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## The Indonesia Human Rights Campaign

TAPOL Bulletin No. 109

February 1992

# Massacre survivors face harsh sentences

*Thirty-seven East Timorese are in custody in Dili, the capital of occupied East Timor, and are awaiting trial for 'being involved' in the 12 November demonstration, when troops opened fire, killing up to two hundred people. Three others, charged with stealing military documents and smuggling them abroad have already been tried.*

### Three found guilty of spying

The first Dili trials involved three people, a woman and two men, accused of smuggling abroad secret documents which had allegedly been stolen from the Dili military resort command [Korem 164/Wira Dharma]. They are Filismina dos Santos Conceicao, 29, an employee at Korem who worked in the commander's office; Amaro de Araujo, a garage mechanic; and Afonso Rangel, a businessman.

The three trials were completed in four days. Conceicao and Araujo were given seven years and Afonso nine years. Information about the conduct of the trial is not available. The rapid conclusion of the trials means that stages which normally take days or weeks to complete were rushed through in hours or minutes. There was certainly no opportunity to mount a proper defence; according to press reports, all the accused pleaded guilty.

They were charged under Article 112 of the Criminal Code which allows a sentence of up to seven years for "making public documents... which they know should be kept secret in the interests of state security" and for "conveying such documents to a foreign state".

The nine-year sentence for Rangel suggests that he must have faced other charges.

Pre-trial publicity in Indonesia claimed that Conceicao had stolen documents, passed them to Araujo who passed them to Rangel, whose task was to smuggle them abroad to Jose Ramos Horta, special representative of the East Timor resistance. Horta then allegedly sent them to the Portuguese president. The Portuguese government has described this as "a blatant attempt to implicate Portugal" in the recent events in Dili.

One document was a June 1991 intelligence report of an interview of Governor Carrascalao by RTP, the main Portuguese TV channel. It was later used by a Lisbon newspaper, *Publico* to report that "Indonesia spies on the East Timor Governor". [Tempo, 25.I.1992] The story confirms reports that the Indonesian embassy in Lisbon keeps a very close watch on the Portuguese press.

Tempo says a report by the military commander about the situation in Timor was also smuggled abroad.

### The 37 awaiting trial

Of the 37 now awaiting trial in Dili, five were arrested after troops stormed Motael Church on 28 October, when Sebastiao Gomes, who was taking refuge there, was shot dead. The others are in custody for 'being involved' in the 12 November demonstration. Their names, with ages and places of residence, were made public by the Lisbon-based Commission for the Rights of the Maubere People (CDPM):

1. Carlos dos Santo Lemos, 30, Becora-Dili
2. Jacinto das Neves Raimundo Alves, 34, Taibesse-Dili
3. Francisco Miranda Branco, 41, Balide-Dili
4. Filomeno da Silva Ferreira, 34, Campo Alor-Dili
5. Juvencio de Jesus Martins, 29, Campo Alor-Dili

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# Jakarta weekly publishes testimonies by Timorese

*The Dili massacre first caught the headlines when foreign eyewitnesses spoke and wrote widely of their personal experiences. Then came the extraordinary footage by Max Stahl filmed inside the Santa Cruz cemetery while the massacre was in progress, which was seen by millions on television screens throughout the world. Later, came the testimony of East Timorese. It is to them that this report is devoted.*

The popular Jakarta weekly, *Jakarta, Jakarta*, gave over four pages of its 4 – 10 January issue to testimonies by East Timorese. It published a large, dramatic photo, across another two pages, showing people fleeing from the shooting. Some eyewitnesses gave their testimonies to the journal anonymously, others revealed their identities.

The journal also published extracts from an interview of M. Djaelani, head of the Suharto-appointed national inquiry commission. Three of the journalists later lost their jobs (see box).

## **Eyewitness with a gunshot wound:**

"I was waiting at Santa Cruz at 09.00. I was in the front and was hit but I was able to run off and hide in the cemetery. But I couldn't run any further. Soldiers entered the cemetery. Some of these fellows beat us with their weapons. They hit me on the head, and it started bleeding. I was taken away in a truck. Some people on the truck were dead. We were all mixed up. When we arrived at the hospital we were all taken to the morgue. The dead ones were separated out.

"All the lights in Dili went out. It was then that the bodies were taken away. This was on the evening of 13 November. Goodness know where they were taken...."

## **A young demonstrator, 20 years old:**

"On the day of the incident, I left home at 6.00am to go to Mass at Motael Church. During the Mass, Father Ricardo did not preach or say anything to encourage us to demonstrate....

"There were some soldiers on guard at Motael Church, about 30 of them, walking to and fro. On the way to Santa Cruz, we were halted by soldiers in front of the Governor's Office. But I pushed my way through and ran ahead.... When we arrived at Santa Cruz, there were many soldiers there; we were blocked in and couldn't get out.

"At the time of the shooting, I was in front but I got away and ran into the cemetery. I didn't count the number of people who died but there were very many indeed. They were firing in all directions.

"They were split into two groups, one group in front and one behind. The commander fired once into the air and shouted: 'Those in front get down, those behind shoot!'. As those behind were shooting, the ones in front crawled forward in among the demonstrators and stabbed them with their bayonets, striking at everyone. All I could do was run off without knowing where to go, because all around me, people were falling to the ground as they were hit by bullets, like in a movie.

"After the shooting stopped – it went on for 5 or 10 minutes – they blocked the area around the cemetery so that no-one could escape. When they found anyone still

alive, including me, they told us to strip naked. They threatened us, shouting: 'Now, go ahead and pray, your time has come, you're all going to die.' I was stripped naked and then beaten with a wooden club, then one of these fellows grabbed hold of a ballpoint in my shirt and thrust it into my penis. I saw them strike a friend beside me on the head with a knife.

"After they had tortured me, I was taken to an office. Altogether about 30 of us were taken there. When we arrived there, we were again tortured and kicked...."



"Funerals can be deadly affairs"

## **Antonio da Silva, brother of Francesco, Indonesia's champion body-builder:**

"On 12 November, I went there after the shooting was over. All I saw was fire-engines washing away the blood from the road. The water was red, it was ghastly....

[A photograph illustrating the story shows a memorial shrine of flowers surrounding a photo of Francesco, in a typical body-builder's pose. The caption says that the memorial will remain in place until his body is returned to the family.]

## **Paulo, a member of the local assembly**

"When they came out of the Church, they began to shout: 'Long live Xanana! Long live Fretilin!'... as they made their way to Santa Cruz cemetery. Outside the Kodim office, near the Governor's Office, one group was harassed by a soldier. There were altogether three groups, each of about 1,000 people.... The two forward groups has passed the Kodim office, and the group in the rear was harassed by soldiers. They began to hit the demonstrators with wooden clubs and two people were hurt. Meanwhile, there was a major standing at the roadside, taking photos, so one of the demonstrators attacked him with a knife. The group of



demonstrators went into a panic and started running....

"I continued to follow in my jeep because I could see there were no older people around who might be able to prevent anything untoward from happening.

"In front of Resende Hotel, there were some intelligence agents in plain clothes who were trying to beat the demonstrators with their clubs. I shouted out, warning them to stop. It so happens one was from my part of the country, so he was afraid.

"At the Santa Cruz junction, there were three trucks full of soldiers. And there were also around 1,500 people who were getting ready to lay flowers in the cemetery. There were two kinds of troops; some were fully dressed in army uniforms but they weren't carrying firearms, only bayonets. Others wearing trousers and bare from the waist up, were carrying firearms. They started getting ready to shoot.

"Then their commander... shot once into the air and the troops got down from the trucks. The soldiers who were not wearing shirts and were carrying machine-guns immediately began to shoot at the demonstrators. They fired from a distance of about 10 metres. The shooting went on for about 5 minutes. Everyone in the front fell as they were hit by bullets. At that moment, the soldiers who were fully dressed and carrying bayonets got down to see whether anyone was still alive, kicking them.... Anyone who still seemed to be moving... was stabbed.... I watched this brutality for about ten minutes, but then the commander told me to leave the area immediately...."

"I have made a similar statement to the KPN and to the Australian ambassador, Philip Flood."

### **Manuel Carrascalao, regional assembly member, brother of Governor Carrascalao**

"At about 7.00am I went to the petrol station.... After queuing for a long time, I returned home. Then a friend phoned me about the shooting. He knew that one of my children goes to Santo Yosef School, near Santa Cruz. Together with him, I went to the school. My child wasn't there and no-one knew where he was.

"It was about 8.00 am.... I asked for permission to enter the cemetery complex but I wasn't allowed in. As I was waiting, my friend stood there counting the bodies that were being loaded onto a truck. He counted 36 bodies being loaded onto a truck and another 15 bodies lying on the ground. There were three trucks, but we could not see what was in the other trucks....

"The people arrested were dealt with very harshly. I saw one person who had probably only fainted; when they saw his head move, they struck him with a stone. Someone else I saw was still alive, on the truck full of corpses; they dragged him off and struck him on the head. After that, he was loaded onto the truck again."

### **Jakarta, Jakarta interviews Djaelani**

Is it true the KPN did not meet eyewitnesses who came to Mahkota Hotel to meet you?

"How was the KPN supposed to know there were eyewitnesses we could have met? Who are these people? Where are they? We didn't know, unless those people came themselves. And we had no basis for calling anyone without getting information first from other people. Actually, there were some witnesses who came, following information from others... people who were not afraid to give information to the KPN. It's not true the KPN didn't call witnesses. We called some and some came of their own accord. But many witnesses were afraid to speak to us. Some wanted to make

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statements but would not mention their names.

"Don't imagine that East Timor is like Java. People there make all kinds of contradictory statements; sometimes they say anything that comes into their heads. They appear to be simple folk but... in Java, someone who appears to be rather simple can be trusted and there, apparently not, possibly because the basis is anti-integration."

### **Eyewitnesses talk to the BBC**

The BBC correspondent, Claire Bolderson, spoke to several eyewitnesses when she visited Dili a month after the massacre. A Dili community leader told her:

"At the cemetery I saw three trucks. Two came from one place, another from a different direction. In front of Santa Cruz, the young people had closed off the road so those trucks couldn't enter. The soldiers were angry. They got down from the truck. The commander shot in the air. I thought, 'yes, all the soldiers are going to shoot, to frighten the young people'. But then they shot directly at the youngsters. They shot them."

"The shooting stopped - I was in front of my jeep. Then soldiers without guns came, came carrying knives. There was an old man near me who was still alive. A soldier came and stabbed him twice. Dead. Two or three people near the cemetery gate, also, were not dead. The soldiers took knives and stabbed them to death, too."

Here is what a young Timorese who participated in the demonstration told the BBC:

"The army came and shot directly into the crowd. Some people were killed. Others ran into the Santa Cruz cemetery where we waited. The army came in after us with weapons. Some had guns, some knives, some sticks."



**East Timorese youth, including some of the wounded, taking refuge in the Santa Cruz crypt during the 12 November bloodbath.**



Another demonstrator said:

*"I was in the cemetery. They shot and people collapsed. Then they just pulled away the bodies and threw them into the truck. First they kicked me twice on the ground, in the neck. And then they knew I was still alive. They forced me into the truck with their guns. Some of them ordered me to stand up, then they kicked me in the stomach and other parts of my body, ordering me to stand up, over and over again, kicking me until I collapsed again."*

*"At the mortuary, anyone who couldn't move was just thrown away."* [BBC, World At 1, Radio 4, 23.XII.91]

## Eyewitnesses speak to Reuter

*"What the soldiers did has lost Indonesia our generation,"* said a 13-year old East Timorese schoolgirl who was at the Santa Cruz cemetery when the firing took place.

She went to her grandmother's grave when a crowd of people surged towards the cemetery. Most were teenagers unfolding flags, holding pictures, shouting "Viva, Viva" — the chant of East Timorese wanting to break from Jakarta rule. Troops suddenly appeared in two trucks, jumped down and began firing into the crowd from behind, before it had entered the cemetery, she said. She ran to the middle of the cemetery and saw other teenagers jumping over the back walls to escape.

The soldiers then came up to the cemetery gate, put their guns through its holes and opened fire on those who had run in. *"They got a lot of the people. I saw one man standing near me shot in the back. He ran to the grave of Sebastiao, sat on it and began to cry."*

She ran to the back wall and escaped from the cemetery, after stepping around several teenagers lying on the ground with bullet wounds. *"Not many escaped from the cemetery."*

Her father, a member of East Timor's legislature, said he reached the cemetery about 20 minutes after the shooting to search for his daughter and saw a military truck with bodies parked at the gate.

*"I counted 50 people, mostly men. When I was there 35 bodies were put into the truck, 15 were on the ground."* Another two trucks stood nearby but he could not see what was inside.

## A bereaved mother speaks

Here is the story of a bereaved mother as reported in *Kompas*. [4.XII.1991] Her story was reported in a number of Indonesian newspapers and journals:

*On Tuesday morning, Maria Judith FS Nevis Reis (45 years) visited Mahkota Hotel to meet the KPN. Maria asked to be allowed to go to the hospital with the KPN to look for her son.*

*She said it was very likely that her sixth son, Emidio Roberto Nevis Reis (20 years), was a casualty of the Santa Cruz incident because he attended the Mass at Motael Church. According to an eyewitness, Emidio went on the procession to the Santa Cruz cemetery and was shot.*

*She said that till now she did not know what happened to Emidio. She had inquired about him with the security forces by heard nothing. Then she went to the International Red Cross but found not trace of her son's name there either.* [Kompas, 4.XII.1991]

## Three journalists sacked

To anyone familiar with the findings of Suharto's inquiry commission, it was clear that the testimonies published by *Jakarta, Jakarta* contradicted the commission's conclusions. A few days after the issue went on sale, Jakob Oetama, executive director of Gramedia, the publishing house which owns the journal, was warned that the magazine's fate was in jeopardy.

Oetama decided to safeguard his publication by sacking three senior journalists held responsible for the story. The three who lost their jobs are: Seno Gumfra Ajidarma, executive editor, Usep Herawan, domestic editor, and J.J. Waskito Trisnoadi, artistic editor.

In a protest to President Suharto from the Brussels-based International Federation of Journalists which represents 200,000 journalists in 54 countries, General Secretary Aidan White wrote that these journalists were dismissed "for doing their jobs".

The Gramedia executive director has on previous occasions complied when his journals cause offence. Soon after another Gramedia weekly, *Monitor*, lost its licence following a furore about a popularity poll which put the Prophet Mohamad in eleventh place, Oetama handed back the licence of another of its journals which had published something that upset religious sensitivities.

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## The continuing massacre

*Three days after the Santa Cruz massacre, reports were received that 80 people were killed in Bemusi, near Dili. The next day, witnesses to this second massacre, were killed; a day later, witnesses of events the day before were killed. Jakarta denied these 'second' and 'third' massacres. An anonymous source in Timor wrote: "The Indonesian commander is right. There was no second massacre. The massacre continued every day, every night." Australian journalist Dennis Schulz was in Dili after the 12 November. Here are extracts from his report in *The Bulletin*, 17 December 1991.*

All witnesses reported that the Army loaded three personnel trucks with the bodies of the dead after the shooting stopped, calling in another truck fitted with a water tank to hose down the bloody remnants of the carnage.

The number of dead from the military action at Santa Cruz Cemetery collected by sources in Dili from families reporting their children missing, hospital workers, public servants, the church, and other witnesses stands at 214. That number continues to rise with the deaths of the wounded who returned to their homes rather than face hospital treatment by Indonesian authorities....

The Army waited until dark to move again. Farmers grinding a living out of the barren, drought-ravaged hills outside the capital heard an Army convoy lumbering down the road late on the night of the massacre. They counted nine Army personnel trucks, followed by two bulldozers. Seven of the nine trucks were loaded with the stacked bodies of the dead, the other two carried bound prisoners who had survived the slaughter. "We go to die for our country," they screamed in Portuguese as they passed by the moonlit thatched huts.

Some 20 kilometres outside Dili, within the village limits of the village of Tibar, the convoy of death turned into a military base cum firing range known locally as Faiduma. It was there that a large, open burial pit waited. It was one of seven around Dili that had already been dug by the military in an effort to intimidate the East Timorese against any participation in the now-defunct Portuguese parliamentary inquiry. "I've been concentrating a search for the

graves in the Hera area," says Governor Carrascalao, "but without success. I will make sure the Faiduma site is investigated because I, too, have heard of a pit in that area."

Getting to the mass grave isn't easy. One kilometre away is a heavily manned Army roadblock standing as a gateway to the string of huts that make up the village of Tibar. Within the Tibar area is the barbed-wire-rimmed Army base, Faiduma, where the grave site lies behind the home units of the Indonesian soldiers and their families.

The burial pit was exactly where sources reported it to be. Lying in scorched bushland between the Army camp and the rifle range behind it, the cleared area was obvious. The 20-square-metre excavation formed the terminus of a short track that led off the main road to the firing range. All vegetation in the area was obliterated or flattened by heavy machinery, with small depressions of surface soil collapsing around the edges, indicating the existence of a large filled-in hole. The dull crack of M-16 fire from the practice range 100 metres away would have made a common background sound in the isolated area. Little notice would have been paid to the sounds that marked the executions at the Faiduma pit.

An International Red Cross vehicle was seen turning into the site a few days after the massacre, presumably on a confidential inspection exercise. Approached to verify the grave's discovery a week later, a Red Cross representative declined to comment due to the strict terms of a covenant with the Indonesian government. He did, however, indicate a knowledge of the Tibar site's existence. ★

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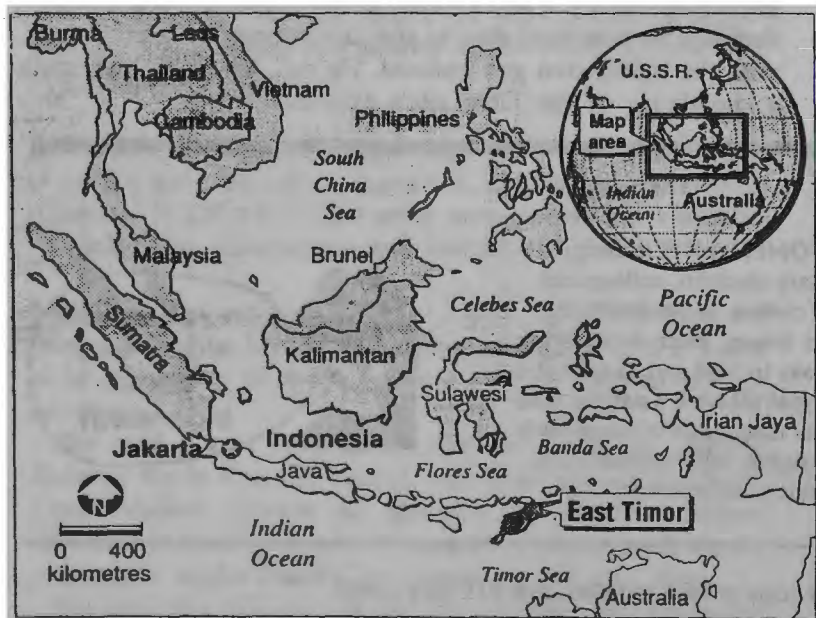
# The East Timor issue in Indonesia

*The Santa Cruz killings and its aftermath has had a profound influence on Indonesian politics. Whereas previously, East Timor was always marginalised in Jakarta, it has now become the central issue. The press coverage is one important indicator; for weeks East Timor was front-page news.*

The regime did not expect such an international outcry over Santa Cruz. There have been so many massacres since Suharto came to power – Aceh in 1990–91 and still going on, Lampung in 1989, Tanjung Priok in 1984, the death squads in 1983–84, Purwodadi in 1968, and the really big one, at least a million killed in 1965–66. But the world community looked the other way.

Five days after Santa Cruz, Suharto set out on a 26-day, trip to two continents, giving the impression that he was unruffled by the storm and confident of his own position. But the spectre of Santa Cruz haunted him. Everywhere, in Caracas, Harare, Dakar, questions were asked by his hosts and by the press. Foreign Minister Ali Alatas had to spend most of his time explaining Indonesia's position on East Timor to the international press.

The world tour, coming so soon after Suharto had won the presidency of the Non-Aligned Movement, had been staged to enhance Suharto's stature as a leader of the Third World, but it turned into a nightmare. The President was forced onto the defensive in country after country, taking up valuable time giving his version to head of states. When taxed on the issue by the President of Guinea-Bissau who certainly knows a thing or two about East Timor, Suharto showed him a map of Indonesia and pointed to the tiny speck called East Timor. "All this fuss about such a tiny isle". [Editor, 21 December 1991]. For once Suharto was speaking the truth. The tiny island of East Timor has always been Indonesia's major headache and is now becoming its Achilles heel.



Suharto had to cut short his visit to deal with more urgent matters, East Timor and the annual budget, issues which have now become intertwined.

## The empire strikes back

Two important meetings were convened immediately after Suharto's return. The first was with the KPN, the National Inquiry Commission [see separate item] to sort out the thrust of its conclusions. The second was his meeting with the top brass. This was attended by Vice-President ret'd General Sudharmono, Minister/State Secretary ret'd General Moerdiono, Minister of Defence ret'd General Benny Murdani, Foreign Minister Ali Alatas, Minister for Home Affairs ret'd General Rudini, ABRI Commander General Try Sutrisno, army chief-of-staff General Edi Sudradjat and Attorney-General Singgih. Reports describe the atmosphere at the two-hour meeting as being tense. The outcome was sensational. For the first time in 26 years, Suharto used his position as Pangti [Panglima Tertinggi, Supreme Commander], and issued a number of strict orders, most of them directed at ABRI, the armed forces. First was the replacement of the two army commanders responsible for the region: Major-General Sintong Panjaitan, commander of the Udayana military command, and Brigadier-General Rudy Warouw, commander of the Dili Command. General Try Sutrisno was instructed to conduct another investigation and find the missing bodies. In Moerdiono words: "As we all know there is still a discrepancy about the dead and the wounded which needs clarification". [Tempo, 4 Jan. 1992].

General Edi Sudradjat was told to set up an Honorary Military Council to examine what went wrong with military procedures in Dili on 12 November. This Dewan Jendral [Council of Generals] as it is widely referred to (harking back to the shadowy body which, many say, plotted Sukarno's downfall in 1965), is a council of two-star generals which must interview all the officers and soldiers involved in the Santa Cruz 'incident'. As with the KPN, this body is unprecedented for ABRI; never before has the army been required to scrutinise the workings of a military operation.

Interior affairs minister, ret'd General Rudini was assigned to send a mission to the region to 'tidy things up' in the provincial administration, while Singgih, the Attorney-General was assigned to stage the trials of Timorese demonstrators. Ali Alatas was instructed to rebut 'negative reporting' in the foreign press and to use his diplomatic skills in an operation of damage limitation.

Suharto, known as a man never to make hasty decisions, was firm and decisive. He wanted to show that he was in charge, using a golden opportunity to assert his authority over the armed forces.

He was showing his discontent with the way the East Timor issue had been handled by his ministers during his absence. In particular, General Try Sutrisno, always regarded as one of Suharto's golden boys, was the target of Suharto's fury. Sutrisno's blustering language had tarnished Indonesia's battered image, exacerbating the damage inflicted by the horrors which had flashed across television screens.



## Economy in the red

Economists describe the Indonesian economy as being full of prospects but at present off track. The problems are piling up. In August, the annual rate of inflation stood at 7.39%. Oil prices are sagging, the world recession is damaging Indonesia's trade balance and last but not least, the budget deficit is worsening.

It is now widely accepted in Jakarta that the East Timor issue is directly linked to the budget. In the last five years, foreign aid has accounted for 20% of state revenue and any fall in foreign assistance would make things far worse. Although the suspension of aid for new projects announced by the Netherlands, Denmark and Canada in protest against the Santa Cruz massacre, the amount involved was small. Nevertheless, the sanctions stunned many technocrats who feared the consequences if other members of the Inter-Governmental Group on Indonesia followed suit. Never before had Jakarta's benefactors shown a fist because of human rights violations.

Indonesia's cost of debt servicing is likely to increase to 15.90 trillion rupiah (US\$7.95 billion), 10.6% up on this year, although the overall debt servicing ratio (repayment of foreign debt as a percentage of export earnings) will fall slightly from 33.7% to 31.8%. The technocrats plan to reduce foreign aid as a proportion of government spending, but even so, it still accounts for 42% of development project spending. There are only two remedies, to curtail government spending (by freezing civil-service salaries, or reducing petroleum subsidies) and a tougher tax policy.

With so few options on the home front, Suharto knew he had to show goodwill towards his foreign benefactors and the KPN report was his chosen weapon.

Suharto has used all his trump cards to get back to normal, but it is not yet possible to say how things will move. Many of his orders could backfire. He has humiliated the armed forces and there is no telling how they will

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implement the commands from a man for whom so many harbour feelings of resentment.

### ABRI grudging and scheming

Both the KPN report and the replacement of Panjaitan and Warouw are seen by officers as an insult. The view of the officer corps is simple: *ABRI* is there to keep law and order, and if East Timorese rabble-rousers need the kind treatment they got in Santa Cruz, so be it. Although Suharto made sure that KPN placed the blame on the demonstrators, the conclusions contradict *ABRI*'s earlier version on several points by raising the death toll to a more acceptable fifty, and suggesting that the troops acted in violation of operational procedures. According to General Try Sutrisno the soldiers were disciplined and behaved correctly.

The army council adds to the army's humiliation as it is required to investigate what went wrong in the operation. There is no suggestion yet that any soldiers or officers will be court-martialled. Even more humiliating is the task given to General Try Sutrisno: to find the missing East Timorese corpses. On top of this, the president has made it clear that the Ministry of Home Affairs (technically a civilian body) should play a greater role in the management of East Timor which includes a greater role for the police force (which means a lesser role for *ABRI*).

Well-informed sources in Jakarta say that Try Sutrisno has blown his chances of becoming the next vice-president. *ABRI*'s fortunes have never looked so bleak and some people expect the generals will make a counter-move. So far they have been on the defensive, responding to Suharto's strictures. General Edi Sudradjat, potentially more dangerous to Suharto than Try Sutrisno (who is a former Suharto former aide and less likely to revolt), has appointed men to



Dili demonstration 12 November 1991

photo: Sven Kochs



take over in Bali and Dili. They are both experienced, tough East Timor veterans [see boxes], a sign that *ABRI* is not prepared to go along with drastic changes in East Timor.

## Two oldtimers and hard-liners

Both Major-General Herman Mantiri and Brigadier-General Theo Syafei have years of experience in East Timor and have reputations as tough officers. Both are para-commandos and have commanded many military operations in East Timor.

### Brigadier-General Theo Syafei

The new commander of *Kolakops*, the special operational command in East Timor, said after being installed: "I will not change the approach of my predecessor. My task is to continue what Warouw has done." But to show that he is different from Warouw, he added: "I am not a patient man. I'll say quite frankly that I don't have the patience of Warouw". [Editor, 18 Jan. 1992]

Syafei graduated from the military academy in 1965. The first ten years of his career were spent in a *Kopassandha* (now *Kopassus*) para-commando unit. In December 1975 he was with the invading troops and spent five years in Timor, the last two years as commander of the notorious battalion 745. This was one of two battalions that later incorporated East Timorese into its ranks. From 1980-85 he held a variety of territorial and combat positions and returned to East Timor to become deputy commander of *Koopskam*, the predecessor of *Kolakops*. The following year, Mantiri took over as *Koopskam* commander, becoming Syafei's superior.

Syafei left East Timor again in 1988 and to take on other posts, the latest being as chief-of-staff of the South Sumatra Sriwijaya military command.

General Theo Syafei is 49 years old, a 'tough, no-nonsense commander'. Said one officer who served under him in East Timor: "Syafei is a man of determination. Whenever we confronted *Fretilin*, his order was to crush them. No-one would eat until we had done that."

### Major-General Herman Mantiri

All four generals leaving and coming are Christians, quite a deliberate choice, considering that the East Timorese are predominantly Catholic. Mantiri, 52 years old, is from a family of soldiers and ministers. His father was a minister, his eldest brother attended the Dutch military academy in Breda. He graduated from the military academy in 1962. His first years were spent in Sumatra as a territorial officer and in 1970 he was assigned to Sulawesi, his place of origin. In 1971 he became deputy-commander of airborne battalion 700, the unit linked with the Santa Cruz massacre. After a few years he moved back to Sumatra. In 1986, he became the commander of a prestigious military division, the 1st Infantry Division of *Kostrad*, also known as Indonesia's Rapid Deployment Force. Soon afterwards, he combined this with commandship of *Koopskam* until 1988.

His last position before moving to his present assignment was as assistant for planning at army headquarters. Like Syafei, Mantiri has no qualms about dealing with the resistance in East Timor. As a Karate black belt holder, he

also talks tough. About the demonstrators, he said: "... If people do things like that, they are not anti-integrationists but rabble-rousers. It's the same anywhere in the region. Riots can erupt. Wherever people are provoked, riots can break out." Speaking about the posters and banners the East Timorese were carrying during the demo: "From their point of view, they might feel like that, but we couldn't care less. We are facing rabble-rousers and rabble-rousers have to be taken care of. If they carry posters with slogans like that, that's what you call rebellion".

Some Jakarta watchers find it hard to understand why the *ABRI* top brass have swallowed so much without showing a fist. The answer lies partly in the fact that the corps of retired generals is in disarray and seriously divided. Many influential generals back Suharto, not least because their comfortable lifestyle is largely due to presidential largesse. The ones known to be critical of the president have taken a back seat while the real Suharto opponents hardly have the muscle to fight and wield little influence with the rank and file. As for the present generation of officers, they regard themselves as professional soldiers and servants of the state. Any attempt to oust the president is seen as tarnishing their code of honor. Although many officers are frustrated, it will take a lot of persuasion to convince them to launch a rebellion or stage a coup. For these reasons, open revolt or insubordination is not likely at present. The discontent simmering among the generals is more likely take the shape of backdoor intrigue. This could come in the shape of utilising other issues like the present outcry among Muslims about the national lottery or issues related to the general elections in June.



Ret'd General Rudini (left) one of the main contenders for the post of Vice-President and the hardliner Major-General Herman Mantiri, the new Bali commander.

As for the international climate, it seems for the moment that Suharto's strategy has been met with great relief by the western donors. Domestically, the press has made *ABRI* look incompetent and weak. Political leaflets have stopped using the term military dictatorship and now talk about the Suharto dictatorship. But the decline of *ABRI*'s political clout cannot continue infinitely. The situation is fluid and the election period could be a long, hot monsoon.

## The impact on the general public

For the first time since the Indonesian invasion in 1975 has East Timor become the major talking-point in daily politics. The squabbling at the top, the international protests, the reporting in the press has raised public awareness



of the reality in East Timor.

Some sections of the Indonesian press have been unusually frank in their reporting of Santa Cruz and the aftermath. The leading political weeklies *Editor* and *Tempo* have been resourceful with their reportage and photographs. But it was a more popular journal, *Jakarta, Jakarta* [see separate item], which had the courage to provide its readers with a different version than that produced by the KPN.



One of the slogans used at the wreath-laying ceremony in front of the Indonesian embassy in London, 7 January 1992.

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The two-week absence of the president was an important indicator for the public. This was when General Try Sutrisno gave his account of the Santa Cruz affair in parliament and really made a fool of himself. Retired generals and serving officers alike were astonished to see the commander-in-chief behave like a raging bull, not the public mien of a well-behaved Indonesian officer. Try's performance only discredited the armed forces.

Then, a few days later the powerful Home Minister Rudini, whose last post in the armed forces was army chief-of-staff, declared that the 'security approach' has become outdated. This was seen as being a rebuff for Try while the boss was away. There was a lot of approval for what Rudini said. (After all, taken to its logical conclusion, it means that the army should return to barracks.) People saw this as a criticism of ABRI. The political weekly *Editor*, went so far as to proclaim Rudini as man of the year.

Meanwhile, no-one among the younger generation of generals has emerged as a potential leader or popular public figure. The generation of chief-of-staff General Edi Sudradjat look rather colourless and drab while civilians like Abdurrahman Wahid, Mar'ie Muhammad and other intellectuals are seen as reliable politicians and administrators.

So there is strong reason to conclude that the East Timor massacre has exacerbated the Suharto-ABRI conflict, with unpredictable results. It has also strengthened the trend in Indonesian politics towards a greater role for civilians. It is only the strategy on how to achieve this that still divides Indonesian democrats.

## A report to satisfy donor countries

*The National Inquiry Commission (KPN) appointed by President Suharto to investigate the Santa Cruz massacre produced its Preliminary Report on 26 December. It provided some crumbs of comfort for governments reluctant to be forced into condemning Indonesia, suspending aid and halting arms sales. But the Report proves beyond all doubt that the purpose of the KPN was to extricate the Suharto regime from an embarrassing and damaging situation.*

*[First a disclaimer from the Editors: To enter into any discussion of the contents of the KPN report can mean giving the document some degree of legitimacy. We have done so only to show our readers how flimsy are the grounds for any government to treat the document as a serious attempt to investigate the massacre. Much more could be said to tear the document to shreds. See "Asia Watch criticises Commission Report on East Timor", published on 3 January 1992.]*

The pro-government character of the KPN was already clear from its composition [see *TAPOL Bulletin*, No 108, December 1991]. The Report reinforces this analysis. The first two paragraphs of Section III, "An Analysis of the November 12 Incident", are devoted to blaming the 'GPK', [*Gerakan Pengacau Keamanan*, the security disruptors' movement] for instigating demonstrations since 1989. (The very use of the term, 'GPK', exposes its pro-regime orientation.) The armed forces, on the other hand, are

described as conducting an operation of 'love and welfare' since 1989. Not a word is said about army security operations conducted throughout the same period, to kill, terrorise and intimidate the East Timorese.

As for the 'incident' itself, again the alleged role of the 'GPK' is highlighted, along with remarks about demonstrators behaving 'savagely', the stabbing of a major, and the 'pelting' of offices and smashing of windows. No evidence is produced for these statements. Also, the Report alleges that "a number of foreigners actively participated in the demonstration". By thus discrediting the foreign eye-witnesses for being involved, the KPN can conveniently ignore the damning testimonies they publicised in the world press. There is no mention of the film taken by a cameraman in the cemetery while the massacre was in progress which has been seen by millions around the world.

With regard to the actual shooting, the KPN suggests that there are conflicting reports about whether warning shots were given and whether the troops shot directly at the



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crowd, and mentions the presence of "undisciplined security officers who responded to the emotionally charged atmosphere".

In two key conclusions, which have helped foreign donor governments to welcome the report as "a step in the right direction", the KPN said:

*"The 12 November 1991 event/incident in Dili which resulted in a number of deaths and injuries clearly did not occur because of any command or policy of the Government or the Armed Forces, either at the centre or in the Province of East Timor. The 12 November 1991 event/incident was basically a regrettable tragedy."*

And:

*"In a condition of rising tension which began with the stabbing of an officer and the injuring of a soldier, the provocative savagery of the masses and opposition by the masses which the security forces deemed could endanger their weapons and their lives, there was a spontaneous reaction by servicemen who, without any command control, exercised self-defence and excessive shooting at the demonstrators, causing deaths and injuries. Along with this, a group of irregular members of the security forces outside the command structure also started shooting and maltreating, which led to yet more casualties."*

This formulation goes along with the claim by Australian Foreign Minister Gareth Evans before the report came out that the incident was "an aberration", not the responsibility of the central government or the armed forces. Governments

may be satisfied with this so-called concession to world opinion yet it is obvious from all the available evidence that the demonstrators acted peacefully, and represented no threat to the troops or their weapons. Any talk about self-defence contradicts everything known about the massacre.

The other "concession" welcomed by governments is the KPN's decision to raise its death toll figure from 19 to 50. But where does the new figure come from? When the KPN returned to Jakarta from Dili, its chair told the press that the death toll was 19. The diplomatic corps in Jakarta who wanted it to come up with something more acceptable than this, was stunned and dismayed. But why should they be satisfied with what the KPN did come up with?

*"Although the number of dead up to now is 19 dead and 91 wounded, the Commission thinks it has strong enough reason to believe that the number of dead is around 50 and the number of wounded is more than 91."*

Nothing in the body of the report explains why. Indeed, it confirms the army's version that there were only 19 graves [none of the bodies has been identified except that of Kamal Bamadaj, the New Zealander]. One [only one!] body was exhumed but the KPN only says it was fully dressed according to religious tradition and does not mention the cause of death. It says it investigated the sites which, based on information from locals were used as mass graves for the victims [how they did so is not described], adding: *"No proof that such graves exist in these places was obtained."* Anyone who is satisfied with such superficial and unscientific investigation of the number of dead and the causes of death will believe anything the Suharto's commission produces so as quickly to return to more important matters of state.

★



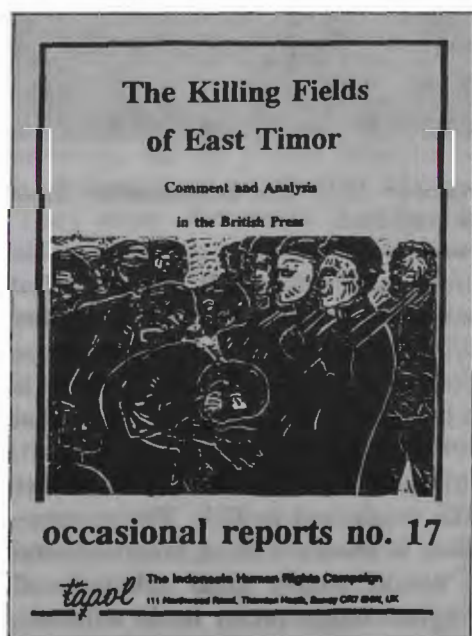
**Demonstration on 10 December, Human Rights Day in front of Indonesian embassy  
Photo: Paul Slattery**



6. Saturnino da Costa Belo, 22, Bidau Santana-Dili
7. Aleixo da Silva Gama, 22, Bidau-Dili
8. Augusto Felipe Gama Xavier, 24, Bidau Santana-Dili
9. Gregorio da Cunha Saldanha, 29, Santa Cruz/Audian-Dili
10. Matias Gouveia Duarte, 40, Taibesse-Dili
11. Jacob da Silva, 22, Vila Verde-Dili
12. Bobby Xavier, 18, Matadouro-Dili
13. Joanico dos Santos, 24, Bairro Pite-Dili
14. Lourenco Rodrigues Pereira, 21, Vila Verde-Dili
15. Antonio Baptista Sequeira, 20, Vila Verde-Dili
16. Bonifacio Barreto, 20, Maliana
17. Aleixo Lay, 21, Bidau-Dili
18. Jose Barreto Marques, 19, Bairro Pite-Dili
19. Bonifacio Magno, 35, Taibesse-Dili
20. Janio Ferdinando, 17, Santa-Cruz-Dili
21. Fernando Tilman, 21
22. Januario Gomez, 18, Caicoli-Dili
23. Filomeno Gomez, 50, Caicoli-Dili
24. Joao Pereira, 18, Becora-Dili
25. Simplicio de Deus, 19, Vila Verde-Dili
26. Marcio da Graca, 18
27. Jose Felipe, 24, Dili
28. Antonio Belo, 33, Baucau
29. Francisco Guterres, 21, Becora-Dili
30. Jose Francisco da Costa, 22, Baucau
31. Eusebio Pinto Pedroso, 24, Lahane-Dili
32. Renilde Guterres Corte Real, 24, Ossu
33. Basilio Francisco Bento, 18, Culu-Hun-Dili
34. Manuel Eduardo dos Santos, 26, Baucau
35. Domingos Joaquim Pereira, 20, Dili
36. Mario Abel, 24, Baucau
37. Joao dos Santos, 22.

Officials in Jakarta and Dili have announced that 14 of the 32 Timorese to be tried will face charges under the anti-subversion law with a maximum penalty of death. It is feared that these 14 defendants will receive harsh sentences. The remaining 18 will be charged under articles 154 and 155 of the Indonesian Criminal Code (KUHP).

Political trials in Dili have been even more unfair than in



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Occasional Reports no. 17 contains editorials, comments and articles in the British press about the Santa Cruz massacre.

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Java where defendants have generally been able to mount their own defence and choose their lawyers though in many respects in total disregard for the law.

In Dili, all pretence at conducting normal trials has been abandoned. Many of the trials held in 1984 were completed in a day, defence lawyers were appointed by the court, all defendants pleaded guilty, having been told that to do otherwise would mean even harsher sentences. Formalities about the right to reject the sentence and appeal to a higher court were simply dispensed with. The 1980s trials were not reported in the Indonesian press and hardly anything was known about them until 41 convicted men and one woman were transferred to prisons in Jakarta to serve their sentences. Only recently did TAPOL learn of what really happened when it interviewed convicted Timorese after their release and arrival in Lisbon. ★

### Gregorio could face death

Gregorio da Cunha Saldanha, 29, a male nurse, will be the key defendant in the Dili trials. His case has been widely reported in the press; the documents were handed over by the police to the public prosecutor in a special ceremony attended by all the senior military and police commanders in Dili.

East Timor police chief, Police Colonel Ishak Kodijat, told the press that Gregorio had been involved in many demonstrations going back to June 1990. He described Gregorio as "the third man in the Fretilin structure after Xanana Gusmao and Mau Hunu". He will be charged with leading the "12 November act of rebellion" which was under the direct command of the commander of Fretilin, Xanana Gusmao. He is said to have controlled an elaborate network of contacts "with Fretilin elements located in 440 villages as well as students in Denpasar, Malang and Jakarta". His network of overseas contacts is said to have extended to Australia and Portugal.

The prosecution will claim that the "12 November act of rebellion" was preceded by six secret preparatory meetings, the last of which was held at Motael Church (the church where Father Alberto Ricardo, the Vicar General, is priest).

According to Kodijat, Gregorio will be defended by three local lawyers (not identified) who were not with him during the interrogations which started on 13 November. Fr Ricardo has been questioned in connection with the Gregorio trial.

Police chief told journalists that another demonstration had been planned for 13 November. "Thank goodness the 12 November was put down," he said. [Surya, 29.XII.1992] The less said about the cost of 'putting it down', the better! ★



## East Timorese students to go on trial

*The arrest of 21 East Timorese students in Jakarta and four in Bali is a move to undermine the nationalist sentiments among the Timorese students studying in a number of universities in Indonesia. Reports in the Indonesian press suggest that they will all be tried. Many are expected to refuse to recognise the right of an Indonesian court to try them.*

The vast majority of East Timorese who have accepted scholarships to study in Indonesian universities did not do so because they are in favour of Indonesian rule. On the contrary, they have opted to take advantage of advanced education to better serve their own people after independence. This is in the tradition of students from many former colonies who studied in Holland, France and Britain, and returned home to play an active part in the anti-colonial movement.

It was clear early last year that army intelligence was monitoring many East Timorese students; a top-secret report from the assistant for intelligence of the Udayana military command in Denpasar, to BAIS, the army's strategic intelligence agency in Jakarta, listed nearly twenty students in Bali, Jakarta, Surabaya, Yogyakarta and Salatiga who were allegedly engaged in pro-independence activities. Besides those named, the report spoke about 'many more' sympathisers. [TAPOL Bulletin, No 105, June 1991, p. 10]

The seventy Timorese who were arrested while demonstrating on the streets of Jakarta on 19 November 1991, include students from many universities. The demonstration took a petition protesting against the massacre a week earlier to the UN office and carried banners supporting East Timor's right to self-determination. [TAPOL Bulletin, No 108, December 1991] The 49 who were released a week later (they are still under town arrest and must report twice weekly to the police) study in a number of cities: six in Semarang, 27 in Bandung, 2 in Jakarta, 8 in Malang and 6 in Yogyakarta.

### Awaiting trial

22 East Timorese students are awaiting trial in Jakarta. They include 21 who were arrested for demonstrating on 19 November and one of the four Timorese students arrested on 24 November in Bali. Their names are:

Benevides C. Barrol (Salatiga)  
Domingos Barreto (Semarang)  
Metodio Muniz (Semarang)  
Francisco Vasco Ramos (Semarang)  
Joselius de Oliveira (Yogyakarta)  
Sergio Dias Q (Yogyakarta)  
Judio da Costa (Yogyakarta)  
Antonio Lopez (Malang)  
Virgilio (Malang)  
Antonio Soares (Malang)  
Felipe da Silva (Bandung)  
Joao Sarmento (Bandung)  
Fausto Berhading (Bandung)  
Joao Travolta (Denpasar)  
Agapito Cardoso (Denpasar)  
Gregorio de Araujo (Bandung)  
Jose Maria Belo (Bandung)

Avelino Maria de Silva (Jakarta)  
Mario Canecas (Surabaya)  
Egas Q. Monteiro (Surabaya)  
Joao Freitas de Camara (place of study not known)  
Fernando de Araujo (Denpasar)



*Jakarta demo on 19 November 1991. The demonstrator could well be one of the 22 awaiting trial.*

Statements from the public prosecutor's office indicate that most will be tried under articles 154 and 155 of the Criminal Code for publicly expressing or disseminating hatred towards the government. The maximum penalty is seven years. There have been hints that some may face trial under the anti-subversion law. If the cases come to court, these will be the first trials of Timorese in Jakarta; other Timorese trials have been conducted in Dili. The government may consider it wiser to abandon these Jakarta-based trials, aware that they would arouse great international interest, something the regime might prefer to do without.

### Internationalising the trials

Joao Freitas da Camara has been subjected to a harsher



regime than the others arrested in Jakarta and held apart from the other 20. This may be because he is regarded as the 'ring-leader' of the 19 November demonstration.

He was one of four East Timorese students who took refuge in the Dutch embassy in Jakarta in 1986. During their stay at the embassy, Portuguese passports were issued, but retained at the embassy. The four were persuaded to leave after being told that the Indonesians would grant them exit permits, so that they could leave for Lisbon. But this never happened. A Portuguese lawyer in Lisbon was briefed to act for them and is now ready to intercede on behalf of de Camara.

After his arrest, de Camara's home was raided by troops who confiscated documents, posters, cassettes, publications about East Timor and other 'incriminating' material. During the 19 November demonstration, de Camara, acting as the spokesperson, was interviewed and photographed by Indonesian journalists.

### Crude denial of rights

The detainees have been under extreme pressure to accept East Timor's integration with Indonesia, as the condition for their release. They have also been under pressure to apologise to the government and acknowledge the Dili 'incident' as an internal, not an international, affair. For much of the time, they have been held in incommunicado detention at the Jakarta metropolitan police station, and denied access to legal aid. A team of lawyers headed by Luhut Pangaribuan, which was formed by the Legal Aid Institute (LBH) to defend them, has for most of the time been refused permission to meet the detainees. Permission to have access, granted by the police, was later rescinded for no apparent reason.

As 18 January approached, when the 60-day period allowing the police to hold detainees without charge expired, pressure on the students to pledge allegiance intensified. On 22 January, 15 were transferred to Salemba Prison where they are apparently awaiting trial. The other 7 remained in police custody; this may be because they decided to sign up. If they are released, these will be conditional releases and the students will remain under close surveillance, having to report to the authorities.

Nothing less than immediate, unconditional release is satisfactory for all the student detainees.

### Arrests in Bali

In Bali, where several hundred East Timorese students are studying – most of them at Udayana University, the state university, and the private National Education University – six students were arrested on 24 November.

They were: Fernando Araujo, Jose Maria Pompeia Saldhana Ribeiro, Antonio dos Santos Matos, Clemente Soares, Joao Paulo da Silva and Joaquim da Costa Freitas. da Silva and Freitas were released three days later. The other four were subjected to intensive interrogation at the regional police headquarters (*polda nusra*) for several weeks, then transferred to Jakarta for further interrogation at police headquarters (*polda metro jaya*) where the 21 students arrested on 19 November were being held. In January, three were returned to Bali, while the fourth, Fernando Araujo has remained in Jakarta.

Press reports about Fernando and his colleagues say the authorities found very high phone-bills at the house, listing numerous calls to contacts in London, Lisbon and Australia. Fernando Araujo's name appeared in the army intelligence document referred to above, listing Timorese students

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whose activities were under surveillance. He was referred to there as a key activist of *Renetil*, the national organisation of East Timorese youth and students [which played an important role in the Clandestine Front, maintaining contact between the resistance and the outside world].

### Fabricating evidence

The Bali-based students were arrested in a carefully-planned joint operation by troops from Udayana military command intelligence (*intel*) and the local police. They were caught when several dozen troops, wearing traditional Balinese dress, surrounded the house where they were staying. One police officer posed as a lawyer from the LBH (legal aid institute)!

All the occupants were ordered to congregate in one room while the troops searched the house; none of the students was allowed to watch. After ten minutes, Clemente Soares, was taken upstairs and saw that all their possessions – documents, photos and books – had been removed. An intel agent then pointed to a bundle of cloth in the corner which he did not recognise. He was ordered to pick it up and as he was about to throw it down, the intel panicked and grabbed it from him. The package was then opened in the presence of the six students downstairs. It contained explosives and a grenade. The 'LBH lawyer' declared that the students had been arrested in conformity with an arrest warrant (which the students never saw). The students were then taken to the regional police command (*polda nusra*).

After the students had been taken away, more soldiers came to the house with four grenades. They called neighbours to testify that grenades had been stored in the house. It so happens that another student, Acacio Branco, visited the house while this was going on, not realising that his colleagues had been arrested. The soldiers made him confirm that grenades had been found and made other students testify about the grenades. Artur Maria and Gertrudes were among those required to sign documents confirming the presence of the grenades.

Since the arrests, other Timorese students in Bali have been summoned for interrogation as 'witnesses in a subversion case' by the police. Among them are Guilherme Sousa, described in the police summons as 'head of Renetil finance department', and Aniceto Goterres [as written], described as 'head of Renetil political department'.

### Other arrests in Java

According to Amnesty International [ASA 21/28/91, 29 November 1991], nine East Timorese students were arrested in Yogyakarta, Central Java. Only six have been identified: Jose Luis, Elidio (or Epidio), Diometrio, Rogerio, Flavio and Pedrito. The first two are among those named as being 'under surveillance' in the intelligence document referred to above. Nothing further is known about their fate.

Three East Timorese students are also known to have been arrested in Malang, East Java. Only one has been named: Jose Antonio Jesus Neves.

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## Tourists expelled from East Timor

*The days when foreign tourists could wander around in East Timor, meeting Timorese and slipping away from the prying eyes of intelligence spies appear to be over. In the last month, tourists from Japan, the US and Morocco have been expelled for allegedly suspicious behaviour in East Timor.*

The first to get into trouble was a US citizen of Portuguese descent, Raimundo Delgado. Raimundo arrived in Dili on 31 December. Two days later, he was picked up by the police and taken into custody.

A report about his alleged strange behaviour appeared in *Jawa Pos* [5.I.1992]. Whatever Raimundo did was nothing by comparison with the behaviour of the *JP* reporter who makes no secret of the fact that he "kept an eye on Raimundo" from the moment he arrived in Dili. *JP* claims that Raimundo harassed Timorese in Kolmera, pressing them to answer questions and attacking them when they refused to reply. The East Timor chief of police alleges that his force took Raimundo into custody for his own safety, to protect him from the "fury of the masses" who started chasing him in Kolmera.

He is alleged to have tried to win people's confidence, promising them scholarships abroad. He also engaged in journalistic activities, going to see Bishop Belo, and going on a visit to Santa Cruz cemetery where he took photographs "and took down notes in a small note-book".

The security forces in East Timor, it would seem, have now decided to treat every foreign tourist in East Timor as a likely journalist in disguise. The two US journalists, Allan Nairn and Amy Goodman, witnesses of the Santa Cruz massacre, were instrumental in alerting politicians and the press in the US about the bloodbath. They have been denounced at the highest level in Jakarta for entering East Timor under false pretences because they - wisely - did not reveal that they were journalists.

### Japanese tourist deported

The next to be thrown out was Tatsuo Wada, a librarian from Hyogo Prefecture who was accused of spying, apparently because, the authorities claim, he was taking photographs of military installations. Once again, the *Jawa Pos* took the lead in exposing the tourist. Tatsuo arrived in Dili on 9 January. On 11 January, the paper ran a front-page story headlined, "Again, a mysterious foreigner in Dili". The story described his "suspicious" movements such as allegedly changing taxis several times, changing shirts in a taxi, making phone-calls to Japan and travelling to Dili on a false name.

Wada denied this on his arrival back in Japan. He said he met with local clerics to investigate the 12 November killings, took photos of local scenes and people and visited the site of the massacre. [*Japan Times*, 18.I.1992]

When he was confronted with the *JP* article by intelligence officers in his hotel room, they interrogated him for seven hours, in the presence of the *JP* journalist. During this encounter, he was pushed on to the bed and later forced to sign three sets of blank forms which may well be used against him. The security officers confiscated six rolls of film and a videotape after searching his room for an hour-and-a-half. Later the videotape was returned as well as the

films, but 40 frames were missing. "I am most concerned about the lives of the people I photographed," Wada said.

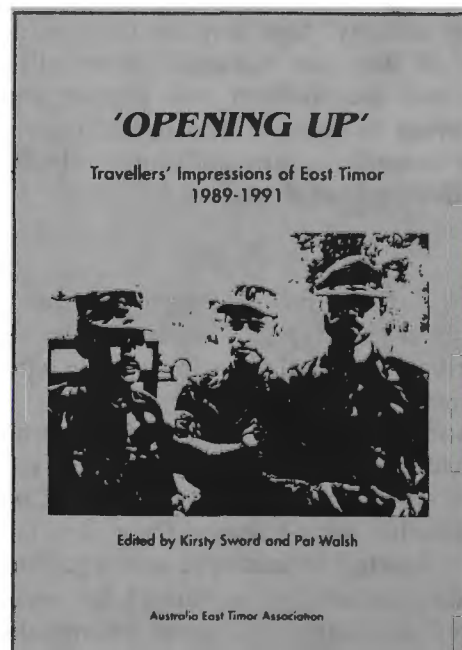
### Four Moroccans detained

Hot on the heels of the Wada expulsion came a report, this time in *Antara*, about four Moroccans who, police say, "were picked up for alleged involvement in the 12 November incident, at least as eyewitnesses". The four men, Mohammed, Arnalis Idris, Mustafa and Azis, were allegedly acting suspiciously in Kecil village, Maluku. According to the *Antara* report, villagers began to suspect that they were not ordinary tourists when they noticed that the men rarely went out of the house.

The report suggests that they were in Indonesia for several months, much of the time in East Timor. After their visas, obtained in Sweden and Scotland, had expired, two of them went to Kuala Lumpur to get extensions.

The four Moroccans are now said to be "in the immigration office's quarantine because, besides visa expiration, they are also suspected of implication in the 12 November incident, at least as eyewitnesses". [*Antara*, 11.I.1992]

There is no hint of whether the Moroccan authorities are giving protection to their citizens. ☆



### NEW PUBLICATION

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1989-1991

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## Indonesian students speak out

*For the first time since Indonesian troops invaded East Timor 16 years ago, Indonesian students, dismayed by the 12 November atrocity, have spoken out, not only denouncing the bloodbath but expressing support for East Timor's right to self-determination. A number of students also took part in a protest demonstration, at Bandung's Catholic Parahiyangan University. Eight were later arrested.*

The demonstration in Bandung took place following a meeting of representatives of eleven student senates from throughout Java. The meeting adopted a joint statement. The statement, dated 23 November 1991:

- \* condemned the 12 November massacre, comparing it to massacres in Tanjung Priok, Jakarta (in September 1984) and in Lampung, South Sumatra (in February, 1988);
- \* called for the dissolution of the Suharto-appointed national inquiry commission (KPN) and for a UN international commission to investigate the massacre;
- \* called for the release of 70 East Timorese students arrested during a demonstration in Jakarta on 19 November;
- \* called on governments which supply aid and military equipment to Indonesia to impose an arms embargo and halt economic aid until the Indonesian government and the armed forces begin to respect human rights and stop extinguishing human life as a way to crush protest and discontent. It said:

*"The attention being shown by world opinion towards events in East Timor reveals grave concern at the methods used by the Indonesian government, and is proof of worldwide solidarity for the universal respect for human rights. It is petty narrow-mindedness to regard such a response as a hostile act or outside intervention in the internal affairs of the Indonesian nation and state. It is essential to distinguish clearly between 'the government' on the one hand, and 'the nation' and 'the state', on the other."*

- \* finally, the students called for Indonesian troops to withdraw from East Timor and for the people of East Timor

to exercise their right to self-determination.

The statement was signed by representatives of the Coordinating Body of Students Senates of the University of Indonesia, Jakarta; the Senate of the Faculty of Industrial Technology at the Bandung Institute of Technology; the Student Communications Forum of Gadjah Mada University, Yogyakarta, Central Java; the Student Senate of Diponegoro University, Semarang, Central Java; the Student Communications Forum of Pancasila University, Jakarta; the Student Senate Coordinating Board of Ibn Khaldun University, Bogor, West Java; the Students Coordinating Body of the 11 March University, Solo, Central Java; the Student Senate Coordinating Body of Pajajaran University, Bandung; the Student Senate Coordinating Body of the Indonesian Institute of Technology, Jakarta; the Communications Forum of Student Senates at IKIP (teacher training college), Jakarta; and the Student Senate of 10 November Institute of Technology, Surabaya, East Java.

The arrested students were held for several days. One of them named Pius has since been expelled from the Parahiyangan University.

Nothing was reported in the Indonesian press about any of this. The same is true of a statement by the Yogyakarta Students' Association [*Ikatan Mahasiswa Yogyakarta*]. Besides making demands similar to those of the eleven student senates, it called for UN and International Red Cross protection for the wounded and those seeking refuge from the security forces, the release of everyone arrested after the massacre, and for a referendum to be held without delay in East Timor to assess the wishes of the people. ★

*continuation of page 22*

(headline, *Jakarta Post*, 25.10.91). The malaria prevalent in a new lowland settlement, which drove many to return to their traditional home, however, is not mentioned. Whatever FII is trying to do, it seems a long way off from capturing the appreciation of the local people.

*"We Amungme feel we are being pushed around, driven from what have long been our homes,"* complained community representatives to KdK.

There are many other ways in which Freeport has been able to impress uncritical observers of its local behaviour. Instead of importing its food from Australia and Jakarta, for example, it now buys much from Timika residents and other local sources.

It also hopes to invigorate the local economy with its 'small business incubation scheme', which will financially encourage local people to start up local businesses. One concern is whether applications will be processed by an Indonesian agency in the same way that labour is recruited for the company. But more immediately, if the local infrastructure remains as underdeveloped as it is now, such

a programme seems insensitively premature. The settlement Freeport built for locals in the corner of Tembapapura is described as an "unhealthy slum area" by *Tifa Irian*; the only supply of clean water is in a site which is a 14km return journey for the Timika people. Children must walk miles and cross the Wanagong River to get to the only school in the area. Expatriates, and to some extent, white-collar employees of Freeport, meanwhile enjoy excellent medical, educational and leisure facilities including an indoor sports complex.

*"In the middle of the luxury town, the indigenous inhabitants live like beggars and are treated roughly by the company people."* [*Tifa Irian*, June 1991]

The chairman and chief executive of FII's parent company said on December 30 that he and the company "look forward to the continuation of our mutually beneficial relationship with the people of Indonesia." If the sort of local relations practised thus far are to be continued, the future for traditional landowners and their rights looks bleak. ★



## Action in Britain

*There has been a marked increase in concern about East Timor in Britain in the wake of the Santa Cruz massacre. TV viewers saw shots of the massacre at least four times on ITN news broadcasts. The showing of Yorkshire TV's one-hour film, 'Cold Blood: the Massacre of East Timor' on 7 January intensified concern. A late-night phone-in on LBC was inundated with calls about it.*

### Parliamentary hearing

The Parliamentary Human Rights Group (PHRG) held a hearing on 17 December at which two eye-witnesses, British cameraman Christopher Wenner and Australian radio journalist Russell Anderson gave testimony about the massacre. Geoff Robinson, Amnesty International's researcher on Indonesia, and Saskia Kouwenberg who was in East Timor at the time, also gave testimony.

The hearing was chaired by Lord Avebury and attended by a number of parliamentarians from both Houses of Parliament. MPs from both sides of the Houses of Commons were present.

Wenner, who was filming inside the cemetery when the firing began, showed shots taken as he took cover behind tombstones. (Although he managed to delete footage on a tape in his camera when he was under arrest, he later retrieved tapes hidden under tombstones.) Anderson, who was outside the cemetery, described with the help of a map of the cemetery how troops opened fire and described his own flight from the carnage. Robinson emphasised the need for an international inquiry commission to go to East Timor as quickly as possible. Kouwenberg described the atmosphere of fear in East Timor during the weeks prior to the



*Russell Anderson giving his eye-witness account at the Westminster hearing while Saskia Kouwenberg holds a map, showing events at Santa Cruz cemetery.*



*Wreath-laying ceremony on 7 January in front of Indonesian embassy in London. More than 20 organisations participated in this event.*

massacre.

The transcript of the hearing with written evidence from the eye-witnesses has now appeared in a book, price £2.50. Please add £1.00 if you want it airmailed.

### Demonstrations

There have been two demonstrations outside the Indonesian embassy in London. The first was held on 10 December, Human Rights Day. Front-bench Labour MP, Ann Clwyd, and Alice Mahon MP handed into the embassy copies of parliamentary motions with more than a hundred signatures and a letter of protest from a number of peace, church and human rights organisations.

The second demonstration took the form of a wreath-laying ceremony and service also outside the embassy. Nearly a hundred people came to the scene to place wreaths at the foot of a cross. There was a 15-minute service at which Estevao Cabral, an East Timorese refugee now living in London, read out the names of nearly 70 people who are known to have died during the massacre.

When the demonstrators left, the high hedge across the road from the embassy was covered in flowers and wreaths which remained there for the rest of the day.



## Human rights briefs

### Human rights groups under pressure

Three Jakarta-based human rights groups have been under pressure from the security forces since the political upheaval which followed in the wake of the 12 November massacre in Dili.

The difficulties began after East Timorese students demonstrated in Jakarta on 19 November (see separate item). They arose because the human rights organisations in question, **Infight**, the Indonesian Front for Human Rights, **LPHAM**, the League for the Defence of Human Rights and **Yayasan Hidup Baru**, the New Life Foundation, planned to send a four-person team to Dili to investigate the massacre. The team was prevented from leaving for Dili. Activists from the three organisations were summoned for questioning by *Bakorstanasda*, the army's security agency in Jakarta. Two were subjected to daily questioning and were under town arrest. This went on from 20 November until 7 December.

During the interrogation, they were confronted with transcripts of a number of telephone conversations based on regular bugging of their lines.

**Infight** and **LPHAM** have since not been able to keep their offices running as the premises have been placed under constant security surveillance.

### Foreign journalists blacklisted

Indonesia has put dozens of foreign journalists on the list of those barred from entering the country for security reasons, Director-General of Immigration, Roni Sikap Sinuraya said. "The state intelligence body (BAKIN) and the armed forces commander requested that they be blacklisted because they are considered dangerous to the safety and security of the state and nation," he said. They include journalists from Australia, the US and Hongkong.

The recommendations were made by a "reading and listening" team of the information ministry which monitors all foreign print and radio media reports about Indonesia. Misleading reports were discussed at the ministry's clearing house before taking a decision to blacklist a journalist, said Sinuraya. The clearing house includes officials from the ministry, the directorate-general of immigration, the attorney-general's Office, the foreign ministry, the state intelligence (BAKIN) and the interior ministry. [*Jakarta Post*, 27 December 1991]

Only two of the 'dozens of' blacklisted journalists are mentioned, US journalists Allan Nairn and Amy Goodman who witnessed the 12 November massacre in Dili and have written and spoken about widely in the USA.

Indonesia maintains a blacklist of more than 17,000 people. It is now commonly known as the '*cekal*' list. Some of those listed are Indonesians who are not allowed to go abroad, the rest are foreigners who are not allowed to visit Indonesia.

### Siberut seminar banned

A two-day seminar on environmental problems in Siberut Island off the coast of West Sumatra was cancelled because

security authorities refused to issue the necessary permit, the organising committee said. The authorities informed the committee that no permit would be issued unless letters of recommendation were forthcoming from agencies such as the intelligence agency, Bais.

The committee made last-ditch efforts to bring their plans for the two-day seminar to fruition by asking State Minister for Population and Environment, Emil Salim, to help obtain the permit, Bintoro told *The Jakarta Post*.

**SKEPHI** (Indonesian Forest Conservation Network) sponsored the seminar to bring together environmentalists, Siberut islanders and officials to discuss the degradation of the island's environment due to destruction of its forests through logging. The 448,000 hectare Siberut Island is the largest of the four Mentawai islands off the coast of West Sumatra and has a population of 24,000 people.

Its rainforest, rich in endemic plants and animals, is threatened with destruction by a government proposal to convert 250,000 hectares into palm oil plantations and monoculture timber estates.

"We want logging concessions and activities stopped because they rob us of our traditional forest products, contaminate our rivers and threaten our local culture," an indigenous resident told the *Post*. [*Jakarta Post*, 17.XII.1991]

Seven Siberut community leaders representing about 50 clans came to Jakarta to participate in the Seminar.

### No pictures of Sukarno, please!

The Interior Ministry has announced that the three political parties which are allowed to take part in this year's general election will not be allowed to display portraits at election rallies during the campaign period. Parties may only display their official symbols. The ban comes in a presidential decree signed in January and will remain in force from May 10 till June 3. The election will take place six days later, on 9 June, following a 'cooling-off period' during which no campaigning is permitted. Motor vehicle rallies have also been banned.

This is only one aspect of the tightly regulated general election which is not expected to change the balance of voting between the parties. All candidates for the 400 contested seats (100 seats in the lower chamber go automatically to the armed forces) have been vetted for political reliability by the security agency. The 500 seats in the upper chamber are all filled by appointees.

The portrait ban is directed primarily at the Democratic Party (PDI) which in 1987 held rallies in many major cities, when the portrait of Indonesia's first president, Sukarno, prove effective in attracting huge crowds of people, particularly the youth.

The decree also requires that all campaign themes are related to the national development programme and they should enhance national unity





## Soldiers and policemen on trial

*Although the Indonesian press publishes nothing but army handouts and foreign observers have not visited Aceh recently, several sources confirm that the situation in Aceh remains tense. The fighting between Indonesian troops and Acehnese guerillas continues, oppression of the villagers is rampant and political trials have become the daily routine.*

Reports in the Indonesian press about Aceh suggest that ABRI, the Indonesian armed forces, now has everything under control. In December, the press reported the ambush and killing of Yusuf Ali, a leader of GAM (*Gerakan Aceh Merdeka*, the Free Aceh Movement). The army claimed that the death of Yusuf Ali, regarded as being GAM military commander in the Pase district, was a milestone in restoring law and order in the territory. The assistant for intelligence of the Bukit Barisan military command, Colonel Sutrisno, has compared Yusuf Ali's position in the resistance with that of Xanana Gusmao in the East Timorese resistance. The army claims that all but two of the 25 persons who appeared on a 'wanted poster' last year have now been captured or shot dead. [*Tempo*, 18.I.1992] The local military commander Major General Djoko Pramono, belligerent as usual, proclaimed that all rebel 'remnants' should surrender. "Otherwise they will be tracked down and annihilated." [*Kompas*, 30.12.91].

Earlier it was reported that two close aides of Yusuf Ali, Tengku Mahmud Hassan Ibrahim and Abubakar, had been killed in the dense forest of Tanah Jambo Aye. Special commando units are used to hunt down the guerrillas; as in East Timor, a *pagar betis* (fence of legs) method is used.

Local communities are forced to help the military comb the area so as to encircle the guerillas. With innocent villagers in the front-line, this method is often effective as the guerillas will not shoot at villagers. The *pagar-betis* strategy was used successfully in the early sixties against Muslim rebels in West Java.

### Controlling the urban population

However, the dangers of rebellion are by no means over in Aceh. The army's jubilation is tempered by apprehension, acknowledging that support for GAM is far greater than the army likes to admit. Colonel Sjarwan Hamid, commander of Lilawangsa military command, has announced the creation of the Town Security System (*Sistem Keamanan Kota - Siskamkota*) throughout Pidie, East Aceh and North Aceh where support for GAM is known to be strong. He warned that even if the leaders have been caught, the followers may be more aggressive. "The idea needs to be eliminated," he said.

He admits that the danger of rebel resurgence is far greater in the towns than in the bush, hinting that Aceh Merdeka may repeat the tactics of the resistance in East Timor by shifting the thrust of their actions to the towns.

## Torture routine, says UN rapporteur

The UN Special Rapporteur on Torture, Professor P.H. Kooijmans, believes that the torture of detainees in Indonesia, especially during the first days of detention, is not exceptional. In politically unstable regions like Aceh, East Timor and Irian Jaya, torture is routine.

These are the conclusions of a report of a visit to Indonesia from 4 - 17 November last year. For the first time, the United Nations, in an official document, has unequivocally confirmed that torture occurs in Indonesia.

In a 24-page appendix attached to his annual report to the UN Human Rights Commission. Kooijmans says:

*"The Rapporteur cannot avoid drawing the conclusion that torture indeed exists in Indonesia, particularly in cases which are considered to threaten state security."* [*NRC Handelsblad* 25.I.1992] Besides being one of the leading UN experts in the examination of human rights abuses, Kooijmans also heads the Dutch delegation to the Commission.

Kooijmans was in Dili on 12 November when the Santa Cruz massacre occurred, but he was not an eye-witness as

he was with the army commander, Brigadier-General Warouw, at the time. Later, he was prevented by the army from meeting any of the wounded.

In his report, Kooijmans places the blame for these human rights violations on the "virtually unlimited and unbridled power of the police". He says that the police exert unrestricted control over detainees during the first twenty days of detention. This means that it is impossible to deal properly with complaints about torture. He met prisoners who had been detained for more than ten years without seeing a lawyer.

This report will be tabled at the UN Human Rights Commission which meets in Geneva for 6 weeks from 27 January. The Kooijmans report will be of considerable political significance as Portugal, which now chairs the European Community, is planning to persuade the Commission to adopt a strong resolution condemning Indonesia for the Santa Cruz massacre and the human rights situation in East Timor. ★



The security system will become a neighbourhood watch scheme which should involve the entire community. [Tempo, 18.I.1992]

### Strategy of dispersal?

Punitive action has been the main strategy of ABRI in dealing with GAM. Every time GAM launches an action, ABRI responds by punishing the local inhabitants. This includes extrajudicial killings, mass arrests, corporal punishment, torture and rape. Although GAM forces are widely supported in some areas, it is very risky for anyone to display open support.

Reports in the last two months indicate that GAM has diversified its strategy and is taking action in other parts of Indonesia. "Illegal pamphlets" have started appearing in Padang, the capital of West Sumatra; on 18 November, the press reported the arrest of four suspected Aceh rebels in Padang. Later, eight persons were arrested in Bandung, for alleged involvement in a series of bank-robberies in the province of West-Java. [Merdeka, 28.12.91].

Another kind of punitive action by the Indonesian authorities is the staging of political trials. Following the earlier trials of civilians, the emphasis has now shifted to charging members of ABRI; soldiers and policemen have been tried for being active members of GAM, which only highlights the support that GAM enjoys in the armed forces.

### Military Court in Banda Aceh

So far 15 trials have been held, nine involving police officers and six members of the army. Two soldiers have been sentenced to three months for refusing to take part in military operations in Aceh. In his annual report, Aceh police chief Colonel Syafuan said that 31 members of the force had been imprisoned and sacked for a variety of crimes and involvement in GAM activities. [Suara Karya, 11.I.1992]



Scuffling at trial in Aceh between defendant and the security forces. Editor, 18 Jan. 1992

Defendants who were allegedly involved in subversive activities received much heavier sentences for GAM allegiance and direct or indirect involvement in 'terrorist' activities which have included attacks on isolated police posts. Police lieutenant Ibnu Hasan was sentenced to 15 years imprisonment for taking part in an attack on Batee Police Station; Police captain Akhmad Adamy got 9 years for being 'indirectly involved'; Police sergeant Achmad Bakini got 12 years for providing ammunition to Sergeant Major Achmad Saidi who was sentenced to 20 years.

Nasri Rasyid, an army corporal from the Teuku Umar military sub-district received a sentence of 7 years because

## ACEH

of his GAM involvement while private first class Samidun was sentenced to 14 years for an attack on a police post at PT Gruti, a logging company, when a police-guard was killed.

### Civilian trials

Up to mid January, 32 persons have been tried and sentenced. Considering the many people who are still in detention and under interrogation, more trials can be expected in 1992. In December Azwan Iwan aka Iwan Dukun, 44 years, a businessman in Medan, was sentenced to 13 years in jail because of his close contacts with S.A. who is described as the GAM commander in the Matang Seujuk area. Judge Hadi Manaf said Azwan Iwan's activities caused a public nuisance and friction. "The 13-year punishment is considered reasonable, considering his activities to set up an independent Islamic state." Other defendants have so far only been identified by their initials: AM, BA, JR, SB, AKB and MDA have all been tried.

In the district court of Banda Aceh two new trials have begun. On 23 December a court began hearing the case against Drs. H.A. 30 years, a civil servant at the local Department for Religious Affairs. He is accused of giving protection and accommodation to 3 GAM leaders, Muhammad, Yasril and Syamsuddin. In another trial which began on New Year's day, Drs. I.H., 31 years was accused of holding illegal meetings with several GAM leaders. At the moment of writing, sentences have not yet been passed.

### Terror against released detainees

Since August last year hundreds of Acehnese detainees have been released by the military authorities. On 17 August, 261 people were reportedly released in Banda Aceh, followed by 162 people in Lhok Seumawe on 10 October. According to the spokesperson of the local military security agency *Bakorstanasda*, Lt.-Colonel A. Muryono, 623 detainees have been released since September 1990. [Suara Karya, 14.X.1991]. In December another 142 were released followed by 112 in mid January.

These are not unconditional releases. All those released have had to sign statements pledging not to take part again in any activities for independence. Major-General Djoko Pramono told a group of 112 releases in a ceremony to urge others to surrender.

While the releases have been a public relations stunt to convince the outside world that human rights violations in the region are improving, the facts prove otherwise. Reports from reliable sources say that several of the released have disappeared; one report speaks about releasees being kidnapped on the way home and later killed. It is a fact of life that, in the last two years, Aceh has undergone a traumatic experience; thousands of women have been widowed and children orphaned.





# Forced repatriation of Acehnese refugees

*The situation of Acehnese asylum seekers in Malaysia has worsened in the last two months. Despite statements by Jakarta and Kuala Lumpur that they would not be forcibly sent back, the contrary has happened. The Malaysian Government recently forcibly handed over 46 refugees to the Indonesian authorities. In November and December last year, they were returned in batches of 10, 13 and 23 persons.*

The Acehnese who landed in Penang last year were not dealt with according to established procedure [see *Tapol Bulletin* No 106 & 107]. The Malaysian government regards the refugees as illegal immigrants and from the start refused any international access. No access was given to represen-



*Ceremony in Lhok Seumawe for conditional release of alleged Acehnese rebels and sympathisers.*

tatives of the UN High Commissioner for Refugees; Kuala Lumpur is only willing to handle the matter with Jakarta and the two governments are only interested in deporting the refugees.

Indonesia's foreign minister, Ali Alatas, hoped to impress international opinion saying there was no reason why independent observers, such as the ICRC, should not go to Aceh to monitor the repatriation (sic). He said persuasion, not coercion, would be used on the 'migrants'. The governor of Aceh Ibrahim Hassan went even further: "The ICRC or

*Amnesty International may come to Aceh to see for themselves that we are handling the problem in a very humane way. Even those who have gone to Malaysia have returned home and they are all happy with their families" [Indonesian Observer, 22 November 1991].*

Under the cloak of secrecy, it has not been possible to establish the exact number of refugees, with estimates varying from 300 to 500 persons. As soon as they arrived on the island of Penang, they were herded into detention camps in Penang and Bukit Mertajam. All these months the refugees, who fled to escape the wrath of the Indonesian military, have been held incommunicado and refused legal assistance. Isolation from the outside world has demoralised the refugees. Attempts by Malaysian lawyers to meet them have been unsuccessful. The only ones allowed unrestricted access have been officials from the Indonesian consulate.

By returning the refugees, Malaysia has violated the principle of non-refoulement contained in article 33 of the 1951 Convention on the status of refugees. Although Malaysia did not sign this convention (at that time, it was still a British colony), the principle of non-refoulement is binding on all states.

## *The return of the thirteen*

In contrast to the return of the first ten, which was hardly reported, the return of the second group who arrived back on 1 November 1991 was widely reported – but not for two weeks. Abdul Hamid, spokesperson for the group, said that villagers from Alue Bureh in East Aceh, including himself, had been forced to go to Malaysia by Acehnese rebels. Nurdin Nur, another returnee, told reporters of intimidation and threats by GAM members, who forced them to take a boat across the strait.

It seems the group had been properly 'prepared' by the authorities to give an acceptable version of events. In previous years similar things have occurred with West Papuan refugees returning from Papua New Guinea. ☆

## West Papua Plunder in paradise

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# Freeport's extension of gloom for the Amungme

*For more than 20 years, Freeport Indonesia Inc. has been smiling, enjoying the fortunes of Mt Ertsberg. In 1987 it discovered the monster ore body of Mt Grasberg, which was to give the company the largest published gold reserves in the world, and it began to chuckle. When on 30 December last year, it has obtained an exploration area 260 times the size of its original one, and a contract to work for at least another 30 years it must have been laughing. For more than 20 years, the Amungme people have lamented Freeport's neglect of their land rights. So while Freeport creates a new public image, more reports emerge of the Amungme's plight.*

According to the Indonesian Constitution, "The earth, the waters, along with the natural resources contained therein, shall be regulated by the government and are to be used to promote the utmost welfare of the people" (Article 14).

It is by such a law that the people of West Papua, annexed by Indonesia in 1963, are ruled. But in 1967, two years before West Papua 'voted' to be part of Indonesia, the Indonesian government conceded 10,000 hectares of local people's land to Freeport Indonesia Inc (FII). Traditional rights to the land were neglected, but 'due consideration' was to be given to the interests of the local population, according to FII's work contract. Though the provincial government was "getting no payback", according to M.Z. Wasaraka, an official of Golkar, Jakarta was paid around US \$43 million in royalties and other taxes.

But then, the Constitution isn't referring to the traditional owners of the land when it talks of "the people": it is talking about Indonesians, about 65% of whom live in Java. Small wonder the tax revenues go to Jakarta.

## Freeport's 30-year contract

The new 30-year contract – with two 10-year extensions subject to certain conditions – permits Freeport to explore a 2.61 million hectare area stretching through the Baliem valley almost to the Papua New Guinea border. Since their exploration targets lie on a geological mineral trend that extends throughout most of New Guinea, the company's chances of striking another Grasberg are pretty high. And given the company's past commitment to local people, who are the traditional owners of the land on which they live, the prospect is frightening.

Until recently, the reality of Freeport's mining activities have been shielded from the rest of the world. Not only has the use of their original concession area ignored the rights of its traditional owners – they were never consulted on the land's "regulation" by the Indonesian government – but the company's relations with these people since have been notoriously bad: the 1977 sabotage of Freeport's fixtures by local people is the best known manifestation of these. While the government paid no attention to the underlying reasons for that action, blaming it on the OPM (the armed resistance movement in West Papua), it quickly came to the aid of Freeport: American OV-10 Bronco bombers were used to strafe the area of Ilaga village, driving the survivors into the bush.

Until recently no journalists were allowed to visit either the local people or the mining site. But as Freeport began to see their long term future unfold, it realised the importance of its public image. So, in the last few years, a number

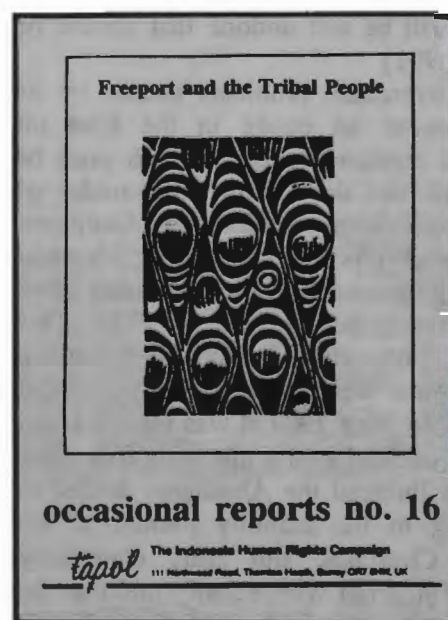
of outsiders have been allowed to visit the mining area. The reports emerging contain a mixture of reticence and ambiguous apology from Freeport, and a mature feeling of resentment among the local population.

"After twenty years of experience in the area there are things that could have been done, or could have been done differently", Freeport confessed to NGOs in October 1990.

## Betrayed promises

*Tifa Irian*, a Jayapura newspaper, visited Freeport in 1991, speaking to officials as well as to local people (see *TAPOL Occasional Report 16*). It reported the case of Moses Kilangin and the 50 Tsinga people he gathered in 1960 to escort a survey team up Mt Ertsberg. According to Kilangin, they received nothing for their services despite the team leader's promise that they would get wages later. Sitompul, Government Relations Manager for FII, now acknowledges that "they ought to have got a mark of appreciation from that expedition team". Yet for other work done by Kilangin to facilitate negotiations between the company and the local people, Sitompul swings between claiming that Freeport "did once give him a fee of \$300 per month" and arguing that Kilangin was merely performing his duty as a government official, and so should not have expected special remuneration. Freeport's conscience thus seems confused as to the respect it gave to the work of the local people.

Perhaps this is why Freeport has made little effort to



**Occasional Reports No. 16** contains three investigative articles from *Tifa Irian*, the Jayapura newspaper, examining Freeport's treatment of tribal people driven from their land, to make way for a copper mine.

**Price incl. postage: £1.00**



involve the local people in its operations. During the 1980s, 4,000 new workers were recruited from outside West Papua – not only from Indonesia, but from the Philippines and Korea – and in July 1991, the *Asian Wall Street Journal* reported that less than 15% of the 7,500 employees of FII were local people. Recruitment for FII is carried out by two Indonesian agencies who "make a practice of favouring persons from outside," according to *Kabar dari Kampung* (KdK), the publication of an NGO which visited Freeport in 1988. They have called for a firmer line to be taken by FII with the hiring agencies. The excuse usually given is the lack of the necessary skills among Papuans. But, as even Cosmas Batubara, the Indonesian Minister for Manpower, asked, "Why is it that the local people cannot be given the skills?" (KdK). Whether Papuans are recruited for a new training centre in Jayapura remains to be seen. Giving good jobs to Papuans is certainly something to which Freeport "hasn't given serious attention yet," notes the Rev. Nato Gobaipr, a clergyman in Timika.



*The Freeport plant in Tembagapura: a glow (for investors) in the dark (for the people).*

General Manager Tommy Williams admits that "in the early days, we were guilty of focusing too much on the engineering challenges and financial survival". Now he promises that "nothing will be left undone that should be done." [AWSJ, 25 July 1991]

If Freeport wishes to overcome problems caused by its past practices, and promote an image in the least bit sympathetic, there is one outstanding issue which must be settled. Freeport has still not dealt with the transfer of control of their original concession area from the Amungme people. When asked about this by *Tifa Irian*, Sitompul evaded the issue, claiming ignorance of the settlement made between FII and the Amungme in January 1974. This promised them a variety of educational, residential, medical and shopping facilities. Most were built, but only a pitiful amount is now available. In May 1977 it was reported that the buildings had been converted into army posts following the bombing raids which induced the Amungme to flee to the mountains, according to the monthly journal of the Indonesian Council of Churches. But army complicity doesn't help FI's image: *Tifa Irian* was recently told that the "facilities were destroyed by the GPK [OPM] in 1977". [See *Occasional Report 16*] But if Freeport was embar-

assed at the show of resistance to its operations, it might have considered that they were causing more than a "minimal disruption to hunting and gathering activities", as NGOs were told in 1990. [Down to Earth, Feb 1991]

Yet if the Amungme still resent the lack of compensation for the 10,000 hectares provided for in the 1974 agreement, they now have no legal leg to stand on, because of the lack of specificity of the agreement. "It would have been better if, in preparing the agreement, the people had been aided by someone conversant with legal matters", argues KdK.

## Buying into the company

The Amungme have tried a number of ways to deal with their plight. After peaceful demonstrations failed, they cut Freeport's pipeline. Now that their imperious neighbours are set to expand more and more, the younger generation are thinking of methods more appropriate to dealing with an international company. The Amungme Traditional Organization, Lemasa, has asked Freeport to allow the Amungme money to reinvest in company shares, thus allowing them a say in company decisions affecting their property. Freeport hasn't even wasted a moment to acknowledge the letter.

FII's latest agreement with Indonesia requires the parent company, Freeport Mc MoRan Copper and Gold Corp. (FCX) to substantially reduce its 90% ownership of the company by 2100. A 10% share was recently sold to the Indonesian Bakrie Group at a price of US\$213 million, thus putting the value of FCX at more than US\$2.1 billion. Meanwhile the provincial government, concerned at the social and environmental impact of Freeport's development, also plans to buy shares in the company. But at such a price, even the 70% of FII's royalty payments it has begun to receive in recent years, US\$4 million or more in 1988, could afford it little voting power with Freeport.

Meanwhile the Indonesian press has praised the charity of FII, publicising three resettlement programmes conducted by the company to promote "Social Solidarity in Irian Jaya"

*continued on page 15*

## West Papua: The Obliteration of a People

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

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**West Papua: The Obliteration of a People**





## Winning international 'consent'

*In November, UN Secretary-General, Perez de Cuellar said he would send an inquiry team to East Timor, but nothing happened. The new Secretary-General Boutros Boutros-Ghali plans to send an envoy to Jakarta. Foreign Minister Ali Alatas said that Jakarta would welcome a UN envoy but any international inquiry in East Timor would have to go through "the proper procedures" (giving Indonesia the final say). Clearly, UN action depends on the political will of governments.*

### Washington's response

Speaking at a press conference before leaving for Asia, President Bush described the 12 November massacre as a "tragedy". But it was clear from State Department daily press briefings that, although Washington condemned the massacre, it relied on the Indonesian government to carry out a "credible" inquiry. When the KPN report came out, it was welcomed as being "serious" and "responsible".

At the heart of Washington's response is its recognition of Indonesia's annexation of East Timor. Hence, it sees no need for a UN investigation into the massacre. Washington recognition is not *de jure* as it maintains that no valid act of self-determination has taken place but that carries no weight in determining policy.

This is clear from the talks at the White House when Portugal's President Soares visited Bush in January. Although East Timor was discussed, it was not even mentioned in the White House release afterwards which alluded only to "Asian developments".

The Administration has rebuffed moves in Congress to press for aid and arms sanctions against Indonesia in the wake of the Santa Cruz massacre. This drew an editorial comment from *The New York Times* [21.I.1992], which till recently treated East Timor virtually as a non-issue:

*"This skittishness harks back to the cold war deference to a huge Asian country that has been a major buyer of US arms.... Less deferential members of Congress have forthrightly condemned Indonesia's Tienanmen and are weighing*

*trade and loan sanctions. That may be the kind of 'Asian development' that Jakarta's rulers will take seriously."*

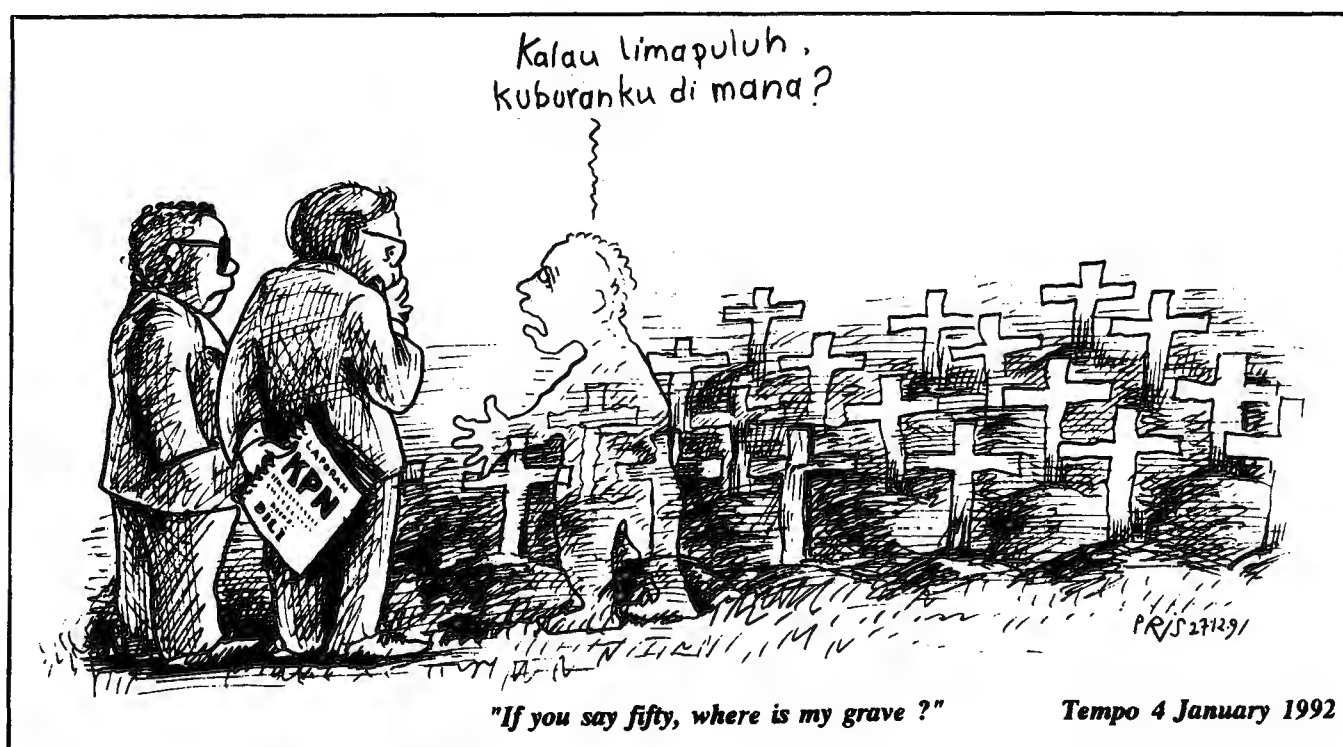
### The Dutch response

The Dutch government came under strong pressure from MPs soon after the massacre, forcing it to suspend new aid projects. Its initial response to the KPN report was rather cautious. It was "a step in the right direction" though Holland would still press for an international inquiry.

On 20 January however, the Overseas Development Ministry announced that aid would be resumed. On the same day, the Foreign Minister spelled out, in a letter to Parliament, the background to this decision. He was "encouraged" by the report, by Suharto's decision removing two generals from their posts, and the investigation into the conduct of the troops during the 'incident'.

The final position will hinge on Jakarta's response to the UN Secretary-General's efforts to send a "special envoy" to Indonesia. Foreign Minister, Hans van den Broek referred to Jakarta's willingness to allow the envoy to make a visit to East Timor. "If the Secretary-General is not able to reach agreement on the modalities of this visit, the (Dutch) government will consult with its EC partners to reach a decision in the light of the resolution on Human Rights, Democracy and Development adopted by the EC Development Council last November."

This looks like deft manipulation on the part of the government. Aid is resumed although some conditions may





## West Papuan briefs

### Famine strikes the Yali people

119 people are reported to have died of starvation in the subdistrict of Kurima, which lies to the south of the Baliem valley. Famine is not unprecedented in this area inhabited mostly by Yali people. The worst to afflict the area was in 1979.

The Yali cultivate gardens to grow tubers, taro, beans and all kinds of other vegetables, sacrificing pigs according to custom, only on ceremonial occasions. But *Suara Pembaruan*, a Protestant newspaper, describes the lament of local missionaries who try to encourage the Yali to spend more time clearing land for cultivation, and less time collecting coconuts, a status symbol which they carve. The Lutheran and Gospel missionaries in the region thus put local traditions at fault.

The famine is thought to have coincided with the start of the rainy season in April. Yet despite missionary efforts to avert famine – there are, for example 214 Care Centres in the region – *Suara Pembaruan* reports that the plight of the Yali was only "discovered in December by a missionary" [Reuter], at which time the provincial government was alerted to provide emergency food supplies. Why so late?

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not be met. The Hague does not want to start preparing for this year's aid consortium meeting in June with any hint of aid suspension cluttering up the proceedings.

### Australia's response

Foreign Minister Gareth Evans was relieved at the KPN's decision to revise the death toll from 19 to 50. This, plus strictures on the aberrant behaviour of the troops, a formulation proposed by Canberra, led him to describe the KPN report as "positive and helpful". But what made things even easier for Canberra was the "sacking" of the two generals.

Senator Evans is a pastmaster in ambiguities which allow some expression of "concern" while going on with business as usual. (While Canberra was wringing hands about the "tragedy", 20 oil companies won contracts to explore for oil in the Timor. These were signed at a secret location to evade protest demonstrations.) He told a press briefing that he had told the Labour Party Caucus in mid-January: "We will be emphasising the need for those who condoned or used excessive force to be punished." (Does this include General Try Sutrisno?) And: "Those people who are simply described as 'political prisoners' should, in our strong view, be released."

However, Evans had little compassion for East Timorese in Canberra who were mourning the dead. Under pressure from Jakarta about crosses placed outside the Indonesian embassy in Canberra, he assumed special powers allowing him to order the removal of the crosses, even though they were on public land.

### The Japanese response

Nothing, it appears, will shake Japan's determination to continue to supply Indonesia with all the aid it needs. Deputy Foreign Minister Kakizawa said: "We hope Indonesia will continue to take balanced measures in order to gain the consent of the international community." (The purpose of Suharto's manoeuvring could hardly have been put more bluntly.) He welcomed the "sacking" of the two generals as "objective and fair", even praising Suharto for "this brave action".

### Other responses

At the time of going to press, nothing was known about

### Anti-logging Demonstration

A logging concession in the Bird's Head peninsula has brought crowds of local Moi people to their feet in protest. About 80 people demonstrated in Sorong outside the Forestry Office, shouting demands for the provincial government to cancel PT Intimpura Timber's logging programme which threatens the Moi's livelihood of sago from the forest.

"If they take our forest, rural villages and sago grounds, then what will our grandchildren eat?" asked one woman.

The local people, braving the street despite the army's reputation for arresting demonstrators suppressing demonstrations, evidently fear the fate of many other victims of such concessions in the province, where traditional landowners receive little to compensate for the loss of a vital element of their culture and well-being.

### OPM attack police post

OPM forces attacked a police station east of Marauke on 24 January. According to *Antara News Agency*, several Indonesian soldiers were injured and one OPM guerrilla was killed in an exchange of fire which lasted for one hour.

Canada's and Denmark's response. These were the other countries besides Holland which suspended aid in the wake of the massacre.

A British Minister described the KPN as "a serious body with integrity". [House of Lords, 14.1.92] Other than this, the British government has made no public response to the KPN report.

### Socialist International mission

In keeping with a resolution adopted at its annual meeting in Santiago last December, the Socialist International plans to send a mission to East Timor for one week, from 1 till 7 February 1992. At the time of going to press, negotiations with Jakarta about this mission were still under way.

### European Parliament hearing

The Human Rights Sub-Committee of the European Parliament decided in July last year to hold a hearing on the human rights situation in East Timor. The hearing will probably be held in Brussels, some time in March.

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