



## The Indonesia Human Rights Campaign

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# Political imprisonment in Indonesia today

*"How many political prisoners are there in Indonesia?" A question frequently asked and impossible to answer with accuracy. An Indonesian non-government organisation (NGO) estimates that there are currently at least 2,000 tapol (for tahanan politik meaning political prisoner). Many believe it could be far more.*

The government does not recognise the existence of political prisoners and feels no compunction to make information available. In the past few years, groups in Indonesia have been making concerted attempts to list the political prisoners by visiting the major prisons throughout the archipelago. The lists are not complete, but they do enable an analysis of a cross section of political prisoners in the country.

While numbers of tapol do show the main areas of human rights abuses by the government in suppressing dissent, it cannot be forgotten that over the years countless numbers of people have been extra-judicially executed, killed and "disappeared" usually by the Indonesian armed forces (ABRI). Mass graves are known to exist in East Timor, Aceh and West Papua.

### General profile

The profile is based on 596 identified tapol. Over half (53%) are imprisoned for the part they played in independence movements in West Papua, Aceh and East Timor, while one third languish in jail because of their religious (Muslim) beliefs. Five percent were sentenced because of their political beliefs (alleged communists) after the military coup of 1965 and subsequent communist purges.

All these arrests, detentions and trials abuse the provisions in Articles 9 to 23 of the 1976 International Covenant on Civil and Political Rights: detention for religious and political beliefs (Articles 18 and 19); for acts of peaceful assembly (Article 21); subjecting people to arbitrary arrest (Article 9); delayed trials and withholding legal assistance (Article 14); and terrorising families and screening mail and telephones (Article 17). Torture and the use of confessions extracted under torture have been widely reported.

The inhumane treatment of detainees and prisoners shows Indonesia's blatant lack of respect for the Universal Declaration on Human Rights (Universal Declaration) and the United Nation's Standard Minimum Rules for the Treatment of Prisoners (Minimum Rules) adopted in 1955. This scorn is further revealed by the promotion of a "Southern" Declaration of Human Rights to challenge the UN document (see "NAM Summit: a step back for human rights" in this issue).

Aside from names and places of detention (largely in

Java), details on tapol are patchy. In East Timor and West Papua, often only the name of the prisoner is known. In Java, details including date of and reason for arrest, length of sentence and supposed release date may be available. Of course, by section 7 of the Minimum Rules details of all prisoners should be registered on arrival.

The justification for the incarceration of twenty six names appearing on the lists are unknown and NGOs have been unable to contact them on prison visits. Some prisoners are still awaiting trial: two years after their arrest.

### Profile: West Papuan tapol

There are 144 identified tapol currently in prison accused of subversion because of their struggle for an independent West Papua; charges based largely on involvement in the

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independence movement *Organisasi Papua Merdeka* (OPM).

Arrest and sentencing of these prisoners centre around five major "incidents", including the flag raising ceremony of 14 December 1988 declaring the independence of Western Melanesia and the commemoration event for those imprisoned one year later. Fifty four percent of sentences stretch for between 5 and 10 years, while twenty-one tapol have sentences between 10 and 20 years. The majority are aged between 22 and 40.

The most striking fact is that over half (54%) are imprisoned in Java, many thousands of miles away from their homes, families and friends. There is only the remotest possibility for families to visit them. This violates section 37 of the Minimum Rules which provides that prisoners should be allowed to communicate with their family at regular intervals both by letter and by receiving visits.

Other facts which emerge are that fifty-seven tapol were detained with no evidence of an arrest warrant; of the arrests made on 5 December 1990 in connection with the first anniversary of the Independence Declaration, six remain untried; and six tapol remain in military prisons.

## Incarceration of a family

The case of the WAINGGAI family is extraordinary: nine members have been imprisoned for their allegedly subversive activities. Dr Thomas Wainggai was sentenced to 20 years for organising the flag raising ceremony in Jayapura on 14 December 1988, where he made a statement declaring the independence of the state of Western Melanesia. His wife, Teruko was sentenced to 8 years for sewing the flag. Both were moved to prisons in Java (Cipinang and Tangerang respectively).

While 28 year old Yance and 40 year old Nicolas received 7 and 5 years respectively for their part in commemorating the flag raising ceremony in 1989, Leonard Wainggai, aged 57, received 5 years and 8 months for deserting from the Indonesian army. Four other family members were incarcerated for unknown reasons (likely to be in connection with the flag raising ceremony) for periods between 1 1/2 and 7 years. Paulina Wainggai is known to have been released.

## Profile: Communist Party tapol

The military coup of 1965 led to the merciless and bloody massacre of an estimated one million people suspected of being members or sympathisers of the PKI (*Partai Komunis Indonesia*: PKI). At the same time over 750,000 suspected communists were detained, many of whom were arbitrarily executed. Of those who survived the purge, less than a thousand were tried. Almost all were sentenced to over ten years. Some were sentenced to death or imprisoned for life. During the late 1970s many were released under a general amnesty but since 1985 22 suspected communists, all of whom had been on death row for nearly 20 years, have been executed.

At least twenty-nine political prisoners, accused of involvement in the 1965 coup attempt, remain in prison. Nine were originally sentenced to death: in 1980 the sentences of two were commuted to life imprisonment. Seven are still waiting on death row after up to 24 years in prison. Seventeen have been sentenced to life imprisonment, fifteen of whom were imprisoned between 1965 and 1968.

Commutation of sentences and release is subject to the whim of President Suharto. In August 1991, Ponke Princen of the Institute for the Defence of Human Rights (LPHAM) supplied a list of political prisoners whose releases are all long overdue; 17 on that list are definitely still in prison.

Why? By a Decree of 1950, after serving 5 years, life sentences were automatically reduced to 20 years, but in 1987 Suharto granted himself total discretion over the fate of political prisoners. After the 1987 act, commutation is no longer automatic and can only be obtained if Suharto decides it is politically expedient (see *TAPOL Bulletin No. 107*, October 1991).

The majority of the lifers were either due to be released in the late 1980s or Suharto himself reduced life sentences to twenty years (such as prisoners Sutan Pasaribu, Atmo, Purnomo and Sunari) so making their release imminent; yet they remain in jail to this day.

Most of these prisoners are elderly: twenty-four are over 60 years old. Kamba al Haji Aji Kamba, incarcerated in Sulawesi since 1965, is over 91 years old. He was sentenced to life and expected to be released in the late 1980s. Suharto must still consider him to be very dangerous.



## Profile: Muslim tapol

Muslim activists make up 36 percent of the total, by far the largest group. 212 Muslim activists are identified by name and are serving up to life sentence for subversion. However, estimates are that there are at least 100 more.

Information about these tapol is very sparse. The reasons for arrest and imprisonment are in direct contravention of Articles 18 (freedom of religion), 19 (freedom of expression) and 20 (freedom of peaceful assembly) of the Universal Declaration. Amnesty International considers at least 50 to be prisoners of conscience, held for the non-violent exercise of their religious beliefs (*AI: Indonesia/East Timor: The Suppression of Dissent*, July 1992). Muslim resistance to adopting Pancasila as their sole principle formed the basis of the confrontations between Suharto and Muslim activists. Having been the targets of military death squads in the early 1980s, Muslim communities were intimidated by the military to crush resistance to a bill enforcing acceptance of its sole ideology law. This led to the Tanjung Priok massacre in September 1984, the most brutal operation of the regime against the Muslim community (see *"Indonesia: Muslims on Trial"*, TAPOL, 1987). Hundreds were killed or wounded and the massacre provided the springboard for a whole series of trials which began in January 1985. Many are still in jail today.

The lists name seven preachers who were arrested after the Tanjung Priok massacre and given sentences from 14 to 20 years. Ten with sentences of 10 to 20 years, accused of bombings in Jakarta, Malang (East Java) and Borobudur (Central Java), along with nine others are in jail for subver-

sion. More than forty were then arrested and convicted between January and August 1986 for their involvement with *Usroh* groups, which advocate closer ties amongst Muslims and stricter adherence to Muslim teachings. Their sentences range from 7 years to life imprisonment. Another spate of *Usroh* detentions took place in 1987, with nine serving 7 to 15 years.

Muslims have also been persecuted and tried because of their former involvement with the *Darul Islam* (a movement for the creation of an Islamic state dating back to the late 1940s, which was launched by Sekarmadji Kartosuwirjo). This was part of a plot to undermine Muslim activists masterminded by a leading intelligence officer of the regime in the late 1970s (*"Indonesia: Muslims on Trial"* TAPOL, 1987, p 15). Thirteen have been in jail since 1981, with sentences between 9 and 20 years, while another set of



*Tony Ardie, sentenced to 9 years in 1986, for giving inflammatory sermons.*

prosecutions occurred in 1986/87, leaving twenty-five in prison with sentences from 10 to 20 years. In 1989/90, twenty-four others were sentenced to between 4 and 10 years, accused of undermining Pancasila and attempting to establish an Islamic state. Three Muslims arrested in 1990 remain untried (see box).

In that same period the Lampung affair added a further nineteen to the list of Muslims detained for their religious beliefs: six have life sentences and seven between 10 and 20 years.

In many cases, only the name of the detained person is known: the sentence is unknown in 75 percent of cases, age is unknown in 80 percent, and expected release date or the whereabouts of family are unknown in over 90 percent.

### **Profile: East Timor tapol**

There are over 120 East Timorese known to be held for

### **Two years in prison without trial**

Hasan Tito (aged 28) father of two, Jayus bin Karmo (aged 36) and Slamet Suryadi (43) were arrested in June 1990 and May 1990 respectively and to this day their families have not been told the reason for their detention or whether they have been charged and tried. All efforts by the Indonesian Legal Aid Foundation (YLBHI) to see their clients have so far failed (Kompas, 26 August 1992). After over 2 years, the families have only been told orally that their husbands are being held for their involvement in the "bloody incident" in Talang Sari, Way Jepara, Lampung. Hasan Tito's involvement was taking in two children orphaned after the massacre. The families have received no notification of arrest and detention to which they are entitled.

The "bloody incident" was a massacre perpetrated by the military against the villagers of Talang Sari in February 1989. The self-sufficient Islamic farming community was accused by local military forces of abusing Pancasila as regards religion and labelled religious fanatics.

The accusations culminated in a slaughter of the villagers. The status and legal authority of the military in carrying out the mass killings has never been clarified nor has the number of victims ever been confirmed.

In May and June 1990, the three men were arrested by plainclothes military, which is prohibited and are now being held by KOREM 043 Garuda Hitam-Lampung. The Anti-Subversion Law states that an individual charged with subversion may be held for up to three months without trial, while only the Attorney General has the authority to detain a defendant for up to one year without trial.

All three have also been denied their full visiting rights. Herlani Maryati, Hasan Tito's wife, was allowed to see her husband for the first time 17 months after his arrest. Since February 1992, both Herlani and the YLBHI have been denied access to Hasan. The KOREM 043 has refused to give any information to Jayus' family, telling them that "Jayus' case will be clarified after his trial in court" (YLBHI *"News and Action"*, No 1, June 1992).

In the meetings which have taken place, Hasan Tito has said he has been tortured: psychological trauma and paranoia now afflict him. Slamet Suryadi has also said that he has been tortured.

alleged subversion, which represents at least 22 percent of the total tapol held by the Indonesian regime. Reports are that there are far more. It is not even clear that Indonesian law has any jurisdiction over the East Timorese since Indonesia illegally annexed the country in 1975.

Whether or not this is so, these arrests have violated the human rights of the detainees, who have been subjected to torture, have had legal advice withheld, family visits denied, experienced long periods of detention without charge, and

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unfair trials.

The paucity of information on East Timorese tapol is shocking. It is basically impossible for anyone to visit prisoners in East Timor. Consequently, out of the 120 known prisoners, the ages of over ninety and the sentences (if sentenced at all) of ninety-four are unknown. For many prisoners, not even the family name is known. The lists mention at least seven tapol held in KODIM 1628 (Baucau) who have not been identified at all.

Only nine are currently in prison in Jakarta (including the four sentenced after the demonstration in Jakarta last November): however, looking at the situation with the West Papuan tapol, it is possible that many of these will be transferred to Java.

**Elida Carvalho Monteiro**, a 17 year old schoolgirl, is currently incarcerated in the district of Viqueque. She was raped by an Indonesian soldier from Battalion 403, Sergeant Imam. In February 1992, she was already 6 months pregnant: it is unknown if this pregnancy resulted from the rape. The reason for and length of her detention is unknown.

From the information we do have, it is clear that the vast majority of the detainees are young: out of the twenty-nine tapol whose ages we know, five are under 21 years of age, twenty between 22 and 40, and four between 41 and 60.

The majority are detained for Fretilin activities (including



*Manuel Corvalho, arrested early 1991, reportedly still in prison. He is one of the many hundreds of Timorese who are in and out of detention.*

the other four held in Cipinang Prison, Jakarta since 1984, with sentences ranging from 12 to 17 years). Membership of or sympathy with Fretilin is equated to subversion and sentences are heavy, so enabling Indonesia to keep "troublesome elements out of mainstream society".

## Profile: Acehese tapol

We have the names of 52 Acehese tapol incarcerated for their association or involvement with the Aceh Freedom Movement (Aceh Merdeka). Sentencing has been draconian. Two have received life, four have 20 year sentences and fifteen between 11 and 15 years. Sentences of between 5 and 10 years have been meted out to eighteen Acehese. Sentences for the other twelve are unknown.

The majority of those convicted are aged between 22 and 40 and their occupations and status cover a diverse spectrum. Among them are intellectuals and soldiers as well as government officials and small businessmen.

The sad truth is, like in so many of the independence struggles, the majority of activists (or suspected activists) do not get to prison. Many thousands of dead have been buried in mass graves or were simply left on the roads after purges by Indonesian troops. Little wonder the Acehese refugees holed up in the Embassy in Malaysia refuse to be repatriated (see "Acehese refugees in Malaysian dungeons" in this issue).

## Profile: Student tapol

There are 10 students currently known as being held for their political activities in Indonesia. Their cases have been reported in previous TAPOL bulletins but their detentions clearly flaunt the freedom of expression and assembly provisions of the Universal Declaration. ★

## Sources

List of tapol prepared by an NGO in Indonesia in February 1992; List of West Papuan tapol prepared by ABU BILD of the LBH Jayapura, September 1991; List of Muslim tapol at Nusakambangan Prison, Cilacap in Central Java prepared by a tapol; Lists of East Timorese and Acehese tapol kept by TAPOL.

CASE	NUMBER OF TAPOL	TAPOL AS % OF TOTAL
ACEH: Free Aceh Movement: 1989	52	8.72
PKI: Membership of Indonesian Communist Party: 1965	31	5.20
MUSLIM:	212	35.67
WEST PAPUA: Subversion charges and membership of OPM	144	24.16
STUDENTS:	10	1.68
EAST TIMOR: Subversion charges and membership of Fretilin: 1975	120	20.21
CASE BASIS FOR IMPRISONMENT UNKNOWN	26	4.36
<b>TOTAL</b>	<b>596</b>	<b>100</b>

# Military, reshuffling the cards

*Events in neighbouring Thailand where the army's role is being eroded have had their impact in Jakarta. A discussion about the role of ABRI, the Indonesian armed forces, is taking place along with a major turnover at the top of ABRI. Rifts between ABRI and the ruling party GOLKAR have come into the open.*

The role of the armed forces in Thailand is receding fast following the recent general elections. But the situation in Indonesia is still some way behind. As in Thailand, ABRI has played and continues to play a crucial role in Indonesian social, political and economic life. *Dwifungsi* (Dual Function) is the ABRI doctrine legitimising the military role in every sector of society, enabling the army to perform a military and a non-military role. In the first two decades of the New Order, Dual Function was applied everywhere. The 'civic mission' of ABRI, known as *kek-aryaan* or *sospol* (from *sosial politik*), enabled numerous officers to become cabinet ministers, directors of state and private firms, governors, district, subdistrict and village heads, MPs and so on. Both the military and the *sospol* wings have undergone development and changes.

## The military wing

In 1983 the armed forces underwent a major reorganisation, rejuvenation and professionalisation. Under Generals Benny Murdani and Rudini, both hailing from the era bridging the 1945 generation involved in the struggle for independence and the generation of the *AMN* (military academy), a streamlined ABRI emerged.

Almost a decade later, another major overhaul is occurring. While the structure has remained intact, an unprecedented reshuffle has taken place. Re-postings usually occur routinely every two or three years. But this time a record 37 generals and some 30 colonels were promoted or shifted. Military analysts see this move as necessary for securing stability in preparation for the March 1993 session of the *MPR* (People's Congress) which will appoint the next president.

It is a public secret that Suharto's relationship with *Cilangkap* (ABRI headquarters) has deteriorated. Suharto's inner core of confidants in the sixties and seventies consisted mainly of military while today Suharto relies almost solely on technocrats and business cronies. The coming five years will be decisive for Suharto (and his family). Different scenarios have been suggested but everybody expects Suharto to stand for another term. The overhaul in ABRI was needed to safeguard political and military conditions.

Suharto's position depends largely on his placing the most vital army jobs in the hands of men he can trust, an increasingly difficult task for the aging dictator. Many warriors of his generation have died; others have been alienated or have become adversaries. Despite their paramount position in society, Indonesian generals have not become a military caste. Most of their offspring have joined the ranks of the aspiring entrepreneurial class. The younger generation of *AMN* graduates come from a wide social background and the present top echelon of *Cilangkap* consists predominantly of officers whose loyalty to the president is at the very least questionable. It is therefore no

accident that in the past two years, the conflict between Suharto and *Cilangkap* has been dominated by the delicate issue of promotions and transfers. Since 1983 there have been serious efforts by the ABRI leadership to appoint the right man in the right place and a database keeps track of all officers, identifying those suitable for senior positions. The president, as *Panglima Tertinggi* (Supreme Commander of the armed forces), must endorse every promotion or transfer of an officer and, although he usually approves the candidates, the number of difficulties have increased.

## Key positions

Obviously, Suharto will always hand pick *Pangab*, the commander-in-chief of ABRI. In the first years of his reign, Suharto held the presidency and *Pangab* as well as the position of minister of defence. In 1971, when he felt more secure, General Maraden Panggabean held the top post in ABRI. The colourless Panggabean had one outstanding feature: staunch loyalty to Suharto. In 1978 Suharto replaced him with General Mohammad Yusuf who had been a cabinet minister and had been out of active military duty for twelve years. Suharto knew that these non-Javanese generals were not in a position to challenge his authority. In 1983 Suharto again picked a staunch loyalist, General Benny Murdani, as *Pangab*. Murdani was also something of an outsider: he had never held an important territorial post and was a skilful intelligence operator. Being Javanese, Murdani was potentially more of a threat than previous *Pangab* which is probably why he



*Lt. General Wismoyo Arismunandar, the rising star from the 'politically correct' family. He has been mentioned as the future Indonesian president.*

did not occupy the position of defence minister as well. Suharto's suspicions were correct. The two drifted apart and, as defence minister, Murdani is now regarded as a threat to Suharto. In 1988, Suharto appointed his former aide General Try Sutrisno as *Pangab*. Again loyalty was Sutrisno's major asset: however, because he comes from army engineer ranks, his hold over the other generals always remained marginal.

Suharto now has problems finding loyalists to fill the top positions in ABRI. His only option is to appoint his former aides who today are the chief-of-police General Kunarto, the air force chief Marshal Siboen and Major-General Kentot Harseno, military commander of Metropolitan Jakarta.

## New appointments

In the recent reshuffle, some positions have been left untouched, notably the *Pangab* and the key post of chief-of-staff of social and political affairs. The new *Pangab* will be crucial. According to past procedure the present army chief-of-staff, General Eddy Sudradjat, should be appointed. He has all the qualifications for the job particularly as a member of the elite red berets who has held several important territorial positions. But Sudradjat



*The Indonesian army facing no external threat, functions mainly as security apparatus against any domestic protest.*

represents the *Cilangkap* group and is not a Suharto loyalist. As vice-chief-of-staff, Suharto has appointed his brother-in-law, Lt. General Wismoyo Arismunandar. Few doubt that Wismoyo will become *Pangab* in the near future. Political analysts in Jakarta speculate that General Eddy Sudradjat, now reaching retirement age (55 years) will leave the scene to pave the way for Wismoyo to become *Pangab* next November.

Another bottleneck is the position of *Kassospol*, chief-of-staff of social and political affairs. Lt. General Harsudiono Hartas has been in this position for four years, which is a remarkably long time. It is widely acknowledged that Suharto has tried to appoint somebody else but so far *Cilangkap* has insisted on retaining Hartas. However, a

compromise will have to be found soon since Hartas is already two years above retirement age.

## The Civil wing

Although fewer than in the seventies, the number of ABRI posted in *Sospol* posts is high: 12 of the 27 governors are ABRI men, as are 134 of the 299 district heads and hundreds of village-heads. In addition, many thousands of ABRI personnel function as top civil servants, managers and directors of state and private companies. Twelve cabinet ministers are retired army officers, including home affairs, defence, oil and energy, transmigration and cooperatives and there are 100 (20%) appointed ABRI members in Parliament along with another 114 members in the *MPR* (Peoples Congress). These positions are coordinated by the *Kassospol* which shows how powerful this position is: the holder has a decisive say in the appointment of military men to any job.

The army's *sospol* function dates back to the fifties when officers were frustrated because social and political affairs were decided solely by politicians. In the late fifties, army officers started emerging as cabinet ministers and the military became a political and economic force. Since the military takeover in 1965, the *Dwifungsi* role of ABRI has predominated. Any major decision today can only be implemented with the consent of *Cilangkap*.

## Drastic changes

Despite the political stalemate, there have been drastic changes. A striking development is the rift between *Golkar* and ABRI and also that some civilians have started to question the dominant role of ABRI. Last, but not least, Suharto has sought to erode the role of *Cilangkap* in political affairs.

It was ABRI that gave birth to the monstrosity called *Golkar*. Initially intended as an anti-communist front, in the late sixties Suharto and his inner core decided to use *Golkar* as their political vehicle. While Suharto enjoyed the almost complete support of ABRI, *Golkar* remained the shared baby of *Bina Graha* (the presidential office) and ABRI.

In the latter half of the eighties when conflicts between Suharto and ABRI became apparent, *Golkar* became an arena of conflict. ABRI chief, Benny Murdani, decided during the 1987 elections to back the obscure PDI (Indonesian Democracy Party) as a signal that ABRI was distancing itself from the executive and the ruling power. This line has been continued by Lt. General Harsudiono Hartas and ABRI's relationship with the *Golkar* leadership has cooled. While stating publicly that ABRI is neutral and stands above all groupings, General Hartas is moulding 114 members of the People's Congress into a separate faction in the *Golkar* group. Although Suharto has the final say in *Golkar*, the ruling party now consists of different wings with their own interests and programmes. This helps explain why Suharto is trying to find other political platforms to secure his position, not least among the Muslims.

## Defiance against ABRI

In the last few months a new debate has emerged in Jakarta about implementing *Dwifungsi*. Two well-known academics proposed a reduction in the 100 ABRI seats in parliament: proposal which would have been unthinkable a few years back. Although far from revolutionary, it reflects the discontent in Indonesian society about ABRI's dominance in all levels of society. Many retired officers now agree that

there should be a gradual decrease of *Dwifungsi* in society, not least among them being Suharto, who regards ABRI as his most dangerous adversary. For example, Suharto is now using technocrats and businessmen as advisers to capitalise from the Pacific Rim economic boom instead of military. As a result, ABRI has lost a lot of economic clout in the last ten years. To try to catch up, ABRI want training officers to attend MBA courses and join corporations run by the army.

It is not clear whether there will be a showdown between *Bina Graha* and *Cilangkap*. There are many factors which will determine whether the conflict intensifies or ends in compromise.

### National consensus

The Indonesian army has always had a high profile in political affairs. During the independence struggle of 1945-1950, the army consisted predominantly of ill-trained youngsters, a far cry from a professional army. The recruits came from many social backgrounds, whilst the officers originated from the *priyayi*, the aristocracy of Javanese society as did political leaders. It was therefore no accident that in the fifties military officers continued to be active in politics, together with politicians from the same background. In fact, the political outlook of the average military man reflected the political contours; nationalist, Muslim, socialist, communist etc. In those liberal days, sections of the army were involved in many national events such as coup d'etat attempts and rebellions against the central government.

This all changed in 1965. When Suharto took over, a thorough purge of ABRI was implemented. Many thousands

of officers and soldiers were sacked, imprisoned, convicted or murdered: Suharto knew well the dangers of a politically active armed forces. In 1969, Suharto secured an agreement with civilians and military called the *Konsensus Nasional*, which was an agreement to keep the military out of electoral politics while allocating ABRI 10 per cent of the seats in parliament. It was argued that if the military were allowed to vote, a situation like the fifties would emerge, with the military backing this or that grouping. The *Konsensus Nasional* has worked in Suharto's favour. The fifties situation is seen as a nightmare by the average ABRI officer: an ABRI split into many factions and involved in rebellions has no place in the days of the professional soldier.

Dissatisfaction among officers is widespread, particularly because of the wealth amassed by the Suharto family. But the *Konsensus Nasional* reminds them to steer clear of taking action. The pledge is a buffer protecting Suharto and his family. No one in the military wants to be accused of acting unconstitutionally. Everybody is waiting for somebody else to make the first strike. ★



## Indonesia signals Yes to the Hawks

*For months, the national and specialist press have been anticipating the finalisation of Indonesia's contract for British Aerospace Hawk fighter jets. On 19 September, the signing of the contract was officially announced in Jakarta. Yet in Britain, no one was saying anything.*

*Antara*, the Indonesian news agency, reported chief-of-staff, Air Marshall Siboen, the most senior man in the Indonesian air force, as saying that the contract for the purchase of 24 Hawk fighters had been signed on 10 September in London. That was the first day of the Farnborough Air Show.

British Aerospace, however, denied that any such contract was signed, confirming only that a memorandum of understanding (MoU) was signed at Farnborough between the Indonesian and UK governments. The MoU envisages "continuing work and involvement between the two countries, and the anticipation of potential further sales of Hawk aircraft to Indonesia" according to Robert Gardner, vice-president of public relations at BAe.

The Ministry of Defence have confirmed that they signed a supplement to the MoU at Farnborough, concerning assistance and training.

Yet *Antara's* report in Jakarta was quite specific: the contract was for the purchase of 14 Hawk-100 Hawk (trainer/fighter) aircraft and 10 Hawk-200 fighters.

The Hawk deal was first envisaged last June in a MoU between BAe and IPTN, the Indonesian state aerospace company, which set out the two parties' general needs and aspirations. [*TAPOL Bulletin*, No. 106 August 1991] The

next stage of the deal would be a more specific MoU to buy the aircraft, probably detailing the actual number to be bought. This seems now to have been signed.

But whether or not it was more than a MoU that was signed at Farnborough, British Aerospace will not say until the opportunity is right for maximum publicity. ★

### Land Rover is not for farmers!

Baroness Trumpington, a minister at the Foreign Office, speaking in the House of Lords on 16 July, in answer to Lord Judd who had protested at the use of Land Rovers in East Timor, pooh-poohed his anger, saying: "My farmer friends would laugh . . . to think that they were offensive weapons". She could hardly have known that her words had been demolished by BAe, which now manufactures the vehicle, when it bought up British Leyland several years ago.

According to BAe sales literature: "Land Rover plus Rapier. Two of the world's most successful pieces of defence hardware now come from the same stable." You couldn't have it straighter than that, m'Lady! ★

## Suharto and the Non-aligned Summit

*The Non-aligned Movement (NAM) Summit in Jakarta was the most prestigious international event since Suharto came into power. Everything was mobilised to make the conference a success. The first week of September was a week the public of Jakarta will not easily forget, not least because of the security measures. The media was required cover the event ad nauseam; internationally it was largely ignored.*

Even before the Summit had begun, the trouble started. The membership of Yugoslavia (more precisely Serbia and Montenegro), which chaired NAM in the preceding three-year period, was challenged by Muslim countries which threatened to stay away if the meeting was opened by Yugoslavia. After days of heated dispute, Indonesia reached a compromise; the hand-over of the chairmanship would take place before the conference started.

Numerically, the Summit was impressive with membership swollen to 110 countries. But from the outset the summit was plagued by the question: what is the role of the movement now that the cold war has ended? With many leading lights staying at home – India's Rao, Cuba's Castro, Egypt's Mubarak, Syria's Assad, Iraq's Saddam Hussein, Libya's Gaddafi, Brasil's Collor and Argentina's Menem – the summit was a second rate event.

UN Secretary-General Boutros Boutros-Ghali told the meeting that NAM still has a contribution to make, in helping the UN create a 'new world order' based on multi-lateralism and international democracy and by remaining faithful to its basic principles. Suharto responded, promising to use his chairmanship to boost the Movement (and his personal ambitions) on the international arena. His appearance at the UN General Assembly which he will address on 24 September, as chair of NAM, marks his first appearance at the world body.

### First and second class NAM members

The feud over the suspension of Yugoslavia and how to respond to the persecution of Bosnian Muslims remained central to the discussions, much to the dismay of African delegates who felt that the socio-economic disasters in their continent were being ignored. The division between the richer and poorer NAM members was clear: Countries like Malaysia, not shackled by World Bank and IMF dictates, could afford to become the mouthpiece of the South, attacking the double standards of the rich North, while the majority of NAM members, dependent on foreign aid, can hardly afford to voice criticism, afraid of repercussions.

Suharto reflects a new kind of NAM leadership. A boring speaker in contrast with NAM founders like Sukarno, Nasser or Nkrumah, Suharto was also seen as suspiciously pro-Western. The 'punishment' of Holland some months ago was a master-stroke by Suharto and seen by many in the third world as a principled act of defiance.

Suharto is determined to use the NAM leadership to enhance his international posture but whether this will succeed is still questionable. The NAM Summit lacked internal coherence; the more radical anti-US NAM members are hardly likely to recognise Suharto as their spokesperson. The human rights record of Indonesia remains one of the worst and the East Timor issue will

haunt Suharto in any international platform.

### Heavy-handed security

Nothing was spared. US \$200 million was spent to renovate the conference facilities, improve roads and luxury hotel suite, and plant grass and trees. People spoke cynically of a tree being planted for every beggar made to 'disappear' off the streets for the benefit of the visitors. A tunnel was built connecting the hotel and the conference venue, along which to transport the participants in small electric cars. A fleet of bullet-proof Mercedes limousines was imported. Two thousand families in nearby *Kampung Sawah* were evicted and their homes demolished to turn the area into a green zone for the Summit. Two weeks before the honoured guests started arriving, the displaced families staged angry demonstrations, giving the twist of reality to a message displayed on one office building: "Through NAM we will fight against poverty."



*Major-General Arie Sudewo with some of the NAM security troops.*

Unnoticed by the foreign guests were the security measures surrounding NAM. For months, 15,000 military received special training to safeguard the conference, and Major-General Kentot Harseno, the Jakarta military commander, warned potential demonstrators not to contemplate launching any protest as his troops were under orders to shoot. Eighty per cent of the security troops were in plain-clothes but their presence was obvious to the trained observer. The offices of human rights organisations like Infight and SKEPHI were placed under close surveillance some weeks before the event. Anyone entering had to register, the phones were cut and nearby photocopying facilities were also watched.

A new traffic law which had provoked widespread condemnation was postponed for one year because the government feared that protest demonstrations would cause mayhem on the streets of Jakarta during the Summit. The

*continued on page 17*



# NAM Summit: A step back for human rights

*The references to human rights in the final document of the Non-aligned Summit held in Jakarta in September have provoked criticism from human rights organisations in Indonesia. The following extracts are from articles by Dr. T. Mulya Lubis, Director of the Centre for the Study of Human Rights, Jakarta.*

The formulation of basic human rights in *The Jakarta Message* published recently by the Non-aligned Summit is not a step forward and can even be said to be a step back because it echoes the classic debate of forty years ago when there was a clash between the principle of universality and the principle of locality.

The controversy between these two principles proved to be sterile so why resuscitate it when we hoped that the Non-aligned Movement would come up with new standards of human rights? This is not the time to return to fruitless debate: it is an incontrovertible fact that human rights are universal.

The principles of national sovereignty and non-interference have been raised in connection with human rights but they cannot be allowed to undermine the principle of human rights in each country. The principles cannot be used as a pretext to abuse human rights.

The fact that *The Jakarta Message* acknowledges the existence of individual rights alongside collective rights is a step forward. But collective rights are given exaggerated importance while individual rights are glossed over. Such an attitude towards human rights is quite erroneous. There are no grounds for regarding these two rights as contradictory; rather they are interdependent. Collective rights must be supported by individual rights and individual rights must be backed by collective rights.

We ought to be formulating new standards for human rights and not returning to the past. New formulations are needed for the UN World Conference on Human Rights next year yet we are stuck into debating barren formulations which are one-sided and unholistic.

As for the question of economic aid and human rights, as far as I can see, there is no such thing as disinterested economic aid. No economic aid is given without conditions attached, be they human rights, democratisation or the environment. It is naive for us to raise such questions; it is up to those who give the aid to set the conditions....

The rejection of intervention as set forth in the final document of the NAM Summit is also inconsistent. In some respects, the principle of non-intervention is legitimate but this certainly does not apply to human rights abuses. It is the responsibility of the international community to intervene. If not, how could we possibly deal with the fate of people in Bosnia and Somalia? We cannot allow the things being experienced by the citizens of those two countries to continue.... [*Media Indonesia*, 14.09.1992]

*The Jakarta Message* gives priority to social and economic rights over civil and political rights. This is an outdated approach revered by those economists who believed in the 'trickle-down' theory, which argued that non-economic benefits would come once development had been achieved. The fact that economic development was achieved by undemocratic and non-participatory means was ignored. The human rights literature regards this approach

## The Jakarta Message on human rights

5. This new era in international relations... [should be] dedicated to the promotion of fundamental rights and freedoms of human beings as well as of nations. We must ensure respect for the sovereignty of nations and the strict adherence to the principle of non-interference in the internal affairs of other states which should not be diluted under any pretext....

18. We reaffirm that basic human rights and fundamental freedoms are of universal validity. We welcome the growing trend towards democracy and commit ourselves to cooperation in the protection of human rights. We believe that economic and social progress facilitate the achievement of these objectives. No country, however, should use its power to dictate its concept of democracy and human rights or to impose conditionalities on others. In the promotion and the protection of these rights and freedoms, we emphasise the inter-relatedness of the various categories, call for a balanced relationship between individual and community rights, uphold the competence and responsibility of national governments in their implementation. The Non-Aligned countries therefore shall coordinate their positions and actively participate in the preparatory work of the Second World Conference on Human Rights in June 1993, in order to ensure that the Conference addresses all aspects of human rights on the basis of universality, individuality, impartiality and non-selectivity.

27. We ... do hereby affirm the fundamental human rights to development, social progress and the full participation of all in shaping the common destiny of humankind.

as mistaken because it sees economic development as the only way to success. Economic development and economic rights can only be attained and reinforced if they are accompanied by civil and political rights. They are inseparable.

This is why the literature uses the concept of the indivisibility of civil and political rights and social, economic and cultural rights. While recognising the concept of indivisibility, *The Jakarta Message* in fact proceeds from the standpoint of divisibility. This will create many problems for us in future.... [*Tempo*, 19.09.1992] ★

## Military grip on East Timor tightens

*The Non-aligned Movement Summit in September was the occasion for heightened security measures in Dili to ensure no-one tried to take advantage of the presence of hundreds of foreign journalists to hold demonstrations. In August, the army launched a new offensive, hoping to capture resistance leader, Xanana Gusmao.*

### Military offensive underway

Brig. Gen Theo Syafei hopes to "finish off" Falintil, the armed resistance, and capture its leader, Xanana Gusmao, in time to disband the special Dili operational command, *Kolakops*, by the end of September.

José Ramos-Horta, external representative of the resistance council, CNRM, warned early in August that a new offensive had been launched, expressing the fear that this action might become "as violent as in 1977 and 1978 when 90 per cent of the guerrillas were killed or captured" [AFP, 8.08.1992]. The Fretilin representative in Darwin, Alfredo Pereira, later spoke of the guerrillas being locked in battle with Indonesian troops in the regions of Viqueque and Baucau. He had received reports of a fierce battle in Same region during which seven guerrillas and 20 Indonesian soldiers were killed. The battle took place in Aiburbur

Laran, near Mount Cablaque. "The Indonesians are trying to encircle (the guerrillas) and push them towards the centre of Timor," Pereira said [Reuter, 11.08.1992].

Although an armed forces spokesperson denied that an offensive was under way, there have been several claims in the Indonesian press during August about guerrillas being captured or killed. *Jakarta Post* [2.09.1992] reported one "armed contact" in East Timor, during which two Indonesian soldiers were killed. It is rare for the Indonesian military to admit any casualties on their side, which means that their losses may have been far greater.

Information from protected sources in Indonesia add to the picture of ongoing operations. They report that:

\* army units have been stationed everywhere in the country, and villagers are forced to accompany the troops on military operations as a shield against attacks by the guer-

## Call for help from East Timor

*The following letter, which was written in Portuguese and dated "Java, 5 September 1992", has been received by TAPOL with a request that we publish it:*

*To the Directors of international human rights institutions in Australia, America, Europe and Africa:*

Dear Sirs, We are young people from East Timor who have been able to escape from Timor and who are hiding in Javanese territory. Through this letter, we would like to ask you to exert pressure to guarantee our security and that of our families and colleagues and people in general in East Timor who are at risk, who are threatened and constantly being followed and imprisoned in the claws of the difficult situation perpetrated by the Indonesian military in our native land. We can do no more than ask for protection from God and from you.

Our colleague, Agostinho Pereira (Mau Laku) also intended to escape but was captured at the airport in Dili. He was carrying letters from our families and some information about human rights violations in East Timor. He was savagely beaten while he was still in the airport until blood was coming out of his ears. During his harsh interrogation, he was forced to reveal details which included the fact that we had escaped to Jakarta.

Dear Sirs, during this last week, tens of young students and civilians have been taken to prison and up till now the whereabouts of some of them are not known. In Ainaro, Liquisa, Baucau, Viqueque and Lospalos, hundreds of people have been taken prisoner and brutally tortured. We accept all this because it is one consequence of the struggle,

the isolated struggle of the East Timorese people. On the other hand, we need the solidarity of the international community and your organisations in terms of the humanitarian aspects. Today, the Red Cross is not carrying out much of its specific mission; its activities are very limited in accordance with its agreement with the Jakarta government. "They report what they see, but they do not speak about what they see and they do not interfere".

For this reason, once again, we ask you to put pressure on Indonesia to ensure the vital security of all those who are hounded, imprisoned, threatened and the security of our families and the general population.

We are prepared for "political exile" if our brothers in East Timor are not freed immediately. We appeal to you to disseminate our letter through Radio Australia, the BBC Portugal, America etc so as to attract the attention of the world.

With great sadness, we send greetings to you and to all the leaders of our resistance movement in the diplomatic arena.

Signed by:

*Filipe R. Pereira, Jose Manuel de Sousa, Clementino F. Oliveira, Nelson A. Baptista, Ventura V. Conceicao, Mateus Brito Ximenez, Profirio da C. Oliveira.* ★

rilla forces;

\* soldiers dressed as guerrillas have attacked villages, in order to undermine the people's trust in the resistance.

A claim in *Jakarta Post* [16.09.1992] that people digging graves in Manatutu were shot dead by guerrillas could well be an example of the above.

Brig.Gen. Syafei also said that his "territorial campaign" of swamping Timorese villages with troops was still in place. The aim he said is to "*memerahputihkan* (turn red-and-white, the colour of the Indonesian flag) the villages, sub-districts and districts". He complained of "two-faced" people who were not yet "red-and-white", people who work as government employees but "whose thoughts are in the bush" [*Jawa Pos*, 30.07.1992].

### Tight security in Timor during NAM

During the week when the non-aligned summit was held in Jakarta, security control in East Timor was stepped up to a level not experienced for months. Armed troops were on guard at all so-called 'strategic' places like schools, churches and other buildings. Describing the tense atmosphere, *Jawa Pos* [10.09.1992] said the military was on high alert, fearing that groups of young Timorese would unfurl banners in the presence of Bishop Belo during Mass on Sunday 6 September. The Mass was cancelled for 'security' reasons. Army controls in an out of Dili were intensified. After the 'NAM alert' had been scaled down, the paper reported that uniformed officers on the streets were replaced by plain clothes intelligence agents roaming the streets.

Reports that had been reaching TAPOL of many arrests were confirmed by Brig.Gen. Theo Syafei who announced that eight civil servants had been arrested in Viqueque 'recently'. On another occasion 25 people had been arrested in Maliana. They were all being subjected to indoctrination [*di-P4-kan*]. Refusing to explain where they were being held, an exasperated Syafei said 120 hours of indoctrination would not be enough. "Even three thousand hours won't be enough. Just imagine, 18 years has not been enough!" [*Jawa Pos*, 15-09-1992]

A small group of East Timorese who wanted to fly from Dili to Jakarta while the Summit was in progress were prevented from doing so. According to one report, they were caught at the airport, found to be carrying foreign-language posters and banners and held for questioning.

Earlier, a group of seven or eight young East Timorese fled to Jakarta from Dili. They were probably intending to take part in an action in the Indonesian capital during the Summit. In the event, nothing happened and the escapees went into hiding. They have sent a plea for help to a number of international human rights organisations, including TAPOL. The text of their letter is reproduced below.

Details have also emerged of the arrest of 20 school-pupils, 15 from SMA Negeri-I (state secondary school), 4 from SMA Santo Paulus and 1 from the Sacred Heart SMA, all apparently in Dili.

A young man, Antonio Baptista Sequeira, who had been transferred from Dili to Viqueque and placed under the control of the local military commander, managed to escape and return to his family in Dili. However, he was re-arrested in August. Antonio was among the more than three dozen Timorese arrested immediately after the Santa Cruz massacre on 12 November 1991. Later, 13 of the detainees were tried; the other 24 were sent to local military commands "for indoctrination and special treatment", according to Brig. Gen. Theo Syafei [*Suara Karya*, 9.03.92, see *TAPOL Bulletin*, April 1992, p. 7]. We now know that these

## EAST TIMOR

youngsters have been used as TBOs or "bearers" for the troops while on combat duty. Antonio said, before his re-arrest: "I couldn't bear all the noise of the battles raging. I couldn't bear having to help the Indonesian troops who I hate so much."

A recent visitor to East Timor said he had been told of many arrests in Viqueque in July. In the middle of that month, seven men were held, beaten "till black in the face" and later released after intervention by the International Red Cross. Later, 50 youths were arrested. The names of some of those arrested have since reached us, but we cannot confirm whether they are still being held.

Another victim of this latest wave of arrests is Talof Moniz Alin, arrested in Dili on 1 August. Talof was arrested and badly beaten in December 1990, along with many others.



*Talof Moniz Alin, after his arrest in 1991. He is high on the blacklist of the intelligence.*

The following are some fragments of information from protected sources:

- \* on 6 July, the home of the Same parish priest was surrounded by troops who were chasing a young man wanted because he attended the demonstration in Dili on 12 November;
- \* two women, Justina of Gariwai and Deolinda from Makalaku, were arrested, taken to Dili and tortured to get them to divulge the names of resistance fighters;
- \* on 21 July, two men sought refuge at the Bishop's House, Dili, were followed into the grounds by soldiers;
- \* many local priests are under surveillance and are being accused of helping the resistance.



### Visits and non-visits

Four Portuguese journalists who were allowed into Indonesia to cover the Summit were initially told that no limits would be placed on their visit and given permission to go to East Timor. However, at the last moment, the trip was cancelled on the orders of the military commander. As far as is known, none of the other foreign journalists in Jakarta for the Summit was allowed to visit East Timor.

Two contacts who visited East Timor independently in July and August as tourists described the huge difficulty of speaking to anyone, in the knowledge that anyone seen speaking to foreigners, for whatever reason, would later be hauled in for interrogation. Both reported that on arrival at Dili airport, all foreign visitors are photographed as they get off the plane. One wrote: "As each westerner descended the steps, our friend the photographer snapped his/her picture. I learned from other westerners that the same person greets every ferry that arrives in Dili from Kupang or other islands."

This contact spoke of not knowing who you could trust: "One night, someone stood outside my hotel for a couple of hours, peering through a little hole in the window as I lay in bed. It was pretty scary as I had no idea what to do."

In one district capital he was "invited" to the military commander's home "for a chat" which lasted one-and-a-half hours. "Why had I come to East Timor? What did I know about the Santa Cruz event? How did the 'reality' of East Timor compare with the picture presented outside?"

One thing that had impressed him was the scale of the Indonesian presence. While he could not confirm that there are 100,000 Indonesians in East Timor, "at the very least, they number in the midhigh tens of thousands. I was constantly meeting Indonesians who had recently arrived... As many Timorese said to me, 'All of Indonesia is here!'"

The other visitor, who was in East Timor with a colleague, said that on returning from a day trip to Ermera, "we were virtually interrogated as to whether we'd spoken to anyone and what our professions were. During a visit to Quelicai, we were accompanied almost the whole time by a plain clothes officer". Although they had found it difficult to enter into conversation with East Timorese, on one occasion, at a bus-stop in Baucau, a Timorese student told them he had been at the Santa Cruz memorial meeting, had lost many friends in the massacre, and said security officers were continuing to arrest and even kill members of the opposition. The conversation was soon interrupted by someone who invited the tourists for tea!

Despite all this, both contacts said that the few Timorese they met had stressed the importance of tourists' visits. ☆

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## Jakarta forced to the negotiating table

*Talks between Portugal and Indonesia have begun again under the auspices of the UN Secretary-General. On 26 September, foreign ministers Ali Alatas and Joao de Deus Pinheiro were scheduled to start discussions which were halted after the tragic events of 12 November last year.*

There is guarded optimism that these talks may lead to a comprehensive solution of the East Timor problem, which has been on the UN agenda since 1975. The initiative for the talks came from UN Secretary-General Boutros-Ghali, in talks with President Suharto during the non-aligned summit. Suharto accepted his proposal for talks without pre-conditions, the formulation suggested earlier this year by Portugal. As chairman of NAM, Suharto may feel he needs to show greater flexibility. His address at the UN General Assembly on 24 September is seen in Jakarta as a major achievement in his ambition to become an international figure; refusal to negotiate with Portugal could jeopardise this image.

### All parties directly concerned

Since 1982, the last time a resolution was adopted on East Timor at the General Assembly, talks between Portugal and Indonesia have never included East Timorese representatives. This time the Portuguese have insisted on including the Timorese, in line with General Assembly Resolution 37/30 of 1982 which called on the Secretary-General to hold consultations with "all parties directly concerned" in the conflict.

The Portuguese proposal was flatly rejected by Indonesia.

Although Foreign Minister Ali Alatas has stuck to this, the signs from Jakarta suggest he may be open to compromise along the lines proposed by CNRM spokesperson José Ramos Horta of including Timorese in both delegations. It is not unlikely that ex-governor, Mario Carrascalao, would be in the Indonesian team. Suharto has already appointed him roving ambassador for East Timor affairs. There is also talk of church participation in an observer capacity, which might bring Bishop Belo into the talks.

### A breakthrough?

While it is still too early to predict the outcome, the restart of negotiations could be a step forward. Indonesia has been dragged to the negotiation table by international pressure while Indonesia watchers hint that Suharto may be willing to grant some kind of autonomy to the Timorese. This could mean little change for the long-suffering Timorese. In any case, the military run the show in Timor and there is no sign of compromise on their part. Political and military considerations in Jakarta and Dili can be miles apart.

Ultimately however, only one thing can settle the issue, a referendum held under international auspices.

## New Santa Cruz casualty figure: 273 died

*A new report released in Lisbon points to a much higher death toll at the Santa Cruz massacre last November than previously estimated. After several months of investigation in East Timor by a wide range of people, the information smuggled out of East Timor gives a heavily increased figure for those killed, disappeared and wounded. Analysis of the lists sets the number of dead at 273, those disappeared at 255 and wounded at 376. Peace is Possible in East Timor, the Portuguese group which studied the lists, explains how the figures were reached.*

The release of the figures coincided with the airing in Lisbon of a home-made video in which five East Timorese survivors and witnesses of the massacre claim that more than 200 people were killed and that they saw more than 100 corpses being dumped in the sea. The new report supports this and concludes that the figures are still higher. Just how were these horrendous figures calculated?

The information was gathered spontaneously over three months by East Timorese people, mostly following standard forms produced by the *National Council of the Maubere Resistance* (CNRM). The CNRM form seeks as much information as possible on the victim: name and surname, age, case (dead, disappeared or wounded), family details and in each case there is a space for the signature or mark of the person who gave the information. While other less complete forms are included, most mention the victim's profession and some even the victim's birthplace.

The lists are in themselves testimony to the bravery and determination of the East Timorese people. They were collected in a time of severe repression by the Indonesian military and East Timorese found in possession of such lists were imprisoned. The suppression of information by Indonesia led to families and friends of victims being too frightened to speak of their missing or dead children because of possible repercussions. Despite the threats, many spoke out.

After the first lists were sent to the leader of the resistance, he drew up some rules on the collection of information, largely to prevent duplication and reliance on rumour. In the end, there were 3,500 names on the lists which were tentatively analysed in East Timor.

*Peace is Possible in East Timor* entered all the lists in a computer and subjected them to a specially designed analysis programme. The principle guidelines were: to suppress repetition (unless particularly clear that the same name refers to different people, for example where difference in age is more than 10 years or where profession or parentage is said to be different); and where only one name identifies the victim, it is considered to be the same as another case of the same name. After being passed through the programme, the lists were reduced to around 1,300 names.

The next problem was that for the same or supposedly the same victim, the case (death, disappearance or wounding) was different. Here, the starting point was the list of names who were said by sources to have been killed. If a name is also said to be disappeared, the name remained in both categories. Where a source says the named victim was wounded, this category is kept and the name removed from disappeared or killed lists. Where there is an indication that the victim has been arrested, this category is used rather



*Santa Cruz, 12 November 1991. Soon after this photo was taken, the shooting started. Almost half of those killed were under 30 years of age and many were under 21. "This is deliberate killing of the young people. My God, I am horrified at these findings. I know them to be completely accurate", commented José Ramos-Horta, CNRM spokesperson. Photo: Svend Kochs*

than any other mentioned. In other words, the least bad atrocity was used in the final count.

Clearly, the formulae used are strict, yet even though the figures may be an underestimate, they surpass all our worst estimations. As *Peace is Possible* point out, "The figures are far higher than those furnished previously. Perhaps there was a certain body of analysts who did not want to increase the figures. To the 150-180 killed on 12 November 1991, the victims of the collective massacres on the following days have not been added, even though they had been revealed by credible sources". As for the discrepancy on the number of disappearances as compared with earlier estimates, it is clear that people continued to disappear for many weeks with the date sometimes given on the sworn lists. The huge disparity in the figures for the wounded is because the official (Indonesian) figures of 91 only referred to those victims in the Dili military hospital.

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# UN Sub-Commission condemns killings in East Timor

*The UN Sub-Commission on Prevention of Discrimination and Protection of Minorities, at its 44th Session in Geneva, adopted a strongly-worded resolution on the Situation in East Timor, by 13 votes to 6, with four abstentions, on 27 August 1992. Although the Sub-Commission has adopted six previous resolutions on East Timor, for the first time, this year's resolution was adopted by an absolute majority.*

**The Sub-Commission on Prevention of Discrimination and Protection of Minorities,**

**Bearing in mind** the provisions of the Charter of the United Nations and the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

**Recalling** resolution 37/30 of 23 November 1982 of the General Assembly in which it requested the Secretary-General to initiate consultations with all parties directly concerned to resolve the conflict in East Timor,

**Recalling** its resolutions 1982/20 of 8 September 1982, 1983/26 of 6 September 1983, 1984/24 of 29 August 1984, 1987/13 of 2 September 1987, 1989/7 of 31 August 1989 and 1990/15 of 30 August 1990 concerning the situation in East Timor,

**Bearing in mind** the consensus statements by the Chairman of its forty-third session (E/CN.4/Sub.2/1991/SR.26) and the Chairman of the Commission on Human Rights, adopted on 4 March 1992, at its forty-eighth session (E/CN.4/1992/SR.54/Add.1),

**Having examined** the report of the visit to East Timor by its Special Rapporteur on the question of torture, Mr Peter Kooijmans (E/CN.4/1992/17/Add.1),

**Appalled** at the loss of life and injuries among civilians resulting from the violent incidents of 12 November 1991, and concerned at the fate of those who are missing,

**Welcoming** the decision of the Secretary-General to send Mr Amos Wako as his Personal Envoy to inquire into the violent incidents of 12 November 1991,

**Regretting** that the conclusions of the National Commission of Inquiry set up by the Indonesian Government failed, in its conclusions, to identify clearly those responsible for the killings,

**Considering** that the Government of Indonesia had undertaken to adopt the measures necessary towards the implementation of the recommendations of the Special Rapporteur on the question of torture,

**Disturbed** by the heavy sentences passed on the East Timorese involved in political activities on the basis of the "Anti-Subversion Law" whose abrogation had been recommended by the Special Rapporteur on the question of torture of the Commission on Human Rights,

**Disturbed** also by reports of continuing human rights violations in East Timor,

**Disappointed** by the persistent denial of access to the territory to human rights organisations,

1. **Deplores** the tragic events in Dili on 12 November 1991, in which East Timorese civilians, including women and children, were killed;

2. **Expresses** its utmost concern at reports of continuing widespread human rights violations in East Timor;

3. **Invites** the Secretary-General to transmit the full report of his Personal Envoy, Mr Amos Wako, to the Commission on Human Rights at its forty-ninth session;

4. **Requests** the Secretary-General in the preparation of his report on the situation in East Timor for consideration by the Commission on Human Rights under item 12 to include an analytical compilation of all information received from, inter alia, Governments, intergovernmental and non-governmental organisations,

5. **Commends** the decision of the Government of Indonesia to set up a National Commission of Inquiry, but regrets that investigation of the actions of the armed forces on 12 November 1991 has not been followed through and invites the Indonesian authorities to cooperate in the preparation of the above-mentioned report of the Secretary-General by providing information on the complementary measures to bring the members of the armed forces responsible to justice,

6. **Urges** the Government of Indonesia to provide the Working Group on Enforced or Involuntary Disappearances information regarding the missing persons;

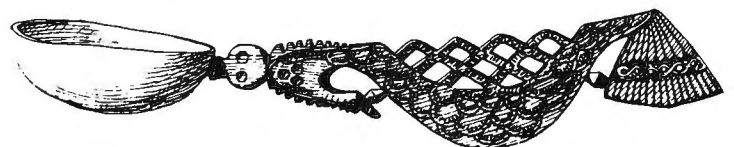
7. **Also urges** the Indonesian authorities on humanitarian grounds to cooperate with the families of the victims by providing information about the dead and the whereabouts of their remains for proper burial;

8. **Calls upon** the Indonesian authorities to honour their commitment to facilitate access to East Timor by humanitarian and human rights organisations;

9. **Decides** to review the situation in East Timor at its forty-fifth session and to this end asks the Secretariat to transmit to it all available information concerning the human rights situation in the territory.

## East Timor, the major issue

A number of non-governmental organisations made submissions and several expert-members of the Sub-Commission spoke about East Timor, referring in particular to the Santa Cruz Massacre last November. Of all the many tragic problems on the Sub-Commission's agenda this year, East Timor attracted the greatest attention. ☆



## Osorio Soares, the new governor

Abilio Osorio Soares, 45, has been appointed the governor of East Timor. Although strongly denied by the authorities in Jakarta, Osorio's 'election' as governor has been the result of complicated manoeuvres by a triangle (President Suharto, Home Affairs Minister ret'd General Rudini and ABRI, the armed forces). ABRI had to withdraw their own candidate, the Javanese general, A.B.Saridjo, at present the vice-governor. The situation in East Timor was considered to be too volatile to have a non-Timorese as governor.

ABRI, in particular the Indonesian military in East Timor, then promoted Abilio Osorio Soares which became the only real candidate for Jakarta.

### Background

Osorio, described as 'Integration Hero' by the Indonesian press, was a founder of the pro-Indonesian *APODETI* party.



*Ex-Governor Mario Carrascalao (left) with his successor, Abilio Osorio Soares. The new man enjoys wearing uniforms.*

In Portuguese days, Abilio completed junior high school and joined Tropaz, the Portuguese colonial army. After the Indonesian invasion, his career raced ahead. He has held many important posts in Indonesia's '27th province' – head of public works, mayor of Dili in the late eighties and most recently, district chief of Manatuto, where he was born.

### Close to ABRI

Abilio Osorio is close to the Indonesian military. Following the Indonesian invasion, he became an key informer. He is particularly close to Colonel Prabowo, Suharto's son-in-law, who has served long stints in East Timor. Abilio brags about his friendship with Prabowo which dates back to 1976 when Prabowo was just a lieutenant.

His relationship with his predecessor Mario Carrascalao is much less cosy. The conflict between them reflects the

fierce rivalry between UDT and Apodeti. The two first governors were from Apodeti, which resulted in large numbers of civil servants being recruited from their ranks. When Carrascalao, a founder of UDT, took over, many former UDT members were brought into the administration.

During Abilio Osorio's period as mayor of Dili, the *ninja* (para-military gangs dressed in black) started operating, terrorising the inhabitants of Dili. This was the source of ensuing conflicts with Carrascalao and probably explains why Osorio was moved to Manatuto, far from Dili.

While both collaborate fully with Jakarta, Carrascalao tried to promote a Timorese identity and sought, largely in vain, to win a greater say for the regional administration. Abilio Osorio is determined to mould Timorese into good Indonesians and accuses Carrascalao of concentrating on the physical aspects of *Pembangunan* (development), ignoring the political side. Mario Carrascalao tried, within narrow margins, to shed the image of a puppet. It is expected that Osorio Soares will let himself be used as a puppet by both ABRI and the Indonesian administration. ★

### General Sintong sued in US Federal court

Major-General Sintong Panjaitan, who was commander of the Udayana military command which covers East Timor at the time of the Santa Cruz massacre, is being sued in a US federal court in connection with the massacre. The lawsuit has been filed by the Center for Constitutional Rights on behalf of Helen Todd, the mother of Kamal Bamadhaj, who was shot by troops and bled to death. Ms Todd lives in Malaysia.

In a statement, Helen Todd said she was taking this action "on behalf of hundreds of East Timor mothers who are forced to grieve in silence for their dead children. ... unlike them, I can bring a case against a military officer without putting the rest of my family in danger."

The suit charges Sintong as one of the Indonesian military leaders responsible for a programme of systematic human rights violations which included the execution of Kamal Bamadhaj. Sintong is currently taking a course at Harvard University, after being replaced as commander when President Suharto's removed some generals in order to defuse international outrage at the massacre.

The lawsuit was filed under two US laws which allow victims of gross human rights violations to bring a suit in a US federal court no matter where the violations occurred, as long as the defendant is in the USA. One of these laws, the Torture Victim Protection Act, was recently signed into law by President Bush.

Beth Stephens, a CCR attorney working on the case, said: "We hope with this case and others like it to make it clear that the US is no longer a safe refuge for the torturers and murderers of the world." ★

## ICJ issues report on Timor trials

*For the first time since 1966, when the first political trials were held under the Suharto regime, a team of foreign observers has produced a report on the conduct of subversion trials in Indonesia.*

The International Commission of Jurists published its report<sup>1</sup> in August, when the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities was in session. The Australian lawyer, Rodney Lewis, a solicitor of the New South Wales Supreme Court, attended the early stages of the trial of Gregorio da Cunha Saldanha in Dili, while another lawyer attended hearings of the five East Timorese who were tried in Jakarta. However, Justice Xavier Connor, a former Judge of the Federal Court of Australia, was denied permission to go to Dili to attend the concluding stages of the Dili trials on the grounds that the trials would have ended by the time his visa came through.

There have been numerous attempts in the past to convince lawyers' organisations to observe political trials in Indonesia. The ICJ, which last February published its investigation into the Santa Cruz Massacre<sup>2</sup>, is to be congratulated for overcoming the obstacles and producing an independent record of the way the regime uses the courts to persecute its opponents. However, its report is lacking in several respects.

The introductory history of the East Timor question fails to highlight the reign of terror inflicted on the East Timorese since 1975 and dwells on less important events. In places it is simply wrong, claiming for instance that members of the so-called Representative Council which adopted a petition in May 1976 calling for integration with Indonesia were elected "in traditional manner based on a form of consensus". No election of any kind took place, as many Timorese have testified.

The report deals most thoroughly with the trials of five East Timorese charged with involvement in the 19 November 1991 demonstration in Jakarta, summarising the indictments, the examination of witnesses, the defence statements and the verdicts. No defence witnesses were called in any of the trials so the defence lawyers were only able to present their cases by cross-examining prosecution witnesses. The defence wanted to call representatives from the UN, Japanese and Australian missions where the 19 November 1991 demonstrators took their petition of protest, but they refused to appear.

The report is particularly critical of the absence of the defendant's right to remain silent, which has its roots in the Criminal Procedural Code (KUHAP). "Not only were the defendants required to testify in the proceedings against each other, they were compelled to testify in their own trials as well" (p.48). It also criticised the inclusion of testimonies from prosecution witnesses who did not attend in person. "The introduction into evidence of the statements of witnesses who were unable to attend the trials, as is permitted by KUHAP, further deprived the defendants of the critical right to confront or cross examine their accusers" (p.48).

What is lacking is an evaluation of the defendants' argument that they are Portuguese citizens and should not be tried under Indonesian law. This is hardly mentioned in the report yet it was crucial to the defendants' strategy. It

would have been very helpful if the ICJ had commented on the validity of the defendants' claim.

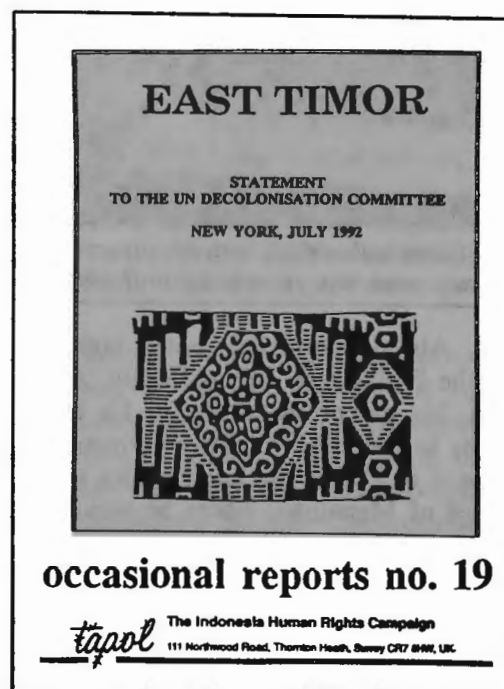
The section about the Dili trials is confined to summarising the trial of Gregorio da Cunha Saldanha and even here, the coverage is inadequate. It says nothing about attempts during the trial to prove that demonstrators were carrying weapons. There is no mention of the court session which had allegedly been confiscated from demonstrators. When Gregorio asked the court to view TV footage of the marchers, to see whether anyone was carrying arms, the request was ignored by the court.

The ICJ account focuses on the fact that army intelligence

### UN Decolonisation Committee

A record number of petitioners – 23 in all – attended this year's UN Special Committee on Decolonisation to condemn the Indonesian occupation of East Timor. The commission heard eyewitness accounts, testimonies from East Timor support groups and petitions from East Timorese representatives. Xanana Gusmao, head of the resistance, sent a message to the UN which was delivered by José Ramos-Horta, spokesperson of CNRM.

This year, far more petitions than usual came from the US, reflecting the rapid growth of East Timor solidarity groups linked to the US East Timor Action Network which was set up following the Santa Cruz massacre. ✧



Occasional Reports no.19 contains TAPOL's submission to the 1992 meeting of the UN Decolonisation Committee.

Price £ 1.00 including postage



infiltrated the marchers. This is undoubtedly true. But attention is directed in particular to the "missing defendant", Constantio Pinto, acknowledged by all to have played a key role in planning the attempt by Timorese to approach the Portuguese MPs whose visit to East Timor was aborted at the last minute, and in preparing the 12 November march. "He was not charged with any offence. On the basis of the evidence and the charges brought against the defendants, it is startling to discover that he has not been charged at all and is said to be in hiding." Why is this "startling"? The most obvious explanation is that the security forces have failed to capture him and he is indeed in hiding. Isn't it likely that, frustrated at not catching Pinto, the army tried Gregorio as a kind of proxy for Pinto, compounding the issue by telling Gregorio that Pinto "is one of us"?

When the ICJ Report was published in Geneva, the Australian observer issued his own report in Sydney, along with a press release alleging that Pinto was an Indonesian "spy" and that there was "credible evidence" that army intelligence "perhaps even directed the demonstration through their agent Pinto". These allegations do not appear in the Geneva report but they colour the analysis which throws doubt on Pinto's reliability. Later, Rodney Lewis retracted his "spy" allegations, saying he had been the victim of a campaign of disinformation.

### Soldiers should be charged for homicide

The trials of ten soldiers and policemen, held with hardly any fore-warning, were not observed by any outsiders. The ICJ correctly observes that on the basis of what the National Commission of Inquiry (KPN) said about "excessive

shooting" and "unidentified" troops firing "shots and committing beatings, causing more casualties", it appears conclusive that "both homicide and serious assault have taken place on the part of security forces. The charges involving disobeying orders are, therefore, patently absurd" (p.62). It recommended that charges of homicide be brought "against all ABRI personnel involved in the 'excessive shooting' ... together with those directly or indirectly responsible for those actions". Oddly, it also recommends that charges of subversion be laid "against all ABRI personnel implicated in the planning, preparation and carrying out of the demonstrations in both Dili and Jakarta". Do the compilers of the report seriously believe that the army organised the demonstrations? This is preposterous. To argue that army intelligence knew the demonstrations would occur, allowed them to happen and infiltrated agents to stir up emotions, thereby providing the pretext for the troops to shoot, is vastly different from suggesting that the army actually organised the demonstration. Perhaps what is lacking is any understanding on the part of the ICJ of the tradition of army infiltration into genuine mass action (Tanjung Priok in 1984, Lampung in 1989).

Nor is it helpful to recommend that President Suharto should set up a new commission to conduct a full inquiry into the massacre. Why should anyone believe that another Suharto inquiry will be reliable when the first two have taken us nowhere near understanding what happened? Only an independent inquiry can help. ☆

1. *Tragedy in East Timor: Report on the Trials in Dili and Jakarta.*

2. *Blaming the Victims: The 12 November 1991 Massacre in Dili, East Timor and the Response of the Indonesian Government.*

## In Memoriam Marthen Luther Prawar

Marthen Luther Prawar was killed on 31 May 1992 in a clash with a special unit of the Indonesian military. He belongs to the very first generation of Papuans who took up arms against the Indonesians. He was part of the independence struggle in the Manokwari area together with other well-known Papuans like the legendary Mandatjan brothers and Ferry Awom.

M.L.Prawar was born on 31 March 1944 in Tobelo, Moluccas. He became renowned in the Papuan nationalist movement for the part he played in the attack on an Indonesian military post in Arfai in December 1962 and the Sausapor battle on 2 February 1968, where a major clash took place between OPM and Indonesian forces.

After the announcement of a general amnesty in 1969 the entire OPM force in Manokwari decided to surrender and gave up their weapons, hoping that the 'Act of Free Choice' later that year would pave the way to liberation. The amnesty did not protect Ferry; even though he had surrendered, he was later murdered and dumped in the sea from a helicopter. Marthen Prawar however was recruited into the Indonesian army. In 1971 he was transferred to Sorong and later to Jayapura.

While serving in the army, he continued to work for independence, maintaining good relations with the OPM guerrillas. In 1982 he was again incorporated into the structure of the OPM. He took part in the February 1984 revolt,

the opening salvo of which was to have been a move by Papuans within the army. Because of betrayals, however, it ended disastrously. Marthen Prawar and many other Papuans deserted and fled, first to the Blackwater Refugee Camp in Papua New Guinea and later into the bush. He continued his struggle against Indonesian rule in West Papua till the end of his life.

The Papuan community mourn the death of one of the best sons of Papua land and particularly remember the important role Marthen Luther took in the efforts to unify the two OPM headquarters. ☆

*continuation from page 8*

law, which provides for extremely high fines for traffic violations, was to have come into force on 17 September. In August, many sections of society - students, truck-drivers and bus-drivers - planned mass protests to start on 1 September. Although government ministers had repeatedly insisted that the law could not be amended, President Suharto suddenly stepped in to defuse the row, announcing that the law would be postponed until September 1993.

### "External threats"

Ahead of the Summit, General Kentot gave a briefing to all university deans, campuses being seen as places of potential unrest. He elaborated on 'external' and 'domestic' threats. Heading the list of people regarded as 'external threats' were two staff members of TAPOL: Carmel Budiardjo and Liem Soci Liang. ☆

# Acehnese refugees held in a Malaysian dungeon

*Eleven Acehnese men, all political refugees who fled from Aceh early last year seeking asylum in Malaysia, have been incarcerated in an underground prison on Penang Island for the last 14 months. The eleven, seen as diehards by the Malaysian government, were separated from other detained Acehnese who are under heavy pressure to return home 'voluntarily'.*

The Malaysian government have finally acknowledged the existence of the 43 Acehnese political asylum seekers who have been camping at the UNHCR office since 22 June [see *Tapol Bulletin*, No 112, August 1992]. A baby born in the office brings the total to 44. But Deputy Prime Minister Ghafar Baba vehemently denies that there are some 2,000 Acehnese refugees in Malaysia. He also denies that several hundred remain in various Malaysian jails and that 300 others have been illegally refouled to Indonesia. All he has done is to demand that someone come forward with names [*Berita Harian*, 5 Sept. 1992].

On that same day, ASNLF (the Aceh/Sumatra National Liberation Front) obliged Mr Baba with a detailed report and lists of the names of Acehnese prisoners. Besides the 11 in the dungeon, the list includes 80 names of people detained in the UKK-Juru Bukit Mertajam jail in Penang, 29 in Perak State Prison in Taiping, 2 women in the city jail of Penang, 34 in Kedah State Prison, Alor Star and 6 young Acehnese detained in Sungai Patani Prison in Kedah. The report supplies many details about the conditions of the prisoners, most of whom have been detained for more than 14 months.

The conditions in the prisons are harsh; no visits are allowed even by relatives legally resident in Malaysia. Only officials from the Indonesian consulate have free and unlimited access to the prisons. The diet in the Bukit Mertajam jail is described as inadequate and illnesses have struck prisoners because of malnutrition. The conditions in the other prisons are even worse: medical treatment is denied, resulting in untreated illnesses. In the Sungai Patani Prison, the 6 young Acehnese have been forced to mix with sentenced criminals and although they have not been convicted or even charged with any offence, they are forced to wear prison clothes.

## The 11 in the dungeon

The news about the 11 held in a dungeon came to light through a letter smuggled out by a victim. "For one year and two months we have not seen the sun, the sky or the earth.... Physically we are dissolving, our skins desiccating, our teeth are constantly bleeding, our health deteriorating and we have never been given a medical check-up since we arrived in Malaysia" said the letter.

The men are: Syahbuddin Hasan, Yusof Idris, Ridwan Abu Bakar, Hamdani Abdul Gani, M. Kasem Amin, M. Nur Abdullah, M. Daud Abu Bakar, A. Jalil Yusuf, Shahabuddin Abu Bakar, Sulaiman Ilham A. Gani and Djamaluddin Usman. *TAPOL*, gravely concerned at the men's physical condition has asked the UK Government, through its office in Kuala Lumpur, to seek information about the precise whereabouts of the men who, by rights, ought not to be in detention at all. The UK Government was asked to press for the men to be medically examined, treated immediately for

their deteriorating physical condition and moved without delay from their present place of detention. Lord Avebury, chair of the British Parliamentary Human Rights Group addressed the Foreign Office and the UNHCR in similar terms.

## The 43 (and a baby) in the UNHCR Office

At the time of writing, the situation of the 44 remains deadlocked. The Malaysian authorities still refuse to recognise the 44 as political asylum seekers. The UNHCR, under heavy pressure from Jakarta and Kuala Lumpur, has refused to issue identity cards to the 44 but want them to leave the UNHCR premises. Considering the atrocious conditions of Acehnese detained in Malaysian prisons, it is more than understandable that the 44 to refuse to leave without proper guarantees. The UNHCR officials complain about being overwhelmed by the problems of refugees from former Yugoslavia, Cambodia and Afghanistan but the Acehnese will not accept this as an excuse for inactivity.



*The 44, including a newborn baby, have set up camp in the UNHCR premises, now in the fourth month of their stay.*

The case of the 44 has won widespread support. Amnesty International produced an Urgent Action. Hotline based in Hongkong circulated a worldwide campaign and the Geneva-based SOS-Torture launched a letter-writing campaign pleading for the 44 not to be forced back to Indonesia.

## Tengku Hasan in Geneva

For the second year running, Tengku Hasan di Tiro, leader of the ASNLF, addressed the UN Sub-Commission on

Prevention of Discrimination and Protection of Minorities. This time his topic was the case of the Acehese refugees in Malaysia. Comparing the case of Bosnia with Aceh, he strongly criticised the Malaysian Government for helping Indonesia "to eliminate and destroy the last remaining eye-witnesses and direct evidences to the prosecution by deporting these refugees to the killing fields, so that Indonesia can finish them off".

Tengku Hasan di Tiro requested the Sub-commission to stop Malaysia continuing along a "wicked and dangerous path". Both Indonesia and Malaysia used their right to reply to answer the allegations but the plight of the 44 refugees remains. ★

## Acehnese victims named

The Aceh-Sumatra National Liberation Front (ASNLF) has published the names of 23 victims of extrajudicial killings in Aceh in the last eighteen months. The list, given in a Press Release issued by Tengku Hasan di Tiro, president of the ASNLF, on 21 September 1992, also includes the names of many Acehese who have disappeared after being taken into custody.

In many cases, details of the date and place of arrest and the way in which the victims were killed are given. The majority of victims are 40 years or more and several women are also named. The following is a small selection of the cases:

**Nurdin Usman Murni**, 24, of Blang Kumot village, district of Lemmeulo, Pidie, was shot dead on 10 December 1991 in Panlon Lualh village by para-commandos. He was decapitated and for two weeks, the military prevented the family from burying the victim, whose brother, Jailani U Murni, 18, was murdered in similar circumstances a year earlier.

**Sulaiman Tjot Murong**, 25, of Lemeulo, Pidie was shot dead by troops on 14 March 1992 at 6.30am. His body was later returned to his family by soldiers who said his killing "had been a mistake".

**Teungku Imum Hamah**, 80, a highly respected man in the community, was shot dead on 3 April 1992 at 10am as he was walking in the street.

**Ilgas Ali**, 40, and **Utolh Yusuf**, 50, were shot dead together on 10 June 1992 in Amut village, Pidie.

**Rusli Atjeh**, 65, of Keude Geureubak, Idi Rajek district, was arrested without warrant, tortured and shot dead on January 24 1991.

**Mrs Bang Lah Meuleuweuek**, 35, was arrested in her home on 30 June 1991 by troops who had come looking for her husband. The next day, her body was found in the street with bullet-wounds on her forehead and chest. She had also been burnt with lighted cigarettes.

Among the many disappearances listed are two brothers, **Hasjlden Husen**, 28, and **Jusuf Husen**, 20, who were arrested at their home on 4 December 1991. They were accused of participating in a flag-raising ceremony on 4 December 1991, to commemorate the ASNLF proclamation of independence in 1976.

Another person who has disappeared is **Sjeh Abbas**, about 50, who 'voluntarily' returned from Malaysia where he had fled seeking political asylum. He was arrested on 5 June 1992 and has since disappeared.

Another returnee from Malaysia named in the list is **Abdurrachman**, 37, from Alue Lhok, Peureulak, who, together with three others (whose names are not known), was brought back from Malaysia four days before the Indonesian general election in June. The four men were arrested, interrogated and tortured so severely that they went out of their minds. They were released on 12 June, demoralised and physically broken.

**Mrs Mariani Jusuf Ali**, 25, from Simpang Ulim was arrested shortly after the murder of her husband, Jusuf Ali, by troops on 28 December 1991. After being detained for several months at the notorious Rangkom prison where she was tortured, she was transferred to a prison in Jakarta.

The ASNLF also reports that hundreds of people were rounded up after 25 June 1992, in the regions of Pidie and Batee Illek. Their present whereabouts are not known. It also says that, since June this year, in Pidie Peureulak and Pase the corpses of unidentified persons have again been found in the countryside, on a similar scale to the happenings in 1989 when Indonesian troops first launched their campaign to crush Acehese resistance.

On 17 April this year, armed units entered Ijot Kruet village, Pase, to arrest two men, suspected as members of the ASNLF. Unable to find them, they accused the villagers of concealing the men and forced them to lie down and stare at the sun. Other brutalities included being forced to crawl on rough terrain, being kicked by the soldiers, and being forced to enter a pool of muddy water. ★

### Protest at the UN

Suharto's speech at the UN General Assembly was billed as the peak of his long career as a statesman. Speaking also as chairman of the non-aligned movement, it was intended to present him one of world's political heavyweights.

As it turns out, the speech was a non-event, a mere repetition of the 'Jakarta Message' [see separate item]. The press hardly bothered to summarise the speech, highlighting the fact that he did not once mention East Timor.

But, sitting in the public gallery was Li-lien Gibbons, who unfurled a banner as he spoke and shouted: "Free East Timor". Others protested outside the UN building.

Li-lien Gibbons is the sister of Kamal Bamadhaj who was killed by the Indonesian military during the massacre at Santa Cruz on 12 November. She has become an active member of the Canadian East Timor Alert Network. Her defiant and very public protest was widely reported in the press and several radio stations interviewed her.

The day after Suharto's speech, a hard-hitting editorial appeared in the *New York Times*, lambasting Suharto's hypocrisy of advocating a free Palestine while subjugating the Timorese. "He castigated 'policies of hegemony and domination'... but there was nary a peep about East Timor, or what his officials term 'the Nov. 12 incident'... with respect to East Timor Jakarta behaves more like a banana republic."

## Siberut: Continuing destruction

*Hopes raised by President Suharto's decision about Siberut in March this year have been disappointed by a new unpublished report on the threatened island in West Sumatra. Among the catalogue of continuing destruction, the recent field report reveals that logging activity has intensified and yet more local people are under threat of dispossession and increased poverty. The stepping up of police and military activity since the March decision add a sinister note. SOS Siberut reports:*

### Loggers ignore Suharto

Despite the Presidential Decree earlier this year (see *TAPOL Bulletin 111*, June 1992) which declared that Siberut's future would be safeguarded, a visit to the island in May shows that this is far from the truth. The visit cut short after persistent intimidation from the island's police as well as harassment of local people visited, reveals that "logging in South Siberut is progressing quickly and now poses a serious threat to the ability of the people to continue to live according to their traditional culture". The intensive logging activities continue to cause widespread pollution of local water supplies, which is "undrinkable after rain".

This all comes in the wake of President Suharto's declaration that three logging concessions on the island were to be cancelled and the protected area of the island extended to 190,000 hectares (March 1992). Yet in May "new Meranti [valuable indigenous hardwood] trees have been marked ready for logging". Logging roads dissect the unique rainforest and near one village "the road has dammed the...river" so that after heavy rain "the river floods on one side of the road, killing the banana trees which grow there." Logging operations continue round the clock and "at night, the lights of the trucks and tractors can be seen." Such intensive logging has not been known before on Siberut.

### KLH "hopes"

In a letter to the World Rainforest Movement in August, the Assistant Minister for Population and Environment (KLH), Aca Sugandhy, states that "the Forestry Department is currently evaluating the logging concession in (sic) the island and we hope that in 1993 the logging permits can be stopped".

Whatever the KLH hopes, the Forestry Department appear to be letting the loggers exploit freely for as long as possible and, by 1993, there may not be any need to cancel the concessions as the forest will already have been exhausted. It is clear that the words of the President have had little effect on the ground: indeed the oppressive treatment of the people and the destruction of the forest by logging companies has escalated.

The only effect of the Presidential Decision has been to reiterate the area supposedly protected since 1981 when the whole of Siberut Island was declared a "Man and the Biosphere Reserve" under the UNESCO scheme. UNESCO have since reneged on their commitment and, in spite of their declaration 11 years ago, have now claimed that only part of the island was made a UNESCO reserve.

### Oil palm cancelled but transmigration remains

Meanwhile, the stubborn silence over oil palm plantations and transmigration has been broken. In his letter, Aca

Sugandhy finally admitted that the plans for establishing extensive oil palm plantations had existed but that they have now been cancelled. The Indonesian government has also admitted that transmigration plans exist: they have merely been delayed until 1994.

### ADB activity

The Asian Development Bank team have recently completed their preliminary assessment of the situation on Siberut as part of the \$50 million "People and Conservation" project with the Indonesian government.

The report is bleak, noting the rapid destruction of the environment and the negative effects of oil palm, transmigration, resettlement and logging. Indeed their report may have had an effect in the cancellation of the oil palm proposals. However, the ADB's chequered history forewarns us of the dangers and the need to push for consultation, cooperation and involvement of the local people. ✧

### Yamdena: another threatened island

The 83,000 inhabitants of Yamdena, an island of 320,000ha in the Tanimbars of south Maluku, are fighting to prevent the destruction of their unique island in the name of development. The government has granted logging company PT Alam Nusa Segar the concession to exploit 164,000 of the 172,000 hectares of semi-tropical forests, as well as 30,000ha of land for estate plantations. These concessions all overlap with the decreed nature reserve on the island. Yamdena islanders oppose the logging because they believe it will destroy the natural resources and their land.

The people have made such persistent protests, complaining at both local and national government level, that Forestry minister, Hasjrul Harahap, was forced in June to postpone logging activities and review the concession. The Catholic church have now taken up the islanders' case, issuing a strong letter of protest decrying the physical harassment and intimidation of the islanders [*Jakarta Post*, 16.09.92]. Apparently police in charge of securing the business interests of PT Alam Nusa Segar have been beating up islanders: "They have acted with iron hands and extra-judicially against the people they are supposed to protect", said Bishop Sol of Maluku. During a protest on 14 September, police reportedly "bit, kicked and even fired shots at the protesters". Around 300 islanders were arrested, including a number of village chiefs accused of supporting the people.

[Source: *SKEPHI URGENT ACTION*, September 1992]

# Freeport's dirty water

*Freeport's ever-expanding mining project in West Papua has displaced thousands of local Amungme people and deprived them of their rights to hunt, gather and even traverse their own land. Recent reports reveal that the sago groves of the Koperapoka people are being flooded as a result of Freeport's practices.*

Freeport is trying its hardest to promote an environmentally friendly image: after 18 years of production they decided in 1990 to open a small environment department and to hire Ogilve & Mather, one of the world's largest public relations firms. In the spirit of openness, an Indonesian environmental NGO, WALHI, was allowed to visit the Freeport site in July 1991. However, at the last minute their visit was cut from ten days to a mere two. While WALHI was deprived of a genuine inspection opportunity, evidence which has emerged which helps explain Freeport's sudden sensitivity.

## Natural dumping grounds

Recent reports of independent visitors to the area testify to the crippling impact of Freeport's activities on the downstream environment. Enormous quantities of waste from the refining process at Tembagapura are apparently being deposited into the Ajikwa River, causing the flooding of forests which provide the Koperapoka with their livelihood.

Twenty years ago, the throughput of Freeport's processing plant was 7,000 dry tons of ore a day. With its recent expansion to 52,000 dry tons/day, set to rise to 66,000 dry tons/day by mid-1993, the scale of Freeport's dumping practice is predictable. Waste disposal has always been a major problem in the mining industry, in terms of both bulk and environmental damage. The latter has been ignored by comparable mines at Ok Tedi and Panguna in Papua New Guinea where the environment is used as a dumping ground.

There is no official Freeport information to suggest that the company deals with its waste any differently from Ok Tedi and Panguna. When PaVo (the Dutch-based Study and Information Centre on Papuan Peoples) asked Freeport to provide it with environmental impact data for the Grasberg mine, their request was turned down. *Mining Magazine* [March 1992] gives a supposedly detailed mineral processing flowchart for the Freeport mill without any details of waste disposal! Freeport's vice-president for environmental affairs has modestly admitted that: "We can't do what we're doing here without some effects." [*Southeast Asia Mining Letter*, 22.5.1992].

## Downstream flooding

The Koperapoka people living downstream of the site pay dearly for Freeport's negligence. The Ajikwa river is blocked, so that there is no flow at some points, as well as polluted by waste. The surrounding forests are flooded and the people's sago trees and trees used for canoes are leafless and dying. Some villagers have even had to move towards the coast to escape the flooding. Even Freeport has had to take drastic measures because of the flooding it has caused: an embankment has been built along a stretch of the Ajikwa River so as to prevent Freeport's town and airport at Timika

being flooded. The result? More flooding of the Koperapoka forests, where the floodwater is diverted.

## Social change a la Freeport

In April 1992, the Jayapura-based newspaper, *Tifa Irian*, reported that Freeport's environment manager, Bruce Marsh, had told people in the Koperapoka area to stop eating sago. While Freeport hastily denied it, the Koperapoka themselves have confirmed independently that the reports were true.

The US-based Rainforest Action Network reported in May that 78 drums had been distributed to Koperapoka families to catch rainwater for drinking, since the river water had been contaminated. Freeport responded by saying that the drums are designed "to store water so that the people do not have to collect water every day". It neglected, however, to invite RAN to see for itself.

There may have been little point even if RAN had been invited. Previous visitors to the area have said they were accompanied by Freeport employees at all times and their schedule tightly arranged prior to their visit, denying them the chance to make a completely independent investigation. The company's own environmental studies will meanwhile be selectively reviewed by the Indonesian government.

Freeport's attempts to improve its social and environmental record are already losing credibility. However, the same cannot be said for the company's powerful friends. In April, *Tifa Irian* announced that the Indonesian government had said that "Any action against Freeport is against the government". ✪

[Sources: *Down to Earth* No 18, RAN, PaVo Paper no.1, and independent sources.]

## PULPING THE RAINFOREST

*The rise of Indonesia's pulp and paper industry*



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# Indonesia and PNG preparing offensive?

The intelligence forces of Indonesia and Papua New Guinea are working to launch a joint campaign against the *Organisasi Papua Merdeka*, the armed resistance of the West Papuan people, according to a report received in Australia by the Australia-West Papua Association.

The report suggests that on 12 August this year seven planeloads of Indonesian troops were brought into Merauke, which borders with PNG in the south. The troops were fully equipped for military action and were spread out, 175 troops being placed in several sub-district villages along the border: Bubul, Muting, Mindiptanah, Barokok (or Merokok) and Ok Sibil. 175 troops were also sent to Wamena district.

At the time the report was sent, on 21 September, the Indonesian troops were said to be waiting for the PNG troops still involved in independence day celebrations. The PNG side would make air surveys from helicopters to track down OPM positions along the border. The joint operations, the first of their kind and would represent a grave escalation in PNG's direct involvement in Indonesia's war against the OPM, are being carried out under the Memorandum of Understanding signed between the two countries for joint police patrols.

The report claims that PNG troops will raid West Papuan refugee camps (presumably those near the border, not the East Awin camp) while Indonesian troops will engage in operations against OPM positions.

## The view from PNG

In recent years, the stance of the PNG government towards its land-neighbour West Papua has become increasingly pro-Indonesian. Whereas in the early 1980s, it would respond angrily to border incursions from West Papua into PNG by Indonesian troops, in recent years it has gone as far as inviting Indonesian troops over the border to carry out "civic work" programmes. There was no outcry from Port Moresby last June when Indonesian troops crossed into Wutung in PNG in pursuit of the OPM, burning a man in his hut and injuring two others.

On the other hand, many PNG citizens are very concerned. The Wutung villagers have reported the June incident to the United Nations General Assembly "because the PNG government is not concerned about the illegal crossings by the Indonesian soldiers" which left the villagers fearing to go out to their gardens [PNG Times, 18.06.92].

The Pacific Council of Churches has also condemned the incursions. In a statement in June, it said that the aggressive and stubborn acts of border violations by Indonesian armed forces must be condemned by western countries [PNG Times, 18.06.92].

Meanwhile the PNG Teachers Association is extremely concerned for the safety of teachers and students in schools on the border. The Association's general secretary, Moses Taian, recently criticised the border administration of PNG voicing the fear that "school children could possibly be caught one day in 'crossfire' between OPM rebels and Indonesian troops" [Post Courier, 3.07.92].

## Sharing the same blood

Many letters to the PNG press express dissatisfaction among citizens with their government's attitude. A typical letter says: "We share the same soil, we share the same blood. Why can't the PNG government fight for their rights? Maybe PNG is scared of the Indonesian Government and its soldiers...". Another published on 16 June in the *Post Courier*, said:

*"We have been informed via the media that Indonesian soldiers will begin civic works projects in the Unggai-Bena area. Sounds harmless, doesn't it?"*

*"With the slow progress of the Trans-Irian Highway, the Indonesians now have a better excuse to have their planes 'trespassing' in our country to drop off supplies. What right does an Indonesian have to enter PNG that a lone weary OPM man doesn't have? If Indonesians can enter PNG on job contracts, why not destroy all refugee camps and allow West Papuans, with or without papers, to be part of our society without so much hassle?"*

*"Admit it! Whether you're from the West or the East, you are connected to this land by blood. Projects of such a nature can be handled by the youth of this nation under supervision from either the PNGDF [PNG Defence Force] or their Australian counterparts. Really, it is not necessary to take in Indonesian soldiers to do something we can handle ourselves. Perhaps there is something else?"*

*"It makes me sick to note that whilst we have alternatives the Government plunged right in without further and careful consideration. How can we be friends with those who stole part of our land?"* ★

## West Papua: The Obliteration of a People

West Papua:  
The  
Obliteration  
of a People



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

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

**Price: £3.50 Sterling plus postage**

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*Sue Rabbitt Roff, Timor's Anschluss: Indonesian and Australian Policy in East Timor, 1974-76, 1992, The Edwin Mellen Press, Lewiston/Queenston/Lampeter. 128 pages.*

## BOOK REVIEW



It goes without saying that many aspects of the history of Indonesia's brutal annexation of East Timor still need to be examined. The primary focus of this work is Australia's acquiescence in this crime against humanity. Early on, the accomplices were prime ministers Gough Whitlam and Malcolm Fraser, to be followed later by Bob Hawke and, today, Paul Keating, each with their respective foreign ministers, the latest and worst of all being the current Foreign Minister, Gareth Evans.

The author, an Australian, was in a good position to closely follow the events she records. She was on the staff of the office set up in New York in December 1975 by Fretilin to lobby the United Nations in those crucial first months when two Security Council resolutions and a General Assembly resolution were adopted. These days, when the UN has been used by the western powers to intervene in so many world conflicts, it is salutary to be reminded of how difficult it was then for East Timor to obtain the active support of the UN against its aggressor. Among the many ironies that Roff's account reveals is the fact that Saudi Arabia "fully endorsed the Indonesian invasion of East Timor". Saddam Husein must have been listening!

The story of how Australia deliberately sabotaged a visit in January 1976 by the UN Secretary-General's envoy, Winspeare Guicciardi, to Fretilin-held territory for an on-the-spot investigation in accordance with Security Council resolution 384, reveals the depth of Canberra's complicity in the crime being committed on its northern doorstep.

Several first-hand accounts of the events immediate prior to the invasion shed more light on events that have been recorded in other works. David Scott, an aid worker sent to East Timor during the latter weeks of the Fretilin *de facto* administration (August-December 1975), vividly describes the conditions under which the last remaining Australians in Dili were compelled to leave in the countdown to invasion (the one who refused to go, journalist Roger East, was murdered on Day One of the invasion, 7 December 1975). Another is the account by José Martins. He was leader of KOTA, one of the parties which signed away East Timor's future on 30 November 1975, and who a few months later, defected and described in detail Indonesian military operations inside East Timor in the months preceding the invasion. It was his account that first accused the Indonesian army of murdering the five members of a Australian TV team in Balibo on 16 October 1975. It is instructive to know that the so-called "Balibo Declaration" of East Timorese party leaders, used today by Jakarta as proof of "overwhelming support" in East Timor for integration, was signed at Pendenza View Hotel in Bali, owned by Colonel Sugiyanto [misspelt throughout as Sugiyanta], of BAKIN, the Indonesian intelligence agency.

The early chapters of the book are based largely on reports in the Indonesian press (almost exclusively, *Sinar Harapan*) in 1974 and 1975 on East Timor and Jakarta's contacts with Portuguese officials. The author argues that this press coverage meant that "it would have been difficult

for Canberra's analysts to misunderstand Indonesia's intentions or to miss the build-up to the invasion". But far more telling than this are the confidential meetings she describes between Suharto and other top Indonesian officials, as well as between PM Whitlam and Australia's ambassador in Jakarta, Richard Woolcott who adopted what the latter called "Kissingerian pragmatism" - sympathising with Jakarta's objective in annexing the country while saying they could not condone the means adopted, while doing nothing to condemn it. This hypocrisy has been the common thread of Australian policy to the present day, as reflected in the phoney arguments employed by Foreign Minister Gareth Evans to justify Australia's *de jure* recognition of integration. Canberra did not need to read the Indonesian press to know what was going on. It might have been more useful for Roff to examine the Jakarta press for the way it served the government's purposes. For this she would have needed to look at more than just *Sinar Harapan* which was somewhat less compliant than other dailies.

Of course, as Roff demonstrates, Australia's underlying consideration was oil, leading ultimately to the signing of the Timor Gap Treaty in December 1989. On the day Woolcott arrived in Jakarta to take up his post as ambassador, the Australian press reported that Woodside-Burmah had begun drilling six miles off the coast of Portuguese Timor. One paper pointed out that a "major discovery of oil in either part of Timor would bring a new element into the delicate questions surrounding the future of Portuguese Timor" [*Australian Financial Review*, 4.03.1975].

Although this rather slim hardback provides plenty of information not hitherto available, at £29.95 it is well beyond the pockets of most who might find it useful. And although so highly priced, it lacks an index, a bibliography and a glossary. Nor does it contain any note about the author herself. It also suffers from unbelievably bad sub-editing: misspellings of numerous Portuguese and Indonesian names, many incorrect dates, words left out, some sentences incomprehensible. Many acronyms are not explained; and who, may we ask, is "Head of International Security Sudomo"? Presumably that should have been "internal security", in other words, Kopkamtib, which should have been spelt out, also identifying Sudomo as an admiral. Such errors are inexcusable.

Roff introduces her book as an attempt at offering a reconstruction of events through the Indonesian press but there are so many misrepresentations of Indonesian personalities as to make one wonder how familiar she is with the Indonesian scene.

Even worse, one of the photos is not what the caption claims: the photo said to be Xavier do Amaral (his name is misspelt throughout, in a variety of ways), first president of the Democratic Republic, with a group of East Timorese, is in fact a photo of a Papua New Guinea Catholic worker, Greg Mongi, speaking to West Papuan refugees in Papua New Guinea in 1984, which was first published in *TAPOL Bulletin*. Books about East Timor are too few and far between to be marred by such shoddy editing. ★

Carmel Budiardjo

***Tu Galala Social Change in the Pacific.* Edited by David Robie. Bridget Williams Books & Pluto Press, P.O.Box 199, Leichhardt, NSW 2040, Australia. A\$ 24.95 plus postage**

The timeliness of this excellent book, whose villains commit a host of crimes against the Pacific's people and environment, is highlighted by recent reports that France seems likely to resume its nuclear testing program at Moruroa Atoll in 1993.

Apparently President Mitterand is close to abandoning his hopes for a global test ban and the French worshippers of 'La Bombe' have already drilled a 700 metre deep bore-hole in preparation for the next round of tests.

"*Tu Galala*", a Fijian phrase meaning freedom, is a well-argued response to a litany of regional outrages from the French and their colonies to the multinationals and their mining projects; from the strongarm tactics of Fiji's Rabuka to the Indonesian military in East Timor and West Papua (Irian Jaya).

Although the Indo-Fijian lawyer and journalist Richard Naidu writes in his Afterword that the volume is "mostly a polemic, or a diverse collection of them", the fifteen chapters are remarkably dispassionate and free of invective, considering the determination and track record of the adversaries. Doubtless this is largely due to the editorship of indefatigable New Zealand journalist David Robie who is at pains to stress that, unlike usual accounts of regional problems, "the 'voices' in this volume...are in most cases activists, campaigners and writers who have been in the vanguard of change in the Pacific". He adds that they are the "advocates of the less privileged" and they have argued their cases well. It is of no little significance that many of them are nationals of the island states and their personal experiences of life in Kanaky (New Caledonia), Tonga, Fiji, Samoa, Aotearoa (NZ) and elsewhere provide fascinating and irrefutable insights into the Pacific beyond-picture-postcards.

The final impression is one of a polarised paradise where human rights are often the loser and the gap between haves and have-nots continues to widen. As the Tongan writer Epele Hau'ofa puts it, "The privileged groups...share a single dominant culture with increasingly marginalised local sub-cultures shared by the poorer classes".

The Pacific might be, in the memorable words of a US military commander (and a book by Walden Bello et al) an "American lake", but Australia and New Zealand too, are a target of criticism. One main conclusion about our 'aid' to island nations is that development trends have been "turned toward economic and social integration within an Australasian-dominated regional economy".

At least that is preferable to suffering under the Javanese jackboot, as researcher Liem Soei Liong from the London-based TAPOL group explains in depressing detail.

Included because of its location on the Pacific "Rim" and the Pacific characteristics of its eastern peoples, Indonesia is (as usual) the subject of much criticism, notably over its reprehensible behaviour in Timor and Irian, although little-known problems in the Moluccan islands are also analysed. Liem, the co-author of several books on Indonesian politics has fused, and amplified, the Republic's ancient and modern history, his contribution well-placed in a book whose scope ranges as far afield as Tahiti from where the near legendary Danielssons pen an equally bleak portrait of living "In Bondage to the Bomb".

In regard to the East Timor invasion, Liem quotes Austra-

lian Foreign Minister Gareth Evans, as having said that, "There is no legal obligation not to recognise acquisition of territory that was acquired by force".

How many negatives can one quote bear?

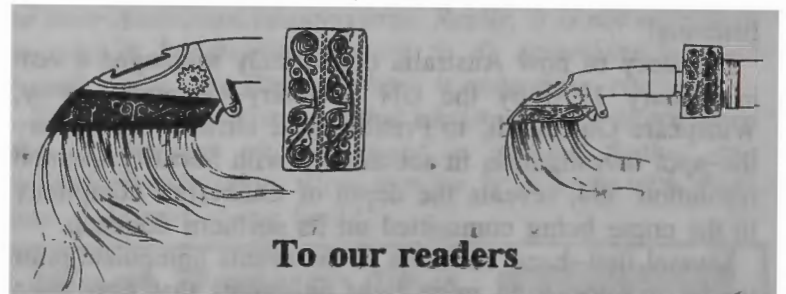
The rest of the un-pacific Pacific, we learn, is plagued by American deviousness in Belau; royal disregard in Tonga - presumably the King is just too busy eating; and a host of such abuses as the PNG army's killing Bougainvilleans from Australian-supplied helicopters and a coalition of Fijian soldiers and chiefs deciding that their democracy needed a constitution that disenfranchised much of the electorate.

If a single conclusion emerges it is that while the status quo is not about to change itself, there are strong grass-roots movements that - to use Richard Naidu's words - will become "increasingly relevant to the needs of the region's peoples".

He believes that when alternative political leadership is found in them it will lead to "real progress in our region". However it should be remembered that while many of these groupings may function legally, others - the Bougainville Revolutionary Army, Fretilin, the OPM and more - must choose bullets over ballots.

In doing so of course, they're fully in step with those European powers which established themselves here a century ago at the point of a musket.

Robin Osborne, an Australian journalist, is author of *Indonesia's Secret War: The Guerilla Struggle in Irian Jaya*. He wrote this review for the *Australian Journalist*. ★



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