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## The Indonesia Human Rights Campaign

TAPOL Bulletin No. 137

October 1996

# Nation-wide crackdown

*The Suharto regime has launched a nation-wide crackdown against the pro-democracy movement in Indonesia which is more vicious than anything since the white terror perpetrated against the Indonesian Communist Party in the decade following the events of 1965. Hundreds have been arrested and preparations are underway for a number of subversion trials.*

The crackdown was launched in the wake of the storming of the headquarters of the *Partai Demokrasi Indonesia*, the PDI, on 27 July to seize it from supporters of Megawati Sukarnoputri, chairperson of the party. Soon after the PDI office was seized, the military commander of Jakarta, Major-General Sutiyo, announced that his troops were under orders to 'shoot on sight' anyone deemed to be trouble-makers. This order was later put into force by all the nine other military commands.

Hundreds of people were arrested on 27 July, including people who had defended the PDI office against the military onslaught and people involved in the disturbances in Jakarta later that day. Of these, 124, none of whom has yet been identified by name, will go on trial shortly on charges of rioting, arson and public order offences. However, the political thrust of the forthcoming series of trials does not lie here but in the series of mostly anti-subversion trials that are expected to start before the end of the year.

### Targeting a new 'communist' foe

Two days after the PDI office was seized and while the country was still reeling from the impact of the disturbances that erupted in the capital in protest at the brutality unleashed against the PDI and its legitimate leader, Suharto summoned six senior ministers and generals and announced that the instigators of the 27 July 'riots' and the mastermind behind the recent campaign of the PDI was the *Partai Rakyat Demokratik (PRD)*, the People's Democratic Party. He alleged that this recently-established party had a political programme and network of organisations akin to the PKI, the Indonesian Communist Party, which was outlawed and declared the enemy of the state after he seized power in 1965. The scene was set for a renewed onslaught against the scourge of communism.

The PRD came into being as a political party as recently as the middle of this year. It has several affiliates, the PPBI which is a labour union, SMID, an organisation for students, STN which is a peasants organisation, and JKR, an organisation of cultural workers. Its members are all very young; mostly they are students who have become politically active in the past year or two. During their short existence, the PPBI and SMID in particular have been outstandingly successful in rallying people around economic

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and social issues, especially workers. But now that Suharto has declared war on the PRD, many of its activists have been arrested, others have gone into hiding and the mere suggestion of having links with or sympathy for the PRD makes a person suspect and liable to arrest or harassment by the security forces.

By targeting the PRD which most commentators in Indonesia recognise as a tiny band of militant young activists that is hardly a threat to the armed power of the Suharto regime, Suharto seems intent on shifting the battleground away from a fight against Megawati's PDI. The PRD is being portrayed as the 'force behind the PDI', responsible for mobilising the masses in Megawati's support. Although it is ludicrous to take seriously comparisons now being made between the PRD and the three-million strong PKI which enjoyed the support of many millions more in a number of mass organisations, the rhetoric and operations unleashed by the security forces after Suharto's declaration of war on 29 July are reminiscent of the atmosphere that engulfed Indonesia after the events on 1 October 1965. Suharto apparently believes that he will be better able to whip up sentiments by rekindling the communist bogey rather than by taking on Megawati's PDI which is known to enjoy solid popular support in many parts of the country. He may also hope that an attack on the PRD will cast the PDI in the role of an unwitting stooge of modern-day Indonesian communists.



**Budiman, PRD Chairman, with Pramoedya Ananta Toer, Indonesia's most celebrated writer.**

The PRD has been vilified for failing to express support for the state ideology, *Pancasila*, in its programme, for calling on people to oppose the government, even for using the five-pointed star in its campaigning literature. It is also alleged that 25 per cent of its activists are the offspring of former PKI political prisoners. (The father and grandfather of the party's president, Budiman Sudjatmiko, both devout Muslims, have vigorously denied allegations by senior army officers that they are *ex-tapols*.) The fact that pro-Megawati stickers have been found on the walls of some PRD offices is taken as proof positive of its sinister role in masterminding the pro-Megawati campaign.

With the army on the lookout for foreign links and funding, the PRD has been assailed for having sent its members to the Philippines and to Australia. The top general who rants on incessantly against Indonesia's 'enemy number one', Lt. General Syarwan Hamid, even went on

record as claiming that the party obtained funding from the Australian Labour Party, until he was forced to withdraw the claim, after being reminded that the ALP is one of Suharto's staunchest allies.

PRD members have been questioned about their alleged contacts with *TAPOL*, and our office in London has been contacted by several Indonesian publications anxious to know whether we have provided financial and political backing for the party.

## Dozens of PRD activists under arrest

By the middle of September, according to Human Rights Watch/Asia, at least thirty-nine PRD activists were under arrest, thirteen in Jakarta, twenty-three in East Java and at least three in Solo and Yogyakarta, Central Java, with more arrests still being made. Most of the arrests are made by the army with the detainees being taken immediately to the local *Bakorstanasda* (army security agency) headquarters for intense interrogation and maltreatment. The requirements laid down in the procedural code are simply ignored, the actions are better described as kidnaps.

Many alleged PRD supporters have been taken into custody for short periods, then released on condition that they report regularly to the local police or army command. In fact the only non PRD member under arrest and likely to go on trial soon for subversion is the independent labour leader, **Muchtar Pakpahan**, of which more below. In one province, the military commander said they had a list of sixty PRD suspects they are hunting down.

The 'prize capture' came with the arrest on 11 August of **Budiman Sudjatmiko**, the party's leader, along with secretary-general **Petrus Heriyanto** who were captured while taking refuge at the home of Benny Sumardi, the brother of a Catholic priest, who was also arrested. Two other PRD activists were caught as well. It was immediately made clear that Budiman would face charges under Indonesia's draconian anti-subversion law which allows anything up to death for vaguely defined political offences against the state.

Already before the 27 July events, three PRD activists were under arrest in Surabaya, East Java because of their role in organising a huge workers' protest and strike in the East Java capital on 8 July. Of the three, the woman activist **Dita Indah Sari**, **Coen Hussein** and **M. Sholeh**, Dita Sari is likely to go on trial for subversion. It appears that the charges against the three were upgraded after the events in Jakarta turned their party into public enemy number one.

In their operations against PRD activists, the security forces have raided the party's offices in many places - usually nothing more than a room in someone's home - and taken the relatives of PRD suspects into custody after failing to hunt down their prey. The mother of Garda Sembiring, Veronica Sembiring was arrested by troops who were looking for her son and held for several weeks. She continued to be held even after he was arrested. Wahyu Susilo, brother of Widji Thukul, a poet and member of the JKR, who is still in hiding, was held and tortured for several days by police hunting for the poet.

Torture is an inevitable part of the process. One student named **Hendrik Dikson Sirait** was grabbed at a bus stop on 1 August outside the court where Megawati's lawsuit (see separate item) was to have been heard. He was taken by men in plain clothes to a military command, stripped to his underpants and immediately subjected to beating, elec-



tric shock, cigarette burns and other indignities. His torturers wanted him to confess to having been a rioter on 27 July and a member of PRD. In fact, he was neither, but after days of serious physical abuse, he signed the confession they wanted. After his transfer to a police office, the treatment improve and he was eventually released. His colleagues from the democracy reform group, PIJAR, and members of his family were unable to discover his whereabouts for more than a week.



**Muchtar Pakpahan**

*photo: Elaine Briere*

## Tracking down the 'brains' behind PRD

Having established to their own, if to no one else's, satisfaction that the PRD was 'behind' the recent unrest, the security authorities then set out to discover who is 'behind' the PRD. This is in fact acknowledgement that such a new and youthful party could hardly, on its own, represent a menace to the regime.

The first choice fell on a Jesuit priest, Father Ignatius Sandyawan Sumardi, director of the *Institut Sosial Jakarta*, the ISJ, which has worked for years to help the underprivileged and impoverished urban poor. Immediately after the 27 July events, the ISJ set up a Team of Volunteers to investigate the death toll and help victims of the army's brutality. The team, which included lawyers from the Legal Aid Institute, a women's group, *Kalyanamitra*, and well-known Muslim leader, Abdurrachman Wahid, and collaborated closely with members of the National Commission for Human Rights, made strenuous efforts to monitor the condition of wounded people in several hospitals and set up three posts where people with missing relatives could report in confidence and seek help to discover the whereabouts their relatives.

It so happens that Budiman Sudjatmiko contacted the ISJ while he was still in hiding. He and other PRD activists were

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given refuge by Father Sandyawan at his brother's home where they were later arrested. The priest himself was then subjected to harassment; allegations soon circulated that he was the 'intellectual brains' behind the PRD, an allegation which he vigorously denied. Although initial suggested that he might be formally charged for a range of political offences, it now appears that he will face charges of 'harbouring a criminal on the run from the law'.

Dozens of people have been summoned for questioning by the police or by the Attorney-General's office as potential witnesses in the PRD trials. They include **Megawati Sukarnoputri** who has been questioned no fewer than three times, as well as several senior PDI members, including five other members of Parliament. Other potential witnesses summoned for questioning include the country's foremost novelist, **Pramoedya Ananta Toer** whose 'involvement' with the PRD rests on the fact that he was one of nine people awarded the PRD's 1996 award. After responding to the first police summons, an event which drew media attention all around the world, Pramodya has refused to respond to further summonses, saying that for as long as his confiscated home, seized soon after his arrest in October 1965, has not be returned to him and his wife, he will ignore all summonses from the authorities.

Others who have been summoned for questioning as potential witnesses in the forthcoming subversion trials at least twenty activists from the more than two dozen NGOs and parties that joined in setting up a coalition called *MARI*, to mobilise support for Megawati. They include **Ridwan Saidi**, who chairs the *Masyumi-Baru* (New Masyumi) party, **Sukmawati Sukarnoputri**, sister of Megawati, who chairs *Gerakan Rakyat Marhaen*, the Marhaen People's Movement, based on the *marhaen* ideology of her father, the late President Sukarno, **Goenawan Muhammad**, former editor of *Tempo* and chairperson of KIPP, the independent election monitoring committee, **Mulyana W. Kusuma**, secretary-general of KIPP, and **Poncke Princen**, head of Indonesia's oldest human rights organisation, *LPHAM*. Lawyers from the Legal Aid Institute were particularly incensed when their executive director, **Bambang Widjajanto** was summoned for questioning in relation to charges against Budiman Sudjatmiko who is in fact his client.

The emphasis is on extracting information to implicate the PRD because it was also a founding member of *MARI* and on concocting alleged links with a number of political figures including members of the PDI, which might produce clues as to the political or financial backing for the party.

## The arrest of Muchtar Pakpahan

The biggest surprise of all was the decision of the Suharto regime to arrest the labour leader, Muchtar Pakpahan, and charge him under the anti-subversion law. Pakpahan who heads Indonesia's longest-surviving independent trade union, the SBSI, was arrested by officials of the Attorney-General's office three days after the 27 July events. The speed with which the authorities acted strongly suggests that is an act of vindictiveness because Pakpahan's four-year sentence for alleged 'incitement' of workers during the Medan protests in April 1984 was quashed by the Supreme

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# Megawati's strategy for political survival

*The struggle for democracy in Indonesia has entered a new phase since the violent and bloody seizure of the PDI headquarters on 27 July. The popularity of the party's elected leader, Megawati Sukarnoputri, has not diminished while regime attempts to remove her from the political scene has only turned her into an internationally renowned politician.*

As reported in *TAPOL Bulletin* No 136, armed forces generals and the government, under instructions from Suharto himself, mounted an unlawfully constituted congress of the Indonesian Democratic Party, the PDI, in order to oust the elected leader, Megawati Sukarnoputri, daughter of Indonesia's first president, and have her replaced by a regime puppet, Soerjadi. The violent seizure of the party's office in central Jakarta was intended to be the final blow, putting an end to what Suharto saw as a serious threat to his control over the 1997 election process and to his bid for a seventh term as President in 1998. But things have not turned out that way. The PDI led by Megawati has shown no signs of fading into oblivion.

The party is pursuing a number of strategies:

## Mounting a legal challenge

Megawati has appointed a team of lawyers, the Team to Defend Indonesian Democracy, headed by senior lawyer R.O. Tambunan, to fight to establish her party's legitimacy through the courts. The lawsuit names the armed forces commander, General Feisal Tanjung, minister of the interior Yogie S. Memet, and deputy chief of staff for social and political affairs, Major-General Syarwan Hamid, along with three PDI officials who collaborated in the conspiracy to oust her. After the first hearing was postponed because 'the presiding judge had tooth ache', the court began by ordering the contestants to seek an out-of-court settlement but after a week of negotiations, during which the army generals said they would only 'settle' if Megawati withdrew the lawsuit, and sought to offer themselves as 'mediators' between Megawati and Soerjadi, the judge agreed to proceed with the case..

Of her lawsuit, Megawati said:

'Though there is not a single instance in the past thirty years when the Supreme Court has ruled against the government, my supporters and I are dedicated to doing everything we possibly can to uphold the Constitution, abide by the law and assure that the transition to democracy is peaceful. Our lawyers and I are convinced (and leading international legal experts concur) that our case is so strong that based on the evidence alone, any impartial court of law in the world would definitely find in our favour, and designate me as the lawful, duly elected leader of PDI.

'If the government-appointed judges rule against me, the regime must assume complete responsibility for the consequences, which are certain to lead to a significant increase in the already substantial lack of confidence in Indonesia's political stability on the part of foreign and domestic investors alike, international condemnation of the country's legal system and the regime's claims to legitimacy; and the outbreak of spontaneous demonstrations

throughout the country, which are likely to be much larger than any the country has experienced in thirty years.' [*PDI Press Statement*, 22 July]

The court sessions have been attended by large crowds of Megawati supporters, spilling over onto the streets outside. Police and troops have been present in large numbers with marksmen keeping watch from rooftops.

Numerous lawsuits have also been filed in the regions against local PDI officials who attended the unlawful congress. Several thousand lawyers have offered their services to fight these actions.

## Establishing an office

The Megawati PDI leadership has also taken an important move to assert its existence by opening a head party office in Condet, East Jakarta, despite statements from government officials that such a move would be 'unlawful'. So far, however, the security forces have done nothing to close down the office. Commander in chief General Feisal Tanjung has been quoted as saying that the matter would be 'regulated' but said would be left to the mayor of East Jakarta. He described it as an 'administrative affair' because the office had been set up in a residential area. The office occupies a two-storey, well-appointed building.

## Mega and Sukma sue Syarwan Hamid

Megawati and her sister Sukmawati have filed a lawsuit against armed forces chief of staff for social and political affairs, Lt. General Syarwan Hamid for asserting that Megawati is trying to become Indonesia's Cory Aquino and bring about the downfall of the New Order by mobilising physical forces. He also alleged that the task of creating 'people power' was to be undertaken by Sukmawati Sukarnoputri who chairs an organisation called *Gerakan Rakyat Marhaen*.

These remarks by Syarwan Hamid, made during a speech to the Indonesian Ulema Council, MUI, were reported in *Surya*, an East Java newspaper. A few days later, the paper totally withdrew the article, but lawyers acting for the sisters said this did not detract one iota from their lawsuit because they possessed other evidence that the remarks had been made.

Syarwan Hamid also alleged that the Muslim leader, Abdurrahman Wahid, would perform the same role as Cardinal Sin did during the overthrow of the Marcos regime. [*Tiras*, 5 September]



In early September, Megawati also convened a meeting of party representatives from right across the country to discuss policy and tactics.

## Compiling a list of candidates

Soon after the events of 27 July, the three regime-endorsed contestants in next year's general election, the government party, GOLKAR, the tiny PPP and the Soerjadi PDI, submitted their lists of candidates to the state election committee, the LPU. All attention was on the fact that Megawati and her supporters were excluded from the PDI list. But they too have compiled their list which they duly presented to the LPU. The list includes a number of well-known dissident figures, including former MP, Sri-Bintang Pamungkas, Ali Sadikin of the petition-of-50 group and Abdurrachman Wahid, leader of the Muslim organisation, NU. When the committee refused to accept the list, Megawati's lawyers announced that they would mount a legal challenge against the LPU.

## A formidable opponent

While Megawati studiously avoids calling her party an opposition party, she is widely acknowledged as the symbol of the pro-democracy opposition. As housewife-turned-politician, a woman who deports herself modestly and is always in a good humour, she is proving to be a formidable opponent, despite what some analysts refer to as her lack of political experience. Dealing with a woman is proving quite tricky for the regime.



She boycotted the parliamentary session at which Suharto delivered his State of the Nation address on 16 August but attended the Independence Day reception at the palace along with her brothers and sister, as the daughter of the man who proclaimed Indonesia's independence.

She has responded to three summonses, undergoing heavy questioning. After the third bout at the Attorney General's office, which lasted almost the whole day, she said she felt she like a schoolgirl required to sit for an examination. But she came out smiling, assuring waiting journalists that she had been treated with respect. It was left to her lawyers to describe the experience as 'gruelling', and to complain that she had been denied the right to be accompanied by legal advisers. She is likely to be called as a witness in the subversion trials of Budiman Sudjatmiko and Muchtar Pakpahan, but undoubtedly, her appearance will be quite a media event.

What is striking about the strategy is that the Megawati leadership is carrying on with normal party activities re-

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gardless of the regime's determination to force the party into extinction. Megawati herself has travelled to several regions to consolidate the local branches. Everything she does is carefully handled and is guaranteed to draw attention from the domestic and foreign press. It is Soerjadi's PDI that is disappearing into thin air. If the general elections go ahead next year as planned, the Soerjadi clique will be virtually eliminated. Just a few short months ago, all the attention was on the activities of KIPP, the Independent Committee to Monitor the Elections. Now, monitoring is hardly an issue because of the regime's refusal to allow the real PDI to take part. This time round, as never before, abstentions or 'blank votes' are bound to further erode the illusion of legitimacy of the five elections held since Suharto's New Order came to power. This will be a disaster of Suharto's own making.

According to the gossip in Jakarta, the *wangsit* or 'gift of power' bestowed on Suharto through his liaison with the late Madame Tien, by virtue of her aristocratic ancestry, has now passed on to the Sultan of Yogyakarta who seems inclined to pass it on to the daughter of Sukarno. Such stories hold sway among people steeped in Javanese mysticism, among them Suharto himself. If one follows this through to its 'logical' conclusion, there may be nothing Suharto can do to reverse the process. \*

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The level of political activism on the campuses has indeed been on the rise, especially since the death of three students at a university in Ujungpandang in April this year, when armoured personnel carriers made in Britain crashed onto their campus. In the wake of the 27 July events, a number of students in Yogyakarta were rounded up and taken in for questioning. Reports of the severity of the torture they suffered during their brief detention were carried in the Indonesian press. Students have spoken of an atmosphere of terror as security forces and members of *Menwa*, the student regiment, have been on the prowl for SMIIID suspects. University rectors have declared their willingness to give the security forces access to university premises to search for and arrest student suspects and have ordered an end to all on-campus political activities such as the holding of free-speech forums. The rector of Diponegoro University, Professor Muladi, announced that all events which might be interpreted as 'political' should cease. Muladi, it should be noted, is a member of the National Commission for Human Rights.

## Targeting NGOs

In its determination to cast its net as widely as possible against the pro-democracy movement, the government has also lambasted a number of NGOs for alleged leftwing leanings and accused them of working against the national interests. The Interior Minister, Yogie S. Memet, has announced that NGOs will soon be subjected to much tighter regulation of their activities and sources of funding. The women's group, *Solidaritas Perempuan*, publicly denounced the police for staging a raid on its office and confiscating important documents, some of which relate to its work on behalf of immigrant workers. The office of the human rights NGO, LPHAM, was raided by a force of about a dozen police who confiscated many documents. \*

# Suharto's dented image

*The brutal events of 27 July, the shoot on sight order and the mass arrests have had a major impact on political perceptions of the Suharto regime, both at home and abroad. In the past few years, responding to international pressure, Suharto offered a few concessions, even promising to 'open up' the political system. Since the July events however, he has slammed the door tight.*

President Suharto is showing every sign of being a man in trouble. On 18 September he summoned the five hundred richest Indonesians, including two of his own children, to his Bogor palace, to warn the cream of Indonesian society that sinister forces were aiming to utilise the gap between the rich and poor to start a revolution. 'We have to be tough,' he told his audience, adding that donations would be welcome to cover the costs of running the apparatus of repression.



*Suharto is making a smooth succession increasingly unlikely.*

The events surrounding the 27 July massacre have been described by many analysts as the biggest threat to the Suharto's regime since he came to power 31 years ago. Whether or not one agrees with this conclusion, it is undeniably true that the exciting events that unfolded before the crackdown were a shot in the arm for the pro-democracy movement. This has faced President Suharto with a stark choice: accommodate the pro-democracy forces or suppress them.

Unlike previous years, Suharto's State of the Nation speech on 16 August this year made no promises of greater openness. He used the occasion to remind the Indonesian people that the New Order political system created in the early seventies was here to stay. Anybody wanting to change the system would have to face the consequences. No safety valves, no openings, take it or leave it, was the message.

## International outcry

The international outcry to the July events has been unprecedented. The world press carried extensive reports

about the military brutality illustrated by many photos. Indonesia has never before been exposed to such continuous negative reporting. The central issues were outrage at the attack on the PDI building by the security forces and the heavy-handed methods used against the pro-democracy movement, and resurrecting the communist bogey by making groundless charges against the PRD, the most radical wing of the pro-democracy movement by Suharto himself. [See separate article.] There was also dismay at Su-

harto's stubborn refusal to deal with the pro-democracy movement in any way other than with an iron fist. The image of the Suharto regime has never been so bad; it is fast becoming a pariah regime, along with Burma's SLORC.

The situation in Indonesia became the focus of attention at the August meeting of the UN human rights sub-commission in Geneva. Although efforts to table a resolution were unsuccessful, the Indonesian government was heavily criticised by a number of NGOs. The European Union delivered a strongly worded diplomatic note to the Indonesian government. On 19 September, the European Parliament adopted a resolution calling among other things for the release of all political prisoners, for a moratorium on political and economic relations with Indonesia and for an end to all arms sales to Indonesia.

Many international NGOs have also expressed anger and dismay. Human Rights Watch-Asia demanded an arms embargo, Amnesty International demanded the immediate release of all those arrested. TAPOL issued several memorandums: one drew the attention of world trade unionists to the two arrested trade union leaders Muchtar Pakpahan and Dita Indah Sari; another, addressed to the presidency of the EU, called for an EU moratorium on relations with Jakarta.. New Indonesia solidarity groups have been set up in Canada and the Netherlands.

Demonstrations have been held outside Indonesian embassies and consulates expressing dismay and anger at the crackdown. Besides Australia, where many protest demonstrations have taken place, a number of NGOs in Hongkong protested outside the Indonesian embassy there and came to clashes with embassy staff. The newly-born group in Ottawa held a demonstration on 17 August. In Tokyo, fifty NGOs visited the foreign ministry urging strong action by Japan against Jakarta. Trade unionists in the UK held a demonstration at the Indonesian embassy in London calling for the release of Pakpahan and Dita Sari.



## US criticism

Criticism from the US was unusually strong. It started with a letter from 25 members of Congress, expressing dismay at the 27 July crackdown. The Clinton administration decided to ban the sale of armoured personal carriers. In late August, a decision was taken to suspend a deal already finalised to sell F-16 fighter aircraft until after the presidential election, because of concern at the human rights situation.

The decision to send ex-President Jimmy Carter on a highly-secret visit to Jakarta for talks with President Suharto was a mark of the level of concern at the White House. Washington knows that Suharto is not a state leader whom they can order around, like Marcos, so they must have hoped that gentle persuasion might work. According to reliable sources, Carter told Suharto that Washington would not look favourably on a seventh term for Suharto, that it looked forward to a non-military regime in post-Suharto Indonesia, and was unhappy about the way the opposition was being treated. As soon as the points had been translated to him, President Suharto, who was said to be 'quivering with rage', told his guest there was nothing further to discuss.

US officials have publicly shown their distaste in several ways. During a visit to Jakarta in September, Winston Lord, assistant secretary of state for the Asia-Pacific region, praised the National Commission's interim report about the 27 July events, which had so angered President Suharto. He was also allowed to make 'extremely brief' visits to the two leading suspects now awaiting trial on subversion charges, Budiman Sudjatmiko and Muchtar Pakpahan. Lord told a Senate sub-committee hearing on policy towards Indonesia that the Clinton has 'positioned itself on the side of responsible change'. He said that human rights issues were raised in every bilateral contact between the two countries.

## Criticism from business circles

Suharto also drew criticism from an unexpected source, the business community. Leading journals like *The Economist*, *Business Week*, *Wall Street Journal* and the business pages in leading dailies and weeklies all over the globe have criticised Suharto's economic policies, particularly the special business favours bestowed on his sons, daughters and grandchildren, and cronyism.

Labour Minister Abdul Latief complained heavily about the reporting of the Singapore-based television station ABN (Asia Business News) edited jointly by business media like *Far Eastern Economic Review* and the *Asian Wall Street Journal*. It paints a bleak picture of the Indonesian labour situation, said the minister. "You can see that every three hours. ABN airs news that seems as if the country (Indonesia) is in chaos. That is the way they publicise Indonesia" [*Jakarta Post*, 9 August 1996].

The message of the business world was clear: unless things change dramatically, Indonesia faces a bleak future. Several editorials lamented the uncertainty hanging over the Indonesian economy because the presidential succession is in limbo, and expressed the hope that Suharto would soon leave the scene to make way for a peaceful succession. What business fears is that if the uncertainty drags on, a political explosion could erupt. Many foreign investors have decided to re-consider their long-term investment

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plans. The Jakarta stock market and the currency market plummeted after the 27 July events and consultants advised clients to steer clear of shares in companies owned by the Suharto family and cronies.

## Civil courage inside the country

Despite the heavy handed crackdown by the security forces, the Indonesian society has displayed much greater courage as compared with 1984 when hundreds of innocent demonstrators were gunned down by the military. The Tanjung Priok massacre was followed by an atmosphere of fear. Twelve years on, there has still been no inquiry and the hundreds of bodies have never been traced. This time several groups conducted their own investigations, notably a team of volunteers co-ordinated by *ISJ* (*Institut Sosial Jakarta*, Jakarta Social Institute) and the *Komnas HAM*, the National Commission for Human Rights. Volunteers visited hospitals, graveyards and crematoria to check on the wounded and missing persons. Major Muslim groupings like NU and ICMI expressed concern at the use of state violence and criticised the anti-communist crusade against groups like PRD.

Intimidation against NGOs has been relentless. Many offices were ransacked, files confiscated and activists harassed and tortured. But NGO activists went on the offensive with strong public protests against the security forces.



## No credibility

The general public has not accepted the official version of events. The Jakarta military command's claim that there were only four deaths and 26 wounded has been greeted with derision. When the National Commission for Human Rights announced its findings that 74 people were still missing and 149 had been wounded, this sounded much more credible to the general public.



Although according to the official version, the PDI building was seized by PDI youths and supporters of the government-backed Soerjadi wing, it was obvious to the general public that the security forces led the operation. Several video recordings now circulating clearly show that the storming was spear-headed by police units. It is also taken for granted by the public that *Kopassus* units were involved in the attack on the PDI building.

President Suharto has insisted on blaming the 27 July riots on the PRD, comparing the party to the banned PKI. He has repeated this accusation several times, relying on highly placed military to convey the message to the public. Military leaders like the now-sacked Lt General Suyono and Lt. General Syarwan Hamid are notorious for their willingness to fling accusations at people without a shred of evidence. One of the main victims this time is Budiman Sudjatmiko, chair of PRD. The army even branded his whole family as communists, alleging that his father and grandfather were ex-communist political prisoners. In fact, they are both devout Muslims and are now planning to sue

Lt.General Syarwan Hamid for the calumny, a clear sign that a strong civil society is emerging.

## Disinformation backfires

The official version was widely channelled through the print media and on radio and television. Statements by officials have filled the columns of most newspapers and controls on the press have been tighter than ever. It is only in the English-language *Jakarta Post* that reports closer to the truth have been published. But Indonesians are skilful at reading between the lines; moreover, in the present age of modern communications, many have turned to the Internet for reliable information.

Alternative newsletters, banned books and photocopies of underground articles are much sought after by the general public. While previously, such material circulated only among activists, these days it is read by people on the buses and trains, by taxi-drivers and in office buildings along Jakarta's main thoroughfares, from Jl. Thamrin to Mangga Besar. There is also a great demand for underground literature in the slums of Tanah Abang Bongkaran and the industrial region of Tanjung Priok. Civil society in Indonesia is reaching out for the truth and turning away in disgust from the official channels of information. \*

# MILITARY

## Growing tensions in the army

*The bloody events of 27 July have exposed a rift among leading generals. In the course of a single month, three top generals were replaced while rumours persist about the sacking of commander-in-chief General Feisal Tanjung and chief-of-staff for social and political affairs Lt.General Syarwan Hamid. Suharto is still at the helm but his support among the ABRI rank and file is faltering.*

The massacre of 27 July carried a sting in the tail. The vast majority of the population were appalled at the way the military handled the matter. The mass arrests and the anti-communist drive have only exacerbated these feelings. Many military are not happy either with the present scenario and an open rift is clearly visible.

The generals responsible for the bloody attack on the PDI headquarters were Major-General Prabowo, commander-general of *Kopassus* and son-in-law of Suharto, and Major General Sutiyo, military commander of Jakarta. They operated with the full consent of President Suharto as Supreme Commander. The key persons, commander-in-chief General Feisal Tanjung and chief of staff of the general staff Lt.General Suyono were apparently bypassed. Although political affairs chief Lt. General Syarwan Hamid sought to scotch the gossip by publicly denying there was any rift, political watchers in Jakarta have several versions about what actually happened.

### The sacking of Lt. General Suyono

The sacking of Lt.General Suyono as chief of general state, the number two man in ABRI, was quite remarkable. He should have been in charge of the PDI operation, but

the three-star general was conspicuous by his absence. He was trying out his new Harley-Davidson motorbike somewhere in the wilds of North Sulawesi. In an amazingly frank and naïve interview in the political weekly *Tiras* on 22 August 1996, the general concealed nothing. Yes, he was sacked by the president and lambasted for not supporting the storming of the PDI building. Yes, the president was 'mad at me'. Suyono received his marching orders while in hospital, recovering from injuries sustained when he fell off his motorbike.

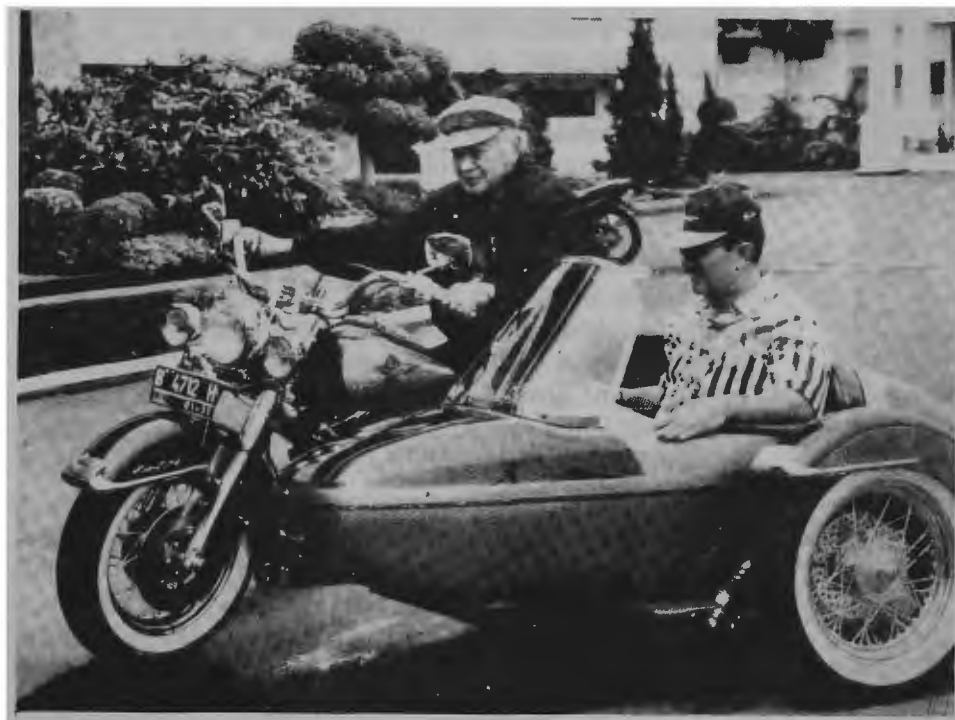
Suyono is typical of the present gang of generals running ABRI, blunt, far from bright and blindly loyal to Suharto. He was a presidential adjutant from 1986 till 1989, which won him a strong patronage relationship with Suharto and family. He owns more than a dozen Harley-Davidsons, the Rolls-Royce among motorbikes, three of which were gifts from Suharto's children, Bambang, Tommy and Tutut. Since the death of his wife Tien, Suharto has developed a fondness for riding a Harley-Davidson, which he probably learnt from Suyono.

As a former presidential adjutant, his army career was secure. In 1993 he became the military commander of the prestigious Diponegoro command in Central Java. Two years later, in February 1995, he was catapulted into the

job of chief of staff of general staff, much to the surprise of everybody. Already as Central Java commander, he behaved like a bull in a China shop. Knowing nothing about leftwing politics, he lashed out like a cold war warrior against pro-democracy activists.

His only asset was loyalty to President Suharto and the *Tiras* interview fully confirms this. As chief of general staff and concurrently secretary of the security agency, *Bakorstanas*, he should have been in charge of the 27 July raid but apparently he would not give the go-ahead. But younger generals like Prabowo and Sutiyo, decided otherwise. He refused to supply the 500 million rupiah (US\$ 200,000) needed for the operation and went on a biking spree instead. Unfortunately for Suyono, Suharto backed the young generals and Suyono became the scapegoat.

In his more than thirty years' rule, Suharto has often discarded loyalists like Suyono. As a ruthless Machiavellian, he uses people like a lemon; after squeezing them, they are thrown onto the rubbish heap. Many generals - Ali Murtopo, Surono, Widodo, Benny Murdani and Wismoyo - have shared the same fate. Suharto has found him a new job as chairman of *MKGR*, one of Golkar's more meaningless organisations.



*In the good old days, Suharto driving Suyono in a Harley-Davidson side-car.*

Others like General Feisal Tandjung and Lt. General Syarwan Hamid could barely save their skins but managed just in time to support the operation. Although rumours are rife that they too will soon get their marching orders, the signs are that they will keep their posts until the elections.

## Coup inside the military

For some time it was clear that Sutiyo and Prabowo were instrumental in the crackdown of 27 July, bypassing their superiors. The two men have similar backgrounds. Both have served long in the elite unit, *Kopassus*, with similar experiences in counter-insurgency operations in East Timor, West Kalimantan and Aceh. Moreover they have met all the education requirements, at home and abroad, to reach the top of the military hierarchy.

Major-General Sutiyo became military commander of Jakarta in February 1996, a strategic post ahead of the gen

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eral elections of April 1997. The relationship between the two is very special; Sutiyo, six years older, speaks very fondly of Prabowo. Prabowo, promoted to major-general in August 1996, graduated from the military academy in 1974 and is the first of his class to become a two-star general. In fact it took him less than a year to jump from colonel to major-general. Besides his military skills, his most important asset is his marriage to Siti Hediati, Suharto's second daughter. None of Suharto's offspring have pursued a military career so Prabowo has become the favourite son-in-law. Such a privileged background confers many advantages, not least money. Prabowo has always behaved like a sugar-daddy to his soldiers. Extra allowances and other sweeteners are always at hand for Prabowo's boys. He has adopted more than a dozen East Timorese and financed their education. In 1993 he set up a new school for *Kopassus* troops giving training along the lines of the British SAS and Israeli commandos. All this has come out of his own resources.

His brother Hashim now heads one of the top business conglomerates, and his wife Siti Hediati is an ambitious player in the Jakarta stock market. Jakarta analysts assess her worth at least US\$200 million in finance, oil and property investments. It is more than likely that the entire 27 July operation was financed from non-ABRI sources.

## Past divisions in ABRI

From the fifties till the seventies, loyalties within the military roughly followed ideological lines as well as one's links with the divisional commands in Central Java (the Diponegoro division), East Java (Brawijaya) or West Java (Siliwangi). Some officers had party political sympathies and ethnic origins played an important role. Suharto, a product of those times, managed to get rid of such loyalties..

Party political life was severely curbed and military allegiance went exclusively to the government party Golkar while speedy reshuffles in the army command prevented high-ranking military from developing regional power bases. Loyalty to a division became more indistinct and officers these days place more value on loyalty to their military academy class mates. The only remaining loyalties are among those who join elite units like *Kopassus*, the red berets, the marines or airforce paratroopers. *Kopassus* is by far the largest and the most frequently used in counter-insurgency and crackdown operations like 27 July.

## From junta to Suharto regime

While in the first years of the *Orde Baru*, Suharto was basically running the show with other generals, in the early eighties it gradually changed into a Suharto regime. The last general with a strong say in decision making was General Benny Murdani and he was demoted in 1987. Military leaders after Murdani were obscure, faceless and can only be identified by their degree of loyalty to Suharto.



Sukarno, Indonesia's first President, had to face many revolts from army officers. All the main political events in the fifties were army revolts. Suharto managed to reshape the military structures and minimise the possibility of army revolts or coups. Any military who becomes popular or enjoys a high profile is instantly transferred to a less strategic position. There is a deep understanding among the present batch of active military that they should not return to the dark ages of the fifties where military staged revolts and coups. This works very much in Suharto's favour although he is the prime example of someone who staged a successful coup d'état against Sukarno.



*Favourite son-in-law Major General Prabowo, very pleased with himself at his promotion.*

## Dwifungsi ABRI

Everybody at the top wants to maintain *Dwifungsi ABRI*, the dual function of the military which legally secures them a dominant role in society. *Dwifungsi*, often cynically called *Dwiporsi* (Dual Portion) provides the military with a share in politics and the economy. But much has changed. The fat years of *Dwifungsi* in the sixties and seventies have gone. In those days military were in charge of all the main state sectors, including oil and gas. They held all the important positions in central government, local government and even held all the important ambassadorial posts.

Suharto has pushed the military into a back seat role in the economy. Most conglomerates are in the hands of Suharto cronies, offspring and other palace hangers-on. Military are there to safeguard the wealth from striking workers and other nuisances. Military have also been pushed out of positions in government and their seats in parliament have been reduced from 100 to 75. Using his position as ABRI

supreme commander, Suharto carried out five major reshuffles in ABRI in 1995 and three reshuffles so far this year.

While Suharto has been curtailing *Dwifungsi* to maintain his power base, the pro-democracy movement has stepped up its criticism of *Dwifungsi* as one of the main stumbling blocks to democracy.

## Present divisions

It is often argued that the present generation of army officers is not particularly interested in politics, by contrast with the Suharto generation. The present officer is better trained, more professional and mainly concerned with his career prospects. Maintaining security remains his prime duty. Discontent among army officers is widespread but not yet explosive. If conflicts in society intensify, it could affect the mood of officers who are the ones with the task of 'putting out the fires'.

The majority of officers can be lumped together as *ABRI Merah-Putih* (red-and-white, the colours of the flag) whose loyalty is to the state, not the president. Discontent is growing but not a single active officer has murmured a word of criticism. Their feelings are being voiced by retired generals such as Rudini (former interior minister), Bambang Triantoro (former social and political chief-of-staff) and Wahono, the present speaker of parliament of the people's congress. By and large, this group is not happy with the general thrust of state policies. The widening social gap is creating a volcano which can erupt any time, creating problems which the military will have to deal with. The *ABRI Merah-Putih* are unhappy about the 27 July events. Many officers realise that crushing the pro-democracy movement by force will not solve anything. Using the anti-communist bogey to crush opponents is becoming more and more counter-productive. As criticism of the regime grows, in particular among the middle class, this group could join in and become more vocal. Basically Suharto has lost their support.

A minority of officers, still loyal to the president, now hold all the strategic positions. The ultra-loyalists, including officers like the discarded Suyoho, are part of this group. Others include Major General Subagyo, the military commander in Central Java, Lt. General Wiranto, commander of *Kostrad*, the reserve troops, and Lt. General Dibyo Widodo, national chief of the police. They have all been adjutants to the president and won their positions thanks mainly to their special relationship with Suharto.

The second group is known as *ABRI Hijau* (green ABRI) or 'back-seaters', willing to see the army occupy a less dominant *Dwifungsi* position. They are called 'green' because of their closeness to *ICMI*, the Muslim Intellectuals' Association, chaired by Habibie, a close Suharto confidant. Figures like commander-in-chief General Feisal Tanjung, social and political chief Lt General Syarwan Hamid belong to this group. Army chief-of-staff General Hartono used to belong to this group but has now joined the ultra-loyalists.

The third group is more diffuse and best described as the *Kopassus* (red berets) group. The top figure at present is obviously Major General Prabowo, the favourite son-in-law. Major General Sutiyoso, the Jakarta commander, is also part of this group as well as Wiranto and Subagyo. Others include Minister of Defence General Edi Sudradjat, army chief-of-staff General Hartono and Major General

Agum Gumelar, the newly-appointed commander of Sulawesi. The group identifies itself as tough which means that they are prepared to use all necessary means, including torture and killing. Some are staunch loyalists but many have become Suharto opponents. Older red beret officers who are still under the influence of General Benny Murdani (commander in chief from 1983-1988) have become Suharto opponents, while the new batch of red berets, under Sutiyoso and Prabowo, are the front-runners as Suharto loyalists.

### Thin foundation

Suharto must increasingly rely on people like Prabowo and Sutiyoso. His tough State of the Nation address on 16 August slammed the door shut on political reform or 'openness'. Only Kopassus types can implement such policies, the kind of policies that have been applied in East

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Timor for the past twenty years. This is what is called the 'security approach', used to excess in East Timor, Aceh and West Papua. Suharto has alienated a lot of people, not least in ABRI. On 27 July, many security officers and members of the police and the marines were unwilling to hit hard at the demonstrators. It took the crack troops of Kostrad and Kopassus to deal with the demonstrators. It will become increasingly difficult to manage discontent, especially if the only strategy is to hit hard.

It is appropriate to start talking about the pro and anti Megawati elements inside ABRI. If the Suharto-Mega conflict escalates even further, which is within the realms of possibility, some ABRI officers will openly take a position in favour of Megawati. That could change the balance of forces in a way that Suharto will live to regret. \*

## PRESS FREEDOM

# Investigative journalist murdered

*A journalist employed by a regional newspaper in Yogyakarta who had become widely known for his critical reports about local government was fatally wounded by unknown assailants at his home. He died three days later. There are already signs that police investigations are nothing more than a cover-up.*

The violent death of **Fuad Muhammad Syafruddin**, 33, stunned the journalist profession and led to many calls for a thorough investigation to reveal the identity of the true culprits. Shortly after his death on 16 August, AJI, the Alliance of Independent Journalists, published an eight-page report documenting the professional activities of the journalist during the last months of his life.

### Exposing local government corruption

Udin, as the journalist was known to his friends, worked for *Bernas*, a daily newspaper based in the Central Java city of Yogyakarta. The story of Udin's persistent efforts to expose political intrigue in the district of Bantul provides an invaluable insight into the workings of regional and local government in Indonesia. An article he published in May focused on complaints by villagers in Banguntatan village, Bantul district, about the fraudulent election of the village head.

For several months, he published articles about controversial and highly sensitive issues which clearly infuriated local government officials, in particular Sri Roso Sudarmo, the *bupati* or district chief of Bantul. Undoubtedly the most sensitive topic which Udin covered at great length was the manipulations surrounding the election of the Bantul *bupati* for a second term and his persistent and unashamed promotion of the government party, *GOLKAR*, in advance of the general elections due to take place in April next year. Although nominations for the post of district chief are supposed to come from the district legislative assembly, back-room machinations left members of the assembly feeling that they were being treated like puppets. One of Udin's articles was titled, 'Many invisible hands influencing the choice of candidates'. Another report revealed that members of the assembly had been urged to clear the way for

Sri Roso's election because he had given a huge donation to a leading foundation in Jakarta.

Other articles drew attention to efforts by the *bupati* to promote the use of the colour yellow in house and street decorations, yellow being the colour associated with *GOLKAR*. Udin also quoted the district chief as ordering local government officials to achieve 'a 200 per cent' vote for *GOLKAR*. 'Even if you're only half successful, it still means that *GOLKAR* will win 100 per cent of the votes,' he was quoted as saying.

Other articles exposed the unlawful syphoning off of



*Fuad Muhammad Syafruddin*



funds intended for the IDT programme to assist less prosperous villages and the fact that only part of a 2-km road had in fact been constructed.

Already before Udin's death, reports were circulating that the *bupati* was considering ways of 'dealing with' the fearless journalist. During a meeting to commemorate the hundredth day of the death of President Suharto's wife, he told local officials he would order the people of Bantul 'to stop reading and subscribing to *Bernas*'. Later he said he would offer Udin a large sum of money to write a correction and on another occasion, he spoke about suing the journalist for libel.

## Struck down in his own front room

During the last weeks of his life, Udin was under great strain. Colleagues say that he displayed great anxiety about who visited him at home and had informed the local legal aid institute that he was being harassed. A journalist friend said that whenever he was about to publish a controversial story, he would tell his friend beforehand although he never stated clearly what it was that he feared. He had also received several threatening phone-calls.

On 12 August, two men on a motorbike came to the neighbourhood looking for Udin's home and asked neighbours which was his house. The next day, two men came to the *Bernas* office in the evening and spoke to him briefly; they were also on a motorbike.

Later that night, shortly after he arrived home, two men came to see him. His wife left them together and soon after heard him fall. When she went to see what had happened, the men had fled and she found Udin lying with blood pouring out of his ears. He had been struck hard apparently with an iron bar, on the head and in the stomach. He was

rushed to hospital and operations were performed but he never regained consciousness. He died on 16 August.

## Fears of another cover-up

More than four weeks after his death, no suspects had yet been arrested. The police officer in charge of investigations was quick to express the opinion that there was 'no political motive' and that 'no one was behind the crime'. This has led to many criticisms of the police for reaching such hasty conclusions at the very start of their investigations. Professor Muladi, member of the National Commission for Human Rights, added his voice to the critics, saying that such remarks were inappropriate and could only confuse things. [*Antara*, 30 August] At a press conference several days after the murder, the *bupati* spoke very defensively about the crime. He insisted that he had not felt disturbed by any of Udin's articles.

Three weeks after the murder, the murdered man's widow, Marsiyem, visited the local legal aid institute in great distress, complaining that the police have deeply wounded her feelings by questioning her about her and her husband's private lives, insinuating that the murder was related to an extra-marital affair. Her family has publicly denounced the police for humiliating her in this way.

AJI's account of the tragedy draws the conclusion that the Bantul regional administration is likely to be implicated. Any attempt to create an alternative scenario, it says, will only serve as a diversion. It calls for the investigations to be 'open and independent' and for the results to be made public. The focus, it says, should be on the individuals who were criticised in Udin's articles.

There are fears that the police investigations into Udin's murder will lead to nothing more than a cover-up to protect local government officials, reminiscent of the cover-up that has left the murder in May 1993 of labour activist, Marsinah, still unsolved. \*

## Press freedom briefs

### Army savagery against journalists

A number of journalists found themselves at the receiving end of armed forces brutality when they tried to cover the political disturbances in Jakarta and other cities in the wake of the violent seizure of the PDI head office on 27 July.

Two journalists, reporter Adi Sutarwijono and photographer, M. Subeki, both working for *Surabaya Post*, were taken into custody while covering a mass protest in Surabaya on 28 July. The troops suspected Adi of links with the PRD, the party which stands accused of 'communist-like methods', because he had in his possession several PRD press releases. The men told *Jakarta Post* that they were beaten repeatedly and suffered blows to their stomachs, heads and faces. 'I kept trying to explain who I was,' said Adi, 'but they wouldn't listen. The men smashed my head on a wall at least two times,' he said.

In Jakarta, three journalists were subjected to army violence on 27 July. Firman Wibowo of *Bisnis Indonesia* described how soldiers beat him up as he was taking a photo of soldiers dragging off a wounded man. When he refused to surrender his camera, soldiers seized it and

smashed it on the ground. When he responded angrily, five soldiers set on him, hitting him on the head and back with metal pipes. Just as he felt a bayonet on his neck, a fellow journalist came to the rescue, managed to extricate him and rushed him to hospital where he needed six stitches.

Kemal Jufri who freelances for *Asiaweek* described how he saw troops and police attack demonstrators with rattan sticks. When he saw a group of soldiers beating a man and paused to decide whether to take a photo, one of the soldiers grabbed his camera, smashed it to the ground and threw it in a nearby canal. He was then kicked in the groin and hit on the head. When another journalist tried to help him, he too was set upon and beaten.

But photographer C. Sukma of the Islam magazine *Ummat* fared the worst. When he saw a man lose consciousness after being thrashed by troops and jumped over a fence to get a closer look and take pictures, he was confronted by troops who seized his camera. As he fell, he tried to fend off the blows from troops and was eventually rescued by a police officer. Severely injured, he was rushed to hospital where he remained for treatment for five days. [*Jakarta Post*, 12 August]

## Imprisoned journalists transferred

Three journalists who are serving prison sentences for publishing articles to which the government took exception were suddenly transferred from Cipinang Prison in Jakarta to a much less accessible facility 200 kms from Jakarta, in the West Java town of Cirebon. The three are **Achmad Taufik** and **Eko Maryadi**, both members of AJI, the Alliance of Independent Journalists, and **Tri Agus Susanto Siswowihardjo**, who edited the newsletter of the democratic reform organisation, *PIJAR*.



The transfer took place at crack of dawn on 16 August when military officers came and ordered them at gunpoint to pack their belongings and vacate their cells. Relatives were given no forewarning of the transfer and only heard about it when they went to visit the men on 17 August for an Independence Day visit.

It has been alleged that the transfers took place to make way for the large number of detainees who have been arrested following the violent seizure of the PDI head office on 27 July. However, it is not normal for unconvicted prisoners to be held in Cipinang Prison. A more likely explanation is that this is an attempt to isolate the men who have been able to send out many letters describing conditions in prison, which have become a regular feature in *Suara Independen*, the journal of AJI. Still worse, they may be being held responsible for an interview of the East Timorese leader, Xanana Gusmao, who is also being held in Cipinang Prison, which has appeared in the July 1996 issue of *Suara Independen*.

## Harmoko re-affirms banning powers

Information Minister Harmoko has reiterated his determination to use his special powers to cancel the publication licences of publications who misbehave in the eyes of the government. His announcement came two days after the Minister-Coordinator for Political and Security Affairs, Soesilo Soedarman announced that the policy of withdrawing licences would be abandoned, in favour of moves to make editors or journalists responsible for 'undesirable' reports. In the stifling atmosphere of press censorship in Indonesia, this apparent change of policy was quickly welcomed as a 'breath of fresh air'.

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But, as *Media Indonesia* commented on 23 August, 'this breath of fresh air lasted no longer than 2 times 24 hours'. The Information Minister, who also chairs the government party, *GOLKAR*, was quick to offer his own interpretation of what the Minister-Coordinator really meant and told journalists, in his inimical, vulgar style: 'Look out! If any of you break the rules, I'll treat you just like I treated *Tempo*, *Editor* and *DeTik*.' (These are the publications that were summarily banned in June 1994.)

Even the normally docile journalists' association, the PWI, was quick to welcome the concessions offered by Soesilo Soedarman before Harmoko cracked the whip. [*Jakarta Post* and *Media Indonesia*, 23 August]

## Journalists in Ujungpandang harassed

Several journalists were summoned by the police for questioning because they had attended a meeting at the local legal aid institute, the LBH, at which US political scientist William Liddle was giving a lecture. Liddle is a mainstream academic who closely monitors political developments in Indonesia and writes frequent columns in the Indonesian press. He is also a USAID consultant.

The first journalist summoned was Andriawan Bangsawan of the political weekly, *Tiras*, and according to *Kompas* on 16 September, seven others had been summoned for questioning by the police.

The police also summoned Nasiruddin Pasigai, director of the Ujungpandang LBH, apparently treating him as a 'suspect' for holding the event with Liddle.

## Three tabloids warned

Three weekly tabloids, *Mutiara* which covers family issues, *Target* which reports on crime, and *Paron*, a new publication dealing with labour issues, have been given warnings by Information Minister Harmoko for 'straying from their mission'. He told reporters they had violated the conditions of their permits by not remaining within the scope of their stated coverage. In its 17 weeks' existence, *Target* has been warned twice already because of its 'political coverage'. [*Straits Times*, 22 September] In 1994, the Minister used similar reasons to ban three periodicals.

On the same day, President Suharto cautioned editors about 'inaccurate stories which could send the wrong signals about developments here to audiences at home and abroad'. Since then, Ministers have parroted the President's remarks, warning the press against being infiltrated by 'undesirable elements'. Minister-Coordinator told media workers attending a state indoctrination course that it was necessary to be vigilant of elements from the PRD which is 'identical with the Indonesian Communist Party'. [*Suara Pembaruan*, 23 September] \*

## Arms sales protest in London

A six-day vigil and protest will take place outside the **Department of Trade and Industry**, Victoria Street, London SW1, from 2 - 7 December at 9am - 5pm each day. The action is being held to protest against the sale of arms to Indonesia and call for the implementation of government guidelines on arms sales to aggressor states.

For more information, call 01603 611-953 or write to: 48 Bethel Street, Norwich, Norfolk NR2 1NR.



## Confucians have trouble with Pancasila

*Countries with state ideologies are by definition totalitarian. Some have collapsed like the Soviet Union, others like the People's Republic of China use socialism as a label while at the same time adopting capitalism and nationalism. Some, like the Vatican, hardly function as nation states. Indonesia is a country which conducts its affairs guided by a state ideology.*

*Pancasila*, the state ideology, consists of five basic principles, of which the first is belief in One God. In periods of severe political persecution like the late sixties, people who did not profess any religion were treated with suspicion and branded members of the banned Indonesian Communist Party.

### Pancasila corporatist state

In periods of relative political tranquillity, *Pancasila* does not impinge very much on everyday life. But in the early eighties the Indonesian government decided to enact a law requiring all citizens to adhere to *Pancasila*. People at all levels of society were required to attend *Pancasila* courses. Cabinet ministers, MPs and top bureaucrats had to produce essays on *Pancasila* and had to teach lower-ranking bureaucrats the intricacies of the state ideology. A team of *Pancasila* ideologues was formed in a body called BP7, the body responsible for conducting the indoctrination course called P4. This stands for *Pedoman Penghayatan dan Pengamalan Pancasila*, or Guidelines for Understanding and Disseminating Pancasila. A new word was added to the vocabulary, *penataran* for indoctrination. The Suharto version of *Pancasila* became more rigid than it had ever been and was forced down people's throats with hardly a care about who understood what. Anyone failing to attend a P4 course would forfeit their chances of job promotion or even be treated as politically suspect. People who flunked the test were in danger of losing their jobs.

The heavy-handed *Pancasila* drive during this period went hand in hand with the adoption of five draconian political laws which forced all organisations, political, social or religious, to adopt the *Pancasila* as their sole ideology. The few remaining political freedoms were further eroded when five political laws were enacted. One of them specifies that only one organisation would be allowed to exist for each sector in society, one trade union, one peasants' union, one women's organisation, and so on. The term mono-loyalty was born and every Indonesian citizen had to adhere to the Five Principles. *Pancasila* became the basis of a totalitarian state.

A decade later, the entire *Pancasila* fanfare of the mid-eighties has floundered. The country's rulers began to realise that pushing ideology down people's throats can be counter-productive. The majority of people are fed up with *Pancasila* courses. The ones who scored the best marks at the P4 courses were ex-political prisoners and prostitutes. For obvious reasons, these two groups knew it was in their interest to learn the course parrot-fashion. Even President Suharto realised that his efforts to customise and format his



people had failed. But *Pancasila* as the state ideology is still a fact of life and its rigid application still creates enormous problems.

### Racist ideology

The first principle which proclaims belief in One God, proclaimed as being the basis for religious freedom, underwent further refinement. Presidential Decree No.45/1974 stipulated that only five religions are recognised: Islam, Protestantism, Catholicism, Buddhism and Hinduism. This ignores the traditional religions of the many tribes scattered throughout the Indonesian archipelago, as well as ignoring the right of people to be atheists. Although Indonesia is not a state based on a particular religious belief, it exhibits all the characteristics of a theocracy. Excessive state interference in religious affairs creates problems. The haj pilgrimage is controlled and regulated by the state. In most cases people are resigned to this state interference; whenever they have to state their religion in forms required by the bureaucracy, they play safe and choose any one of the five recognised religions. But recently, a young Chinese couple decided to take a stand as a result of which their dilemma became headline news.

### Confucianism not recognised

Lanny Guito and Budi Wijaya, a woman and man of Chinese descent, decided to get married in the traditional

Confucian way but were denied a marriage certificate by the local registry office. The couple were told to register according to one of the five recognised religions. They refused and filed a lawsuit against the registry office. In the meantime Lanny had given birth to a child and they again faced difficulties. They were refused a birth certificate meaning that they were unable legally to name the baby.

A fierce discussion broke out as officials from the Ministry of Religious Affairs asserted that Confucianism does not qualify as a religion because, unlike the five recognised religions, its teachings do not include a doctrine on life after death. Candra Setiawan, the chair of the Indonesian Confucian Council, insisted that Confucianism does have an after-life doctrine. He also revealed that Confucian believers in Indonesia, mostly Chinese-Indonesians, face all kinds of discrimination, especially in their dealings with the bureaucracy. They have to pay large bribes when applying for ID cards or for naturalisation. He said that Confucian believers have been left out of the population census since the eighties. An estimated 0.7 per cent of the population (about 1.4 million people) are believers in Confucianism.

### Anger among prominent religious leaders

The case of the Chinese couple escalated into a discussion about the role of the state in religious affairs. Muslim leader Abdurrahman Wahid criticised the hegemony of the government in regulating religions. He accused the government of double standards in viewing the relation between state and religion. 'The government has often said it recognises only five religions. But it has also said that it never interferes in the internal affairs of a religion'. Djohan Effendi, a senior official at the Ministry, asserted that re-

## HUMAN RIGHTS

ligions should be given the autonomy to regulate their own affairs.

Theo Sumartana, director of the Institute of Inter-Faith-Dialogue, went further, stating that a religion is a religion because its followers believe in it. It is impossible for a non-believer of Confucius to convince a devout follower that it is not a religion. According to Sumartana, the government's role is simply to register and not to define or regulate.

### Bleak prospects

So far, all this criticism has made little impact on government thinking. The religious court in Surabaya passed down a verdict that the marriage of the couple was invalid. In parliament, Minister for Religious Affairs Tarmizi Taher confirmed the position of the government not to accept Confucianism as a religion and warned the couple 'not to create a political issue'. He had the gall to advise them register as adherents of Javanese mysticism, the so-called *aliran kepercayaan*. Although not recognised as a religion, *aliran kepercayaan* believers are acceptable to officialdom. President Suharto and many other members of the ruling elite are fanatical followers of Javanese mysticism, as a result of which Indonesian law has made special allowances for this group.

As long as no division is drawn between the state and religion, the failure to recognise people's rights to adhere to a faith like Confucianism will cause personal grief and create pariahs in society. \*

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*continued from page 21*

### Tom Beanal may be charged

WALHI has vigorously rejected such accusations and insisted on meeting a senior army officer to make their position absolutely clear. However, Tom Beanal, head of the Amungme tribal council, despite strong denials, is now undergoing interrogation by the local police for allegedly having ordered the OPM group to carry out the kidnap. They claim to have captured a document from the kidnapers, clearly a forgery, in which Tom 'ordered' the kidnap. Whatever others may think about kidnapping as a legitimate method of struggle for the OPM, the Amungme tribal leaders have always dissociated themselves from such actions which they do not consider as being helpful to their own efforts to restore their people's land rights.

If brought to trial, Tom Beanal will face charges under articles 365 and 328 of the Criminal Code which carry maximum sentences of nine and twelve years respectively. This is clearly an attempt to remove the Amungme tribal leader from the scene, an act of sheer vindictiveness to criminalise a man who is waging a valiant struggle against the copper-and-gold mining giant, Freeport and its British-based associate, RTZ.

### Freeport/army harassment continues

Meanwhile, in Timika, more than two thousand mem-

bers of the several tribal groups have given their personal endorsement to the lawsuit filed by Tom Beanal in New Orleans against Freeport McMoran. But the documents bearing their signatures were unlawfully seized by the security authorities who allege that they need to establish whether the documents are in any way connected with the 'GPK', the term by which they refer to the OPM. The documents were seized when a member of the LEMASA council was on his way to dispatch them to Martin Regan, the US lawyer who is acting for Tom Beanal. After being passed on from one security agency to another, they ended up in the hands of the district military commander who has so far refused to return them to Amungme tribal elders to whom they rightfully belong.

People who endorsed the claim against Freeport are now coming under pressure to sign affidavits withdrawing their support from Beanal's class action in New Orleans.

These efforts to sabotage the court case have been accompanied by a campaign to force the Amungme and Komoro people to accept Freeport's offer of a one per cent share in the annual profits of the company. This is happening despite the fact that LEMASA adopted a resolution on 29 June categorically rejecting the offer on the grounds that it was a totally inadequate response to the rights and concerns of the tribal people. \*



# **Strikes continue despite the crackdown**

*Despite the crackdown now underway and the relentless persecution of pro-democracy activists by the security forces, workers strikes have continued. Apong Herlina, the head of the labour division of LBH, the Legal Aid Institute, believes that workers in the Greater Jakarta area have developed a greater awareness about their fundamental rights*

Apong Herlina has been dealing with labour issues since 1989. Her conclusion is that awareness about the right to organise is now widespread among workers. In the first six months of 1996, the LBH handled 125 cases involving altogether 600 individual workers in the Greater Jakarta area. Most of the cases occurred in the manufacturing and service sectors.

Whereas in the past, workers would come to the LBH with individual complaints, nowadays workers representing a company union branch come with complaints by union members, seeking legal advice. Another frequent request is how to set up a union; until recently, organising labour was regarded as taboo.

Payaman Simandjuntak, former director-general of the Ministry of Manpower, has predicted that labour disputes will increase in the near future. He believes that the generation of young people now entering the factories are more dynamic, better educated and more aware of their rights, and gives a bleak prognosis for Indonesia's industrial sector by the year 2000, warning of high unemployment figures because there will not be enough jobs for the millions who join the workforce each year.

He is worried about the level of investment in high-tech industry with relatively low labour absorption and criticised the bureaucracy for being a stumbling block for investors. It takes a great deal of time and money, he said, to get things done, especially to obtain permits and services.

Apong Herlina thinks that Minister of Manpower Abdul Latief has become more aware of the problems of workers and is displaying a more liberal attitude about the role of unions and NGOs in resolving labour conflicts. But this is not yet reflected on the shop floor where the rigid views of lower-ranking civil servants, who supervise the implementation of decisions taken in labour conflicts, still prevail.

## **Number of strikes remains high**

Most strikes in the Greater Jakarta area are about wages: the payment of UMR, the minimum wage, the payment of other allowances like overtime, sick leave and so on, which are usually called 'normative demands'.

The number of strikes in the past three years has been consistently high and many have been relatively successful. In the first six months of 1996, 270,305 working hours were lost due to strikes in the Jakarta area alone. Figures made public by the official union, the FSPSI, show that 15,589 workers were involved in 57 strikes. Fauzi Ibrahim, secretary-general of the

union, has admitted that only a small fraction of these workers are members of FSPSI.

Most of the strikes occurred in the industrial sector with the exception of the white-collar strike at the Hongkong Bank. In this conflict, which goes back to January 1996, the bank has refused to re-instate employees involved in the strike despite a ruling by the central arbitration board in their favour. Another strike in the service industry broke out in the Metropolitan Medical Centre, a hospital in the embassy district.

Strikes in different companies were often combined, involving many thousands of workers. On 21 August 5,500 workers went on strike in two textile companies, PT Katexindo Citramandiri and PT Winner Syntetix Textile. Both factories are situated in the Cakung industrial zone of North Jakarta. On the same day, workers at two companies in East Jakarta went on strike. The more than 1,000 employees of the food-processing factories PT Monde Mahkota Biscuit (PT MMB) and PT Amisha Tri Mitra had a serious conflict about being forced to do overtime without payment. The MMB management forced some of the strikers to sign a blank form which turned out to be an agreement to be dismissed. A delegation of PT MMB workers raised their complaint with the National Commission of Human Rights.

## **How to deal with workers' unrest**

Strikes have become a regular feature as industrialisation proceeds. A decade ago, the security forces were more than likely to label a militant strike as subversive or communist inspired but nowadays they have to find more so-



*Dita Sari resisting arrest in Surabaya*



phisticated ways to curb strikes. While free trade unions are still seen as anathema by the authorities and still encounter numerous difficulties when they organise workers, some democratic space has been won, not least because of the militancy of the workers. On the other hand, labour organisers are still seen as a major threat. It is no coincidence that the government has targeted three union activists as the main culprits in the present crackdown. Budiman and Dita Sari organised the huge strike in Surabaya last July [see *TAPOL Bulletin* No. 136, August 1996] and Muchtar Pakpahan served more than a year for a previous conviction for his alleged involvement in the Medan riots two years ago.

It was President Suharto himself who, in early August, warned of the danger of infiltration by 'third parties' in instigating strikes, and singled out the PRD, the People's Democratic Party, as the main culprit. It has been clear since the July strike that the PRD would be subjected to heavy persecution.



*Boycott NIKE shoes !*

Strikes have caused huge financial losses for the Indonesian economy and bosses have often given in to demands because the company was losing too many productive hours. A number of foreign companies in Europe, Asia and the US have been pleading with the Indonesian government to deal more seriously with the workers' right to organise. The companies argue that it is more fruitful, in the long run, to have negotiations with genuine workers' representatives than deal with 'wildcat' strikes. Manpower Minister Abdul Latief has not been deaf to these views but his hands are tied by the regime's rigid doctrine of corporatism which will only permit a single trade union. This would seem to explain the efforts that have been made to transform the government-backed trade union SPSI into something more credible.

## From SPSI to FSPSI

At its last congress, the SPSI was transformed into a federation, adding the letter F to its name. While top-ranking officials are still mostly bureaucrats, several of

## LABOUR

whom also hold positions in the government party, Golkar, some labour activists have decided to enter the organisation and work within the system. This two-track strategy, to work inside and outside the system, was quite effective in countries which suffered decades of authoritarian rule like Spain and Portugal. Combined actions have been developed, including delegations taking complaints to the local branch of the FSPSI and forcing union bureaucrats to act on their behalf. Such actions are combined with protests to the local parliament and the local office of the Manpower Department.

### Indonesian worker unnerves Nike

Cicik Sukaesih, the young Indonesian worker who spent several weeks in the US, lobbying the sports shoe giant, Nike to review its policy towards employees making Nike products in Indonesia, 'set off a public relations storm that could force the conglomerate to approve independent monitoring of its overseas contract,' according to the *IPS* news agency.

Although the company's chief executive, Phil Knight, refused to meet her, schools in Oregon, where the company is based, are reconsidering past decisions to accept cash from the company after hearing about what goes on in Indonesian factories. A company spokesperson told *IPS* it had accepted an offer from the Clinton Administration to join a group of corporations to study ways to improve their labour practices abroad. The company previously held itself aloof from such activities. Cicik's visit also helped draw the attention of US consumers to the poor conditions of workers producing for the US market.

Cicik's blitz of the US media focused attention on Nike's record in Indonesia, prompting the company to change its tune, said Medea Benjamin, co-director of *Global Exchange*, the activist group that co-sponsored her visit. She concedes however that US consumers are much more concerned about reports of the use of child labour than about underpaid adult workers. [*Jakarta Post*, 20 August]

It is still highly questionable whether the FSPSI will one day turn into a proper trade union but the growing militancy of Indonesian workers is forcing the new federation to move in the right direction. Its newly appointed chair, Wilhelmus Bokha, recently made a call for the minimum wage to be raised by 15 per cent in 1997 as compared with 10 per cent in 1996. He said that the 1996 minimum wage only meets 92.5 per cent of basic needs. With the annual rate of inflation running at 7.5 per cent, he said, a much larger rise would be appropriate.

The emergence of free trade unions and autonomous local unions have greatly encourage growing awareness among workers. Workers' militancy in the fight for better wages and better conditions has led inevitably to workers become better prepared to organise themselves. \*



## Ploughshares women acquitted

*As we reported in a Stop Press in our last issue, the four women of the Seeds of Hope/East Timor Ploughshares group were acquitted of all charges by a jury at Liverpool Crown Court at the end of July. This stunning victory has been the subject of much reporting and discussion in the British press and has been enthusiastically welcomed by many East Timorese.*

The four - Andrea Needham, Angie Zelter, Lotta Kronlid and Jo Wilson - freely admitted that in January, they had broken into the British Aerospace factory at Warton near Preston in order to disarm a Hawk being prepared for delivery to Indonesia.

Regular readers of *TAPOL Bulletin* will know that Andrea, Lotte and Jo used ordinary hammers to disarm the Hawk by hammering on the weapons control panel, the nose cone (where the radar is kept) and the bomb pylons underneath the wings. They left in the cockpit of the plane signed statements, a report about Indonesia and East Timor and a video explaining their action. The three women remained with the disarmed aircraft in order to take responsibility for their actions. All three were arrested and remanded in custody. Angie Zelter who, as part of the group, signed statements and took part in the video, remained outside the factory in order to continue a legal campaign and to begin a press campaign. Within days she too was arrested and held on remand with the others on conspiracy charges.

A very active support group of women sprang up to support the jailed women and to spread the word about the action, arms deals with Indonesia and the impending trial. In Liverpool, where the trial was set to take place, an active local group, mainly based around local Catholic churches, swung into action organising accommodation, vigils and demonstrations.

### The trial

When the trial opened at Liverpool Crown Court, about one hundred supporters from around the country - and from across Europe - were present. The prosecution's case was that the women were merely publicity seeking vandals. However these 'vandals in sandals' (as *The Economist* dubbed them) were more than a match for the prosecutor. As each prosecution witness was brought to testify, the women (three of whom were defending themselves) asked questions about the Hawk, East Timor and BAe's deals with Indonesia. Asked if he had any concern for the people who might be killed by the Hawk when it was delivered to Indonesia, Christopher Foster, manufacturing manager for BAe replied 'No, I have no concern'. Also during the prosecution case and on the order of the judge, the members of the jury were given copies of the report that the women had left in the cockpit and shown the video



*photo: Ricarda A. Steinbrecher*

which contained footage of East Timor, the Dili massacre and the women explaining their reasons for disarming the Hawk.

### Lawful excuse

On the third day of the trial the defence began its case. Their case was that they had 'lawful excuse' under Section 3 of the Criminal law Act 1967 - which states that a person may use reasonable force to prevent a crime - to disarm Hawk ZH955 as it was about to be delivered to Indonesia where it would be used to continue the genocide against the people of East Timor.

All four women made extremely moving speeches from the witness stand. They explained that they had been campaigning against the Hawk deal for several years and that as the plane was about to leave, disarming it was a last resort. Lotte, for example, said: 'We were faced with a choice - of either standing back and saying "We have done all we can", or we could take our simple hammers, our shaky legs, our longing for justice and our hope that the people of East Timor will know peace - we could take all these to Warton and disarm the planes - so preventing them from reaching East Timor.' The prosecutor cross-examined all four of them severely, continuing to insist that their action was only a publicity stunt.

In a move which came as a surprise to many, Judge Wickham allowed the defendants to call all their witnesses. John Pilger spoke about his visit to East Timor and described the country as being like 'a vast cemetery'. He also told the jury: 'There can be no doubt that Hawks have been



extensively used in East Timor, as many eye-witness accounts show'. Jose Ramos-Horta, exiled co-chair of the National Council for Maubere Resistance, also took the stand and explained to the jury the tragic situation of East Timor. Asked by one of the women what would happen if someone in East Timor had tried to disarm the Hawk, he said simply, 'They would be shot'. The third defence witness was Professor Paul Rogers of Bradford University, who gave compelling evidence about the military use of Hawks. He told the jury that the first three aircraft which had been delivered to Indonesia (the women disarmed the fourth) had gone to the counter-insurgency squadron in Bandung, which is dedicated to 'sorties against lightly armed or unarmed people where the plane is unlikely to be intercepted'. The final witness for the defence was Carmel Budiardjo who spoke about her first contacts with Andrea Needham and about the situation in Indonesia and her own imprisonment there.

## The verdict

After the jury announced their 'not guilty' verdicts, the women were set free admit scenes of jubilation outside the court. They had spent six months in Risley Prison, having been refused bail twice. There on the steps of the court, BAe immediately served injunctions on the women, prohibiting them from trespassing on BAe sites, obstructing site entrances or interfering with the company's business activities. They are also forbidden 'to encourage, solicit or counsel such activities by other people'. They could face up to two years in prison for breaching this gagging order. This brings the number of people injunctioned by BAe over the Hawk deal to eleven.

In the days following the verdict, the British media - press, radio and TV - was awash with stories about the trial and interviews with the women. All national British newspapers reported the verdict and most of them included articles detailing Britain's supply of arms to Indonesia and the situation in East Timor.

Nevertheless, British Aerospace and the British government continue to insist that nothing has changed and that the deal will go ahead. However, it is certain that in the future we will look back and see this verdict as a turning point in the campaign to stop arms supplies to Indonesia. When ordinary women and men of a Liverpool jury - who have probably never heard of East Timor before - agree that it is morally, legally and politically wrong to supply arms to Indonesia, it is clear that the case has a strong appeal to British people.

The four women intend to continue their campaign by taking out a private prosecution against BAe. A hearing date has yet to be set. For more details of the continuing campaign contact:

Several East Timorese now being held in prisons in Indonesia have sent messages of support to the women. Perhaps the most moving message came from an Indonesian journalist now serving a four-year sentence, Tri Agus S. Siswomiharjo. He says that he first heard of their action on the BBC World Service the day after they carried it out and wrote to the Campaign Against Arms Trade to know more about it.

## Other arms news

As reported in the last *Bulletin* British-made water cannons have been used to suppress demonstrations following the crackdown that began on July 27th. *The Independent* (2.8.96) also reported that a South African company asso-

## ARMS SALES

ciated with SDMS Security Products of London has supplied electro-shock batons to the Indonesian armed forces.

In America however, the crackdown in Indonesia has led to major opposition to the proposed sale of F-16 fighter aircraft to the Suharto government. At least nine members of the House of Representatives have written to the Secretary of State, Warren Christopher condemning the deal. Even a senior Administration official said: 'It would be an unhelpful signal when Indonesia is engaged in a fairly major crackdown, which we believe to be widening, to send fighter planes.' Let's hope the British government takes note.

Sometime this autumn the National Audit Office (NAO) will finally release its report on alleged links between aid and military contracts. The date of publication of the report has already been postponed three times, and is now due to come out in November or December. Ann Clwyd, whose own investigation into aid and arms sales to Indonesia was rubbished by the government said: 'I am confident that the NAO will confirm that the British government have acted illegally by linking overseas aid money with arms sales to Indonesia.' \*

*Copies of the 60-page report and the video showing the story of the women's action which they left on the pilot's seat of the disarmed Hawk are available from Seeds of Hope, Box L, 286 Hitchin Road, Luton LU2 0EU, UK. Price: £3-8 for the Report, £6-12 for the video.*

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## Freeport tightens the screws

*In the past few months, the mining giant in West Papua, Freeport, has worked hard to trick the local people of Timika, West Papua, into signing away their land rights in perpetuity and agreeing to accept financial inducements in 'compensation'. At every stage they have had the full backing of the local military authorities and government officials, leaving the tribal people bereft of protection.*

Ever since February this year, when thousands of tribal people took to the streets in the vicinity of the copper mining town of Tembagapura and elsewhere in Timika, and vented their anger by damaging the installations of the Freeport/RTZ copper-and-gold mining giant, the company has made a determined effort to wrest major concessions from the local people. This has included intrigue and splitting tactics, bribing tribal leaders and using the military to intimidate people to accept their proposals.

At the core of their efforts is an agreement titled: Voluntary Renewal Agreement of Recognition Between the Amungme Community, the Komoro Community and PT Freeport Indonesia. The agreement recognises the area of concession granted to Freeport by the Indonesian government, in other words the concession for 2.6 million hectares granted under the Contract of Work of 31 December 1991. Signatories are required to accept the terms of the contract between the company and the Indonesian government and to accept the right of the company to carry out exploration, exploitation, mining operations and all related activities. In other words, by signing the agreement, the local tribes would relinquish all further claims to their ancestral lands, demands for the protection of the environment and so on, and would also be required to sign other documents drafted by local government officials.

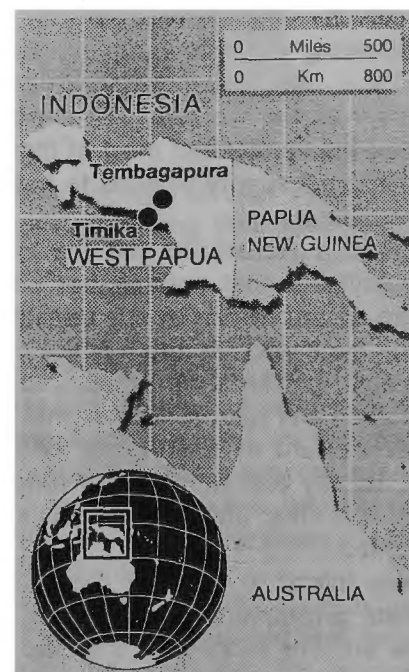
While the military have been able to intimidate many Komoro people into endorsing what the LEMASA Tribal Council calls 'this deadly agreement', most Amungme tribals have stood firm.

### Forcing through the one per cent offer

In March, Freeport came up with its offer of a one per cent share of its profits for the local tribal people. The tribal council of the Amungme people, LEMASA, immediately rejected the offer 'unconditionally and absolutely' and has since adopted and publicised statements re-affirming its rejection of the offer. In May, Tom Beanal, leader of the Council, took this rejection a major step forward by filing a lawsuit at a court in New Orleans, seat of Freeport-McMoRan, claiming damages of \$6 billion as well as a series of remedies, and strongly denouncing the company for human rights violations, damage to the environment and seizure of their ancestral lands. [See *TAPOL Bulletin*, No. 135, June 1996]

Acting with the full support of the local government and the army unit in the region, Freeport has worked hard to split the Amungme tribal council by enticing some members to accept the one per cent deal. With the help of Andreas Anggaibak who was recently dismissed from membership of LEMASA for promoting the interests of the company, others have been subjected to intimidation, to

force them to accept the deal. The army, in the person of Captain Yan Pulung, a member of the special forces, *Kopassus*, and commander of a tactical unit based in Timika known as *Kotis Timika*, the Timika Tactical Operation, has provided heavy-handed support to Freeport's campaign. He has warned local people: 'Anyone rejecting Freeport's one per cent will have to face the consequences.' Some people have even been waylaid in the public toilets at Timika airport by Freeport agents and urged to join forces with Anggaibak. Another trick has been to exert pressure on Amungme people who are members of the Kwalik clan to force them to accept responsibility for the actions of Kelly Kwalik, commander of the OPM unit operating in the Timika region. It is standard practice for the security forces to threaten anyone who dares to defy the authorities with the 'GPK', or 'terrorist' label.



To promote Freeport's interests, several members of the council have been prevailed upon to set up a break-away council through which to channel the money from the company. Such intrigue has been hotly contested by many tribal people, two thousand of whom took part in a demonstration in Kwamki Lama on 18 July, the day after Freeport handed over Rp 500 million [about £200,000] to Andreas Anggaibak. The demonstrators denounced the local government chief Drs Husein as the 'New Orleans regent' and Captain Yan Pulung, whom they called commander of 'Kotis Freeport'. Mama Josepha Alomang, one of the most vocal critics of Freeport told the crowd that the money was a bribe and said that it should be returned immediately to Freeport.

There has been intense pressure on Tom Beanal to drop his lawsuit in New Orleans. He has received daily phone-calls from Captain Yan Pulung warning of dire consequences for him personally if he persists with the lawsuit. When his lawyer Martin Regan visited Timika in September, he was prevented from meeting his client by Indonesian police who escorted him back to his hotel and accompanied him throughout his stay.

## Geologist slams Dames and Moore audit

A leading European geologist who did not want his identity revealed has made a damning five-page critique of an environmental audit of the Freeport copper-and-gold mine in Tembagapura which was undertaken by the well-known mining consultants Dames and Moore. In a press statement released by the London-based West Papua Forum, he writes:

- \* the Dames and Moore report is 'quite superficial' and hedged about with qualifying phrases which 'can justify any mode of operation';
- \* the impact of the huge amounts of rock waste from the mine have not been properly calculated;
- \* the highly toxic effects of the copper in the maritime environment have been virtually ignored;
- \* the site used for disposal of the wastes and the construction of levees to contain further tailings (mill waste) are inadequate;
- \* the dangers of rock drainage are not properly addressed

## WEST PAPUA

yet these constitute a 'chemical reactor' which it will be extremely difficult to control;

- \* the mine's mode of operation is a 'fossil of the 1960s'.

The publication of the Dames and Moore audit persuaded the US insurance agency, OPIC, to reverse its decision to withdraw political risk insurance from the mine on environmental grounds.

## Freeport cancels MIGA insurance

Days before the World Bank's insurance agency, MIGA was due to dispatch a three-member team to investigate reported environmental and human rights abuses in the area, Freeport cancelled its \$50 contract with MIGA for political risk insurance. The abrupt cancellation suggests that the company was unwilling to be subjected to the investigation which might have led to the agency cancelling the insurance. Earlier this year, the US agency, OPIC, cancelled its insurance policy for Freeport, after conducting on-site investigations, much to the embarrassment of the company. \*

*Note: Readers wishing to study the critique of the Dames and Moore audit should write to TAPOL for a copy, enclosing £1.00 to cover costs.*

# OPM kidnap timber workers in Timika

*In mid-August, a large group of Indonesians employed by a timber company in Timika were kidnapped by the OPM. This has been used by the army to make false accusations against the Amungme tribal leader in an attempt to undermine his lawsuit and other moves against Freeport.*

## OPM kidnap targets timber company

On 14 August, an OPM unit operating in the region of Paniai under the command of Jogi Tadeus of the Gobai command, kidnapped sixteen Indonesians working for PT Kamundan, a timber company operating in the Timika region, and issued a demand calling on the company to halt its destruction of the forests which belong to the local tribal people. The company is a subsidiary of PT Djajanti, the biggest timber company operating in West Papua. Mrs Tien Suharto held a major share in the company, along with other members of the Suharto Family and cronies.

In a statement, John Ondawame, OPM representative in Sydney, described the action as 'an integral part of the OPM's on-going military campaign against the Indonesian forces.... and part of a strategic campaign of the national liberation movement... over the lack of respect for, and recognition of, their fundamental human rights.' He described it as a way 'to draw public attention to the forgotten issues in West Papua', adding that 'lack of consultation and compensation for the loss of land perpetrated by the Djajanti Group has become the key political and social problem which has led to the new hostage drama, an action which nobody is happy to see.'

This kidnap, the second to be conducted by the OPM this year, was immediately seized upon by the armed forces to implicate non-governmental organisations in an action which clearly has nothing whatsoever to do with them. In the clampdown since 27 July [see separate item], many activist NGOs have been targeted by the regime. The armed forces commander, General Feisal Tanjung and the military command in Irian Jaya, Major-General Johnny Lumintang, insinuated in statements to the press, that the environmental group, *WALHI*, and the Amungme Tribal Council, *LEMASA*, were both involved. The army has even made the preposterous claim that the kidnap was planned at a meeting of Amungme tribal elders held in Jayapura in August. [See *Cendrawasih Pos*, 20 August]

All information relating to the army's operation against the kidnapers is strictly controlled by the army and the region of Timika has out of bounds to journalists. After the army claimed to have freed most of the hostages, it was announced that the last two remaining Indonesians captured had been found dead, bound and gagged and in an advanced state of decomposition. According to the army, the two men were murdered by the OPM soon after the group was taken hostage but there is no way of verifying the claim independently. As yet, none of the released hostages have been allowed to speak to the press.



*continued from page 3*

Court, as a result of which he served only one year of the sentence.

When Pakpahan initiated proceedings in court to have his arrest declared unlawful, the case was summarily dismissed without proper consideration.

Pakpahan's role during the campaigning on Megawati's behalf, from 20 June when she was ousted by the unconstitutional PDI congress until the storming of the PDI office on 27 July, was considerable. He took the lead in bringing together a number of NGOs in a coalition called *MARI* and was quick off the mark, after 27 July, in drawing attention to the paramilitary training given to several hundred people who were recruited to provide the PDI front for the seizure of the PDI office. But many others played a similar role. In the case of Pakpahan, it would seem that the judiciary has allowed itself to be used for an act of political spite against a man who has enjoyed worldwide solidarity and support since his arrest and conviction in 1994.

The prosecution of two trade union activists, Pakpahan and Dita Sari, who are both to be tried for subversion, also provides the regime with an opportunity to roll back the wave of workers' actions with which they have both been associated.

## Resuscitating the anti-subversion law

The decision to charge a number of PRD activists as well as Muchtar Pakpahan under the anti-subversion law has been roundly condemned by human rights activists, members of the legal profession as well as by members of the National Commission for Human Rights. There have been repeated calls over the years for this draconian law to be withdrawn from the statute book. The vague terminology used in the law enables charges to be laid on the flimsiest of grounds, without the need to produce proof positive of any crime having been committed.



*UU No. 11/PNPS/1963, the official name of the draconian anti-subversion law.*

In the past decade or so, the authorities have relied primarily on the 'hate-spreading' articles of the Criminal Code to bring charges against their political opponents. Even Xanana Gusmao, leader of the East Timorese resistance, was not charged under the anti-subversion law but under articles relating to rebellion and the use of armed force. By using the anti-subversion law, the Suharto regime wants to convey the message that, once again, as in the late 1960s,

the Indonesian state faces the threat of communist-inspired attempts to overthrow the 'legitimate' government.

Not for the first time, there has been talk in government circles that this law may be replaced by a national security act, possibly along the lines of Malaysia's Internal Security Act. Such a move will certainly be strongly resisted by human rights lawyers and activists.

## Casualty figures and the Komnas HAM

Soon after the 27 July events, the government announced that two people had died and 49 were wounded. The number of deaths later rose to four. The figures were allowed to go unchallenged, apart from unofficial estimates circulating privately which put the number of dead at 47. Some circles believe that the death toll could be as high as one hundred. As it became evident that attempts to investigate the casualties were running into difficulties, *TAPOL* called on the UN Special Rapporteur for extrajudicial, arbitrary and summary executions to conduct an investigation.

The National Commission for Human Rights, known as *Komnas HAM*, announced at the outset that it had set up a Fact-Finding Team to investigate the casualty figures and promised several times to publish an interim report. In the event this did not appear until 31 August. Its conclusions were that five people had died, 149 had been wounded and 74 people were still missing. The findings flatly contradicted the government's version of events and infuriated Suharto who immediately demanded that the commission explain its position by making available the data they had collected about the 74 missing people. Faced with such a demand, which clearly violates the confidentiality rules for such sensitive investigations, the *Komnas HAM* decided to comply with the demand and handed over the data. The commission has promised to produce its final report before the end of September. There will be strong pressure on it to make this report public and not submit it only to the government. This has been the fate of past reports by the Commission, following its investigations into atrocities in East Timor and West Papua.

Throughout its investigations, the commission was dogged by obstructions - lack of access to the wounded, difficulties in tracing places where people who are unaccounted for may have been buried, as well as pronouncements from the government, calling on the commission to avoid doing anything that might harm the 'national interest'. The contents of its interim report shows that the commission, which was set up three years ago by presidential decree, is trying, under very difficult circumstances, to assert its independence.

Since the death last June of Ali Said, who chaired the agency from its inception, a fierce battle has been underway over the appointment of his successor. Commission members want the position to go to an insider while the regime would prefer to appoint an outsider who, like Ali Said, is close to the presidency. During the latter stages of his illness, Said was unable to involve himself in the affairs of the commission. Suharto is likely to see this as an opportunity to rein in the increasingly wayward behaviour of the commission.

## Targeting students

Students in many universities have been targeted by the local security forces because of the alleged penetration of the PRD's student affiliate, SMID, within student ranks.

*continued on page 5*



## East Timor's longest-serving prisoner

*Ze Roberto Seixas fought with the guerrillas, worked as a nurse in Baucau and Dili, became district chief in his birth-place, Iliomar, was arrested, tortured, tried and spent nearly ten years in prison, mostly in Cipinang prison. He was released in 1992, returned to Dili, worked to help other prisoners, then left for Portugal in May, 1996. TAPOL interviewed him at the UN Human rights sub-commission in Geneva.*

*Ze Roberto, can you tell me more about your background before the Indonesian invasion in 1975?*

I finished my secondary education in the Portuguese period and went to a college for nursing. After graduating, I did my compulsory military service. During the turbulent period of 1975 I was serving in the Portuguese army. I went to the defence of the country when the UDT staged a coup. Because their military power was very small, they were easily driven to the border. They asked ABRI (*the Indonesian armed forces*) for help and we fought them relentlessly.



*Ze Roberto Seixas in Geneva*

In 1975 and 1976 I went to the mountains to resist the Indonesian military. In my region, we lacked everything, especially medicines which was why my colleagues and the guerrilla commanders sent me down to co-operate with ABRI at Baucau hospital so as to get hold of medicines to help the guerrillas.

*Where were you at the time?*

My base was in the eastern sector, the strongest sector that was greatly feared by ABRI. From May 1976 till March 1978 I worked in Baucau hospital and witnessed

many tragedies. I witnessed with my own eyes the behaviour of the Indonesian soldiers, in particular what the so-called nurse-soldiers did. Instead of treating the patients, they were taken away at night in ambulances to be disappeared ("*dihilangkan*"), especially if they were guerrillas or related to guerrillas, simply thrown into the sea. When a platoon or company commander was present, they were often taken by helicopter and thrown into the sea. After being treated, the women patients were all raped and often made to disappear. I witnessed so many gruesome things in this period that my hatred for the local administration in Baucau intensified. When I protested against this inhumanity, they beat me and threatened to kill me.

I decided to flee to Dili by boat. At the time the Indonesian-appointed governor was Guilherme Goncalves. I pleaded with him for a transfer to the hospital in Dili. Fortunately, I was transferred in March 1978 with his help.

*Weren't the military getting suspicious about you, especially because you had been in the bush?*

They definitely knew who I was, but they thought that, with my help, they could gain access to places where my friends were. They wanted to use me and I realised this. In fact I deliberately took them to the wrong places. I also passed on information about army movements to the political commissar of the resistance - he's dead now - because I maintained my contacts.

From March 1978 till February 1979 I worked at the department for mouth diseases the Dili general hospital but I was constantly harassed. I managed to apply for a course in mouth diseases in Bali and stayed there from February till August 1979. But ABRI watched all my movements while I was in Den Pasar where I was summoned for interrogation. They threatened me, saying that I had special protection from the governor. Governor Guilherme Goncalves continued to protect me. The Vice-Governor at the time was Francisco Lopes da Cruz (*Indonesia's roving ambassador for the EU, was in Geneva as part of the Indonesian delegation*). When I left for Bali, he was the one who made a farewell speech at the official ceremony. In August 1979 I returned to Dili and went back to my old job.

*That was your first visit to Indonesia. Was this when you learned Bahasa Indonesia?*

Yes it was my first visit to Indonesia but I already spoke a little Bahasa because in the Portuguese period I mingled with Timorese from Kupang. I originally come from the most eastern part, the most difficult sector for the Indonesians, the Iliomar sector, in the district of Lautem. I



# EAST TIMOR

went to school to Lospalos and later continued my education in Dili.

I continued my work in Dili until 1981. But something happened in my home district. The *camat* (sub-district chief) of Iliomar, Orlando Mardi was killed because he didn't like what ABR1 was doing. The local people asked the provincial government to appoint me as his successor. By decree of the Indonesian Home Minister Amir Machmud I was appointed *camat* of Iliomar, my place of birth.

As you know, in 1983 peace talks were held - in Indonesia, people call them *kontak damai* - between the Indonesian government and the commander of the Timorese resistance Xanana Gusmao. They were held in the region of Ossu, Viqueque and Lariguto. The *Kopassus* commanders the *Laksusda* (subdistrict territorial commanders) ordered me to tell all the people in my subdistrict who still had relatives in the bush to urge them to come down from the mountains and surrender. This is a typical tactic of psychological warfare, using the people as pawns to weaken the morale of the people in the mountains.

I decided to warn the guerrillas that if they went down to surrender they would all be killed. It's more honourable to be killed fighting than to be bumped off silently, at home, by the Indonesian military.

Commander Xanana Gusmao acted magnificently. He used the *kontak damai* skilfully to boost the image of the resistance and channel information to the East Timorese people. You should realise that, by this time, most East Timorese people had been living under Indonesian rule for several years and often had no information about the resistance. The period of the peace talks was used effectively to inform the people that the resistance was alive and well. It had a great impact on the youth and greatly enhanced their future role in supporting the resistance.

**After you started to channel this kind of information, what happened to you personally?**

It affected me greatly. A few people in the population were operating as informers for the military, so the military knew what role I was playing and although they didn't have enough evidence to arrest me, they were planning to kill me.

**You mentioned earlier that your predecessor was killed. How did this happen?**

He was poisoned. But before that, they beat him up and kicked him, so he was hospitalised. When he was in the hospital they poisoned him. The same happened with the *camat* of Lore; he disappeared, never to return.

In my case they tried to use Timorese para-militaries, the *ratih* (*rakyat terlatih*), to kill me, but there were people I could trust who informed me before something happened. On several occasions, plans to kill me failed because I knew in advance what was going to happen. I cancelled plans to go to a certain place or took a different route.

But from August to October 1983 a conflict broke out in Iliomar between *Kopassus* and *Koramil* (territorial troops). As *camat* from Iliomar, my regular dealings were with *Koramil* officers. The *Kopassus* military forced some youngsters to make negative reports about me. On 31 October 1983 I received a telegram from Governor Mario Carrascalao to leave immediately for Jakarta to attend a *penataran* (the Pancasila, state ideology, course compul-

sory for all civil servants). I left for Jakarta and attended the course till 12 November 1983.

By the time I arrived back in Timor it was impossible for me to return to Iliomar. I got stuck in Dili. Fighting between Indonesian troops and the guerrillas had resumed at a high level of intensity. The only way I could have reached Iliomar was to go there by *Korem* (Regional Military Command) helicopter and be parachuted down, and so I planned to ask the military to fly me back to my place of assignment. My family was still in Iliomar.

What I didn't realise was that the military had their own plans to kidnap me. In fact they offered to fly me back by helicopter and I gladly accepted the offer. So early in the morning of 24 November, I was ready with my luggage at the airport. As usual we flew along the coast. The helicopter was full of *Kopassus* military, including Major Idris (now Brig. General Idris), and Major Dalang, head of intelligence. Suddenly in Metinaro, the helicopter turned off in another direction. It landed in Remexio, the place where the former Catholic seminary is situated. We went to Lake Tacitolu, a very sinister place. Many Timorese have been thrown out of helicopters and drowned there.

I closed my eyes as Major Dalang approached me. He blindfolded and handcuffed me. But strange to say, I wasn't thrown from the heli. When we got off the aircraft, I was dragged to another vehicle. I tried to work out where they were taking me but the vehicle went round and round in circles to confuse me. Finally they took me to an interrogation centre of the *SIGI* (*Satuan Tugas Intelligence, Intelligence Task Force*) and my handcuffs and blindfold were removed. Then the interrogation started. It went on for a whole month. During this period, Major Dalang and Major Mudi were in charge but they didn't torture me yet.

**To be continued in TAPOL Bulletin No.138, Dec. 1996**

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