent protest that greeted the Indonesian delegation. He gave a detailed account of how refugee leaders had pleaded to meet the Indonesian delegation outside the camp because its presence among refugees who had suffered at the hands of Indonesian troops in West Papua would be provocative. The PNG

Foreign Affairs Department ignored these requests and threatened the refugees with punishment if they refused to receive the delegation [see TAPOL Bulletin No 68, March 1984]. We have received no information to contradict this account. PNG authorities would seem to be in clear breach of section 32.2 c of the Constitution.

\* Other sections offer less protection to the refugees. Section 52, protecting freedom of movement, applies only to citizens of PNG, and under section 42.1, protecting a person from deprivation of liberty, an exception is made for the purpose of lawful expulsion. Judge Cory pointed out these aspects of the constitution, making it clear that he felt that the treatment of the refugees by the PNG government was quite legal. However, in his own assessment of that treatment, he demonstrated some ignorance or denial of the facts. It is difficult to see how he can deny that families have been separated, when forced repatriation has separated husbands from wives and families, and resulted in the deaths of some and the ill-treatment of others at the hands of the Indonesian military. This seems to be a blatant example of cruel and inhuman behaviour by the PNG authorities, and a valid allegation under section 36.1 of the Constitution, guaranteeing freedom from inhuman treatment.

\* Sending refugees to Telefomin must also be classed as a breach of section 32 of the Constitution. The judge points out that the camp "is not fenced or secured, and



Refugee children in Kamberatoro Mission Station.

Photo: Luke Hardy.

persons can in practice leave when they wish". This ignores the fact that Telefomin is in such a remote area in the mountains that it would be pointless for any refugee to walk away. The judge should recall that the same claim was made by the military who ran Indonesia's notorious prison camp on Buru island in the 1970's. Prisoners who escaped there invariably died. In any case, none of the refugees wished to go to Telefomin, which they rightly saw as a tactic by the PNG government to isolate the best refugee organisers from the majority in Blackwater camp, making easier its task of conducting the forced repatriations.



## OPM leaders surrender in Papua New Guinea

Within days of each other, the two best known OPM commanders still operating inside West Papua surrendered to the PNG authorities.

Gerardus Thomy, who operated along a southern stretch of the West Papua-PNG border gave himself up, with two deputies, Aries Wader and David Teimka, and eight other OPM guerrillas, at the Kuiu refugee camp in Western Province on 6 December. [Sydney Morning Herald 6 December]

James Nyaro and Donald Derey surrendered to PNG authorities on 10 December near Vanimo. James Nyaro had been operating along the stretch of the border to the south of Vanimo, and was best known for leading the kidnapping of a Swiss pilot in March 1984, and for a controversial interview with him by Australian ABC television, which helped bring the OPM to the world's attention. Documents leaked from the PNG Provincial Intelligence Committee dated 26 September 1985 [see TAPOL Bulletin, No 72 November 1985] reported that for some time he and Donald Derey had been ready to surrender, and were living with their families in the village of Wahai, 30 minutes walk from the border.

The men who surrendered are all being held in Bomana jail, Port Moresby, and the UNHCR is working to find third country asylum for them.

It is not clear who has replaced them at the top of the OPM, nor what calibre of leadership remains. On the surface, the surrenders would seem to be a blow to the military struggle in West Papua and to leave a power vacuum. On the other hand, they may allow new blood to take part in the decision-making process and revitalise the OPM leadership.

### OPM mounts attack south-east of Jayapura

Already, an OPM commander still fighting inside West Papua has claimed the position vacated by James Nyaro, and to push his point has mounted a spectacular raid against the Indonesian border post at Waris with around 1000 guerrillas [Niugini Nius 15 January]. Waris is situated close to the border, about 100 kilometres south-east of Jayapura.

The commander, calling himself General Boni, led the raid in which surrounding roads were blocked, bridges destroyed, the West Papuan flag raised and the post occupied for a short time. Apparently the guerrillas were from the highland region around Wamena, some two hundred kilometres from Waris. No reports of casualties have been published.

## FOREIGN RELATIONSHIPS

### ABRI supports Marcos with aircraft

The Indonesian Armed Forces has 'loaned' two CN-212 turboprop aircraft to the Armed Forces of the Philippines in its fight against the National People's Army. The aircraft are manufactured by Indonesia's Nurtanio in collaboration with CASA, the Spanish aircraft manufacturers.

The aircraft have been loaned free of charge, initially for a period of three months, together with 12 crew members and a maintenance team.

ABRI commander, General Murdani delivered the planes personally, and stressed during his visit: "We want stability in this region, and if any of our neighbours is not yet stable, it would immediately affect us." [Jakarta Post, 10 January]

Accepting the planes, President Marcos expressed thanks to President Suharto for this support to his counter-insurgency operations.

Murdani's trip to Manila lends credence to reports that Indonesia's military leaders are worried at the prospect of the overthrow of the Marcos regime. Murdani was in Manila for three days and held discussions with General Fabian Ver, commander of the Philippines Armed Forces.

### Reagan and Suharto to meet in Bali

Suharto will meet Ronald Reagan when the US president visits Bali during an ASEAN summit meeting in April. It remains to be seen how Washington sees Indonesia's role in a post-Marcos South East Asia.



General Murdani with General Fabian Ver, Philippines Armed Forces Commander. [Tempo, 18 January, 1986]

## Dutch aid for Indonesia's judiciary

At a time when the Indonesian judiciary is yet again serving the interests of the regime in passing down punishments against freedom fighters in East Timor and Muslim opponents in Java, the Dutch government has entered into an agreement to bolster Indonesia's legal system. The agreement was concluded early this year by Dutch Minister for Overseas Development, Mrs Schoo and provides for a five-year programme of collaboration covering all aspects of the judiciary, including training courses for Indonesian judges in the Netherlands.

The agreement was to have been signed last May when Minister Schoo was in Jakarta, but was postponed because of the execution of trade unionist, Mohammad Munir, 17 years after his arrest, on political charges. Protests against Munir's execution swept Holland, creating a situation that was considered as being not favourable for such an accord. Seven months later, however, with the judiciary passing down judgements almost every day that serve the government's purposes, the Dutch government has apparently decided that it can brazen its way through.

There is no such thing as an independence judiciary in Indonesia. Indeed, the new law on the judiciary now before parliament reinforces the status of judges as civil servants - and hence members of KORPRI, the civil servants' association - who are required to accept and implement government policies. The problem of Indonesia's legal system is not inadequate training but its subservience to the government.

### Amsterdam Court refuses to participate

The Amsterdam Court has decided not to take part in any aspects of the programme. The chairman of the Court, Mr B. Asscher said that, in the interests of safeguarding its independence from the executive, the Court would not provide facilities for any Indonesian judges. The Court's decision was also based on concern for the executions which occurred in Indonesia last year. [De Volkskrant, 23 January]



## The ceaseless drive against a non-existent PKI

Calls for vigilance against the "latent danger" of communism are never absent from the columns of the Indonesian press. As economic difficulties loom and the 1987 general elections draw closer, the regime seems determined not to allow anyone to ignore the "danger", despite the lack of anything concrete about a communist revival.

A well-worn trick is to draw attention to the number of "ex-PKI people" in this or that area, as if warning people of the "enemy" in their midst. Last December, it was the turn of Central Java military commander, Major-General Harsudiyono Hartas to remind the province's 30 million inhabitants that there are "348,482 ex-PKI people" in the region, adding that "any signs of potentially dangerous activity by this group must be nipped in the bud". [Pedoman Rakyat, 27 December 1985]

From Langsa in North Sumatra came a report that "dozens" of ex-PKI members have infiltrated [sic] from North Sumatra into Idi Rayeuk, East Aceh "without any kind of identification", where they have now settled and are (guess what!) tilling the soil. 'Sospol' affairs chief for the region pointed out that Idi Rayeuk already has 2,300 "ex-PKI people" in addition to these unwelcome "trouble-seeking" newcomers. [Waspada, 24 December 1985]

Hardly a week had passed before the East Java chief-of-Police, Major-General Wik Djatmika warned in a ceremony installing the new police chief of Madiun district that Madiun "has a history of ideological and political unrest", added to which is the presence of "91,855 leftwing extremists" who are required to report regularly to the security forces. And who knows when they might "remuster their forces in order to discredit the

government", he declared. [Sinar Harapan, 8 January]

But perhaps East Java's police chief really does have a problem because he also announced that someone had been painting hammer-and-sickle signs on the gateway at the entrance to the subdistrict of Ngraho, an area which had formerly been "a PKI stronghold". After the offending sign had come to the attention of the police, it was photographed, then scrubbed off and, for good measure, the gateway was removed. All this happened when a village-head election was being held nearby to replace the previous head who died after being mobbed by "the masses". According to Wik Djatmika, the killing was the work of two "ex-PKI elements" who have since been sentenced to eight years' imprisonment. [Sinar Harapan, 7 January]

The Bojonegoro District administration is purging itself of "PKI remnants" who still seem to be "clinging to" some "vital" posts. Nor should the danger of the local government administration being "infiltrated" be ignored, for it was recently discovered during routine screening of people applying for jobs that seven of them had relatives who had been members of the outlawed PKI. Not surprisingly, this was enough for their applications to be rejected. [Kedaulatan Rakyat, 8 January]



## Ex-PKI families dispossessed by dam water cannot join transmigration

The decision by Kopkamtib not to allow "ex-PKI people" to settle in transmigration sites [see TAPOL Bulletin, No 72 November 1985, page 16] faced the authorities in Central Java with a new headache when it was discovered that 53 of the 3,000 or so family-heads in a region inundated with water after the construction of the Kedung Omdo Dam were "ex-PKI people".

The dam, funded by the World Bank, has dispossessed some 15,000 people whose only option is transmigration en bloc. But the "ex-PKI families" are prohibited from this form of re-settlement, leaving the local authorities with a problem on their hands now that their land has been flooded over. The report in Kedaulatan Rakyat [17 January] limited itself to describing the local authorities' "problem" without saying how these uprooted families were now living.

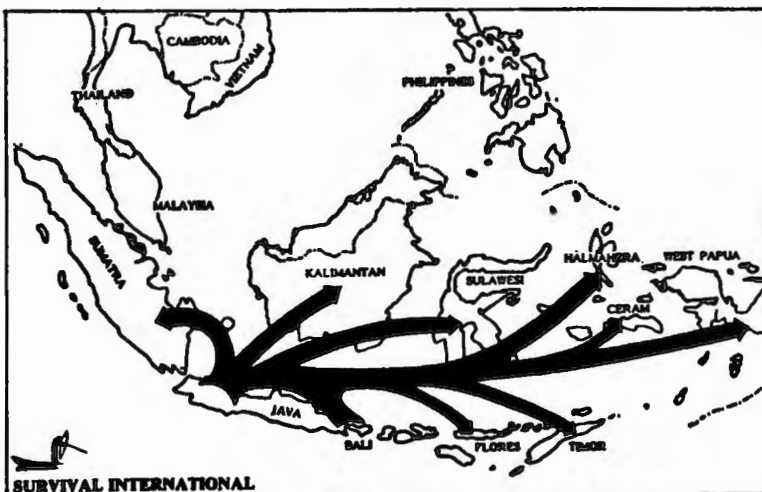
[This report draws attention incidentally to the mass displacement of people by a World Bank financed project though gives no hint of how the victims have reacted. It is an example of how peasants are in effect forced to join the transmigration programme.]

### UK NGOs oppose transmigration project

Three British-based organisations, Survival International, Friends of the Earth and TAPOL, have launched a major initiative to halt international funding of the transmigration programme in Indonesia. The joint campaign concentrates on the ethnocidal effects of the programme, the environmental degradation it causes and the widespread abuse of human rights associated with the programme.

On 22 January, the three organisations addressed a detailed submission to the Overseas Development Administration which channels funds to the programme both bilaterally and multilaterally through the UN and the World Bank. They urged the British government to withhold funds until the project shows respect for the land rights and cultures of tribal peoples and is modified in such a way as to prevent ecological ruin.

Survival International warned that this "largest colonisation programme in history" is having a devastating effect on the tropical forests which are being clear-felled to make way for migrants from Java and Bali, while tribal peoples in the path of this massive wave of people are being pushed off their lands without compensation.





## Kampung dwellers driven out by bull-dozers

Early last December, some five thousand people inhabiting much sought-after land in South Jakarta were forcibly driven from their homes which were then flattened by bulldozers under army and police guard. The inhabitants, most of whom had occupied the land since 1957, fought eviction for many years, primarily because the compensation offered by the real estate company, PT Tangkas Baru was hardly a third of the market value of the land. In this as in other disputes, the municipal authorities actively support the land speculators.

The Simpruk dispute, as it came to be known, drew much media interest because of the brutality employed to remove the occupants. It also brought to light certain conflicts among the government supporters inside the Army and its party, the Golkar. But it is by no means the only land dispute in a city that is incapable of coping with the huge influx of landless, impoverished peasants driven to the cities by high unemployment in the countryside. At the height of the dispute, the Governor of Jakarta, retired Major-General Suprpto, announced that there were no fewer than 14 "strategic" land disputes, meaning apparently disputes that could disturb the "public order".

### Simpruk cleared for luxury homes

The disputed Simpruk land was a densely populated kampung where nearly 400 families or about 5,000 people were eking out an existence on 3 hectares of land. It was in other words typical of the hundreds of Jakarta's slum-like kampungs that lie concealed behind the neat rows of solid luxury homes that now occupy so much land, forcing land prices to rocket. Much of the land in the vicinity of Simpruk has already been turned into an elite residential area.

The real estate company which had been trying to gain possession of the land since 1974 finally succeeded because, since 1982, it has had the support of the Jakarta Municipality which took charge of the demolition and called in the troops to help. It was a three-day operation during which many local inhabitants tried to resist the bulldozers, armed only with banners and slogans plus a few rocks which they hurled at the security forces. Several times during the operation, the troops opened fire, and journalists taking photographs were ordered to leave the area.

The Simpruk dwellers had taken their dispute to court several months earlier, hoping that demolition would be delayed until their compensation demands were resolved. However, the demolition squad moved in just a few days before the case was due to be heard. The houses were destroyed together with all their contents, leaving many of the inhabitants with nothing but the clothes they were wearing.

### Victims with nowhere to go

Yet, this wanton destruction was not the whole story. The land allocated by the Municipality to accommodate the displaced Simpruk families, which is located some 20 kilometres away in the district of Tangerang, is itself the subject of dispute and is claimed by not one by several government departments and individuals. Under the circumstances, none of the uprooted families felt inclined to start building new homes for fear of being once again driven out by heavily guarded bulldozers. Thus, several weeks after the Simpruk kampung had been razed, many families were still holding out in makeshift shelters outside the high iron fence that had been erected round their former home.

As it turns out, the Tangerang local authorities were well aware that the land allocated was the subject of several disputes. But they said nothing about this till several weeks after the Simpruk demolition operation, so as not to contradict the Jakarta Governor's repeated

claims that Simpruk inhabitants were being "unreasonable" because they had been provided with alternative land.

### Disarray in government ranks

The Simpruk incident also exposed a split in government ranks when Armed Forces and Golkar members of Parliament issued a call for demolition to be postponed until the dispute was resolved. After the homes had been flattened, they continued to criticise the Jakarta governor and the mayor of South Jakarta. This sensitivity reflects an awareness within government circles that densely-populated cities like Jakarta are seething with social unrest. They would prefer the run-up to the 1987 elections not to be bedevilled by angry confrontations widely reported in the press, as happened during the Simpruk affair.

### Half a million newcomers in Jakarta

There is no doubt that the influx of people into Jakarta has greatly accelerated in the past six months or so. Last September, it was announced that half a million people had entered the city since June seeking jobs and somewhere to live. People come not only from the surrounding districts of West Java, but from Central and even East Java. There are also said to be some 800,000 seasonal migrants, shifting from the villages to the cities according to seasonal labour requirements. [Suara Karya, 3 September 1985]

### Identity cards withheld because of land dispute

In another land dispute in Jakarta, kampung dwellers who refused to surrender their land have been victimised by a decision to block renewal of their identity cards. Every Indonesian is required to possess an identity card in order to obtain a whole range of basic facilities. This is therefore a particularly onerous form of victimisation.

This dispute relates to a deal made without the land-owners consent by a local official who sold their land to the mayor of North Jakarta for the construction of houses for municipal officials. The municipal authorities then proceeded to construct a road through it without payment of compensation. The people responded by building houses along the road, only to have them razed to the ground by municipality bulldozers. [Merdeka, 3 December 1985]



Makeshift shelters for the Simpruk victims. [Tempo, 14 December 1985]



## Government grip on workers' organisation tightened

The government-backed trade union organisation has now fallen even more firmly under government control. At its congress in November 1985, it changed its name from *Federasi Buruh Seluruh Indonesia* (FBSI) to *Serikat Pekerja Seluruh Indonesia* (SPSI) and elected the managing director of a textile company as its new chairman.

The FBSI was a government-enforced merger of the trade union federations which remained in existence after the largest of the federations, SOBSI, was outlawed when Suharto came to power and many of its members were slaughtered, imprisoned or purged from their jobs.

The name change signifies two developments. First, the organisation has complied with government demands made repeatedly by Admiral Sudomo, the Minister of Labour, that the "class conflict ridden" word *buruh* (worker) be replaced by *pekerja* (labourer). The new name also reflects the organisation's transformation from a federation consisting of 21 craft unions, each with a certain degree of autonomy from the central bureaucracy, to a centralised association with 10 "departments" run by bureaucrats. The purpose is to make the SPSI a more effective arm of government policy in preventing workers from taking independent action in defence of their rights.

The SPSI congress was not unusual in that proceedings were conducted in a state of confusion and bickering. This is indeed the fate of most organisations in Indonesia, heavily infiltrated by government agents and torn by internal rivalries as a result of government-imposed mergers. The main cause of disorder was the choice of chairman. When Admiral Sudomo declared at the start that he was "not taking sides", it was a sure sign this was precisely what he was doing.

It appeared at first that the FBSI chairman, Agus Sudono was top favourite. A document circulated before the Congress was entitled *Thirty Years of Service by Agus Sudono to the Workers Movement*. (*Tempo*, 7 December 1985) But the election process deadlocked because the composition of the "election group" was too pro-Sudono. Press reports make no secret of the fact that it was Admiral Sudomo who steered proceedings to ensure Sudono's replacement by Golkar's new candidate. Finally, the choice fell to Imam Soedarwo, a member of the central board of Golkar, the Army's political wing. His only connection with the labouring masses appears to be the fact that he employs many workers at his company, PT Korwell Indonesia which manufactures clothing at Bonded Warehouses Indonesia in Tanjung Priok harbour. The new "trade union leader" apparently knew nothing about his elevation until he was informed the next morning of his late-night appointment.

A few hours later, he told the assembled delegates that as chairman, he would pursue three objectives; building greater loyalty to the organisation based on the state ideology of Pancasila, reinforcing commitment to the nation and improving the level of professionalism. [*Kompas*, 2 December 1985]

### The SPSI and the ICFTU

The removal of Agus Sudono could pose problems for the International Confederation of Free Trade Unions (ICFTU) on whose board he has sat as a Deputy Chairman for many years. He held this position only because he had been chairman of Gasbindo, an ICFTU member organisation until its demise when it was forced to merge into the FBSI. The FBSI itself was not a member of the ICFTU.

According to the *Far Eastern Economic Review* (7 December), some international labour organisations are dismayed with the leadership change and are likely to phase out their financial assistance to the revamped organisation. The ILO, the ICFTU and national trade unions in Japan, West Germany and the US have been giving

the FBSI more than \$500,000 annually for "aid and technical assistance". But according to the *Review*, the Indonesian government is likely to be far more generous towards the SPSI and has already built a luxurious office to accommodate its new, enlarged bureaucracy.

### Sudomo and the workers

Admiral Sudomo became Labour Minister in March 1983. Before that, he was commander of the Army's security command, Kopkamtib, and took many Koptamtib officials to his new ministry to impose much greater control over the entire question of labour. He has:

- established a tripartite system of labour control at central and regional level, involving government, the employers and the trade unions, and placing government in the position of leadership;
- interfered directly in the work of industrial arbitration courts, overturning decisions at will;
- overturned the former system of having Collective Labour Agreements reached through negotiations between trade union and employer. This is being replaced by standardised Common Agreements which are basically company rules which are no longer the result of collective bargaining as the trade union side is merely consulted and expected to agree through 'consensus'.

The trade union movement, as Sudomo sees it, is "a forum for contact and communication between the employees and employer and the government". (*Kompas*, 7 December 1984) Under this system, the FBSI has been sidestepped by the Minister and at the same time reprimanded for its inability to rein in its members who get involved in industrial disputes.

The possibility of 'unruly' behaviour by workers at the grassroots is very likely to increase as the economic crisis deepens in Indonesia. This explains why Sudomo's project of revamping the trade union organisation and injecting a more amenable leadership free from all past trade union pretensions became a top priority. The government's previous instrument, Agus Sudono therefore had to be discarded.

For a detailed analysis of this process, read *Indonesian Workers and the Right to Organise, March 1985 Update*, published by the Indonesian Documentation and Information Centre (INDOC, PO Box 11250, 2301 EG Leiden, Holland). This document, based on a careful study of Indonesian press reports, helps to explain much of what has now happened to trade union organisation in Indonesia.

### Munir execution raised at Jakarta ILO meeting

Much to the embarrassment of the Indonesian government, workers representatives attending an ILO regional meeting in Jakarta in December tabled a motion condemning the execution of trade union leader, Mohammad Munir last May.

The resolution which was tabled by the World Federation of Trade Unions, was supported by workers delegates from the Soviet Union, Mongolia, Kuwait and the PLO. A representative of the ICFTU also protested about the execution. (*Kompas*, 7 December, and *Jakarta Post*, 11 December 1985) Although the resolution was defeated, the two world unions, WFTU and ICFTU petitioned the Indonesian government "to desist from such action in the future". The leader of the Indonesian government delegation rejected this as interference in Indonesia's internal affairs.

[Our report is based only on Indonesian press reports of the ILO meeting. This is likely to be less than the whole story.]



# Day and night sessions

*The continuing drama of trials against Muslims activists turned grotesque when the popular mubalighs (lay preachers) A.M. Fatwa and A.Q. Djaelani were sentenced to 18 years after marathon sessions and repeated abuses by the courts. The prosecution had demanded a death sentence for Djaelani and life imprisonment for Fatwa. Both verdicts are likely to be appealed by both the defendants and the prosecution and could be revised upwards.*

## The Fatwa trial

From the commencement of his trial last August, it was clear that Andi Mappetahang Fatwa was a prime target of the military. As one of the most outspoken critics of the government in recent years, Fatwa has already endured constant harassment and many physical assaults. [See TAPOL Bulletin, No 71, September 1985]

On trial under the draconian Anti-Subversion Law (Law No 11, PNPS 1963), the defendant was aware that he stood no chance of a fair trial. He used the courtroom as a political platform to attack the oppressive character of the present government. This infuriated the judges and prosecutor who started accusing him and his lawyers of deliberately wasting time.

The sessions were attended by lively crowds following the hearings inside the courtroom and in the forecourt who often cheered and clapped when Fatwa, a gifted speaker, addressed the court, causing 'disturbances' in the courtroom. Fatwa maintained his militancy from beginning to end although he knew he would be given a very heavy sentence.

In a statement on 5 December, Fatwa condemned the political system in Indonesia, describing it as a totalitarian system which is leading towards fascism. He described the DPR (Parliament) as a tool of the government whose members are nothing more than government employees, doing the bidding of those in power. A few days later, when the prosecutor demanded a life sentence, Fatwa handed him a bunch of plastic flowers, saying: "Take this as a souvenir from the man for whom you have demanded a life sentence." In a lengthy sentence request (tuntutan), the prosecutor claimed that the hearings had proven that Fatwa was guilty of giving a series of anti-government sermons and of attending a subversive meeting.

After this, the pace of the trial was stepped up. Working as a team, the judges and prosecution made it clear they were determined to end the trial as fast as possible, claiming that they were running out of time because according to article 29 of the Procedural Code the accused would be due for release on 24 December if no verdict had been passed by then. [TAPOL Bulletin, No 72, November 1985 page 21, was incorrect to link this expiry problem to the Anti-Subversion Law. Articles 24 to 29 of KUHP lay down the various time extensions permitted. All these extensions had been used up already in Fatwa's case with the final expiry date falling on 24 December.]

All demands by the defence for time to prepare their case were ignored even though the proceedings still had a long way to go. The defendant and his lawyers still had their pleas to deliver followed by a further exchange of statements by the prosecution and the defence. Normally, these statements and counter-statements (known as replik and duplik) each occur after the passage of several days, and more time elapses before the court passes sentence.

Just when the dispute in the court reached a climax, the chairman of the Supreme Court, General (retired) Ali Said made a totally unwarranted intervention, declaring publicly that the replik and duplik could be treated as mere formalities with each side saying they had nothing to add "and that would be an end to the matter, wouldn't it?" (Tempo, 14 December) The prosecutor, Bob Nasution again blamed the defence for using delaying tactics, and accused Fatwa of feigning illness to drag the trial beyond the 24 December deadline.

plea. Because of the length of the defence plea, the court decided that night sessions would have to be held to speed things up, even though this placed intolerable pressure on Fatwa. This is the first time in 18 years, since the time of the Extraordinary Military Tribunal trials of G30S/PKI defendants, that courts have held sessions late into the night.

For three days in a row starting 16 December, Fatwa read out his defence statement almost without pause. By 9 pm on 18 December, he had reached page 824. The next morning, while reading his document, he collapsed and was rushed to the Jakarta Islamic Hospital. A day later, despite protests from his doctors that he was still under examination, he was removed to the Police Hospital.

On 21 December, he was brought to the court in a wheelchair to continue with his statement, but in a state of exhaustion, he collapsed again after 15 minutes. A court doctor who was in attendance at the request of the defence lawyers insisted that Fatwa should not be forced to continue. But instead of being taken back to hospital, he was returned to his cell.

Two days later, the hearing resumed. Fatwa, who was still in a state of collapse and had to be carried into the courtroom, announced that he would not read out the remainder of his statement. His lawyers began to read their defence plea, but after an hour, Fatwa suffered a stomach disorder and defecated in the courtroom, whereupon the judges instructed the lawyers not to continue with their statement but simply to hand it over to the court. The prosecutor then announced, without bothering to read and study the defence statement, that he would make no rejoinder (replik), taking his cue from the Supreme Court chairman. As a result, the judges would be able to pass sentence the next day, to beat the 24 December deadline.

Yet on 24 December, when the court hearing re-opened, the judges announced that they would, after all, prolong Fatwa's detention by 30 days. Nothing could have made it clearer that the real reason for the haste was a realisation by the regime that the hearings were being unduly harmful to its image and the less time given to Fatwa and his lawyers, the better.

The defence lawyers Adnan Buyung Nasution and Haryono Tjitrosoebeno (the newly elected chairman of the merged federation of Indonesian lawyers, Ikapin) vigorously protested that the non-stop procedure had pushed the defendant beyond the limits of endurance, and exceeded



A late-night hearing in the Fatwa trial. [Tempo, 4 January, 1986]

"Democracy and Freedom of Religion on Trial"

This was the title Fatwa gave to his 1,118-page defence

all accepted procedures and customs. They insisted that the pressure of time should never be used in a trial of this nature as the defendant faced the possibility of a very heavy sentence.

By the time of the closing sessions, the crowds had lost the battle of endurance and the night sessions were held in an almost empty courtroom. The final session when verdict was passed was again well attended.

Press reports about Fatwa's defence statement were very

sketchy and no copy has yet been received abroad. It appears that he dealt at length with all aspects of repression, with the Army's *dwifungsi* concept (which claims that the Army has the right to take charge of social and political as well as military affairs), with the pervading Javanese traditionalism that dominates the Army's approach. He also explained at length why the Petition-of-50 came into being, as a reaction to the absence of democracy.

## General's trial puts regime on the spot

Retired Lieutenant-General H.R. Dharsono was sentenced to 10 years on 8 January at the end of a trial that served primarily to expose the regime's handling of the Tanjung Priok incident in September 1984 which ended with the massacre of many dozens of demonstrators.

The defence not only accused the military authorities of deliberately opening fire on a large crowd who were demanding the release of four local community leaders after their prayer-house had been desecrated by an Army officer. It also suggested that the regime had plotted a provocation which incited the demonstration and the killings and subsequently led to the clampdown on Muslim activism. But efforts to prove their point were frustrated by the court's refusal to call the North Jakarta police chief as a witness. Instead of appearing in person, the court only heard a written deposition and claimed that he was "on leave and unable to appear".

At a hearing on 3 December, Dharsono stated in court that the fact that this police officer and two other crucial witnesses had never appeared in court either as witnesses or defendants "raises several questions... there is the possibility that the incident was a plot". [Sydney Morning Herald, 4 December] The two men who were not named by Dharsono are Syarifin Maloko and M. Natsir who spoke at the meeting in Tanjung Priok shortly before the huge crowd set out on the fatal demonstration. The third speaker at the rally, Amir Biki, was shot dead and his funeral took place the next day. Maloko and Natsir have been missing ever since, although their names have been mentioned in several trials. On one occasion, it was said that they might soon be tried.

### The charges

Dharsono was found guilty of subversion for seeking to undermine the lawful government. The specific charges were that he helped draft the White Paper issued a few days after the Tanjung Priok incident, criticising General Murdani's account of the the affair and calling for a public inquiry, and that during a meeting where bombing outrages were allegedly discussed, he made statements which "might have" inflamed others present to take violent action against the state. Witnesses who attended the meeting testified that Dharsono had, on the contrary, counselled calm, urging people to stick to constitutional forms of protest.

In its verdict, the panel of judges made a distinction between the White Paper as such which, they said, was "an acceptable document" and "within bounds", and the "operational" way in which the accused is said to have made use of it. [In other words, the document was not simply handed over to the authorities but released for wide distribution.]

### "The court on trial"

Dharsono's defence lawyers made a number of stinging attacks on the court in their defence pleas. "In the eyes of the people, it is the court, not Dharsono, which is on trial," said Haryono Tjitrosoebeno. "The verdict would show whether a citizen could express disagreement with the government without being accused of subversion".

The lawyer, who was recently elected chairman of a newly merged organisation of lawyers (the result primarily of pressure for a single organisation of



Dharsono and his lawyer, Buyung Nasution, outside the court after the verdict. [Jakarta Post, 9 January, 1986]

lawyers from the chairman of the Supreme Court, General Ali Said), complained about military domination in political affairs. Government has been constructed along patron-client lines, he said. It allows only passive participation, forcing people to relinquish all interest in political affairs. While democratic organisations have been smashed, new organisations based on one-way, downward communication have been created, making control by those in power even tighter. He also questioned the legitimacy of military involvement in state affairs which is intended to last into eternity. "It was the desire of the accused," he said "to activate the community as participants but this was considered as being an act of subversion which could cause unrest."

### Dharsono's background

Hartono Rekso Dharsono is the first senior Army officer to have been tried for subversion since the late 1960s when a number of officers were tried for their alleged involvement in the 1965 events, said by Suharto to have been instigated by the Indonesian Communist Party. In those days, Dharsono was on the side of the regime. He was appointed third assistant of the Army General Staff by Suharto in October 1965, then chief-of-staff and later commander of the important Siliwangi Division in West Java, a region where the Army's red drive crushed all leftwing organisations and left many thousands of people dead.

But his perception of political re-organisation differed sharply from Suharto's. Along with a few other generals, he favoured the dissolution of all the parties that had existed under Sukarno's Guided Democracy and their replacement by a two-party system, fashioned on the US model. Suharto decided, on the contrary, to "perfect" Sukarno's political system by further regulating and



manipulating the political parties. The clash of opinions resulted in Dharsono's dismissal as divisional commander and his appointment as ambassador to Thailand. He later became secretary-general of ASEAN, but was sacked in 1978 when he showed public sympathy for student unrest.

His arrest and trial is clearly intended as a warning to other retired Armed Forces officers among whom criticism of the Suharto style of government is rife.

Dharsono made it clear that he was not opposed to militarism as such, only to the way military rule is currently being implemented. His first statement in court was entitled, "The Demurrer of a Warrior", and it was evident throughout the trial that he considered that his past services to military rule should have protected him from prosecution. However, unlike many other military officers who have fallen foul of the regime in recent years, he has refused to make any compromise with Suharto and rejected a offer made shortly after he was arrested that charges against him would be dropped if he publicly apologised.

## The Djaelani trial

Being tried in the same court building as Fatwa was Abdul Qadir Djaelani, a 47-year old Muslim preacher. He was sentenced to 18 years a few days after the prosecution had demanded a death sentence.

Like Fatwa, Djaelani's clashes with the military regime go back a long time. He was first arrested in 1976 for alleged Komando Jihad (Holy-War Command) offences. Arrested again in 1978, he was found guilty in December that year of plotting with others to destroy "centres of immorality" like Ancol on the outskirts of Jakarta and sentenced to two years.

At his present trial, the charges against him include: making anti-government speeches in mosques from November 1983 to September 1984, opposing the adoption of Pancasila as the sole ideology for all organisations, attacking the authorities for trying to depoliticise Islam and favouring the minority Christian community, and involvement in the Bank Central Asia bombing on 4 October 1984.

In his opening defence statement entitled, "Jungle law is still in force after 40 years of Indonesian independence", the defendant strongly attacked the court and the police authorities. He retracted statements made during pre-trial interrogations, and told the court his earlier confessions had been extracted under duress. "They shaved my hair, beat me unconscious, forbade me to read or write, and prevented me from saying my Friday prayers."

### A framed link with bombings

The prosecution set out to prove that Djaelani was connected with the BCA bombing incident, on the testimony of a single witness, Amir Wijaya, chief prosecution witness, who claimed that in August 1984, the defendant

asked him for dynamite and timers for the October attacks. Djaelani was able to prove that he was in Bandung at the time of this alleged meeting with Amir Wijaya in Jakarta, while other witnesses including men already sentenced in connection with the BCA affair strongly denied that Djaelani had anything to do with it. Not surprisingly however, the court rested its verdict on Wijaya's testimony. The same man's testimony also heavily implicated H.M. Sanusi in the BCA bombing, securing him a 19-year sentence, despite overwhelming evidence from other witnesses that this was pure fabrication. (See TAPOL Bulletin, No 69, May 1985, page 9-10.)

Most of the hearings were devoted to examining the anti-government contents of Djaelani's sermons. Many prosecution witnesses turned out to be intelligence officers who gave detailed accounts of Djaelani's sermons and handed cassette recordings to the court. It became apparent that the defendant was being monitored and trailed for many months prior to his arrest.

The defendant who is also a lecturer at the Islamic missionary college, PDTI and an executive member of the Korps Mubaligh Indonesia (KMI), made no secret of his contempt for the Pancasila and his vehement opposition to its adoption as the sole ideology. As a preacher, Djaelani is extremely popular, and cassettes and written texts of his sermons have recently been selling like hot cakes among Muslims.

At the court hearing on 10 November, Komaruddin, a police spy, described the atmosphere at the Istiqomah Mosque in Jakarta when Djaelani urged a crowd of 15,000 people not to accept the sole-ideology as it would only end in calamity. "Pancasila is considered powerful and mighty," he was reported as saying, "because it originated from our ancestors despite the fact that they

## Kopkamtib instruction on the control of preachers

*The following is the text of a telegram sent on 27 July 1985 by General Benny Murdani, commander of KOPKAMTIB (Operational Command for the Restoration of Security and Order) to the Chief of Police and to all KOPKAMTIB Executive Officers [KOPKAMTIB Executive Officers are concurrently commanders of Regional Military Commanders]:*

*A. Reference to KOPKAMTIB Commander's letter No. STR-152/Kopkam/VIII/78, 15 August 1978.*

*B. In principle, religious preaching (dakwah) does not require a permit but the local police authority must be kept informed. The other requirement that has to be borne in mind is that religious preaching, early morning lectures may not be used for:*

- 1. Attacking, speaking badly of individuals, groups or government officials.*
- 2. Attacking, speaking badly of the government.*
- 3. Engaging in political activities.*
- 4. Incitements.*
- 5. Attacking, speaking badly of other religions or beliefs.*
- 6. Disputing the Pancasila, the 1945 Constitution and Decrees of the MPR [People's Consultative Assembly]*

*C. In cases where these guidelines are violated, you are*

*to take immediate action, among others:*

- 1. Give a stern warning to the perpetrator/preacher or early morning lecturer and to the committee of the mosque at which the said activity took place.*
- 2. Forbid the perpetrator/preacher, early morning lecturer and the mosque committee from repeating such activities.*
- 3. If they persist in engaging in such activity, they should be dealt with in accordance with the laws in force.*

*D. Work in the closest possible cooperation with the competent authorities before taking repressive measures.*

*E. This communication is an instruction*

*F. End*

[Reproduced in Berita Tanpa Sensor, Year V, No. 12, 1985]



Djaelani after the verdict, celebrating his escape from a death sentence. [*Jakarta Post*, 26 December, 1985]

were stupid and primitive." This was clearly a cynical reference to the pre-Islamic traditional beliefs held by the country's military rulers.

#### Mosque sanctity violated

During one of his many statements to the court, Djaelani explained how on one occasion when preaching before a huge gathering in a mosque in West Jakarta, he was stopped "by plain-clothed officers of the local Army command (koramil) supported by 12 anti-riot troops" and

taken away for questioning. He decided at the time not to resist because to have done so "might have resulted in a bloodbath". This represents a gross violation of mosque grounds, until recently regarded as one of the few places left in Indonesia where people can still speak their minds.

Djaelani's trial was also speeded up in the last stages because the court claimed they had to beat the deadline of 24 December (see Fatwa trial report).

In his final statement demanding the death sentence, the prosecutor dealt at length with a declaration drafted by Djaelani entitled, "Pledge by the Jakarta Ummat [Muslim community] to denounce Pancasila as the sole principle and the Societies Law" which was signed by 13 Muslim leaders. [Other preachers currently on trial are being charged among other things for co-signing this 'subversive' document.]

What particularly infuriated the prosecutor was that Djaelani has persisted in criticising Pancasila, the state philosophy, as a man-made philosophy which is frequently subject to changes of interpretation. Such views make him "a threat to the existence of the state and the authority of the government."

When Djaelani started reading his 430-page defence plea on 16 December, huge crowds were present only to be disappointed, especially those gathered outside the court, because the microphone was turned off, preventing the enthusiastic outbursts that often interrupted his earlier statements.

Djaelani was sentenced on 24 December. As the presiding judge closed the session, the people packing the courtroom shouted: Allahu Akbar, Allahu Akbar. As for Djaelani, the press reports that he was looking "radiant and fresh", and declared that he would appeal. As he embraced his children, he said: "Have no fear. Your father still has much longer to live."

## More heavy sentences

*Almost every day, the Indonesian press reports trial hearings, court verdicts or new trials beginning, like a never-ending saga. The following is a brief summary of trials just completed or about to start.*

Tony Ardie bin Wahid (31 years old) is reported to have smiled with relief when the North Jakarta District Court passed a sentence of 9 years with deduction for his period of detention up to the trial.

By recent standards, Ardie can indeed consider himself lucky. A group of law and political science students who have been monitoring recent subversion-trial verdicts have observed that the lightest sentence passed in Jakarta till then was 10 years. Their observations had led them to conclude that courts passed verdicts on an average two-thirds the length of the prosecution demand. In Ardie's case, the prosecutor's demand was 17 years so Ardie could have expected, say, 12 years.

But Ardie's trial took an unexpected turn when, halfway through the trial, he suddenly started to plead guilty and begged forgiveness from the court. Unlike other convicted Muslim defendants, he announced as soon as sentence was passed, that he would not appeal but would only seek clemency from the president.

Ardie stood trial and was given nine months in 1983 for a sermon denouncing the ban on Muslim girls wearing headscarves in state schools. He is one of the youngest of the Muslim preachers on trial and had a reputation as a militant speaker. Indeed, in the early part of his trial, he was as defiant as ever. But from 16 November on, after begging forgiveness "from the government and the entire Indonesian people", he became more and more submissive, even refusing to make a statement in his own defence after the prosecution's demand of sentence (*tuntutan*).

During his own trial, Fatwa referred cynically to the "asking forgiveness system" (*lembaga minta maaf*) as a way for defendants to earn themselves a reduced sentence. This suggests that many prisoners have been subjected to pressures to which Ardie has succumbed.

Achmad Zonet Sumarlan (23 years), on trial in Jogjakarta, was sentenced to 8 years for distributing the militant Muslim paper, *Ar-Risalah* and its successor, *Al-Ickwan*. Although it was not being suggested that he had anything to do with producing the paper, mere distribution was enough to warrant charges of spreading hatred, undermining the state and violating the Pancasila. He was also charged for having distributed a pamphlet entitled: "Pancasila should be torn to shreds by every Muslim."

Throughout his trial, Sumarlan showed contempt for the court, stating that he could not comprehend the charges and referring to the proceedings as "sinful". He refused to have a defence lawyer. Court sessions were always well attended and many of the defendant's statements were greeted with enthusiastic applause.

#### Suharto worried about public reaction to the trials

President Suharto is clearly worried that many people in Indonesia sympathise with the Muslim critics of the regime now being tried and regard them as victims of political persecution. He has sought to deny "public voices claiming that they are being tried for their political opinions: This is completely false," he asserted. "They are being tried for breaking the law." [*Kompas*, 23 January]

These days, Suharto normally prefers to refrain from comment on "controversial" matters; his departure from this practice suggests that he realises that the trials are having an unfavourable impact. Such considerations may cause him to think hard before launching onto more damaging trials by implementing the threat to try Ali Sadikin and other Petition-of-50 members.



## MUSLIM TRIALS

**Oesmany al Hamidy** is a 72-year old professor at the Da'wah Islamic College (PDTI) who has fought the court on many questions. The PDTI is situated in the region of Tanjung Priok. Many of its teaching staff are under arrest and the college has been ordered to close down. His trial will be reported in full in the next Bulletin.

**Robby Permana Pantouw** (37 years) was sentenced to 20 years on 23 December by the West Jakarta District Court for alleged complicity in the BCA bombings on 4 October 1984. He was the chauffeur of Amir Wijaya and denied all the charges that were based primarily on the evidence of his employer, the very same man who has helped the courts frame so many other defendants.

### New trials

**Tubagus Muhammad Jidar**, a 22-year old peasant in the vicinity of Jogjakarta, is on trial at the Wates District Court for violating the anti-subversion law by giving

anti-Pancasila speeches in a number of villages. The trial faced considerable difficulties in the initial stages because there were two teams of lawyers, one from the Legal Aid Consultation Institute of the Muslim University appointed by the defendant, and one appointed by the court and consisting of a lawyer from the government party, Golkar.

The trial of **Ratono B.A.** began on 6 January. The accused is alleged to have "incited the masses" at the meeting held in Tanjung Priok which preceded the bloodbath on 4 October 1984. According to the charge-sheet, Ratono, "using a megaphone, urged the crowd to attack the District Military Command and the police station". He is also being charged for having signed a pledge of the Muslim community not to accept the Pancasila as the sole ideology and to reject the Societies Law.

Three men identified only by their initials, **AKB, AM [Ahmad Muladawillan?] and AK**, are due to appear in court soon in Malang, East Java on charges of bombing a Catholic church in Malang in December 1984 and a passenger bus near Banyuwangi in March 1985. The initials of a further eight people under interrogation were also announced, possibly a sign that more trials are due in Malang. (*Kompas*, 9 January)

## CENSORSHIP

### Rendra ban lifted but others imposed

In January, the well-known protest poet, **W.S. Rendra** was allowed to give a public reading of his poems in Jakarta for the first time in more than seven years. The recitation evening was held before a packed auditorium at the Ismael Marjuki Culture Centre [TIM] in the capital.

The last time Rendra gave such a performance, attempts were made to disrupt the evening by a group which lobbed several ammonium bombs into the audience. The men made a getaway and were never apprehended. Later, Rendra was detained for 'hate-mongering'.

The decision to permit the poetry-reading came after a decision of the recently-appointed Minister of Education and Culture, **Faud Hasan** to lift the ban on public performances by Rendra. [*Far Eastern Economic Review*, 23 January] Some commentators have described this as the sign of a 'Jakarta spring' ushered in by Faud Hasan who is regarded as being more liberal than his stern, uncompromising predecessor, the late **Nugroho Notosusanto** who devoted most of his energies to stifling initiative and imposing homogeneity throughout the educational system.

A more likely explanation is that some people in government recognise the advantage of providing a safety valve for Indonesia's intellectuals who are becoming more restless as the regime becomes more authoritarian.

### Poem and short stories banned

Ironically, Rendra's good fortunes have not been shared by other writers. The poet **F. Rahardi** was prohibited at the last minute from reading a poem entitled, "The Diary of a Corruptor" to an audience at the very cultural centre which a few weeks earlier had rung to the emotion-charged enthusiasm that greeted Rendra's performance. As a result of the censorship of this poem, Rahardi had no option but to cancel the whole performance. Artistic circles were reported by *Kompas* [22 January] as being amazed at the ban, coming so soon after Rendra's much publicised performance.

In Jogjakarta, the police authorities banned two short stories from being read out in public. The stories were, "The skies are becoming more overcast" by **Ki Panji Kusman** and "The general elections" by **Harris Effendi Tahar**. The stories were to have been read out to an audience at the Drama and Film Academy in Jogjakarta. Students were dismayed by the ban, especially since gatherings on

campus are not supposed to be subject to supervision by the security forces. The police argued however that since "outsiders" had been invited to attend the short-story reading, it was no longer a campus meeting. As a result of the ban, the event was cancelled. [*Kompas*, 23 January]



Pramodya Ananta Toer

Rendra

### Publisher of Pramodya's latest novel under pressure

The publisher of two books by Pramodya Ananta Toer published last November has been asked to stop selling the books "until a decision can be reached on the eligibility for distribution". The request came in a letter to **Hasyim Rachmat**, director of the company, **Hasta Mitra**, from the Prosecutor-General, a month after the books appeared.

One of the books is **Jejak Langkah** (Footsteps) which is the third of a quartet of novel based on the life of **Tirto Adisuryo**, one of the first Indonesian journalists and critics of Dutch colonial policy. The other is **Sang Pemula** (The Originator) which is a documentary account of Tirto Adisuryo's life.

**Hasyim Rachmat** told the *Far Eastern Economic Review* [23 January]: "Since it was only a request rather than an official order, I didn't feel it was legally binding." The books have been on sale without much fanfare at the **Hasta Mitra** bookshop in Jakarta where a couple of thousand copies have been sold. According to the *Review*, other bookshops have recently been displaying it for sale.



*Book Review: The Lost World of Irian Jaya by Robert Mitton. Oxford University Press, Melbourne. Pp 234. Price A\$50 or £28.50.*

This is a large, colourful and expensive volume compiled from the notes and photographs left by Robert Mitton, an Australian geologist who travelled extensively in West Papua [Irian Jaya] between 1971 and 1976. He had apparently intended to produce a "popular anthropology and geography with photographs as a large part", but he died of leukemia before making headway with the project. The book has been put together and edited by five people familiar with the country and with Mitton's work. As such it resembles the book on Asmat art published from the notes and photographs taken by Michaela Rockerfeller, who disappeared in the Asmat region [also visited by Mitton] in 1962.

A large part of the book is comprised of Mitton's photographs, an advantage as these speak more eloquently about people in West Papua than his writing. Because he was, like Rockerfeller, unable to write a text before his death, it has been put together from fragments of diaries and letters he wrote while travelling in West Papua.

Indeed, the book is written much more from the perspective of a traveller than that of an academic or expert, although there can be no doubt that Mitton was well informed about many of the physical and social aspects of West Papua. It is in no way a complete or even a balanced picture of the areas which he visited. As anyone who has been to the region will know, travel is so hard and demanding that it is difficult to concentrate on gaining an accurate impression. Mitton instead faithfully recorded his own reactions to what he encountered, and we must be content with a text which tells us more about what it is for a westerner to travel in West Papua than about the West Papuans themselves.

But the book has great strengths which are a valuable contribution to our appreciation of a little known and under-researched country. Mitton grew to love West Papua in a wholesome way that led him to relish digging out curious details and anecdotes at every opportunity. He describes the mountain and lowland rainforest areas between the source and the mouth of the Baliem river, where he met communities which have had the least and sometimes the most damaging contact with non-Papuans; yet in spite of the tensions and misunderstandings he documents, these peoples are portrayed as attractive and accessible to the reader. There is, inevitably, a condescending flavour to his account, but there is strong compassion too.

The most outstanding feature of the book though, is its photographs. This is certainly the most stunning pictorial account of West Papua yet published. Mitton has used his camera boldly to record a huge range of minutiae from the daily lives of the peoples he visited, which exhibit the same spontaneity and open-mindedness as his written comments. We are not spared the more unpalatable sights of finger-amputations, skin disease and the gory slaughter and dismemberment of pigs, yet the over-riding impression is one of warmth and humour between the author and his photographic subjects. Mitton's book allows the reader an easy sense of closeness and sympathy with West Papua, but always searches out the particular distinctiveness of culture and society there.

This distinctiveness leads Mitton to identify the damaging effects of foreign influences on West Papua. He writes about his changeable but often damning views of Christian missionary activity there, and his ambiguous, almost naive opinion of the impact of mining companies in the country. Most of all, however, he sees the greatest threat to the population of West Papua coming from the Indonesian presence. He did not begin his work in West Papua with any preconceptions about Indonesian rule, as anyone who knew much about the "Act of Free Choice" that had taken place just prior to Mitton's period of travel might have been expected to: indeed he was quite favourable in his initial comments about the

Indonesians. But this only heightens the bitterness of observations he made after being in the country a short time: "One is constantly aware of the oppressive presence of the army and police, all laden with guns and ammunition... the army act like bandit dictators. They have instructions from Jakarta to civilize the people."

If this book were taken as a comprehensive analysis of the areas of West Papua through which Mitton travelled, it could be criticised for numerous inaccuracies, generalisations and omissions. But there is no need. With a gift for communication through photographs and boundless enthusiasm in his commentary, the author has bequeathed an account of West Papua which will entertain the most uninformed reader, yet which remains a priceless document of a society under threat, a painful warning of the harm being done to West Papua by Indonesia.

Jeremy Smithers



*Bjorn Larsson, ed. Det grymma spelet: Sveriges roll i Indonesiens folkdöd i Östtimor 1975-1985. (The Grim Game: Sweden's Role in Indonesia's Genocide in East Timor, 1975-1985) Stockholm 1985. 95 pp.*

As a non-NATO western democracy, Sweden often pursues an independent foreign policy stand and did so at first on East Timor, but over the years, this has been steadily eroded. By 1985, it had come down firmly on the side of the Indonesian generals.

From 1975-79, it supported East Timor at the UN though it was selling weapons to Jakarta, particularly Bofors guided missiles. Swedish press cartoons at the time commented on these double standards. One showed crates of arms for Indonesia labeled, "Long Live Fretilin!"

In 1980, Sweden abstained at the UN on East Timor for the first time and applied to join IGGI, Indonesia's international aid consortium. In 1981, when it again abstained and joined IGGI as an observer, the Social Democrats, in opposition, protested. But when they took office in 1982, they continued the same policy. Meanwhile, Swedish arms exports to Indonesia have grown from 21 million Swedish crowns in 1980 to 71 million in 1984.

Matts Hellstrom, Social Democrat Foreign Trade Minister, who supported self-determination at the May 1979 International East Timor Conference in Lisbon now turned his talents to explaining the wisdom of current Swedish policy. "I think it was wrong for the Liberal government to start exporting arms to Indonesia," he told a public meeting in 1984, "but now, we are bound by contracts... which means that we have to supply spare parts and replace destroyed weapons. It is hard to break contracts but in any case, we are talking about anti-aircraft cannons mounted on ships and as far as we know, they haven't been used against the guerrillas."

The implication, that Sweden is only fulfilling old contracts, is

false. Even as he was speaking, the Energy Minister was leaving for Indonesia to conduct a huge sales drive called "Technology Sweden", promoted by the government; one of the companies involved was the Karlskrona shipyard hoping to sell minesweepers.

Hellstrom also argued that "our policy of neutrality gains more credibility if we can produce our own weapons... which would be impossible if we did not export as well. The Swedish market is too small for an arms producer. Recently, when I visited Karlskrona, I was criticised by the trade union which complained that Bofors had laid off 1,000 people because of declining demand." So, in order to keep Swedish workers employed, yet more victims must fall in East Timor.

The story of Sweden's role in Indonesia's genocide is told in great detail in this excellent book published by the Swedish East Timor Committee. There are some factual errors which would need to be corrected in a second print, such as the date Fretilin president, Nicolau Lobato was killed (1979, not 1978), the date of the Fretilin peace talks (March 1983, not May), and the date of the murder of five TV-journalists (not 7 December but 16 October, 1975), and other mistakes.

But these are only minor. It is a book worth reading, with an important message. Above all, it shows that East Timor has not been forgotten and that many people around the world are still keeping the issue alive.

Torben Retboll

[Copies available from the Swedish East Timor Committee: Riddargaten 38, 2 tr., S-114 57 Stockholm. Price: 67 crowns.]



# Showtrials in East Timor

Not one of the 154 Fretilin prisoners brought to trial in Dili since late 1983 has pleaded not guilty or contested the charges, according to L.P. Siregar, chairman of the Dili District Court. There have been no acquittals, and neither have any of the convicted men and women appealed against their sentences. [*Sinar Harapan*, 3 September 1985]

This information was given to a rather startled Albert Hasibuan, lawyer and Golkar member of the Indonesian legislative assembly (DPR) during a visit to East Timor in August last year. When he asked why no-one had contested the charges, Dili's leading judge told him: "The evidence against them is overwhelming and most were caught red-handed."

The District Court chairman described all the defendants as "very honest people". "They simply confess to everything. They don't deny anything contained in the charge sheet which means that everything proceeds without a hitch." Dili's judge was clearly proud of his achievements: "If all trials (elsewhere) proceeded as they do here in East Timor, the job of our law-enforcement officers would be very easy indeed."

As is clear from the two long *Sinar Harapan* reports of Hasibuan's visit, one of the main objectives of the trip was to rebut international condemnation of human rights violations in East Timor. But everything the District Court chairman said has only reinforced the impression that the Dili trials are an even more grotesque travesty of justice than any of the trials in Indonesia. They are not even worthy of being called "trials". According to Amnesty International in *East Timor: Violations of Human Rights* (June 1985), one of the defendants attempted to bring an appeal on the grounds that the court, being Indonesian, was not entitled to try him. "When he persisted in his attempt he was reportedly threatened with death, and desisted." (p. 80)

When the journalist who accompanied Hasibuan asked a convicted prisoner in Dili's Comarca jail whether the charges against them all were true, he only replied: "We have been tried in court and there's no point talking about it any more."

## Pleading guilty "saves time"

The *Far Eastern Economic Review* correspondent who met

the defence lawyers brought to Dili from outside East Timor by the authorities to "defend" the Fretilin prisoners, quotes them as saying that pleading guilty "saves time". "The prosecution simply establishes the circumstances of the alleged crime and the defence seeks only to lighten the sentence." They assured him they spend 'months and months in Dili on these hearings... all at state expense. What more proof could you ask of the government's earnestness about wanting to provide these defendants with a fair trial?"

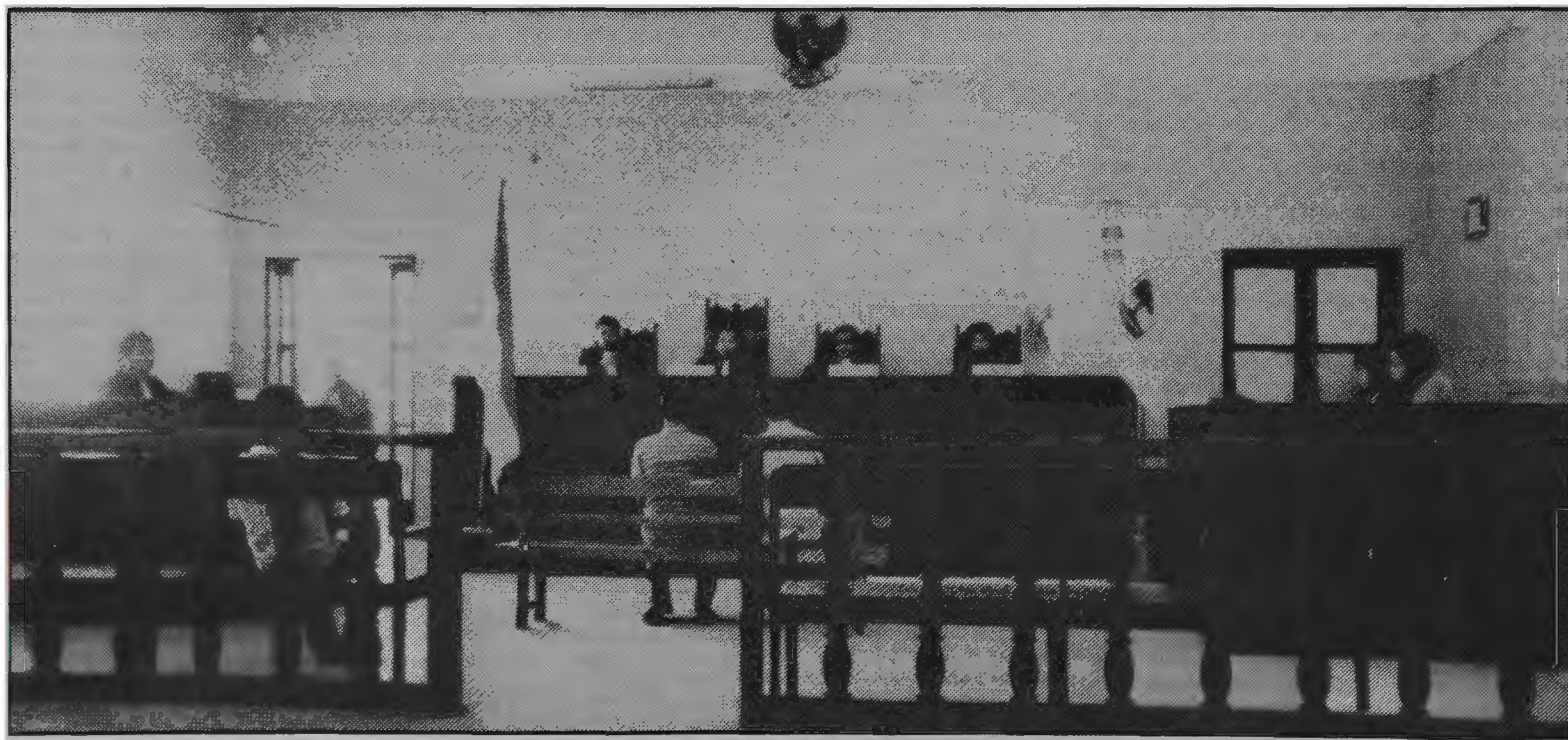
There can surely be no better proof of the contempt of these "defence" lawyers for the principle of presumption of innocence which is clearly written in to Indonesia's Procedural Code. It appears that the same three lawyers have been used for all "trials" held so far: Merri Dobo, Asmah Achmad and Saartje Seubelan, all from Kupang, West Timor.

Anyone acquainted with court procedures in Indonesia is familiar with the spectacle of judges and prosecutors working hand in hand. In East Timor, the collaboration extends to the "defence" lawyers. There are no Timorese defence lawyers to assist the accused, nor have any members of the respected legal aid institutes in Indonesia been permitted to defend Fretilin cases.

A photograph of a Fretilin "trial" in progress published in *Asiaweek* (2 August 1985) shows an almost deserted courtroom except for the panel of judges, the accused with another person beside him, possibly a witness or a translator, the "defence" lawyer on one side and the prosecutors on the other, and what appears to be one member of the public, unless the person sitting on the rear bench is just another witness. A request by Amnesty in March 1984 to attend the trials which the authorities describe as "public" was refused. (Amnesty International, *op cit*, page 79)

## Official lists internally inconsistent

According to an official list of the men and women tried in Dili a copy of which is in TAPOL's possession, 154 were tried from December 1983 till March 1985. All those given sentences of five years or more have been transferred to Cipinang Prison, Jakarta. The sentences meted out include a single sentence of 2 months with the rest ranging from 2 to 17 years. The breakdown in this



View of a deserted court during a political "trial" in East Timor. [*Asiaweek*, 2 August, 1985]



official list, which gives all the convicted prisoners' names and their terms of imprisonment, is as follows:

1983 (December)	5
1984	74
1985 (first 3 months)	75

The figures given to Albert Hasibuan by the District Court chairman however were different and contradictory, especially the 1985 figure:

1983	5
1984	82
1985 (up to 8 August)	69

#### Prisons and detention centres in East Timor

The Indonesian authorities now claim that all political prisoners in East Timor are being held in Comarca Prison, Dili. [For *Eastern Economic Review*, 8 August 1985] They also claim that most of the detainees held at Atauro island, north of Dili, have been released and that the island prison is due to be closed soon. Let us examine these claims.

Until 1984, the ICRC was allowed to visit political prisoners in four places in East Timor, Dili, Los Palos, Viqueque and Baucau, and to visit East Timorese prisoners

also being held in Kupang, West Timor, and Jakarta. ICRC reports reveal that the most recent visits to Los Palos, Viqueque and Baucau were made in September 1984. Since then, ICRC prison visits inside East Timor have been confined to Dili. The agency has apparently now been told that prison visits outside Dili are no longer necessary as all political prisoners are in the capital even though as recently as August 1985 [see ICRC Report No. 15, August 1985], it was still expecting to visit "Dili and other detention centres in East Timor" in September and December that year.

#### Courts of summary justice

A report in *Sinar Harapan* [29 October 1985] describes the Attorney-General's network of offices in East Timor and explains that there are attorney offices (*kejaksaan*) in only six of the 13 sub-districts (*kabupaten*) of East Timor: Dili, Baucau, Maliana, Liquisa, Ermera and Pante Makassar (Ouccusi). The daily reported that since the only district court in East Timor is in Dili, "the attorneys and police often execute justice on the spot (*sic*), far from Dili, because it would cost time and money to bring the persons to Dili for trial."

It is therefore clear that there certainly are political prisoners and prisons elsewhere, and the ICRC is being deliberately prevented from seeing all the political prisoners in East Timor. It also means that the "trials" in Dili or only a small part of the story.

## Fretilin reports new prison camps and detention centres

A report from Fretilin dated 18 September, 1985 reveals the existence of six prisons outside Dili, some of which were set up specifically to accommodate prisoners who have been "released" from Atauro. The prison island, reports Fretilin, became such an embarrassment to Indonesia as a focus of international attention that it had to go through the motions of closing the camp down.

According to an official Indonesian statement before a UN meeting in Geneva last March, 2,535 Atauro detainees had been "returned to their native regions, and by the end of 1984, another 1,267 still remained in Atauro and will be repatriated soon". The Fretilin report said 1,174 prisoners were still in Atauro.

Of other prisons in East Timor, it reported:

\* The prison at *Saelari* in the Eastern Zone holds

*prisoners from Baucau, Viqueque and Los Palos who have been tried at special military courts. [These must be the summary courts referred to in the Sinar Harapan report of 29 October.]*

\* The *Dotik* prison camp at *Alas* in the central south district was set up in 1982 and accommodates prisoners from *Ainaro* and surrounding districts.

\* The *Bunuk* prison camp on the south-central coast was set up in October 1984 to accommodate prisoners from *Ainaro* who were "released" from Atauro. Atogether 600 Atauro prisoners were transferred here some of whom died on the day of arrival because of hunger and disease. The 600 were split up into three groups: some remained at *Bunuk*, some were again transferred to *Ainaro*, and some were allowed home.

Please turn to the bottom of page 24

A meeting in London on 6 December 1985 to mark the 10th anniversary of the Indonesian invasion of East Timor.

From left to right: Andrew Dilworth, Campaign Against the Arms Trade, Peter Tatchell (chairman), Jose Ramos Horta, Fretilin representative, and Carmel Budiardjo, TAPOL.





# The Catholic Church on birth control

*In a country that has suffered such overwhelming loss of life over the past decade, it is understandable that the people of East Timor are deeply resentful of Indonesian attempts to carry out a birth control programme. An estimated 200,000 people have died as a consequence of the Indonesian invasion and war of annexation, cutting the population by nearly a third. As a predominantly Catholic people, there is in any case strong resistance to birth control.*

Indonesia's birth control programme was greatly intensified last April when a 'Family Planning' Centre was opened in Dili. The World Bank, which is a UN agency, funded the centre and is thus heavily involved in a programme that profoundly contradicts the wishes of the people and gives legitimacy to Indonesia's illegal integration of East Timor, in contravention of UN policy.

## East Timor Governor misleads about Catholic Church views

In a statement claiming that the birth control in East Timor is now "proceeding smoothly", Mario Carrascalao, the governor of East Timor claimed that "the main obstacle has been overcome now that the Bishop of Dili has issued a written statement which accepts the birth control programme as long as it does not involve force". (*Angkatan Bersenjata*, 29 April 1985) In a letter to the World Bank seeking information about the Bank's role in the birth control programme, TAPOL described Carrascalao's claim as "too preposterous to be taken seriously." Events have proven this to be true.

Only recently, TAPOL obtained a copy of the "written statement" of Mgr Carlos Filipe Ximenes Belo, the Bishop of Dili (officially the Apostolic Administrator), which was in fact a "Pastoral Letter on Responsible Parenthood", issued in Dili on 3 March 1985. Far from accepting birth control, the Bishop clearly rejects the programme in the following words:

*The Keluarga Berencana (Family Planning) that as we know is being practised in Timor consists simply of distributing pills to ignorant people or to give injections to unaware women with the intention to "conquer the largest number possible of people". We do not approve this kind of Keluarga Berencana. We lament, we disagree and we disapprove of a Keluarga Berencana that does not inform the people, does not care for the Christian conscience of the majority of Timorese people who are Catholic and that does not have the minimal consideration for the doctrines of the Catholic Church and the orientations given by the Diocese of Dili,*

*this... family planning programme only consists of going through the villages and little settlements, distributing indiscriminately contraceptives (pills, injections and others). The agents of the programme do not give any previous information to the population... (and) feelings of fear and discomfort are growing among Christians. On top of everything, it is being told (by the Indonesians) everywhere that the Church in Timor is against the family planning programme.*

[All our quotations are from the English translation which we received together with the Portuguese text.]

The Pastoral Letter sets out in detail the Catholic Church's doctrine which permits birth control only if it is based on the decision of "conscious and responsible parents", and only allows the use of the 'natural' safe period and temperature-based methods. In the view of the Church, says Mgr Belo, "all contraceptives are morally illicit".

It gives the Church's answer to questions raised by its members:

## Is it a sin to follow Keluarga Berencana?

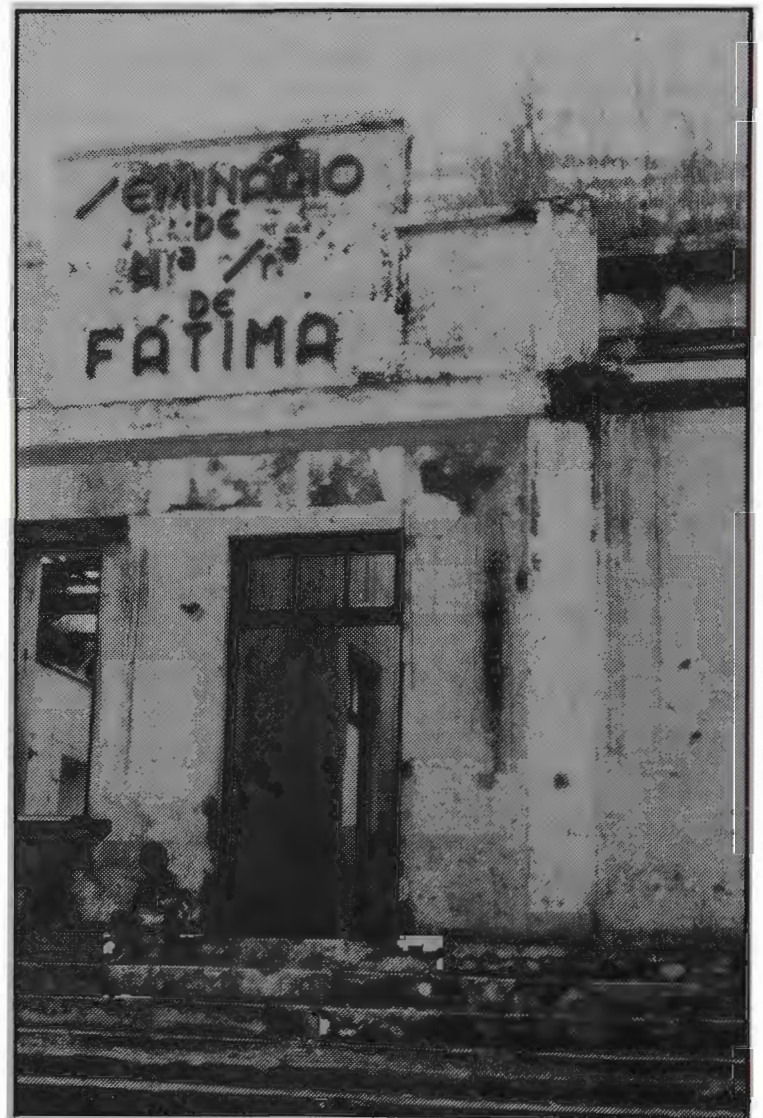
*If we make use of the contraceptives that the agents of Keluarga Berencana in Timor distribute, then we do not act in agreement with the norms of Christian moral...*

## Which method should we use?

*...we recommend the use of natural methods which should be decided by the couple's mutual consent and... applied under medical assistance by a physician or a Catholic nurse or at least by someone who is deontologically conscious. [This clearly rules out the agents responsible for implementing the programme.]*

## Is it obligatory to have two children?

[Key slogans of the Programme are: "Small families are happy families" and "Two children are enough"]  
*... nowhere in the world has it been proven scientifically that a family with two children is more prosperous and happier than a family with six children. ... the basic truth which resides in the deepest longings of the Timorese (is) to have children. And when they do not have children they do not feel fulfilled.*



A burnt-out Catholic seminary in East Timor.

## Does the Church in Timor accept the Government programme or is it against it?

The core of Mgr Belo's reply is our first quotation from his Pastoral Letter.



## The World Bank and birth control in East Timor

In a letter to TAPOL, the World Bank confirmed that it assisted with the construction of the family planning and health centre in Dili. "We believe that family planning and health projects are a suitable form of assistance in the area as they are capable of providing important... benefits to all concerned."

Responding to our complaint that while Indonesia pushes birth control on the one hand, it also treats the region as "under-populated" by moving people into East Timor under its transmigration programme, the World Bank said: "There is no inherent contradiction between the Government's population and transmigration programs. As long as there are parts of the country which are lightly populated, it is the Government's purpose, understandably, to assist in the redistribution of the existing population."

The World Bank made no comment on our reference to

Mario Carrascalao's preposterous claim that the Catholic Church in East Timor supports the programme. We have since sent the Bank a copy of Mgr Belo's Pastoral Letter and are awaiting their reply.

## Birth control programme intensified

According to figures made public when the World Bank-funded centre was open in Dili last year, about 6,200 couples in East Timor are now using contraceptives. For 56.8 percent of couples, the woman is on the pill, another 31.7 percent are injected with contraceptives, 8 percent use the coil, 1.2 percent use 'other methods' and in 2.1 percent of cases, the man uses the condom.

There are birth control centres in all district capitals, and birth control posts in 183 of the 442 villages [these are in fact strategic camps] in East Timor. It was planned to increase the number of posts to 250 during 1985/86. [ *Angkatan Bersenjata*, 29 April 1985]

## Racist police force speaks its mind

According to Indonesia's Chief-of-Police in East Timor, Lieutenant-Colonel Sukri Malik, "the task of the Police Force in East Timor is not easy...not only because social-economic and educational levels of society are still low but also because of the feeble mentality (*kerapuhan mental*) of the East Timorese which is a matter of grave concern."

This racist comment summarises the attitude of the Police Force [Polri] in East Timor, as described in an article by Anton Tabah, an officer of the Force stationed in Ermera. [ *Angkatan Bersenjata*, 24 October 1985]

The article sets out to explain the "arduous duties" of police officers operating at the village level in East Timor, functioning as *Pembina Polisionil Tingkat Desa* which translates as Village-Level Policing Guidance Officer. Significantly, this village-level police function bears a special title in East Timor, the word 'polisionil' being absent from the attribute of Polri village-level officers elsewhere. It gives the Police Force a more distinctly operational function.

The Timorese people, we are told, are 95% illiterate, spend most of their time and squander most of their money "getting drunk, gambling, cock-fighting and dancing..." The writer is also worried about "suppressed feelings" among the Timorese "that make people extremely temperamental and very difficult to control". Homicide is a major problem (5 or 6 murders a year in Ermera which has a population of 60,000) and is often linked to *lulik* beliefs. (*Lulik* is the Timorese traditional worship of ancestral relics, but the writer distorts it by using the Javanese word *santet* which means 'banditry', as its equivalent.)

"This only proves how primitive and law-blind the East Timorese are with their tendency to take the law into their own hands and their animist beliefs..."

Faced with these awesome difficulties, Binpolda officers "must not only guide society in security and order affairs and uphold the law. They must also function as teachers...in this very backward society." Few Timorese, he complains, have the necessary "high level of intelligence and analytical capability" to become a member of the Indonesian Armed Forces. So lacking in personnel is Polri that one police chief in Ermera District [Indonesian of course] must function in addition as the Binpolda in five other villages, plus being a teacher at the primary school, which he does without pay!

But every policeman in East Timor knows that success depends on practising the Three S's (*senyum, sapa and simpatik*), "smiling, courteous and sympathetic". In a word, they are "the smiling police [original: English], the friendly, understanding policemen who enjoy the people's love".

When the West German Catholic priest, Father Seifert visited East Timor in January this year, he appears not to have gleaned the slightest whiff of the arrogant

racism of the Armed Forces personnel. He was impressed only with "the peaceful life of the people, the participation of Armed Forces members in education..." [ *Jakarta Post*, 10 January] and went out of his way to deny that there was suppression of the people in East Timor". [ *Jakarta Post*, 6 January] Completely taken in, it appears, by all those smiling friendly policemen!



The "integrasi" monument in Dili, symbolising for the East Timorese Indonesia's bloody war of aggression. [ *Feiten en Meningen*, November 1985]



# Sense of Congress resolution on East Timor

The following is the text of a Sense of Congress resolution on East Timor introduced in the House of Representatives by Representative Tony Hall on 10 December 1985:

Whereas armed conflict persists in East Timor;

Whereas threats of food shortages and medical problems persist in some areas of East Timor;

Whereas international access to and the free flow of information from East Timor remains restricted;

Whereas the Roman Catholic Church in East Timor is denied full freedom of expression and is subject to intimidation by Indonesian authorities;

Whereas Indonesian authorities have instituted a birth control program in East Timor without the full knowledge and consent of the people of the territory and despite large-scale loss of life there since 1975;

Whereas Indonesian authorities have placed many East Timorese in resettlement areas against their wishes where many of them are prevented from raising crops;

Whereas Amnesty International issued a report in June 1985 which called attention to systematic violations of human rights in East Timor;

Whereas in a statement made in July 1984, Pope Paul II expressed concern over the human rights situation in East Timor and the need for international relief agencies to operate freely in the territory, and expressed the hope that particular consideration would be given to the ethnic, religious and cultural identity of the people of East Timor;

Whereas in August 1985 the United States Catholic Conference called attention to a letter sent in June 1985 by Cardinal John O'Connor of New York to Msgr Carlos Ximenes Belo, the head of the Roman Catholic Church in East Timor, which expressed support for the struggle to preserve and enhance the dignity of life of the East Timorese people and for their right to live in peace and freedom; and

Whereas 157 East Timorese political prisoners were tried in Indonesian tribunals between December 1983 and June 1985 without the presence of qualified international observers;

Now, therefore, be it resolved by the House of Representatives, the Senate concurring, that it is the sense of Congress that the President should take all appropriate measures to encourage the Government of Indonesia to:

(1) maintain and expand access to and guarantee freedom of movement in East Timor for humanitarian organisations so that such organisations can carry out their humanitarian operations to the fullest possible extent feasible;

(2) allow unhindered access to East Timor for journalists, church organisations and human rights groups that seek to visit the territory;

(3) guarantee full freedom of expression for and end intimidation of the Roman Catholic Church in East Timor;

(4) allow an impartial international examination of population limitation measures instituted in East Timor and end all such measures that do not have the full consent and knowledge of those directly concerned;

(5) allow qualified international observers to be present at trial proceedings that involve East Timorese political prisoners;

(6) allow an impartial international investigation of the conditions that exist in areas of East Timor where East Timorese have been re-settled by Indonesian authorities; and

(7) work with the governments of Portugal and the United States to develop initiatives that address the sources of conflict in East Timor and that bring an authentic peace to East Timor.



Continued from page 21

\* The Paragua prison camp in Cailaco, Maliana [near the border with West Timor] was set up before the beginning of 1983. Some of the Atauro prisoners were transferred here, as well as prisoners from Baucau and Viqueque.

\* The Malikou prison camp is also near the border between Cailaco and Maliana and holds between two and three thousand prisoners.

\* The Aileu prison camp where men and women from various parts of the country are being held.

## ICRC protection role rapidly diminishing

The ICRC's protection role to monitor the conditions of political prisoners in East Timor has clearly diminished. The gradual dispersal of prisoners from Atauro is removing them from the watchful eye of the ICRC which has been administering relief in Atauro since 1981. The restriction of ICRC prison visits to Dili means that the vast majority of political prisoners are now beyond the protection activities of the international agency.

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