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## The Indonesia Human Rights Campaign

TAPOL Bulletin No: 115

February 1993

### UK Hawks deal shrouded in secrecy

*After months of evasion and deceit, it is now confirmed that British Aerospace has effectively concluded a deal to sell 24 Hawk aircraft to Indonesia. A second deal for 20 more Hawks will be signed before the end of this month.*

Indonesia announced earlier this month that it intends to purchase no fewer than 144 Hawk aircraft to equip six squadrons of 24 aircraft each. At an average price of \$11 million each, 144 Hawk aircraft will cost Indonesia well over \$1.5 billion.

#### Shrouded in secrecy

Despite categorical denials from British Aerospace today, TAPOL is convinced that the deal has already been finalised. The secrecy shrouding this deal is proof that both the company and the British Government know how sensitive it is and have deliberately sought to mislead the public and avoid protest. The deal will make the UK Indonesia's leading arms supplier, bolstering the war machine of a regime that has illegally occupied East Timor since 1975 in defiance of ten UN resolutions adopted by both the General Assembly and Security Council. The Indonesian armed forces are also waging operations against armed resistance in West Papua and in Aceh, North Sumatra. In the latter region, several thousand people have been killed in operations since 1990.

A minister at the Defence Ministry claimed in Parliament this week that "The point of selling Hawk aircraft to Indonesia is to give jobs to people in this country. There is no doubt in my mind that a Hawk aircraft can do nothing to suppress the people of East Timor". This amounts to a monstrous deception. According to *Jane's Defence Weekly*, [9.I.1993], each squadron will be supplied with two-seat trainers and single-seat Hawks to provide reconnaissance and close cover for troops. With military operations under way in so many parts of the country, the role of aerial reconnaissance is clearly crucial.

Speculation that a deal was concluded began last September when Indonesia's air force chief-of-staff, Air Marshal Siboen, said he signed the deal at the time of the Farnborough Air Show last September. British Aerospace told TAPOL that this was a Memorandum of Understanding only about training facilities. On 27 October, Minister for Defence Procurement Jonathan Aitken said the training facilities would "only become valid if a contract for the sale is concluded". Siboen said on 30 December that "12 Indonesian pilots and mechanics to crew the aircraft have undergone intensive training in Britain". It has also been confirmed by industry sources in the UK that Indonesian

technicians have been training here for the new Hawks for some time. If training is underway, the contract is clearly in operation.

#### Siboen and the air force

Air Marshal Siboen, the *AURI* (air force) chief-of-staff is known as a high-flier. The former personal pilot of the president, he has a close relationship with the top executive which has made all the difference for the poorly-equipped air force. Before 1965, *AURI* was known for its strong ties with President Sukarno. After the military take-over the *AURI* was heavily purged. Suspicions about the loyalty of the air force persisted and Suharto deliberately kept it small and under-funded. It is Siboen himself, not Habibie, supremo of the country's military industrial complex, who has made all the public pronouncements about the Hawks deal. The sudden emergence of Marshal Siboen and the revitalisation of *AURI* has led to speculations among

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political analysts in Jakarta. Suharto, an army man himself, is increasingly at odds with army generals and is garnering loyalty from the other forces, *AURI*, *POLRI* (the police) and *ALRI* (the navy). It is the navy and the air force that are now shopping around and making huge arms deals. According to *The Independent* [6.XII.1992], the Indonesian regime was secretly negotiating with a private British arms dealer for the purchase of five large scrap combat vessels from the former Soviet Union and seeking to purchase two submarines. The regime has also just taken delivery of 39 naval vessels from the former East German navy.

The link between human rights violations and development aid is gaining acceptance worldwide. This is also the case with arms purchases. It is an outrage that a country like Indonesia with tens of millions living far below the poverty line, indulges in the luxury of purchasing Hawks. It would take an industrial worker in Jakarta, earning the minimum wage of Rp. 3,000 a day, 25,177 years to be able to buy one Hawk aircraft.

While the 1993/94 state budget announced by Suharto in

January was considered cautious, defence expenditure rose by a dramatic 18.8%.

## A Thatcher affair

A special aspect of Britain's relationship with Indonesia was highlighted recently when Margaret Thatcher received the 1992 honorary fellowship award from the Association of Indonesian Engineers. The first foreigner to receive the annual award, Thatcher was chosen because of her contribution to enhancing UK-Indonesian cooperation in technology, said the Association's chairman, B.J. Habibie. He is also President-Director of Indonesia's aerospace industry, IPTN, and of all the country's other weapons companies.

Aerospace technology was one area where cooperation flourished during Thatcher's period of office. Mrs Thatcher told *Tempo* that she has worked closely with Habibie for many years. During this period, British Aerospace business with Indonesia has grown by leaps and bounds, including the sale of Hawks, Rapier missiles and BAe's funding of a college of technology in East Java. Indonesia's thirst for British Hawk jets continues apace. Who ever said Mrs Thatcher has retired? ★

## BAe's costly disarmer

*At 4am on January 6, a man slipped unnoticed into a British Aerospace factory in Stevenage. On his white coat were the words "BAE Bomb Disposal". His BAE 'identity card' read: CHRIS COLE, DISARMER.*

An hour later, Chris Cole was arrested, having caused at least £475,000 worth of damage to British Aerospace property. He had visited four buildings to smash – using household hammers – nosecones for the European Fighter Aircraft and the Hawk jets currently being flaunted by BAe. He had also 'disarmed' the nosecone manufacturing equipment, and poured his own blood onto it. A Statement of Conscience he left at the site linked his actions to the christian feast of Epiphany: "The Epiphany remembers when three men presented gifts to the infant Jesus. My gift of disarmament is for all infants who are threatened by BAe weapons, from Northern Ireland to East Timor".

The attack was planned with pinpoint precision. Chris Cole is no stranger to British Aerospace; he has been studying the company for five years. He was driven, following a tradition of unilateral disarmament initiatives around the world, by the words of the Old Testament prophet Isaiah: "They shall beat their swords into ploughshares, and their spears into pruning hooks."

Knowing he might get up to five years for his action, he made the most of the occasion. He carried banners saying "Heal the world – hammer BAe swords into ploughshares" and "Prepare for the way of the Lord – Swords into Ploughshares". He carried photos of children, and ashes, a symbol of repentance. The note he left at the site said:

*"British Aerospace is Europe's largest weapons manufacturer. It is a symbol of war as acceptable; of war as a normal, legitimate, respectable business. With BAe, war is a way of life. The whole point of BAe, the whole bloody business is to kill people faster, better, more efficiently. And every day, in every way, BAe are getting better and better. And so I feel impelled to try to disarm BAe: to say a loud and clear "no" to death in a factory that is dedicated to producing death . . . "*

Now Chris Cole is in prison, waiting to be charged, having been refused bail. At a hearing on 21 January, he was not even allowed to apply for bail. But he is happy. The damage he did could seriously set back the production of the Hawks for Indonesia. But British Aerospace will, to be sure, try and keep quiet about the man who walked into their premises one morning and caused half a million pounds worth of damage. ★



*Chris Cole with his simple tools of trade and the photos of victims of aerial bombing he took with him. photo:Isaiah*

## Xanana Gusmao captured Many others arrested and tortured

*Xanana Gusmao, the leader of the East Timorese resistance movement, was captured by Indonesian troops in Dili on 20 November 1992. Close relatives and many colleagues were arrested before and after his capture. The capture shocked East Timorese at home and supporters worldwide but the resistance has continued and Xanana's deputy, Ma'Huno, has taken over the leadership.*

Xanana was captured in a hideout in Dili near the military hospital in Lahane on the outskirts of the capital, close to a military command post. When the troops swooped, he was asleep in an underground room especially built for the purpose, accessible only through a trap-door concealed under a wardrobe. The hideout was in the home of the mother, sister and brother-in-law of Abilio Araujo, Fretilin representative in Lisbon. They were all arrested along with Xanana, as were several of his sisters and their husbands. He had been using the hideout for a considerable period of time and an elaborate clandestine network had been involved in protecting him and moving him, right under the noses of the army.

While greatly shocked by the capture, many in Dili thought that it was inevitable. In the words of Bishop Belo, in an interview with the Lisbon daily, *Publico* [4.XII.1992]: "People were expecting this to happen because there was very little space left in which he could move."

After being held by the army in Dili for about a week, Xanana was moved to Denpasar, Bali and from there to Jakarta. From this time on he was formally in police custody. However, since his capture Xanana's actual whereabouts have been a closely-guarded secret.

Army controls on the population had been stepped up prior to 12 November, the first anniversary of the Santa Cruz massacre, mainly by identity card checks. This was the main reason for his capture. A number of people arrested beforehand are known to have been subjected to extreme forms of torture to extract information on his whereabouts. One detainee in particular, *Henrique Belmiro Guterres*, had all ten finger nails extracted, his arms were broken in several places; he is still gravely ill.

### Mass arrests follow

Within days, the names of several dozen people arrested in connection with Xanana's arrest had become available; they were identified in a succession of Amnesty International Urgent Actions. On 8 December, a message was received from church sources saying that things were far worse.

*"You can tell the whole world that there is no doubt about the torture and atrocities the Indonesians are committing at present. (They) continue to call people in for interrogation and torture (which) is so terrible that people defect to the other side.... The lines to the prisons are tremendous."* [Press Release of the Catholic Institute of International Relations, 10.XII.1992]

### Portuguese president's response

Mario Soares, the president of Portugal, acted speedily to protect Xanana Gusmao. On the day of his capture, President Soares phoned the UN Secretary-General, Boutros



*Xanana in better times, as guerrilla leader in the mountains.*

Boutros-Ghali, to press for his release and seek safeguards against his being tortured. He also called President Mitterrand to raise Xanana's capture at a meeting with President Suharto who was to visit Paris a few days later.

Mario Soares called for an international campaign for the release of Xanana, a "figure of determination, who fought for the independence of his country without anyone's support, just with the force of his convictions and his reason. I have great admiration for the East Timorese leader." He went on: "The first appeal I make is to the conscience of the world, to work, be alert and watchful so that Xanana Gusmao's life is not put at risk." If released, Xanana would be welcomed in Portugal, said Soares.

Portugal stressed that East Timor is an occupied country whose people have taken up arms in their defence. When captured, their human rights should be fully observed in accordance with humanitarian law. *"Indonesian jurisdiction over the territory cannot be accepted nor can its criminal*

law be applicable to an East Timorese." Portugal accused Indonesia of being in violation of the 4th Geneva Convention which the International Red Cross (ICRC) itself considers applicable to East Timor. "The regime of incommunicability in which Mr Xanana Gusmao has been kept is a particularly serious violation of the above-mentioned Convention, to which Indonesia is legally bound." [Statement from the Portuguese Embassy in London, late November 1992.]

According to reliable sources, the UN Secretary-General also asked Indonesia to release the resistance leader, seeking assurances that Xanana would not be tortured and pressed for the ICRC to be given access. Several governments in the European Community and in other parts of the world are known to have made representations to Jakarta about the treatment of Xanana.

## Incommunicado detention

International pressure forced the Indonesian authorities to allow an ICRC delegate to visit the resistance leader. The ICRC did not divulge its findings; under its rules of operation, these may only be reported to the host government, Indonesia. A single visit by the ICRC delegate has not altered the fact that Xanana continues to be held *incommunicado*. The same applies to all those rounded up in the wake of his arrest; as far as is known, the only other detainee to have been visited by the ICRC is his sister, Armandina Gusmao, who is being held in Dili.

As for protecting detainees against torture, beyond making sure that the treatment of Xanana does not leave him looking physically scarred or disabled, there is no reason to believe that the interrogators have been less brutal than usual. Far from it. The international outcry after Xanana's arrest convinced the military authorities that, as far as *he* is concerned, they must tread carefully. With the others, they have no reason to bother about outside scrutiny.

## Xanana denied legal assistance

In flagrant violation of his most basic rights, Xanana - like all other East Timorese captives - has, since the moment of his arrest, been prevented from receiving legal assistance. Early in December, the Jakarta-based Legal Aid Institute (LBH) announced that it was ready to defend him, having been asked to do so by a member of his family. LBH established a defence team together with the Bar Association, IKADIN.

Permission was sought from the Police to meet the prisoner. H.C. Princen, chair of the Institute for the Defence of Human Rights (LPHAM), also asked for a meeting to know whether Xanana had been properly informed of his rights. Neither body was granted access.

Early in January, the LBH received from a senior police officer a hand-written letter purportedly written by Xanana saying he did not wish them to defend him. No reasons were given. Luhut Pangaribuan of the LBH deplored the refusal of access and made it clear that the LBH feared Xanana may have been under duress to reject the LBH because "our relations with the police are not cordial".

A police source later said that a lawyer had been appointed to defend him and that the trial would take place in Dili.

With no direct contact, it is impossible to know what his intentions are. Refusing the LBH could mean that he does

not wish to be defended by *any* Indonesian lawyers, and will challenge Indonesia's right to try him. That would be consistent with the 4th Geneva Convention which regulates judicial practices in occupied territories. [See page 7.]

Xanana's wife, son and daughter, now in exile in Melbourne, wrote to the LBH on 19 January stating categorically that Indonesia has no right to try Xanana but if he is to be tried he must have full and free counsel. They did not expressly ask LBH to represent him but to make themselves available if he indicates that he wants them to do so.

## Avoiding subversion charges

As for the charges against Xanana, it now seems certain that Jakarta has decided to try him not under the Anti-Subversion Law but under the Criminal Code. This meaning that the Xanana case is being treated with more circumspection than usual, political considerations being uppermost in the mind of the regime.



Chief-of-Staff General Edi Sudradjat congratulating members of the KOPASSUS platoon which captured Xanana. They all received extraordinary two-rank promotions.

The charges are likely to include rebellion, undermining national stability, master-minding the 12 November 1991 demonstration (when troops shot dead over 270 peaceful demonstrators) and being in illegal possession of firearms. Two Timorese were charged with subversion last year for "less" than this, one of whom, Gregorio da Cunha Saldanha, was given the maximum penalty of life imprisonment!

So why the caution? An explanation given by armed forces commander, General Try Sutrisno, is too absurd to be taken seriously: "*Subversion is when there is an underground movement that is invisible which then suddenly appears in the open,*" he told *Tempo*, [9.I.1993]. "*An example is the youngsters [who demonstrated in East Timor and Jakarta] who were tried. Why should people who only demonstrate be charged with subversion? It's because they had a pre-conceived plan and their network was underground. The demonstration was the only part that was visible. If someone openly wages a rebellion, it's not necessary to call that subversion. The Criminal Code is adequate.*"

East Timor's military commander, Brig.Gen. Theo Syafei has a more convincing explanation. Xanana, he said, "will not be tried as a war criminal" because there is no war in East Timor. What Syafei fears is that a subversion trial would give prominence to the armed resistance. As for

General Benny Murdani, who commanded military operations in East Timor for more than a decade, he fumed at the extensive reporting of Xanana's capture. "Why all the fuss?" he said. "Xanana is nothing but a mouse, a petty street criminal."

Under the articles of the Criminal Code which are likely to be used, the maximum sentence is life imprisonment, not death. But although the Police Force intelligence chief said he would face the maximum of life imprisonment, the Attorney-General said a day later that he could face death. A trial under the Criminal Code also requires the army to hand over interrogation to the police. Under less well publicised cases, the army are not troubled by such formalities but with Xanana, they have been at pains to show that the police, not the army, are handling the case. The switch from army to police handling occurred when Xanana was moved from Dili to Denpasar. The scenario seems designed to convince the international community that the regime is treating this high-profile case with a degree of "leniency" never before displayed towards any political prisoner.

### An 'intel' operation

Army intelligence (*'intel'*) were quick off the mark with an operation to use their captive to demoralise the resistance and to demonise him. Within a week he was presented on state television "chatting" with Abilio Soares, the recently appointed governor of East Timor. With a huge map of Indonesia behind him, seated at a table laid for breakfast, with a box of tissues concealing whatever was on the table in front of him (probably his text), Xanana, looking wan and bemused, called on the resistance to surrender. His demeanour was in stark contrast with that in films received abroad and shot while he was still in the bush.

Bishop Belo expressed astonishment that someone who had fought Indonesia for 17 years could so suddenly switch to being in favour of Indonesia. "I don't know for certain what happened but for the past seventeen years, if any prisoner spoke in the way that Xanana has spoken, it happened as a result of torture." [*Publico*, 4.XII.1992]

The televised appearance prompted Portugal's President Soares to renewed his request to the UN Secretary-General to increase pressure on Indonesia over Xanana's capture; the staged interview had taken place under pressure and would be discounted by the international community, he said. A foreign ministry spokesman said there was every indication the captive had been subjected to threats and aggression against himself, his relatives and his comrades-in-arms.

### Portuguese TV interview heavily censored

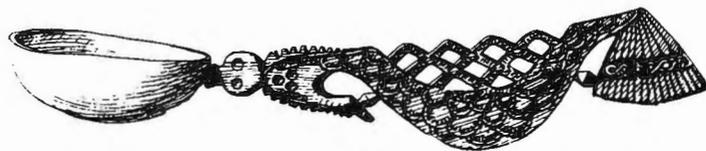
Some days later, the military permitted a Portuguese TV journalist, Joao Gabriel, to interview Xanana. Whatever Jakarta thought it might gain, the exchange was of little benefit, except as a show of "leniency" and a gesture to Portuguese media workers prepared to enter into this form of media manipulation. The Portuguese government later strongly criticised Portuguese journalists for becoming embroiled in such manoeuvres. Lisbon's special ambassador for East Timor affairs, Dr Rui Quartin Santos, said: "It is indispensable for Xanana to be at liberty if he is to say anything about East Timor". [*Publico*, 29.XII.1992]

Gabriel's interview took place with some thirty Indonesian security officers present; there were also five interpreters and censors following the exchange between the two men. The censors held on to the video tape for eleven hours before releasing it to Gabriel. They had cut the 20-minute interview down to twelve minutes.

Gabriel later described Xanana as being "extremely tense". On the basis of what transpired, Gabriel said he entirely "disagrees with the version that Xanana is repentant". When Gabriel asked about Xanana's apparent acceptance of East Timor's integration with Indonesia, Xanana said: "I am replying in a way which, if I were free, I would not." However, the reply was cut from the tape given to Gabriel. Xanana evaded several questions, saying only, "I am outside the reality". When asked about the forthcoming talks about East Timor in New York, Xanana spoke at length about "a global solution for East Timor" but the entire answer was erased. [*Publico*, 14.XII.1992]

### Demonising the symbol of resistance

The other plank of the *intel* operation was character assassination. The aim was to transform Xanana from being the 'symbol of resistance' and a 'charismatic leader' imbued with 'super-natural powers' (to quote widely-used remarks in the Indonesian press) into a sex fiend, who had extra-marital affairs with numerous women, who was even a rapist. *Jawa Pos*, a newspaper published in Surabaya, has distinguished itself for years as the channel through which army *intel* in East Timor disseminates its stories. A woman correspondent wrote four lengthy articles about Xanana in December. One portrayed him in the most disgusting light and included a lurid description of an alleged rape committed while Xanana was in hiding. These slanderous allegations are all the more obnoxious as the paper knows full well that neither Xanana nor anyone associated with him will ever be able to repudiate these lies in the Indonesian press. ★



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resistance is still widespread. To achieve their aim, the army would need to wipe out practically the entire population. The arrest of Xanana Gusmao and the way he has been manipulated is a heavy blow for the Timorese but there is no sign of the collapse of the resistance.

In many ways the situation in East Timor can be compared with the late seventies and early eighties. Army practices, in particular after the arrest of Xanana, can only exacerbate anti-Indonesia feelings. The amnesty offer to people who surrender is not a serious gesture. It is a repeat of Suharto's amnesty in 1977. Many who surrendered then were incarcerated or extrajudicially executed. The Timorese haven't forgotten that gruesome period.

Since 1975, the Timorese have experienced many phases of Indonesian rule, always developing new ways to overcome their oppressors. The present wave of terror under *Operasi Tuntas* is possibly the most difficult period of all for the Timorese, but their will to overcome and to resist is sure to prevail. ★

# Operasi Tuntas on the rampage

*The capture of Xanana Gusmao was a major aim of the present Indonesian military operation in East Timor. But Operasi Tuntas (Thoroughgoing or Complete) has not yet reached its climax. With unprecedented ferocity Timorese guerillas are being hunted down in the mountains and hundreds of arrests have taken place in the towns.*

*Operasi Tuntas*, the code name for the present military operation, was originally to have been called *Operasi Naga Merah* (Operation Red Dragon) but military commander Brig. General Theo Syafei realised that this sounded too ferocious and settled for the milder-sounding name. As a military operation, *Operasi Tuntas* has new elements with a new thrust. The main difference is that it reasserts the *security approach* as the army's strategy while the key thrust is to crush the clandestine movement.

## "Two-faced" Timorese

The clandestine movement has usually been taken as meaning the young activists who created organisations like *Renetil*, *Fitun*, and *Ojetil*. These organisations were primarily responsible for the anti-Indonesia actions in Dili and Baucau. The Santa Cruz procession of 12 November 1991 was largely organised by the youth. But *Operasi Tuntas* has gone further than just hunting down and arresting the youth. Several months ago, Syafei and Governor Abilio Osorio Soares issued a warning to the so-called two-faced Timorese, people who work within the Indonesian system while being involved in clandestine work for independence. Syafei and Soares are both well aware of the realities in East Timor and know that these 'two-faced' people are the bottom line. It is not enough to wipe out the armed resistance and destroy the clandestine youth organisations; any operation to break the back of the resistance must also 'cleanse' the Indonesian administrative apparatus in East Timor.



Indonesian Military Police in Dili photo: Jan-Erik Forsberg

Some of the defendants in the trials held in Dili last year were civil servants. The latest waves of arrests show that one major aim of *Operasi Tuntas* is to break up the clandestine network within the administration. Most detainees named in recent Amnesty International urgent actions are civil servants.

Indonesian press reports since Xanana's arrest reveal the

extent of this clandestine network. Xanana's visits from the mountains to Dili were partly organised by Timorese working in the administration, including a village head. Xanana's arrest took place in the house of police first corporal Augusto Pereira, another 'loyal' Timorese. Independent sources in East Timor say that six of the thirteen *bupatis* are suspected of complicity. It is clear that Xanana's arrest was not the result of betrayal but resulted from a massive hunt by the army last November. They discovered Xanana's whereabouts after inflicting the most horrific torture on detainees who they thought could inform on Xanana. One of those captured a few days before Xanana was found broke down and revealed his whereabouts after all his finger-nails and toe-nails had been pulled out, his ears slashed and both his arms broken.

## The security approach

Since January 1992, when Syafei was appointed military commander, much has changed in East Timor. His predecessor Brig. General Warouw favoured the *prosperity approach*, trying to convince the Timorese to accept integration. The *security approach* of *Operasi Tuntas* regards every Timorese as a suspect.

## Low intensity conflict

Central to the strategy currently being employed is an attempt to thoroughly demoralise the people of East Timor, so as to destroy their will to oppose integration. In Central America this counter-insurgency strategy is known as low-intensity conflict, total war against the entire population. It uses many methods, extrajudicial killings to terrify the population, mass arrests and psychological warfare through the media to spread lies and demoralise the people.

A key element in the campaign is the staging of 'loyalty ceremonies'. [See separate item] It is noteworthy that an old Timor hand has reappeared on the scene, Colonel Willem da Costa, now Territorial Assistant for *KOLAKOPS*, the special military command for East Timor. Da Costa was a crucial figure in the early eighties in resettling the Timorese population in camps. Captured military documents in 1983 revealed the Indonesian military strategy; several of the documents were signed by then Lt. Colonel Willem da Costa. The military reshuffle after the Santa Cruz bloodbath brought him back to Dili. Da Costa feels obviously more at home in war-like East Timor than in quiet Java.

Throughout the current operations, 'surrender' is the key word. Once an entire nation has 'surrendered', what more is there to talk about? This is why Indonesia was so inflexible at the UN-sponsored talks on 17 December. The delay of four months till the next round of talks should give the army the time it needs to end, once and for all, any remnants of East Timorese resistance.

The ceremonies of surrender are intended to demoralise

the population while propaganda in the press is also part of the psy-war. Xanana Gusmao, very much respected by the Timorese, is portrayed as a criminal, a rapist, an alcoholic and a big-money spender. The televised 'interview' of Xanana, accepting all the blame and urging the Timorese to cooperate with the Indonesians, was shown over and over again in the villages and villagers were compelled to look at their 'defeated' leader.

### The dissolution of KOLAKOPS

*Kolakops* is the special military structure for East Timor. It is a special operations command, unlike command structures anywhere else, designed for a region still in a state of war. It has powers to deploy fresh troops from all over Indonesia at a moment's notice. Last year Syafei announced that *Kolakops* would be dissolved in September, then he postponed it till the end of the year. Now it has again been put back, this time to March 1993. The huge operations under way suggest that the army hopes to be able to disband *Kolakops* before Suharto's appointment for a sixth term as president. The date fixed for the next talks between

Indonesia and Portugal also fits in with this timetable.

The whole discussion about disbanding the special military structure is largely a sham. In today's Indonesian military structure, the *Korems* – the regional military command structure – have been greatly enhanced because, in addition to being territorial commands, they also include combat troops. Hence East Timor will remain a special territory for the army regardless of whether *Kolakops* continues to exist. In the present style of military operation – terrorising the population – the presence of combat troops is less necessary. A large number of troops are there simply to have a presence in the villages. One Timorese claims that every Timorese family is 'protected' by two Indonesian soldiers. Recent visitors to East Timor confirm the vast number of troops in every town, village or hamlet.

Whether Syafei can achieve his mission is another matter; even Indonesian press reports suggest that East Timorese

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## The illegality of Xanana's trial

Jurists at a conference in London on legal aspects of the East Timor question wrote to the UN Secretary-General challenging the legality of the forthcoming trial of Xanana Gusmao and other East Timorese arrested in Dili. The jurists based their case on the Fourth Geneva Convention of 1949. Specifically with regard to the legal aspects of the trial, they wrote:

"We recall that there are certain non-derogable human rights which appear in the Universal Declaration on Human Rights and are part of customary international law. Under international humanitarian law and under international human rights law, every East Timorese is entitled to due process and fair trial rights.

"We have received reports concerning the arrest and detention of Xanana Gusmao on 20 November 1992 and of many other East Timorese both before and after his arrest, as detailed in Amnesty International's urgent actions nos. 366 and 367/92. The reports strongly suggest that Indonesia has violated the following rights:

"1. The right not to be arrested under any legal provision introduced by Indonesia which does not comply with Articles 64 and 65 of the Fourth Geneva Convention of 1949, and not to be removed from the territory of East Timor. Indonesia's Anti-Subversion law under which, we understand, he is being held, is not essential to enable Indonesia to fulfil its obligations under the Convention.\*)

"2. The right to be promptly informed, in writing, in a language which he understands, of the particulars of the charges preferred against him.

"3. The right

(a) not to be subjected to physical or moral coercion, in particular to obtain information from him or from third parties; and not to be subjected to any measure of such a character as to cause physical suffering, including torture and any other measures of brutality whether applied by

civilian or military agents; and

(b) the concomitant right not to be compelled to testify against oneself or to confess guilt.

"We are most perturbed that Mr Gusmao has been presented on television, evidently speaking under duress. Moreover members of his family are being held hostage contrary to Article 34 of the Convention, and subjected to inhuman and degrading treatment.

"4. The right to all necessary rights and means of defence, in particular:

(a) The right to present evidence necessary to his defence and call witnesses; and

(b) The right to be assisted by a qualified advocate or counsel of his own choice, who shall be able to visit him freely and shall enjoy the necessary facilities for preparing the defence. Mr Gusmao has been held incommunicado since his arrest.

"Given the breaches of the above rights, we demand the immediate release of Mr Gusmao and all other detained East Timorese. Such breaches make it impossible for any of the individuals detained to receive a fair trial. Therefore any such trials will be unlawful.

"We ask you to use your good offices to make it plain to Indonesia that these matters constitute grave breaches of Indonesia's international obligations, and that the individuals responsible for them have corresponding international criminal liability."

\*) The likelihood that the Anti-Subversion Law will not be used against Xanana does not negate this argument. Whatever law is used, it will be Indonesian law and this is probably unlawful because the existing (ie. pre-invasion, Portuguese) laws are supposed to remain in place and may only be repealed or added to in limited circumstances. Moreover any new laws must be properly promulgated and made available to the general public in their own language.

★

## UN-sponsored talks get nowhere

*On 17 December 1992, the Portuguese and Indonesian foreign ministers met at the UN Secretariat in New York to discuss East Timor. The UN Secretary-General, Boutros Boutros-Ghali, also took part.*

Despite hopes for new departures and an initiative on the part of Boutros-Ghali to consult the East Timorese, the talks proved unproductive. The only decision taken was to hold another round of talks on 20 April 1993 in Rome. It is not clear why Rome was chosen as the venue.

Portugal was represented by its new foreign minister, Durao Barroso. Unlike his predecessor who never commented on the talks, Barroso spoke his mind. He said little progress had been made. "So far, I have seen no flexibility from Indonesia. There were no significant results except that we had a frank exchange of views." Asked if he felt positive about the talks in April, he said: "My hopes are low because Indonesia is refusing to budge." [UPI, 17.XI-1.93]

It is understood that Portugal sought assurances from Indonesia about the captured resistance leader, Xanana Gusmao, and proposed that there be an exchange of journalists between the two countries, with Portuguese journalists being allowed to visit East Timor.

The prospect for progress were set back by Xanana's arrest and the internal situation in East Timor where the military had greatly intensified their clampdown. The day before the talks, military commander Syafei claimed that hundreds of East Timorese had gone to search for relatives who are fighting in the bush, to persuade them to come down. He even claimed that 1,147 "members" had surrendered since Xanana's arrest.

José Ramos-Horta, representative abroad of the resistance, said that the stalemate in the talks had left Portugal and the East Timorese with no alternative but to wage "all-out diplomatic war (because) Indonesia understands only the language of strength." What Jakarta had achieved, he said, was to enable Portugal to raise the stakes to dramatise the problem, forcing the Americans and the Europeans to take sides." [Jakarta Post, 22.XII.1992, filed from Melbourne]

### Syafei rejects talks with Portugal

In an unprecedented move, Brig.General Theo Syafei has called for an end to negotiations with Portugal and said it was preferable to discuss East Timor with the Vatican. Normally, the military who operate in the field never interfere, publicly at least, with diplomatic strategy. This intervention suggests a deep rift between those directly responsible for operations in East Timor and President Suharto along with his foreign minister, Ali Alatas.

Syafei, speaking to Indonesian journalists, did not mince his words. "Indonesia has wasted too much time and energy in negotiations with Portugal over these years. We don't want to be treated like a donkey which keeps on falling in the same hole." [UPI, 19.I.1993]

Suharto's decision last September, during the Non-Aligned Summit, to accept Boutros-Ghali's proposal for UN-sponsored talks is likely to have angered the military. Suharto was no doubt motivated by a wish not to appear to be against negotiations and sully his stature as leader of the Non-Aligned Movement. Syafei's words indicate however

that negotiations with Portugal are seen as a humiliation for Indonesia. The flood of reports about 'surrenders' and 'allegiance oaths' in East Timor which preceded the 17 December talks were clearly intended to persuade the international community that the entire population is now pro-integration so what more is there to talk about?

The forces of occupation feel impatient about the stalemate at the UN. As long as East Timor remains on the UN agenda, the military on the ground know that the world is watching. This imposes constraints on their strategy to crush the resistance and keeps alive the hope among East Timorese that the UN will extricate them from Indonesian rule.

It is not clear why he thinks the Vatican can help to resolve the issue. However amenable the Vatican may be to Indonesia's case, it has no diplomatic standing on the question. Whatever Syafei may think, it will require a resolution of the General Assembly to remove East Timor from the UN agenda. ★

### Open or closed?

Jakarta has not reversed its decision three years ago declaring East Timor "open". But how open is it? When State Secretary Moerdiono spoke about openness in a session with a parliamentary commission, an East Timorese MP asked him "to open (East Timor) to foreign reporters to ward off unfavourable perceptions of Indonesia, especially on human rights issues".

Moerdiono had nothing to offer. "After the 12 November incident, the government has been anxious to maintain peace among the local people. The coming of reporters, who often forget proportion in their writing, may disturb the peace," he said.

But Moerdiono had more general problems on his mind. "Openness ... and democratisation as implemented in the Soviet Union ended with the breaking up of the country. Is that what we want?" [Jakarta Post, 13.I.1993]

So what about a tourist wanting to visit East Timor? One couple who recently managed to get in said it took two days in Denpasar to work out whether they needed a permit or not. Yes they did, they were told, but no, they couldn't get one because it was for the army to decide. Would the army give them one? No, but no-one would say so on paper. Then they were advised, "If you get on a plane and they don't like the look of you, you'll be turned back." They decided to risk it and got on a plane. They weren't turned back.

## Blood-drinking oath ceremonies

*In a campaign to demoralise the population in the wake of Xanana's capture, Indonesian troops in occupied East Timor have compelled hundreds to swear allegiance in blood-drinking ceremonies. Army claims about hundreds of surrenders are groundless. The forces of occupation want to convince world opinion that the entire population has abandoned its opposition to Indonesian rule.*

### Bogus surrenders

From late November to mid-December, when the UN-sponsored talks on East Timor took place in New York, there were many army-inspired reports about the alleged surrender of hundreds of 'GPK' (ie. armed resistance fighters, always referred to as 'security disruptor gangs') members. Army *intel* officers seemed untroubled by the fact that the 'surrenders' far out-numbered their estimate of the number of fighters in the bush. Our sources inside East Timor insist that not a single surrender has occurred. On the contrary, the armed resistance under its new leader, Ma'Huno Bukar, has launched a wave of military operations to engage the occupying forces in armed combat.

The military commander, Brig.Gen. Theo Syafei has tried to implicate the Catholic church, claiming that it had named seven parish churches where 'GPK' members could surrender. This was strongly denied by Bishop Belo who said in an interview with the Portuguese press that the church had no guarantee about how people surrendering would be treated. The Indonesian press did not bother to seek Belo's views and have persisted in reporting Syafei's claims. Syafei even alleged that Bishop Belo would issue a Christmas Pastoral Letter calling on fighters in the bush to surrender. In the event, he did no such thing.

### Perverting traditional practices

Military commands have also held oath-taking ceremonies in many places. East Timorese, mostly young people, are required to attend. Blood taken from each one, using a single syringe, is squirted into a bowl and mixed with wine. The Timorese must then drink the mixture and swear allegiance to the Suharto regime. In one such ceremony on 19 December, troops randomly arrested sixty people and forced them to take part in the blood-drinking ceremony. [*The Observer*, 17.I.1993]

In a ceremony in Ainaro, reported in the Indonesian press, 294 people took part. The event was staged in the football stadium with about a thousand people packed into the stadium to watch. Local elders were used to officiate and a priest was on hand as well. In this instance, the people's blood was mixed with the blood of a chicken and a bottle of whiskey. In a final act of public humiliation, the oath-takers were required to cover their faces with an Indonesian flag and kiss it. [*Jawa Pos*, 19.XII.1992]

The mutual taking of blood is a tradition among East Timorese tribes, when entering into peace accords. For the forces of occupation to use it to cow the population into submission shows the strength of Indonesia's obsession to force an entire population to its knees. But it is not likely to succeed. An article by two sociologists in Yogyakarta, one of them an East Timorese, dismisses the oath-taking as futile. "Experience shows that symbolic expressions of support ... will never be effective." [*Kedaulatan Rakyat*,

30.XII.1992]

Another form of forced allegiance occurred when three East Timorese were filmed by a Portuguese cameraman who was on a one-day visit to Dili. In the presence of a number of soldiers, they said to camera, "we admit the error of our ways". One of the three was Talofu Moniz Alin, 25, who was so severely tortured in October 1990 while in custody that he had to be hospitalised. Released in February 1991, he was re-arrested in September 1992. The 'confession' was clearly staged for the benefit of the Portuguese. In fact, Talofu (whose case has been reported in *TAPOL Bulletin*) managed to say, in Tetum, that "17 of us were indoctrinated by the Indonesians". The other two who appeared were Estanislau Cáceres and Gil Vicente Maria Simoes, 24, who was wounded during the Santa Cruz massacre in November 1991.

### Forcing Timorese to hunt guerrillas

Another ceremony was reported in Baucau where 250 people swore allegiance in a stadium filled to capacity by three thousand people. On this occasion, the oath-takers pledged to disband their organisation, referred to simply as 'the clandestine'. There was no reference to blood-drinking on this occasion, but Syafei announced that "several hundred East Timorese" in Baucau had "voluntarily" decided to go into the bush "to persuade their relatives" to surrender. No-one has produced anyone but the people who were obliged to go on this mission fear for their lives if they return empty-handed.

Territorial assistant of the military command, Colonel Wilhem da Costa, said these missions were not orchestrated by the army; the people who went were not escorted by troops. But the governor, Abilio Soares, said that such a venture could be life-threatening. "What if they are resisted by the guerrillas?" [*Suara Merdeka*, 18.XII.1992]

### Renewed armed combat

As we were going to press, it was reported that two young women in Vikeke accused of being in contact with the guerrillas were raped by soldiers in front of the population, as a warning not to support the guerrillas. The following day, Falintil forces struck back against the army unit, killing 42 Indonesian soldiers.

Other guerrilla attacks reported from inside speak of two trucks of soldiers being attacked, with the loss of 60 lives on the side of the occupying forces. With the territory sealed off from foreign observers and journalists, there have been no agency reports of these activities. ★



# Yet another bonanza ?

*1993, the 'year of the rooster' is supposed to be a good year according to Buddhist beliefs, but it is questionable whether this will help the Indonesian economy. Suharto's draft budget for fiscal 1993/1994 has been hailed as 'sober', which is not unexpected at a time of global recession.*

Barring major upheavals, Suharto will get a sixth term as president, which should assure him a mention in the Guinness Book of Records. This year's budget (April 1993 to April 1994) sees an increase of 7% over last year on both sides of the balance sheet, in line with expected inflation of 7%. Indonesia's budget is always tied to current oil prices; revenues for 1993/94 are calculated on a "realistic" US \$18 per barrel against US \$17 last year (92/93). Minister of Finance Johannes Sumarlin is hopeful that receipts from income tax will increase by 36% to Rp.14.84 trillion (about US \$7.2 billion), from VAT will increase by 5.9% to Rp 11.68 trillion (about US \$5.7 billion) and from property tax will increase by 33.3% to Rp1.32 trillion.

The external debt stands at US\$78 billion (about \$55 billion state debts, the rest private), although debt repayment (including interest) is up 1% (Rp. 16,425 billion or about US \$7.97 billion) compared with last year. According to Sumarlin the debt service ratio (DSR) will fall slightly from 32.2% to about 30% (because of higher export earnings). But the huge debt repayment will gobble up almost half (44.2%) of budget expenditure.

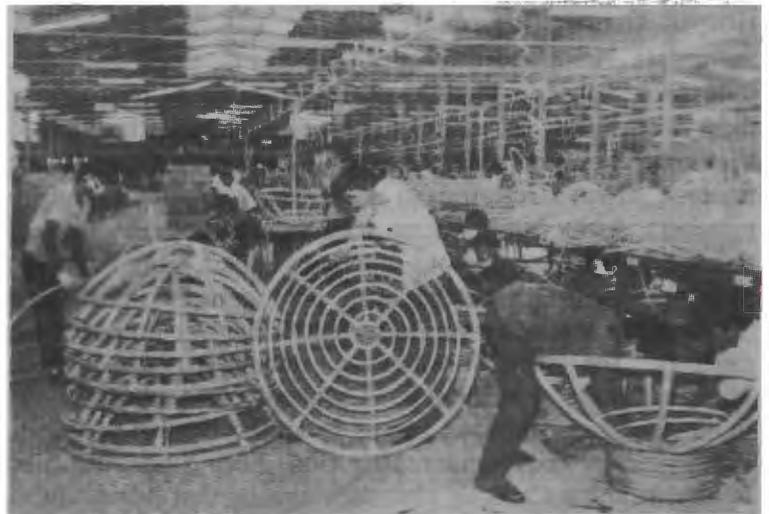
The budget contains two important measures. The first is a 25% rise in fuel prices. Fuel has always been heavily subsidised. Although this should be discussed in parliament, Suharto has already taken the decision. The government hopes to save an extra US\$1.5 billion. For several years, the World Bank and the Asian Development Bank have called for subsidies to be cut and finally, Suharto has given in. He also announced higher electricity tariffs and transport costs. To soften the blow, the salaries of the civil servants (including members of the armed forces) will go up by 12.18%.

The other new measure or 'fundamental change', as Suharto calls it, is that Indonesia should be prepared to become a net importer of oil by the end of the century.

## Oil/gas v. non-oil/gas

Oil and more recently gas have been the backbone of Suharto's economy. In the early years, Suharto's *Orde Baru* was almost entirely dependent on oil revenues; then came burgeoning gas revenues in the early eighties. Indonesia is now Asia's largest oil exporter and the world's largest exporter of gas.

In 1984, during the second global oil crisis, Suharto and his technocrats changed strategies, boosting the non-oil/gas sector. In the extractive sector, mining and logging steamed ahead while in manufacturing, Indonesia has become an important exporter of garments, clothing, plywood and shoes. In the coming fiscal year it is projected that Indonesia will enjoy a trade surplus of US\$7.11 billion, up 15.8% over 91/92. Earnings from oil are expected to rise 5.4% to Rp 11.8 trillion while gas earnings will go up by 21% yielding a revenue of Rp 3.32 trillion. While oil and gas are still big earners, Suharto has warned that with



*Manufacturing furniture, part of the non-oil industry*

rapidly rising domestic demand, Indonesia should be prepared to become a net oil importer by 2000. "By that time, our economy must be fully supported by non oil/gas exports and state revenues from non-oil/gas sources".

Time is indeed running out for the Indonesian economy. It is doubtful whether the manufacturing industry, still in relatively good shape, can maintain its explosive growth. Non-oil/gas exports in fiscal 92/93 leapt by almost 25% over the year before and is projected to grow another 15% in this fiscal year. But it seems the growth will be almost entirely from the extractive sector while the manufacturing industry is losing its momentum. Foreign investments in 1992 in manufacturing did not rise significantly. The new trend is for Asia-Pacific capital to invest in the Asian mainland, in particular in China and Indo-China.

## The extractive sector as saviour?

Time and again it has been proven that the success of a government relies heavily on its performance in the economy. Politics are subordinated to economics. Examples of countries in the region: Singapore, Hongkong and Taiwan strengthen this point. These countries have built a strong manufacturing base while the politics have remained obscure. The case of Indonesia is not the same.

Donors have consistently praised Suharto for his successful running of the economy and the stable political climate. It is arguable whether Indonesia's industrial base is indeed so sound. Whenever his political leadership is challenged, he is rescued by a yet another bonanza to boost the economy. Suharto's rule started when Indonesia became an important oil exporter and in the eighties the gigantic gas exports helped to bolster Indonesia's economy.

There are signs that Indonesia is being affected by world recession: sluggish prices for export manufacturing goods, the collapse of the real-estate boom of the eighties etc. Two of Indonesia's top ten conglomerates: Astra and Mantrust (listed respectively as number 2 and number 5) are

in dire straits. Indonesia's banking system is on the verge of collapse while the Jakarta Stock Exchange has become the laughing stock of global investors.

Suharto is desperately in need of another shot in the arm and there are signs that Indonesia's huge natural resources will again bail him out. Indonesia's coal reserves are estimated at 31 billion tons and could last 200 years. The coal companies are state owned and are currently thriving. Coal exploitation, still at its initial stage with exports (12 million ton), is one tenth of Australia's export. But soon coal exports will grow to 30–40 million tons. The domestic market for coal will also be boosted. In March coal briquettes will be on sale in the home market. Switching to coal makes sense with the recent fuel price increases.

As for gas, while Indonesia is already the leading exporter, (22 million tonnes of LNG, liquified natural gas, last year), a new agreement between the government and the US oil giant, Exxon, will surpass everything. At stake is the exploitation of off-share gas fields around the Natuna islands in the South China Sea with estimated reserves of 45 trillion cubic feet. The costs will be gigantic; Pertamina, the state oil company, says it will cost US\$17 billion to develop the field. With gloomy prospects in oil exports, Jakarta is in a hurry but it could take at least 8 years before Natuna starts producing LNG. Like coal, Indonesia's long term industrial strategy is to increase the domestic use of LNG (or decrease domestic oil-dependency), both for home users and the industrial sector.

### The Timor Gap oil

It seems that Suharto has deliberately kept the oil spoils from the Timor Gap out of discussions about the economy. The arrival of the drilling rig Falcon off East Timor last month has highlighted once again the potential of this oil-rich area. Oil industry analysts say output from the Timor Gap could reach 200,000 barrels per day by 1995. Seven of world's biggest oil companies, notably US-Marathon Oil, Broken Hill, Phillips Petroleum Co, Woodside Petroleum Ltd, Petroz NL, Enterprise Oil plc and Royal Dutch/Shell Group intend to invest hundreds of millions of dollars in the area. The companies have agreed to drill 45 wells at an estimated cost of US\$400 million.

It is understandable for Suharto and the oil companies to keep a low profile because of its controversial character. The International Court of Justice in The Hague is considering a case against Australia filed by Portugal, to declare the Timor Gap treaty between Indonesia and Australia invalid.

### Cautious optimism?

The mood of Suharto's budget speech was cautious optimism. Most economic analysts agree, saying it is realistic and accords with the structural adjustment plans of the World Bank and the IMF. Critics are less optimistic and argue that the growing burden of debt repayment makes Indonesia a future Latin American case like Brazil.

The threat of protectionism in a Maastricht Europe and US under Clinton will pose difficulties for Indonesia's manufacturing industry. Indonesia's prime asset, cheap labour, is coming unstuck with workers striking for higher wages. Indonesia's economic boom from 1984 to 1989 coincided with the bubble economy in Japan. Tokyo with a much sounder economic base is still licking its wounds after the bubble burst but the worst effects are yet to strike Jakarta. In the past few months, two major companies, Astra and Mantrust, have faced disaster. Both have fallen

victim to never-ending corporate raiding backed by unbridled borrowing. They are submerged by massive bad debts the full consequences of which have yet to emerge. Everybody agrees that the Indonesian banking system is in need of a major overhaul. The social impact of the 25% rise of fuel prices will only become apparent in the coming months.

Although Indonesia's economy is now an integral part of the global market, income per capita is the lowest in the region. The social allocation ratio (the percentage of public expenditure earmarked for social services) reflected in the present budget remains desperately low. A sound economic base cannot be developed if the gap between the rich and poor remains so wide; if the poor can't enjoy the advantages of better education, health care or even manufacturing goods produced on Indonesian soil, trouble could be brewing for Suharto's *New Order*. ☆

### ERRATA

In *Tapol Bulletin* no 114, December 1992 under the heading *British miners on the scrap-heap*, P.T. Kaltim Prima is said to be partly owned by *British Coal*. This is wrong, the British company involved is *BP, British Petroleum*. Please note that the source of the mistake is **INDONESIA SOURCE BOOK 1992** (page 110), an official publication of the National Development Information Office, Republic of Indonesia.

### Stop Press

#### Land conflict in Blangguan explodes

When farmers and supporting students who planned to plant a field of corn in Blangguan, East Java, in defiance of the Marine Corps, arrived in the area at dawn on 23 January, they found it sealed off by troops. The houses of families involved in the action were occupied by troops who were terrorising wives to say where their husbands were. The action had to be abandoned because of the huge marine presence and their brutal reprisals.

Following a protest to the local assembly in Surabaya on 25 January, 31 students were arrested at a bus-station as they were waiting for transport. One of them, Irwan was badly beaten up. The names of all the students are known. Twenty people were arrested in Blangguan at the time of the action; no details were available as we went to press.

The action was in defence of land farmed since 1923 by 136 families which the local Marines battalion want to use for military exercises and war games. For months, troops have done everything to drive the farmers off – bombarding the fields, driving tanks through fields and into homes, and wilfully dismantling people's homesteads.

Recently the Marines warned that if farmers planted corn, they would tear up the crops.

The planting action was intended to convey the message that the farmers' livelihoods depend on the land. Students from many universities in Java set up a solidarity action group, KIRAB, to back up the action. As they approached the area, they became aware that intelligence units were monitoring their movements.

## Labour unrest unnerves the regime

*The wave of strikes continues. YLBHI, the Legal Aid Institute, recorded 195 strikes in 1992 to mid November, involving at least 88,000 workers. The Indonesian authorities may now be regretting their decision in 1990 to lift the 27-year ban on strikes in 'essential industries'.*

On 11 December, the day after Human Rights Day, Minister of Manpower Cosmas Batubara declared that most recent strikes are illegal. Two months earlier, he was hitting out at employers for refusing to implement regulations, in particular on the minimum wage. Cosmas Batubara has so far been more lenient than his predecessors but his recent statements shows that he is changing his tune and that the liberal veneer is very thin.

There are many signs that foreign investors are complaining about labour unrest and are threatening to go elsewhere. Foreign investment figures for 1992, around US\$10 billion, were roughly the same as in 1991 but there was a sharp decline in investments in the manufacturing sector. Large-scale foreign investments took place in the extractive sector, notably by Freeport (gold and copper), and a huge refinery in West Java, transforming oil derivatives into plastics raw material.

### The illegality of strikes

Cosmas told the Indonesian parliament: "Strikes have their own rules of the game and the ones that have occurred in the country are illegal" adding that "government will not hesitate to take harsh action against the strikers" [Jakarta Post, 12.XII.1992]. He described how a legal (sic) strike should be conducted: workers should first file a complaint and discuss it with the management. If no agreement is reached, both parties must take the case to the local Manpower office. The workers may only go on strike if a special team of this office in charge of settling labour disputes (P4D) fails to resolve the dispute and gives them the green light.

Such a bureaucratic procedure is certain to be very detrimental for the workers. P4D team have traditionally sided with the employers and often take bribes.

Strikes in industrial areas like Tangerang, Bekasi and the vicinity have now, by and large, become affairs between workers and management with the latter getting support from the security forces: the army and police. The role of the Manpower Ministry (*Depnaker*) has been marginalised as both workers and management have avoided taking the dispute to *Depnaker*. Cosmas' current use of tough language and threats signifies a move by the regime to re-assert the ministry's role in the management of industrial disputes. According to reliable sources, a new body is in the making composed of *Bakorstanas* (the security agency), *Depnaker* and the 'trade union' *SPSI* with the task of countering strikes; special security units are being prepared to enter the factories when a dispute erupts.

### Catch 22 situation

Indonesia's important asset, the availability of cheap labour, is starting to come unstuck. Foreign investors have started complaining. Strikes not only affect the level of output. When the local military step in to crush a strike with so-called 'methods of persuasion' to convince strike leaders to leave their jobs 'voluntarily', the officers demand handsome 'rewards' which add to production costs.

Bert Lim, senior advisor of the Taiwanese Ministry for Economic Affairs, recently visited Indonesia and described industrial relations as "old-fashioned, low mentality, red-tape administration". Taiwanese investments in Indonesia fell by 30% in 1992 and went to mainland China instead.

### Nike factory workers suspended

Twenty-two workers at PT Eltri Indo Footware, a joint Indonesian-South Korean company which produces Nike sports shoes, have been suspended and could face permanent dismissal if it is decided that they engaged in criminal acts. The 22 have also been interrogated by police intelligence which suggests that they could face criminal charges.

They are among 60 workers held responsible for organising a strike at the factory last September, when the company was still called PT Sung Hwa Dunia. [See *TAPOL Bulletin*, no 114, December 1992] Each worker has had a letter from the company suspending them because, "According to police reports, you are guilty of a criminal act." He charged them with "belonging to an organisation not recognised by the government", hinting that they were members of the outlawed communist party, the PKI.

He alleged they were "involved in clandestine meetings" to discuss plans for the strike.

An LBH lawyer said the company is violating a law protecting workers from arbitrary dismissal. "Striking is not a crime", she said. [Jakarta Post, 16.I.1993]

### Countering international criticism

On the other hand western criticism of labour conditions in Indonesia is growing. Cosmas Batubara had to cope with four issues raised by a US Trade Representative who visited Jakarta following submissions by *Asia Watch* and the *International Labour Rights Education and Research Fund*: forcible employment of East Timorese, child labour, military intervention in labour disputes and restrictions on trade unions (see page 23). The Manpower minister had a hard job countering the points raised. He claimed that the US representative had "gained a better understanding of the issues" though admitted that "some doubts persisted".

After reporting his meetings with the Washington envoy to President Suharto it was decided to send a top delegation to Washington led by the Director General of the Manpower Ministry, Dr. Payaman Simandjuntak, to go further into the issues. The Indonesian government is worried that Indonesia will be taken off the GSP list which guarantees low import duties for certain Indonesian goods. The new Clinton administration which is expected to be more protectionist is regarded as bad news for Indonesia's export-oriented economy.

## Resurrecting the Communist ghost

*Three top generals have recently raised the spectre of communism to threaten any Indonesians who speak out against injustices and call for democratisation of the political system in Indonesia.*

This concerted offensive suggests that the army is at a loss to know how to deal with the rising tide of protest against injustices on many fronts, from democratisation to workers' conditions, from land disputes to gross abuses in East Timor and Aceh. There was possibly another problem on their collective minds: the recent return to Indonesia of Adnan Buyung Nasution whose doctoral thesis calls for the 1945 Constitution, held sacrosanct by the regime, to be amended to incorporate effective human rights safeguards.

### BAKIN's "latent communist danger"

The first to raise the communist bogey was Lt. General Soedibyo, head of BAKIN, the National Intelligence Co-ordination Agency. He told a parliamentary commission that there was growing confusion about the "latent communist danger", particularly among the younger generation, and blamed this on the collapse of communism in eastern Europe and the absence of any communist threat in Indonesia. It was "frightening", he said, that many people no longer see Marxist ideology as a threat. Yet, "its teachings still have an attraction for groups in society whose social and economic circumstances are unsatisfactory".



Fragment from the 1991 banned calendar, *TANAH UNTUK RAKYAT*.

Soedibyo referred to democratisation, human rights and protection of the environment which have now become matters of global concern. He also warned that land and workers' disputes could soon intensify.

Some MPs were not convinced. One sought clarification about the forms of this "latent communist danger". Another said most young people had no idea what communism was

so it was difficult to explain why it was a threat. Another, Marcel Beding from the PDI group, said: "We are afraid of the communist danger yet we go on creating social and economic disparities, and tolerate corruption and the abuse of power. All this indirectly encourages communist values." [Kompas, 7.XI.92]

### Try's "fourth generation communists"

A startling contribution to the 'debate' came from General Try Sutrisno, armed force (ABRI) commander-in-chief who said the threat comes from the "fourth generation of communists" who aim, by constitutional means, to raise issues such as "openness, democratisation, human rights, the environment, the civilian-military dichotomy, native/non-native relations, depoliticising ABRI and the like". He accepted that communism as a structure and political system no longer exists in Indonesia, but as a philosophy and teaching, "it will never disappear".

Try Sutrisno was speaking to a more receptive and less disputatious audience, a meeting of district and sub-district military commanders, at the Military Academy in Magelang. [Kompas, 17.XI.1992]

And who are the other three generations? The first, according to General Try, is the Digul generation (ie, those who were banished to Digul by the Dutch colonialists after the 1926 revolt); the second is the 1948 (ie. Madiun) generation (a reference to what the army alleges was an attempt to take power by the PKI in September 1948); and the third is the 1965 (Aidit/PKI) generation.

### Gen. Edi's "democratisation threat"

Army chief-of-staff General Edi Sudradjat's speech to the military commanders revealed how seriously the army regards the situation in East Timor, Aceh, West Papua and Lampung. These were regions where territorial resilience [ie. army dominance] was weakest, where large-scale security disorders had not exploded all of a sudden but as the culmination of lengthy processes. He confessed that the security disorders in East Timor, West Papua and Aceh had not been thoroughly stamped out and required constant attention.

'De-communisation' which began in Europe had been accompanied by a campaign for democratisation, human rights and protection of the environment which could overwhelm the nation's politics. Human rights was the issue around which international campaigns could have an impact on domestic demands, he warned.

He attacked in particular the "systematic and well-planned" campaign against ABRI's 'dual function', inspired by a desire to remove the armed forces from social and political affairs. Army commanders were instructed to improve their "social communications" to confront such attitudes. [Kompas, 17.XI.1992]

**Admiral Sudomo's "right and left extremists"**  
Minister-Coordinator for Political and Security Affairs

Sudomo, added his own voice to these warnings in his new year's statement. 1993, he said, would be a year when both right and in particular left extremists would need to be confronted. "I am not inventing ghosts in the bright sunlight; the fact is that these dangers really do exist." [*Pelita*, 29.XI.1992] ☆

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## Indoctrination and forced labour 27 years on

430 members of organisations which were outlawed in 1965/66 along with the Communist Party (PKI) have been ordered to attend a two-day indoctrination course on state ideology in Depok, the district of Bogor, West Java. The course which was opened in the presence of the local military commander was intended to "refresh the thinking of the participants".

The mayor of Depok told the participants that they were also required to 'get involved' in the local garbage recycling movement, to help keep the city clean. [*Merdeka*, 27.XI.-1992]

Such reports which appear occasionally in the Indonesian press indicate that innumerable people in many parts of the country are still being persecuted for (alleged) membership of organisations which were perfectly legal and above-board. Many of those required to attend were certainly held in prison without trial for years; others may never have been held. But all bear the mark 'OT' for 'banned organisation' on their identity cards, a stigma which will stay with them till their dying day.

As this story shows, they are also required to engage in compulsory civic duties which is nothing short of forced labour.

As Pramoedya says elsewhere in this issue, "twenty-seven years is long enough for the rulers of the State of the Republic of Indonesia or of any state to restore the rights of human beings as human beings to those who have suffered their theft, whether they be moral or material". ☆

## Anti-PKI museum opened

A museum dedicated to the "treacherous activities of the PKI (Indonesian Communist Party)" was opened in Jakarta on 1 October 1992. The display consists of 37 dioramas depicting PKI's efforts to "overthrow the legitimate government and the efforts of the armed forces together with the people to crush the PKI".

The museum is the creation of ABRI headquarters and was opened by President Suharto. General Try Sutrisno said it had been built to remind the younger generation of the "latent communist danger".

The dioramas depict the many rebellions for which the PKI was allegedly responsible, from Madiun in 1948 to the 1965 events.

Distortion of the truth to meet the needs of the victors is certainly in evidence. *Suara Karya* [2.X.-1992] says two dioramas show the "court trials of DN Aidit and Muso". But the two PKI leaders were never tried; they were both murdered by the army, Aidit in November 1965 and Muso in September 1948.

## Pramoedya's Human Rights Day message

*Pramoedya Ananta Toer, Indonesia's leading dissident writer, who was held without charge for 14 years as a political prisoner, from 1965 - 1979, issued the following statement on 10 December, 1992:*

**Salam!**

On the occasion of Human Rights Day, December 10, 1992, I, Pramoedya Ananta Toer, Indonesian author, just one of a number of people suffering the same fate, between October 1965 and December 1979 (14 years and 2 months), have had stolen from me by the rulers of the State of the Republic of Indonesia:

- a. personal freedom,
- b. labour,
- c. livelihood, both in respect to myself and my family,
- d. the right to defend myself from libels and accusations, both formal and otherwise, and both written and oral,
- e. the right to an honest and impartial trial,
- f. my land, house and all its contents,
- g. the best, most productive and creative periods of my life.

And after having been "released" in December 1979 because "according to the law there was no evidence of my involvement in G 30 S/PKI", I have been obliged to report to the military authorities until December 1992 (precisely 13 years) - and without any recourse to a court decision. In addition, I, like others, have suffered:

- a. restrictions on my profession and bans on all my

books;

- b. restrictions on my right to state my personal feeling and opinions;
- c. restrictions on the right of assembly and right to organise in my own society and on my own homeland;
- d. restrictions on my right to vote and stand for elections,
- e. restrictions on my right to travel, both overseas and in my own country;
- f. discrimination in the form of a special code placed on my official identity card that differentiates me from other citizens.

**So I feel the need to make clear the following:**

That the theft of one's rights as a human being, without any recourse to a fair and impartial trial, is equivalent to pronouncing us dead under civil law, marginalising us as pariahs, or more precisely, the same as treating us as cattle.

Remembering that it is the duty of all human beings to become fully human, as was explained by the writer Multatuli, it is clear that all those who steal the rights of another as well as all those who suffer such theft, have suffered a loss of their humanity.

**And so I make this statement:**

Twenty-seven years is long enough for the rulers of the State of the Republic of Indonesia or of any state to restore the rights of human beings as human beings to those who have suffered their theft, whether they be moral or material rights. And 27 years is far too long also for those who have suffered such theft to defend and uphold their rights as human beings through their strength and perseverance alone. And if the rulers of the state do not have the moral strength and courage to make such restoration, then we say too that our efforts to uphold and defend our rights has itself made a contribution to helping the rulers of this state become more fully human beings.

It is no longer the era to promote the idea that the formation of a strong country can be achieved through cold-blooded contempt for and the theft of the rights of its own people through an apparatus and system of violence. A country is strong because its citizens are strong and fearless. Because when disaster imperils the nation it is the people themselves who will have to face that danger.

It is out of date rationalising continuously to convince world opinion that human rights in Indonesia "are respected in accordance with the special traits of the national culture", when all this talk is just a form of political manipulation in order to justify the violation of citizens' basic rights carried out to preserve the rulers' power, and many other personal interests of the men in power.

And at this time, we demand of all state rulers in whatever country, that they let go of the unworthy mentality which leads them to use violence against demonstrators and workers on strike who, after all, wish to do nothing more than conduct a dialogue regarding the socio-economic deprivations they are suffering. We should be pleased to know that there are those in society who have the courage to demonstrate and strike.

History teaches us that those who fought for national independence during the colonial period educated the people to be courageous, not just in debate and argument, closed or open, against colonialism and imperialism, but indeed in fighting to oppose them. This courage climaxed



*Pramoedya Ananta Toer*

in the period of revolution. And so it is not proper, now that we are an independent nation, to teach the people, through beatings and bayonets, to again be afraid to state their opinions and feelings. And we especially say that all forms of violence in East Timor should be stopped, remembering that Indonesia, through the Republic of Indonesia's first president in his speech "To Build the World Anew" before the General Assembly of the United Nations had already stated that Indonesia had no territorial ambitions.

The time has passed for the theft of people's basic rights as human beings to continue anywhere in this world, no-one should suffer such theft any longer, remembering that such rights are what crown every individual's life. That too is the reason why law is necessary (and the State of Indonesia was once supposed to be a state ruled by law), so that we can avoid clashes of interest between individuals in the implementation of their rights as human beings. ✪

## Military intervention in church affairs causes havoc

For two months North Sumatra has been the scene of many demonstrations. On New Year's Eve thousands of members of *HKBP* (*Huria Kristen Batak Protestan*, Batak Protestant Christian Congregation) rushed to Tarutung, the seat of the congregation, to protest against the appointment of the *Ephorus*, the Head of the Church. The man appointed acting head was S.M.Siahaan, known to be close to the military; his appointment had been decreed by Major-General H.R. Pramono, the North Sumatra army commander.

The *HKBP* is the strongest of all Protestant churches in Indonesia, with a congregation of 2 million people, mostly from the Toba clan of the Batak ethnic group. The *HKBP* has branches all over Indonesia and was founded in 1861 after a long period of German missionary work in the Toba area. The *HKBP* has members in all circles of society, including several cabinet ministers and army generals. For several years a furious power struggle has resulted in rifts within the congregation. It is army intervention which has turned the rift into a nightmare.

At the *HKBP* synod last November, an army officer took the floor wanting to take over the affairs of the church. A small minority within *HKBP*, backed by the army, tried to take over the leadership, but the more the army interfered, the greater the resistance from the congregation. Many people, including bishops, have been arrested; by late January some 60 people were in custody and many house searches had been conducted. The arrests have resulted in yet more defiance, while anti-military feelings are now running high. *BAKORSTANASDA*, the regional internal security agency chaired by Major-General Pramono, justifies its actions on the grounds that the conflict has caused instability in the region, yet as everyone knows, it is the army that has destabilised the situation. In an unprecedented decision, a local court ruled against the general and *BAKORSTANASDA* in a lawsuit filed by the church.

In a vain attempt to contain the conflict, a government decree issued in Jakarta on 9 January bans all individuals and organisations from commenting on the *HKBP* crisis. ✪

# Religious strife

*In November several churches were attacked and burned down in North Sumatra and East Java, both predominantly Muslim provinces. Although incidents like this have happened before, the present frictions is much more widespread. Some analysts are gravely concerned over the potential of large-scale religious conflict breaking out in Indonesia.*

Reporting about the attacks on churches was initially suppressed by the government but when questions were raised in parliament in November, the press used the opportunity to report it. The regime is clearly worried. General Try Sutrisno, the *ABRI* commander, called "on all sides to resist friction." Later, President Suharto made a similar appeal at a national meeting of Buddhists: "All religious leaders, preachers and clergymen should exercise wisdom and a high sense of self control and should be able to control the emotions of their fellow believers".

From the Indonesian press it is not easy to get a clear picture. The first incident happened early in November in Pangkalan Brandan where about 200 masked men attacked Protestant and Catholic churches and overturned altars. Several incidents happened in East Java and in the biggest reported incident, some 100,000 young Muslims burnt down the church and parish residence of a Pentecostal preacher in Pasuruan. The preacher had allegedly circulated anti-Muslim tracts. According to Abdurrachman Wahid, chair of Nahdlatul Ulama, at least 30 attacks have occurred in the last three months on churches and other Christian property.

### Basic facts

Indonesia, the world's largest archipelago with more than 300 distinct linguistic groups, has always been prone to ethnic and religious divisions. Officially Indonesia is also the world's largest Muslim country; about 88% of the population (190 million people) are Muslim, while 10% are Christian and the rest are Hindus or Buddhists.



*General Benny Murdani, a Roman Catholic, visiting a pesantren, a Muslim boarding school.*

According to Wahid, "real" practicing Muslims account for "at most" 40% of the population. Many of the rest including President Suharto, also adhere to pre-Islamic beliefs based on Javanese mysticism. Suharto has twice fulfilled his haj pilgrimage to Mecca and carries the new name Haji Mohammad Suharto but in his daily life, as Wahid points out, the president is a syncretic Muslim.

From the outset of the Indonesian republic, difficulties arose about the nature of the new state. The matter of whether it should be a secular or Muslim state was never resolved properly and instead a compromise was reached in the acceptance of *Pancasila* as the state ideology. This takes belief in God as the first principle which supposedly unifies all the monotheist believers, ignoring animist beliefs altogether. Many pious Muslims have never accepted *Pancasila* and many Muslim inspired rebellions, uprisings and upheavals have occurred in the last half century. It was the Indonesian army who had the task of ruthlessly crushing Muslim discontent and President Suharto is notorious for his savage methods in dealing with Muslim dissidents.

But in the last two years things have changed and Suharto's flirtation with Muslim voters has created a new political setting.

### The new priyayis

Indonesian Muslims are, as the famous Dutch Indonesianist Prof. Wertheim notes, a majority with a minority complex. In general the Muslim community has functioned outside the establishment. During the Dutch colonial period the Muslims created their own environment, built their own educational system, hospitals, orphanages etc. Very few Muslims found their way into the bureaucracy or the army. The Indonesian gentry, predominantly Javanese called *priyayi*, was the social layer in the bureaucracy and became army officers. This continued till after independence and it took another generation before things started to change.

The seventies were quite crucial for the Muslims. The Muslim masses developed into the only organised oppositional force, partly through PPP (the Islam party), against the regime in Jakarta. On the other hand a broad layer of young Muslims found their way to the secular state universities or went abroad to universities in Europe and North America. Efforts to build a strong Muslim opposition foundered. The PPP was emasculated by the intelligence while the military prepared a showdown with the more radical Muslims. In September 1984 a defenceless Muslim demonstration in Tanjung Priok, the Jakarta harbour area, was met with a hail of bullets by troops as the signal for a nation-wide persecution of Muslim radicals. Almost ten years later many Muslims are still incarcerated.

In the meantime young Muslim intellectuals started their "march through the institutes". Whether deliberately planned or not, many vital and strategic positions have been filled

by this emerging group. In the bureaucracy Muslims are now replacing the retiring *priyayi*, taking: teaching posts in the universities, leading figures in the flourishing non-governmental organisations, think-tanks and lately capturing seats in parliament and congress. Some analysts use the term "*panen*" (harvest) for the successful drive of Muslim intellectuals in seeking dominance in socio-political affairs. Operating within the system is reaping its rewards and has created an important political momentum. While the Muslim intellectuals are replacing the *priyayi*, the political atmosphere is also changing. While ten years ago it was not advantageous to use the Muslim banner, nowadays cabinet ministers proclaim their Islamic identity, as do many intellectuals. Things have changed since the analysis of Wertheim. The Muslims are shedding their minority complex and are showing self-confidence and ambition.

### Different strands of political Islam

It would be wrong to identify Indonesian Muslims as a single entity. With all the diversity in Indonesia, Islam has blended with local traditions. As explained by the Islamic scholar, Martin van Bruinessen, the Islamisation of Indonesia at the end of the 13th century coincided with the strong influence of *tasawuf* (mysticism) in the shape of *tarekat*, usually explained as a religious order of mystics. The gradual growth of the *tarekats* took place by blending with local traditions and in several instances even went into the dark areas of Javanese mysticism.

The face of Indonesian Islam is pluralistic, not only as described above but also regarding its social and political outlook. The main categories are the fundamentalists who reject modernity; reformists or modernists who adopt modern thinking in their religious beliefs; and the radicals or transformists who want to change society. With the swift changes in the last two years, the three categories have become even more diversified. Hectic global and domestic events have created new patterns in political Islam in Indonesia.

One new phenomena is the emergence of neo-fundamentalists. They consist of former modernists who have been frustrated by global developments in the eighties, in particular the neo-liberal practices of Reagan and Thatcher regarding the third world countries or the commando-type socialism in moribund Eastern Europe. Recent events in Bosnia have made the neo-fundamentalists even more determined to make their mark while rejecting secular, western thinking. People like Ridwan Saidi and Lukman Harun represent this new layer.

The reformists or modernists have become a hotch-potch. These new *priyayis* now have their political vehicle called *ICMI* (*Ikatan Cendekiawan Muslimin Indonesia*, Indonesian Association of Muslim Intellectuals).

### ICMI, a new powerhouse

The conservative wing of *ICMI* headed by B.J.Habibie is a mixture of highly skilled technocrats and bureaucrats. They share the same ambitions as the old *priyayi*: to become part of the power structure. Habibie's people are emerging everywhere, in the executive, legislative and judiciary, a march through the institutes. The progressive wing of *ICMI* consists of bright Muslim intellectuals, often active in non-government frameworks, continuing the aspirations of *SDI* (*Serikat Dagang Islam*, Muslim Trade Association) early this century for the enhancement of a strong Muslim middle-class, while struggling for human rights, social justice and ecological issues. People like Adi Sasono, A.W.



*Habibie, ICMI chair, tipped to be the next Vice-President.*

Pratiknya, Dawam Rahardjo, A.E.Pryono and many others come under this umbrella. *ICMI*, although only two years old, has emerged as a powerful political machine not least because of the backing of Suharto.

The president has shed his old animosities towards political Islam and decided to use the Islam vote to balance the army. It is not clear whether Suharto himself initiated the birth of *ICMI* or embraced it when the idea was floated. Habibie at the helm of *ICMI* and Suharto's favorite cabinet-minister has been tipped as the next vice president.

### Religious conflict

Abdurrachman Wahid blames the attacks on churches on radical "right-wing Muslims" who have been encouraged by the president's efforts to win favour among the Muslims. Wahid says: "They have taken advantage of the situation now that the president needs the support of all Islamic movements, because he would like to have a smooth last term of office starting in 1993" [Brewing Religious Upheaval Alarms Jakarta Government, William Brannigan, *International Herald Tribune*, 26/27 December 1992].

The neo-fundamentalists while sharing many basic views on religious values with the more traditional fundamentalists, are more outward looking. This "internationalist" outlook is emerging against the background of global contemporary events like the spectacular growth of *Hamas* in the Occupied Territories of Israel, the Hindu-Muslim conflict in India, ethnic cleansing in Bosnia, the clampdown of Muslim fundamentalists in Algeria. This all strengthens their own convictions. A growing intolerance is often part of this conviction which means that any spark or rumour can cause tragic incidents. In Jakarta, a rumour that Catholic youth had burnt the Holy Qur'an almost resulted in the burning down of a Catholic school. The rumour was false but 75 high school students were arrested. The latest incidents show that the situation has deteriorated.

Interreligious affairs are the concern of the Department of Religious Affairs. In most cases it remains a top-down structure, with meetings between the leaders of the different

religions and their organisations. The leaders repeat their commitment to religious tolerance and mutual respect while sensitive issues are carefully avoided. The reality is somewhat different. Christianity is still seen by many as the religion brought by the Dutch colonialists. The strong emphasis on education has created a disproportionate number of cadres who are Protestants and Catholics. This is reflected in the over representation of Christians (which is now changing) in the cabinet and other high places.

'Christianisation' has been a delicate issue for many years and the neo-fundamentalist Muslims have fanned it among Muslim communities. It is also a fact that some fundamentalist Christian sects proselytise in many parts of the Indonesian archipelago, among tribal people and also in

pious Muslim communities. This too has created frictions and tensions.

Learning from bitter experiences in the former Soviet Union and Yugoslavia, religious and ethnic conflicts cannot be solved through centralist and authoritarian means. The present Indonesian political system is heading towards this disastrous collision course. The only long-term guarantee to avoid this is to open up the channels of communication and speed up the pace of democratisation. At all levels of society, from bottom to top, religious tensions should be discussed with an open mind. People like Abdurrachman Wahid, Nurcholish Madjid, Djohan Effendi, Romo Mang-unwijaya, Theo Sumartana and many others have started the process, a difficult beginning, like swimming against the tide but it is the only sensible way to avoid the suicidal path of religious fanaticism. ★

## Human Rights briefs

### Demonstrations banned

All demonstrations have been banned in Indonesia in the run-up to the session of the MPR (the upper legislative chamber) which will take place from 1 - 11 March this year. The ban was announced by Minister-Coordinator for Political and Security Affairs, Admiral Sudomo, after meeting President Suharto. The ban has been imposed "to prevent unrest that could disrupt the session," he said.

The ban comes following a wave of student demonstrations demanding that the MPR appoint someone other than Suharto. [*Jakarta Post*, 19.I.1993] ★

### Harsh sentences for word-play

Two young men, Joni Setiawan, 22 years, and Giri Cahyono, 29, have been given harsh sentences at Salatiga district court, following a four-day trial, for making a play with words from the Ku'ran during drama performances at a theatre and a public swimming-pool in Salatiga. Joni Setiawan was sentenced to four years' imprisonment, a year longer than requested by the prosecution; Giri Cahyono got three years and six months, also more than the prosecution's request. They were found guilty of blasphemy. The two men looked stunned as the presiding-judge pronounced sentence. [*Jawa Pos*, 6.I.1993]

The court sessions were packed with people anxious to see the two found guilty and there was cheering when the judge passed sentences in excess of prosecution demands.

The cases came to court after a Muslim youth organisation in Salatiga demanded retribution and demonstrated twice in October to press their point. The trials were hastily completed in a record four days, which could hardly have allowed time for the defence to present their case properly; nineteen witnesses were heard. The court had acted fast in response to the ugly mood of hostility that surrounded the affair. It is difficult to see how the defendants could possibly have had a fair trial under such circumstances. The defence lawyers announced that they would appeal.

Two students at Yogyakarta's Gadjah Mada University have also been arrested on similar charges and are likely to be dealt with just as harshly. [See *TAPOL Bulletin*, No 114, December 1992, page 12] ★

### Tourist barred because of mistaken identity

An Australian tourist named Robert Westley-Smith, who arrived in Bali with his partner and their two children, was

refused entry because immigration officials mistook him for an East Timor activist named Robert Wesley-Smith who is on the regime's black-list. Despite efforts to convince the officials that they were mistaken, the four of them were ordered to get on the next plane out.

After returning home, Westley-Smith asked the Indonesian authorities for an apology for a ruined holiday. He also needs the apology so as to collect his insurance. However, the Director-General of Immigration, Roni Sikap Sinuraya has refused to do so, arguing that his officials acted correctly. "We don't want to take any risks." With unbelievable arrogance, he said also: "There were more than three million tourists visiting Indonesia last year. We had nothing to lose in rejecting his entrance." Sinuraya said this was not the first time foreigners had been refused entry because of mistaken identity. So, tourists beware!

Sinuraya also said "at least ten" Australians are barred from entering Indonesia. [*Jakarta Post*, 14.I.1993] The latest addition to the list is Pat Walsh of the human rights sub-committee of the Australian Council for Overseas Development. Walsh has visited Indonesia regularly for a number of years and has never before been refused entry. He travelled to Jakarta last November to attend a meeting of INGI (International NGOs Forum for Indonesia). ★

### Nearly 9,000 people blacklisted

The blacklist of people who are barred from entering or leaving Indonesia is now officially put at 8,897; of these, 4,152 are Indonesians who are not allowed to leave the country, and 4,745 are foreigners who not allowed to enter.

The list is based on recommendations for inclusion by the armed forces commander, the attorney-general, the minister of finance and the minister of justice. The list is reviewed every six months; names which are not renewed after six months are automatically taken off the list.

Announcing that the total of barred people had declined from 17,000 at the end of 1992, immigration chief Sinuraya refused to say how many people were barred for political reasons. The political black-list is controlled by the armed forces commander. He did confirm however that members of the Petition-of-Fifty group of well-known opposition figures were still barred from leaving Indonesia. [*Jakarta Post*, 7.I.1993] ★

## Chinese New Year festivities banned

The governor of Central Java has banned public celebrations of Imlek, the Chinese New Year which this year falls on 23 January "to prevent charges of exclusivism or racism". He has also banned the erection of posters or banners with New Year salutations written in Chinese characters.

The ban is a continuation of a ban announced several years ago which is still in effect. There have been no *Imlek* celebrations in Central Java for more than two decades but restaurants, shops and entertainment centres have displayed banners with New Year wishes; this will now be banned as well. Mayors and district chiefs throughout the province have been instructed to implement the ban. [*Jakarta Post*, 16.XII.1992]

It is not clear whether *Imlek* festivities are formally banned elsewhere. ☆

## Two more publications banned

Little more than a week into the new year, the Attorney-General's Office is again up to its tricks with the first crop of book bans. A book and a periodical have been banned for allegedly discrediting Islam or spreading irrational ideas. The book is entitled: *Mujarobat Ampuh* (Powerful Remedies) published in Surabaya in 1991. From the rather crude remarks available in the Indonesian press, it appears to be a sort of manual advising people on how to make amulets, how to choose the lucky number in a lottery, how to acquire super-natural powers and other such skills that certainly have a lot of practitioners in Indonesia.

The banned bulletin, called: *El Shaddai*, is published in East Java. It propagates some unconventional ideas about the Islamic religion. One article argues that Muhammad created the Muslim religion to rival Judaism and Christianity. Another said that the Ku'ran is copied from the Bible.

The local Council of Ulama's has urged the authorities not only to ban *El Shaddai* but also to charged the publishers formally in court. [*Pelita*, 9.I.1993] ☆

## Squatters champion sentenced

A 53-year old ex-army sergeant has been found guilty of inciting people in Plumpang, North Jakarta who are defending their land and houses to riot. He was given a 5-month sentence. Muhidin has never hidden his role in helping squatters in Plumpang demand decent compensation for being evicted from land which they have lived on for years. The land is claimed by the state-owned company, Pertamina, a claim which the residents have challenged in court. They have also repeatedly taken their complaint to parliament, but to no avail.

There have been several fierce struggles between the residents and security forces trying to force them off the land. Muhidin was charged with inciting the residents to violence and advising them to make bamboo spears to resist security forces in an assault on their homes on 15 April last year.

Muhidin has cut a striking figure in court, speaking out with conviction. The court sessions have been attended by many Plumpang inhabitants. Two witnesses for the prosecution retracted statements they had made under interrogation, that would have incriminated Muhidin, saying they had been required by the police to sign statements, the contents of which they had not read.

Muhidin's defence was that he had advised and helped the residents on the legal aspects of the case and had in fact cautioned them against using violence. The prosecution

sought a sentence of 18 months and will appeal against the verdict. Muhidin will also appeal. ☆



*The defiant Muhidin in court after the judge announced the verdict.*

## Yap Thiam Hien Human Rights Awards

Muhidin was one of two people to receive the 1992 Yap Thiam Hien Human Rights Award for his committed defence of people standing up for their rights. The other recipient was Johnny Simandjuntak, an activist in Central Java, renowned for advising people who are defending land rights; in the late 1980s, he was in the forefront of the struggle for proper compensation for hundreds of families driven off their land because of the World Bank-financed Kedung Ombo Dam in Central Jawa.

The Yap Thiam Hien Human Rights Award, given for the first time this year in honour of Indonesia's leading human rights lawyer who died in 1989, has been set up by the Centre for the Study of Human Rights. ☆

## Guruh Sukarno, presidential candidate

For the first time since the New Order was born, somebody has broken with the tradition of single-candidacy and mono-loyalty. In the past some officers have promoted themselves but outside formal political channels. Now, Guruh has officially announced his candidacy for president. Although many Indonesians would certainly endorse his candidacy, the leaders of Guruh's party, the PDI, have decided under strong army pressure to endorse Suharto for a sixth term.

Guruh (40), the son of Indonesia's first president, Sukarno, emerged in the elections of 1992 as an important vote-getter especially among the young. In the present stalemate political situation, Guruh doesn't stand a chance, which he himself realises. His candidacy is a bold move, enlarging the democratic space and smashing another taboo of the totalitarian tradition of having only one candidate for president.

# Bosnian conditions in Aceh

*Although armed clashes now occur less frequently, human rights violations by Indonesian troops are still on the agenda. A recent report by the local chapter of LBH, the Legal Aid Bureau, deplors the many incidents of rape by the military.*

The LBH has recorded some 200 rapes in the past twelve months in Pidie, East Aceh and North Aceh, the three regions where *GAM* (*Gerakan Aceh Merdeka*, the Free Aceh Movement) has its stronghold. The LBH official refused to be identified for fear of reprisals. Incidents of rape had risen in the past three years. Many occur in villages where the victims dare not report them to the authorities. Those who did so were allegedly tortured. This means that the actual number of rapes is bound to be far higher than LBH's figure.

Since this revelation a local official of *MUI* (*Majelis Ulama Indonesia*, the Indonesian Council for Ulama) and a representative of an Aceh women's organisation have called on General Try Sutrisno, the commander-in-chief, to take firm action against those responsible but there has been no response from armed forces headquarters. [AFP, 19.I.1993]

For three years Aceh has been a war zone with Indonesian troops conducting a brutal form of 'low-intensity conflict' to quell dissent among the population. This makes the village population the prime target. The Bosnian war has revealed how rape is used as a deliberate tactic to demoralise the population.

## Geutjhik Umar killed

According to Indonesian press reports on 16 December, a legendary figure of *GAM*, **Geutjhik Umar** (70), was killed with his two bodyguards in a skirmish with Indonesian units in the Mampree mountains, sub-district of Geulumpang Tiga, Pidie. His bodyguards were **Mentri Hamid Ibrahim Idris** (60) and **Teuku Abu Bakar** (45). The three were reportedly ambushed by a special operational unit under Lt.-Colonel Amirul Isnaeni.

The Indonesian military tracked down the whereabouts of Geutjhik Umar after arresting Maksum, a *GAM* militant, a few days earlier. He is bound to have been cruelly tortured to get him to divulge information about the Acehnese leader. Military intelligence regard Pidie as the strongest bastion of *GAM* and it was the intention of *ABRI*, according to Indonesian press reports, to capture Geutjhik Umar alive.

Described in the press as an intellectual and a charismatic leader, Geutjhik Umar refused to surrender. Shooting broke out and after 30 minutes, the three were all killed.

Geutjhik Umar was seen as a leader of *GAM* and was present at the proclamation of Free Aceh in 1976. Some mention him as the representative (*Wakil Wali Negara*) of Tengku Hasan di Tiro, the *GAM* leader, who travels constantly to promote the Aceh cause. Geutjhik Umar has been top of the list of wanted men; on 18 December the Aceh Sumatra National Liberation Front issued information about his family:

Six members of his family have been killed since April 1991, four of his sons, a brother and a nephew. The most recent killing was that of his son, Machmud Umar (20),

killed on 25 June 1992. The others were killed in 1991, two on 22 April and two on 23 April. His family were not involved in any *GAM* activities.

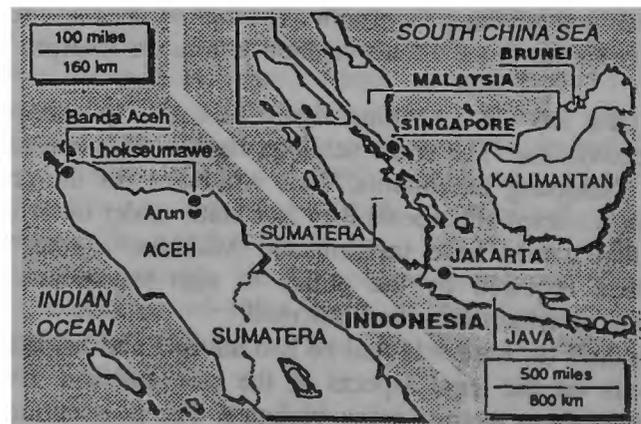
Geutjhik Umar is the second important loss after the killing of Yusuf Ali, an important *GAM* commander, in December 1991.

## Robert alias Surya Darma on trial

On Christmas eve, the district court of Lhok Seumawe began the trial of Robert aka Surya Darma aka *si Tengkorak* (the skull). The trial is held *in absentia* as the whereabouts of the defendant is unknown. The prosecutor Suminto told the court he had issued a *subpoena* through a Banda Aceh newspaper. Judge Sartono postponed the session until 7 January to give the prosecution more time to trace the defendant. The prosecution will present 11 witnesses; 3 are military officers, 5 are *GAM* members who are serving sentences of between 17 and 20 years, and the rest are local residents.

Robert (32) is often mentioned as a *GAM* commander and even described by the military as the 'brains' behind the movement. He was born in Aceh but his parents are from West Sumatra. Known as a tough guy who enjoys fighting, he joined the army in 1982. He spent four years in Battalion 111 and was sacked for misconduct. He recruited a group of some 120 men, mostly said to be deserters from the police and the army, and started a rebellion against the authorities. The army claims that they were involved in the trade in ganja, a traditional crop in Aceh. His photo appeared on a poster showing the 25 most wanted persons that was plastered all over Aceh two years ago.

The Indonesian military are using Robert and his gang to portray *GAM* as a rebellion linked to the drug trade. While information about Robert's link with *GAM* is tenuous, the ganja trade in Aceh is widely known to be in the hands of the Indonesian army. Some observers say that it was rivalry in the ganja trade between military gangs that sparked Robert's rebellion. So why go to the trouble of staging an *in absentia* trial if not to prove that Robert is the link between *GAM* and the drugs trade? ★



# 1993: Year for Indigenous Peoples

As this UN-designated year began, Skephi, the Indonesian Forest Conservation NGO, was highlighting yet another conflict between an indigenous people and a timber company. It concerns a forest licence granted with neither respect nor sensitivity for *adat* (traditional) law. Again, the company involved is disregarding local interests. As the government continues to encourage timber estates (HTIs) and cash crop plantations to boost the country's exports, the rights of the indigenous landholders continue to be trampled on.

*Adat* land rights are given feeble recognition in Indonesian law: they are only valid insofar as they do not conflict with the 'national interest'. Or, as the Minister for Forestry revealed in 1989, "In Indonesia, the forest belongs to the State and not the people ... they have no right to compensation." With such a principle, the livelihoods of hundreds of indigenous peoples are in jeopardy. And the danger is intensifying.

As more communities are threatened by 'development' projects, indigenous peoples in the archipelago are becoming aware of the danger threatening their lives, but their efforts to protect their interests are often confronted by a more immediate danger from the army. Nonetheless they persist, as the following cases show.

## The Sou

Bintuni subdistrict in northern West Papua has already been subject to the exploitation of its mangroves. Now many villages in the region face the logging of their forests, a process in which the local people – the Sou – have had no say. The Sou claim ancestral rights over the use of the land involved but were not consulted before the governor of West Papua granted PT Yotefa Sarana Timber (PT YST) an HPH (timber licence).

For the Sou, every infringement of their land rights violates the *adat* law of *yebenfie*, and offenders will be punished by the *hong* sanction or killed on the spot. [Skephi Press Release, see *Kompas* 6.I.1993]

Skephi also said that PT YST have clearly breached the concept of the World Forestry Agreement adhered to by the government, because traditional leaders were not involved when the concession was granted.

In addition, PT YST is evidently not willing to provide HPH Village Support, thus violating the regulations under which an HPH license is issued.

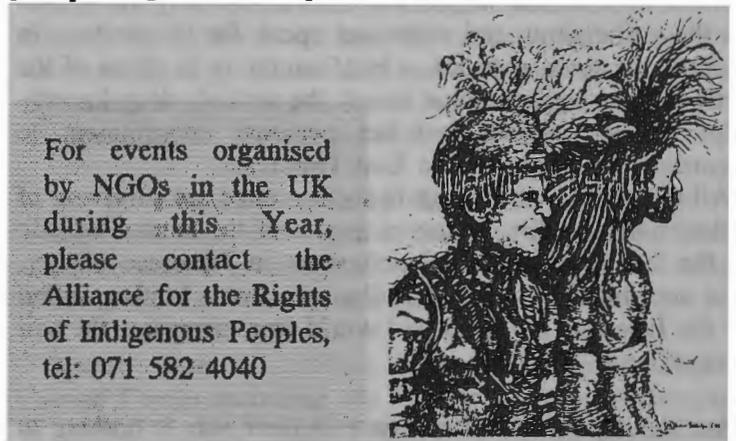
Consequently Skephi called on the government to review the concession. In addition, the government should re-examine its entire forestry policy in West Papua and bring it into line with that advocated by the international community which has recommended that West Papua be treated as a world heritage site in need of special treatment.

A group of Sou leaders from the villages covered by the concession (Sibena, Kalikodok, Tuasai, Manimeri, Tembuni, and Horna) wrote to PT YST on 1 October 1992, with copies to the governor, the district head of Manokwari and subdistrict head of Bintuni. The letter called for cooperation between the Sou people and PT YST, with the Sou being actively involved in all the activities of PT YST; moreover, their traditional rights should be recognised in eternity.

## Moi Raid

Angry at the broken promises affecting their livelihood, 60 Moi people walked 60 km from the villages of Klayili and Klasaman in Sorong to the base camp of PT Intimpura. Armed with sticks, machetes, arrows and iron piping, they arrived on the morning of November 21, and attacked two Korean company employees with iron piping. As the assailants were threatening to burn down the base-camp, Yuri Mawengkang, an Indonesian company manager, came out and he too was beaten. Six vehicles were also smashed. The group's plan was foiled, though, when the driver of a hijacked truck drove them to the Sorong Police station instead of the local assembly centre. 42 Moi were arrested, and the three wounded taken to hospital.

The Moi had been issued a licence on 24 June 1992, according to which the survey team set up by Intimpura must include the Moi tribal people; it was also specified that those trees important to the Moi people's livelihood should not be felled, and that sacred areas must be preserved. These conditions have reportedly been violated, thus precipitating the Moi reprisal raid.



For events organised by NGOs in the UK during this Year, please contact the Alliance for the Rights of Indigenous Peoples, tel: 071 582 4040

## Yamdena logging persists

The people of Yamdena thought their protests had had some effect last summer when Hasrul Harahap, Forestry Minister, ordered a review of the environmental impact study of the logging concession on their island. Logging was to be halted pending the review.

Despite this and reports of military brutality towards local people, the logging company PT Alam Nusa Segar was reported to be defiantly restarting operations on Yamdena on January 15. And Minister Harahap now denies that he ever ordered the company to temporarily stop logging.

PT ANS belongs to the Salim Group, Indonesia's largest conglomerate, owned by the powerful Liem Sioe Liong, close associate of President Suharto.

Skephi reports that the local people "have recently stopped attacking the concession areas because the government has promised to review the concession." But by restarting the logging, it fears, the company might be deliberately provoking the villagers to resort to violence. [*Jakarta Post*, 15.I.93].

The Yamdena concession was issued to PT ANS in 1991, in violation of an earlier ministerial decree which declared the island's forest protected. [See *TAPOL Bulletin* 114] ☆

**TELLING, East Timor: Personal Testimonies 1942-1992**  
 by Michele Turner, New South Wales University Press.  
 A\$ 19.95, order through AETA, PO Box 93, Fitzroy,  
 Victoria 3065, Australia

Many books have been published recently on East Timor, but this is a book with a difference. It consists of personal testimonies, mostly Timorese, covering the last 50 years' of East Timor's history, from the Japanese invasion during the second world war when 40,000 Timorese lost their lives, to the period of peace from 1945 till 1975, and then 1975 to the present day, the gruesome period of the Indonesian occupation which has already cost 200,000 lives.

Oral history is a special category in the academic world and Michele Turner has added something invaluable to the contemporary history of East Timor. These are not simply stories that people tell, they provide a gripping tale of the suffering of the Timorese in the past half century. The author spent more than 10 years collecting the accounts, and on occasion found the emotional strain overwhelming. Her final version includes selections from the hundreds of interviews she did.

It would perhaps have been easier for Michele Turner to write a book on the subject but she chose a way that would let the participants and witnesses speak for themselves. In each of the three sections, a brief summary is given of the period; these introductions reveal the author's deep knowledge of her subject and her personal commitment to recording the plight of the East Timorese.

All the people who speak in section three are survivors of Indonesian brutality, living examples of the human tragedy of the last 17 years, the worst years in Timorese history. One account by Cancio Noronha who lost a brother, killed by the Japanese in the second world war, compares the two occupations:

*What the Japanese did in Timor in their war is nothing to the horrible things Javanese soldiers have done there since 1975. With the Japanese if you said 'this woman is my wife', they would respect that and leave her. With the Javanese, they may rape her in front of you and kill you if you protest (page 95).*

Some accounts add to our knowledge of well-recorded tragedies like the accounts by 'Leong' and 'Tsam' about the murder of the five Australian journalists in Balibo on 16 October 1975 or a first-hand account by 'Mr. Siong' of the murder of the Australian journalist, Roger East in Dili, the day after the Indonesian invasion. [In Bulletin 114, we mistakenly wrote that Roger East was murdered on day one of the invasion.] Another gripping account is by 'Aurora' who tells the story of the killing of all the Chinese men in Maubara. Several of her witnesses describe the devastating effect of napalm used against the Timorese. 'Mr Hong' gives a graphic account of electric shocks used by the Indonesian intelligence. Jorge describes how he was forced to join the Indonesian army and even kill fellow Timorese:

*As soldiers we were allowed to kill, so we kill informers. We just take them out and shoot them, sometimes we make a hole and bury the body, sometimes we make a fire. I don't know how many informers I killed, a lot, more than ten,*



*yes. It was just something we did. I don't know how to explain to you. I didn't think about it as bad at that time. I was just full of hate all the time then. I hate myself too. Every day you see bodies and feel nothing. After a while your feelings don't work (page 173-174).*

Some accounts are quite brief, others are very long. One of the longest is the story of Fatima Gusmao who, with her husband, spent almost four years in the mountains with the Falintil guerillas. It is so gripping and moving, it reminded me of the account of the Killing Fields in Cambodia by Dith Pran. The 16-page story of Fatima Gusmao alone, who is portrayed on the cover of the book, makes it worth your while rushing to the bookstore to order this book.

The collection of testimonies helps to explain why Timorese, whether Fretilin or anti-Fretilin, or people who were not interested at all in politics, sooner or later decided to oppose the Indonesians. In fact for many Timorese there was no alternative but to resist; the Indonesian troops treated the Timorese worse than animals.

The first section of the book is of special interest to Australian readers. It gives an account of Timorese support for the Australian commandos who were part of the Allied Forces during the Pacific War, and the heroic resistance of the Timorese to the Japanese invaders. This is a sharp and painful reminder of the shameless behaviour of present Australian governments in accepting Indonesian rule over East Timor. Michele Turner dedicates this book to her grandfather, Arthur Walter Hickman, who used to tell her stories about his escapades in East Timor when she was a small child. He was one of the Australians who enjoyed the support and hospitality of the Timorese.

The book is also dedicated to all Indonesians of goodwill. As an Indonesian of goodwill, I read this book with many emotions - sadness, anger, shame, but also hope for the future. There are many Indonesians of good will and we must make sure that this precious book circulates in Indonesia. As we all know a just solution for East Timor lies in the political will of the international community but it also depends on changes taking place in Jakarta. Books like TELLING will contribute to this change. ☆

*Liem Soei Liong*

## Labour practices threaten trade with the US

*The Indonesian regime is engaged in a determined effort to protect its preferential trading position with the US which is in jeopardy following formal complaints submitted to the US government regarding labour rights and practices.*

US-based Asia Watch and the International Labour Rights Education and Research Fund (ILRERF) asked the US Trade Representative last June to review labour rights and practices in Indonesia. Under US law, the President must end tariff benefits to a US trading partner under the Generalised System of Preferences (GSP) if the country is not "taking steps to afford internationally recognised worker rights", including freedom of association, the right to organise and bargain collectively, a ban on forced labour, a minimum age for the employment of children and acceptable conditions of work.

In November, the Indonesian government submitted a 170-page response with more than 100 attachments, drawn up by US law firm, White and Case, and sent a delegation to Washington, headed by Payaman Simanjuntak, Secretary-General of the Manpower Department, to lobby against the petitions. President Clinton will announce his decision in April this year. According to Asia Watch, "If benefits are cut as a result, the annual cost to Indonesia of the rise in tariffs on Indonesian exports coming into the US will be about \$400 million."

### Rebuttals "don't stand up to scrutiny"

A 25-page document published by Asia Watch on 23 January 1993 reproduces its own charges side-by-side with Jakarta's rebuttals, and concludes that "the government's assertions do not stand up to scrutiny". The document gives a blow-by-blow account of the government's submission and refutes each one at some length.

The section on 'Freedom of Association' examines Jakarta's attempt to wriggle out of the charge that the SPSI is the only trade union federation permitted to exist. It alleges that there are many professional and social organisations which can function as unions, even including Korpri, the civil servants' association which is as unlike a trade union as anything could be. The section on the 'Right to Bargain Collectively and Strike' contains contrasting accounts by Asia Watch and the Indonesian government of a number of industrial disputes. Many of the disputes highlighted will be familiar to *TAPOL Bulletin* readers.

Rebutting Asia Watch's account of army intervention in a strike at PT Gajah Tunggal in August 1991 for example, the government disputes the allegation that the troops brought in were wearing combat gear. It says that after the strikers became unruly and the company notified the police, "members of the Indonesian military (Koramil Battalion 203) arrived.... these soldiers were not dressed in combat gear but were equipped with standard riot control gear, including crowd control sticks and guns loaded with plastic bullets. In order to stop the destruction of property and control the large crowd, two or three soldiers fired warning shots into the air."

(In his meeting with a representative of the US Trade Office who visited Jakarta in December to discuss the complaints, Manpower Minister Cosmas Batubara denied

that army interferes in strikes [*Jakarta Post*, 30.XII.1992 and 2.I.1993] and only acknowledged 'police involvement'.

### Military training for Timorese workers

As part of its complaint regarding forced labour, Asia Watch argued that East Timorese youngsters were lured into taking part in a work scheme which promised well-paid jobs in Batam but landed them in starvation-wage menial jobs in other parts of Indonesia. It also complained that a group of Timorese were required to undertake military training under the supervision of Kopassus, the army special forces. The government's rebuttal reads as follows:

*"The physical training consists of marching, saluting, obeying commands, standing at attention and running obstacle courses. The military assists with this training which is received not only by workers from East Timor but also by workers from all over the country. It is thought that this combination of training eases the transition from an agricultural environment to an industrial one and prepares the trainees for work in an industrial environment."*

The government backed up what Asia Watch calls "this remarkable statement" with a letter from a certain Lt.Col. Sutrisno who is in charge of the West Java military training programme and who asserts that military assistance

*"comes from the various branches of the Indonesian Armed Forces including the Marine Corps and Kopassus, a special combat-trained force which is exceptionally suited to train young job-seekers from a variety of backgrounds."*

### Forced labour in West Papua

Asia Watch also draws attention to logging practices in the Asmat region of West Papua. It is not easy to verify charges about the treatment of the Asmat people, it says, because "it is far more difficult to get a travel permit into the Asmat area than it is to go to East Timor".

One case raised concerns PT Phoenix in Agats whose employees received nothing for several months' labour because "their credit was over-extended". Many workers are in effect bonded labour because they are paid with 'credit-cards' usable only at company stores at prices fixed by the company.

Although the case for Indonesia to lose GSP trading privileges is overwhelming, the US Administration may decide against punishing Indonesia for political reasons. This is not the first time petitions have been submitted to the US Trade Representative. The US trade union, AFL-CIO, tried it in the 1980s without success. The case may win through this time round however because Clinton may be more protectionist than Bush (see item on the economy). Whatever the prospects, Jakarta is sparing no effort to fight the well-documented attack on its treatment of workers.★

## UN Human rights workshop held in Jakarta

*Disregarding many protests, including TAPOL, the UN Centre for Human Rights held an Asia-Pacific Human Rights Workshop in Jakarta. The Workshop was originally scheduled for December 1991 but was cancelled because of international outrage at the Dili Massacre in November that year.*

The Workshop, jointly run by the UN Centre and the Indonesian Government, took place from 26 - 28 January and was opened by President Suharto.

The Indonesian Government was in a position to determine which non-governmental human rights organisations would be invited to the Workshop. It extended an invitation to Amnesty International but refused to invite Asia Watch which is currently petitioning the US government to punish Indonesia because of its labour rights policy. [See separate item] Amnesty has been refused entry into Indonesia for many years. Only last November, it was refused permission to visit East Timor to observe conditions there on the first anniversary of the Dili Massacre. AI representative Geoffrey Robinson was given a five-day visa and told to arrive in Jakarta no earlier than the morning of 26 January.

### Defining new human rights strategies

The Indonesian government has already given notice of its intention to campaign for a revision of human rights principles as formulated by the international community since 1948 in numerous UN documents. It argues that these principles are based on western beliefs which attach primacy to the rights of the individual as against communal and group rights. It also challenges the basic principle of the universality of human rights by arguing that account must be taken of national characteristics and the sovereignty of nation states. In other words, the right of the nation state to treat its citizens with impunity should take primacy over the rights of the individual.

In furtherance of this campaign, Foreign Minister Ali Alatas announced in December that Indonesia would set up a "commission to promote human rights" which, unlike the inter-departmental human rights group already established, "would be an independent one". The new body would come into being after the Asia-Pacific workshop in January and would be based on its recommendations. [Jakarta Post, 12.XII.1992] Alatas apparently sees no contradiction between his public advocacy of this commission and his insistence that it will be 'independent'.

The Jakarta Asia-Pacific workshop is taking place at a time when Asian governments have failed to convene an Asia-Pacific regional meeting in preparation for the UN's World Conference on Human Rights to be held in Vienna in June this year. All other regional preparatory meetings have already taken place. These regional meetings must be held according to the criteria thrashed out internationally; in particular, there are no restrictions on the participation of human rights NGOs. The Asian group led by India tried unsuccessfully at a World Conference preparatory committee in Geneva last September to restrict participation to NGOs that are active in *both* human rights and development. This would have excluded the vast majority of human rights NGOs. The Asia group did however succeed in preventing agreement on the agenda of the World Conference. [See "World Conference: Third Preparatory Committee ends in Failure" by Adrien-Claude Zoller, in *Human Rights Monitor*, September 1992]

### EC statement on East Timor

The following statement was made by the UK on behalf of the European Community, at the UN General Assembly's Third Committee in November 1992:

The European Community and its Member States continue to follow closely the situation of human rights in East Timor. We have done so with special concern after the violent incident last year at Dili, which we strongly condemned, in which many defenceless civilians died at the hands of the Indonesian Armed Forces. We acknowledged the prompt investigation of the Indonesian authorities, but we remain concerned over the lack of clear information about the number of people killed and over the persons still unaccounted for, about the disparity of sentences given to civilians on the one hand and the military on the other, and by the denial of access to the territory by human rights organisations. We urge the Indonesian authorities to honour their commitments and to respond fully to the consensus statement on East Timor at this year's session of the Commission on Human Rights, in advance of consideration of this item at the Commission's next session. In particular we trust that all those in custody including all opposition figures, will be treated humanely and with their rights fully respected. The community and its Member States fully support the Secretary-General's recent initiative to achieve a just, comprehensive and internationally acceptable settlement of the question of East Timor, with full respect for the legitimate interests and aspirations of the East Timorese, in line with the principles of the UN Charter."

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