



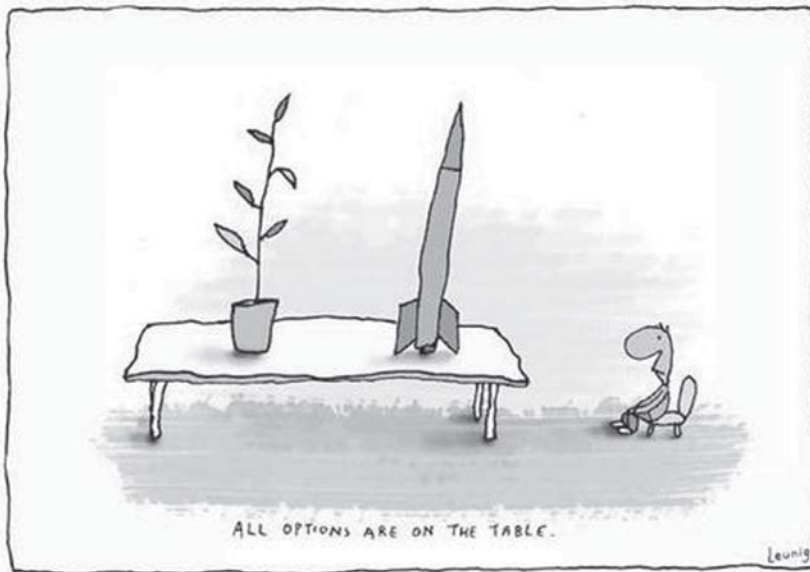
# Suara Demokrasi

Indonesia Human Rights Committee

Autumn 2007

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## Super Fund invests in death and environmental destruction



Leunig, *The Age*

Students for Justice in Palestine led a lively march to the Auckland offices of the Super Fund on 20 March. The group called for the Super Fund to divest in 12 companies that are engaged in manufacturing nuclear weapons or cluster bombs, causing massive ecological destruction or are responsible for committing systematic human rights and labour violations.

The superannuation fund currently holds NZ\$64 million worth of shares in these 12 companies. They include Raytheon Company, Lockheed Martin Corporation, BAE Systems Plc, Northrop Grumman Corp., and United Technologies Corp. Two companies, Wal-Mart Stores Inc. and Wal-Mart de Mexico SA, consistently and systematically violate labour and human rights in developing nations. Norway currently excludes these companies from its oil fund share portfolio on ethical grounds.

The list includes Freeport McMoRan Copper & Gold Inc. which owns and operates one of the world's largest gold and copper mines in West Papua. Freeport disposes close to 230,000 tonnes of tailings each day, releasing large amounts of sediments and heavy metals

such as copper, cadmium and mercury into the river system.

IHRC also seeks to focus attention on ExxonMobil, in which the Super Fund invests nearly \$43 million, one of the ten biggest holdings in the Super Fund portfolio. ExxonMobil operates a massive natural gas plant in Indonesia's Aceh province, where new autonomy law only gives the Acehnese a say in the management of oil and gas, rather than full control. The unjust exploitation of the gas wealth has always been a major contributor to the deep resentment of rule from Jakarta.

In the United States there is a long running law suit against Exxon brought by the International Labor Rights Fund on behalf of

11 Aceh villagers who claim that the company was complicit in murder, torture and sexual abuse carried out by Indonesian soldiers guarding the plant. Human Rights groups claim that Exxon's logistical help to the military even includes providing the earth moving machinery needed to dig mass graves. In 2002 Exxon succeeded in getting the Bush administration to press for the suit to be withdrawn. However, this year a US Judge allowed the case to go forward.

The Super Fund says it is committed to the international Principles for Responsible Investment as set out in a UN Global Compact. But these principles state explicitly that businesses should support 'internationally proclaimed human rights, promote environment responsibility and support the development of environmentally friendly technologies'.

IHRC was represented in the delegation which met with the CEO of the Fund, Adrian Orr, during the demonstration and challenged Mr Orr about how the UN Principles could be reconciled with the current investments. The Fund's Media Release issued on the same day states that "the Fund is continuing to assess issues in this area."

# Military ties with Indonesia resume

Without so much as a Media Release, the Government has resumed defence cooperation with Indonesia by inviting the Indonesian military to send an officer to attend this year's NZDF Command and Staff College course.

One sentence was included in a speech from Minister of Foreign Affairs Winston Peters late last year at a meeting of the Centre for Strategic Studies conference at Victoria University, Wellington: "Indonesia has accepted our invitation to have an officer attend next year's NZDF Command and Staff College course, and the College's tour will incorporate Indonesia." Predictably, the Indonesian Ambassador to New Zealand, Amris Hassan, welcomed the move suggesting to Indonesian media that it is a 'new chapter in the relations between two countries'.

IHRC disputes our Government's claim of 'steady progress' in TNI reform. It is not realistic to expect fundamental change in the ranks of the Indonesian military or the security forces generally, while those responsible for past human rights violations are protected by a culture of impunity. Only one person, East Timorese militia leader Eurico Guterres has been held to account for the maelstrom of violence in East Timor in 1999. The UN has made repeated and unambiguous demands for this situation to be rectified. "The 2004 trials for the 1984 Tanjung Priok massacre of Muslim demonstrators led to acquittals, while the first trial before a permanent human rights court—for the killings and torture in Abepura, West Papua in December 2000, concluded in September 2005 without anyone being held to account." The investigation into the murder by poisoning of prominent human rights activist Munir in 2004 remains unresolved despite the high profile attention the case has received in Indonesia and around the world.

There are fundamental impediments to reform of the Indonesian military: it remains out of the control of the civilian authority and it relies largely on its own



independent sources of financing for most of its funding. Officially the military is supposed to be divested of its businesses and other money-making ventures but most commentators believe that there is little if any progress towards this goal.

Clinton Fernandes author of *Reluctant Indonesians: Australia, Indonesia and the future of West Papua* (Scribe 2006) writes "the TNI today is not a neutral instrument of the elected government but a partisan force with its own agenda. Through its territorial command structure, it remains embedded at every level of Indonesian society, including the bureaucracy, legislature, and economy.

The TNI also oversees activities such as extortion, gambling, prostitution, protection rackets, strike breaking and private security. It maintains monopolies on essential commodity distribution, and regulates Indonesia's huge informal sector. Its officers engage in commercial activities that increase their personal wealth, and they influence the electoral process by supporting or opposing civilian politicians. The key factor in deciding on links, is whether one supports the repressive elements in Indonesia, or the Indonesians who are fighting this repression."

Timor-Leste's Commission for Reception, Truth and Reconciliation (CAVR) which undertook its task with UN backing, recommended that no state should resume military cooperation with Indonesia until there has been genuine 'progress towards full democratisation, the subordination of the military to the rule of law and civilian government and strict adherence with international human rights, including respect for the right of self-determination'.

**Please support the IHRC campaign to reverse this decision which sets back the hopes for genuine military reform and human rights accountability in Indonesia.**

## The Presidency of Gerald Ford: an alternative perspective

When former President Ford died at the end of 2006, he was praised as 'gentlemanly' leader. But the US Government documents of the time, many of them now declassified and archived on the internet by the Washington based National Security Archive tell a different story.

President Ford's administration welcomed the 1976 military takeover in Argentina and turned a blind eye to its sequel, "Operation Condor", a joint effort of the secret police services of Chile, Paraguay, Bolivia, Uruguay and Brazil aimed at ensuring that no critic could escape

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# Kwila dominates outdoor furniture market

IHRC has written to the Prime Minister, Minister of Forestry Jim Anderton and Minister of Conservation Chris Carter calling for a ban on the import of products made from the tropical hardwood, kwila. Please support this call with your own letters.



## Extract:

"The West Papua jungle is being stripped by indiscriminate logging and almost all of the logging activity is illegal... the loss of irreplaceable forest resource threatens to deprive the world of an ecosystem characterised by an incredible biodiversity consisting of unique species of birds, animals and plants, many of them only recently discovered.

Every year Indonesia loses some 2.8 million hectares of forest, an area about the size of Belgium. Now that Borneo and Sumatra have little jungle left, the loggers are intent on West Papua, which shares the world's third largest tropical rainforest with neighbouring Papua New Guinea. Only the Amazon and the Congo have larger tracts.

Because of factors such as the endemic corruption in Indonesia's civil service, and the powerful role of the military, Indonesia is unable to deal with this problem without assistance. We note that the Indonesian Minister for the Environment Rachmat Witoelar recently made a plea to western consumers, asking them to avoid illegally logged Indonesian timber. Witoelar said "We are appealing today to the conscience of the whole world: do not buy uncertified wood."

New Zealand is in a position to take action because timber stolen from the West Papua rainforest currently imported unchecked into New Zealand. The wood from the kwila or merbau tree (*Intsia spp.*) is freely available and widely promoted in the form of decking timber and outdoor furniture. Kwila is dominant in the market for wooden outdoor furniture. Greenpeace has researched the origins of this wood and states that almost all of the kwila coming to this country has originated in either Papua New Guinea or West Papua. IHRC members have conducted informal enquiries in Auckland and can

confirm this finding, although many retailers were reluctant or unable to provide clear information about the origin of their kwila made items.

According to EIA and Telepak there are no independently certified forests in West Papua. These two groups have also obtained evidence that some kwila is smuggled out

of West Papua on vessels which subsequently call at ports in Papua New Guinea where additional logs are added and PNG supplied documentation obscures the origin of the wood.

In West Papua, as you will be aware, many communities live isolated subsistence lifestyles. They are subject to military intimidation. Environmental activists as well as human rights activists are also frequently faced with violence and the prospect of arrest when they try to defend local people and the environment. We believe that the people in Papua New Guinea often experience similar harassment when they try to oppose logging practices.

We understand that the Government policy announced late last year is to 'discourage' the import of illegal wood and to forbid government departments from using it. We believe that this policy is manifestly ineffective in terms of reducing the amount of kwila being imported into New Zealand and we would strongly urge that the government impose ban on the import of all tropical rainforest kwila into New Zealand.

Yours sincerely,  
Maire Leadbeater  
(for the Indonesia Human Rights Committee)

"The agreement is not useful for Australians, Indonesians and West Papuans. It only serves the Indonesian government policy of continuing their crimes against West Papuans, Indonesian civilians and foreigners. The Indonesia and Australian governments should be protecting human rights, encouraging the development and implementation of democratic principles, and upholding the supremacy of law for the people of Indonesia, the Indigenous people of West Papua, Australian citizens, and the peoples of the Pacific island nations. **We will never, never, never, give up.** God Bless Australia". Canberra, Australia, Monday 26 February 2007 Herman Wainggai, leader of the group of 43 West Papuan asylum seekers.



# Balibo inquest



Brian Peters



Greg Shackleton



Gary Cunningham



Malcolm Rennie



Tony Stewart

George Orwell wrote that “he who controls the past controls the future, and he who controls the present controls the past.”

For over thirty years western governments have tried to control crucial information about how five journalists, including New Zealander Gary Cunningham, lost their lives at Balibo, East Timor, on October 16, 1975. The journalists were about to reveal the extent of Indonesia’s then covert advance into East Timor and the cover-up served to facilitate Indonesia’s decision to mount a full scale invasion and occupation of the beleaguered country.

Former Australian diplomat James Dunn, now a human “rights investigator and writer, and who was in Dili at the time wrote recently: “I was summoned to an urgent meeting with the Fretilin military commander who told us that the small Fretilin garrison at Balibo had withdrawn in the face of an attack by a large Indonesian force, one supported by tanks and artillery. We gleaned from two members of that garrison that the journalists had probably been summarily executed by the invading troops, an assessment I conveyed by telegram to Senator Willissee, the then Australian foreign minister.

Since then a lot more information has surfaced from witnesses to the tragic events of that time, especially since the end of Indonesian occupation, and it is now really beyond doubt that the newsmen were summarily executed by a special forces unit led by Captain Yunus Yosfiah, who later spent years in East Timor, much of the time commanding one of the most notorious TNI battalions.”

Now a coroner’s court in Glebe, Sydney, is conducting an inquest into the death of British journalist Brian Peters who was a New South Wales resident at the time of his death. Fortuitously, NSW has an unusual provision in its legislation that allows for a coronial inquest in the absence of a body.

This judicial enquiry is not yet complete but it has already heard compelling evidence which demolishes

Indonesia’s account that the newsmen were killed in crossfire between the warring parties. However, the most dramatic revelations implicate the Australian Government and its intelligence services in covering up evidence and destroying crucial documents.

New witness evidence also attests that the murder of the five Australian based journalists was premeditated by the Indonesian Military. Fernando Mariz, former bodyguard to Indonesian Colonel Dading stated : “When I told Colonel Dading about the presence of journalists in Balibo, he told me that he had prepared good treatment for them, which I understood to mean that the journalists were going to be killed.” Ian Cunliffe and George Brownbill, member and secretary respectively of the Hope Royal Commission on Intelligence and Security, testified that in 1977 at the Shoal Bay Defence Signals Directorate (DSD) base in Darwin they were shown the transcript of an intercepted Indonesian military communication. This included the phrase ‘as directed or in accordance with your instructions the five journalists have been located and shot’. The transcript also included a request for further instructions as to “what we should do with the bodies and the personal effects of the journalists”.

Mr Cunliffe, a lawyer, said that the document had weighed on his mind for 20 years but if it had been made public it would have alerted Indonesia to Australia’s intelligence gathering. The ‘mystery man’ – the officer who showed the wire to the two officials has not come forward – yet.

Mr Brownbill believes the intercept may since have been destroyed – inadvertently or deliberately commenting: “That’s what governments do.”

Former Office of Current Intelligence (OCI) senior intelligence analyst Dr Gary Klintworth told the inquest he saw details about the deaths on October 17 in a signals intercept picked up overnight by DSD from the Indonesian military in East Timor.

It said: "Among the dead are four white men. What are we going to do with the bodies?"

However, when he passed this information on in a memo to his deputy chief John Bennetts he was ordered to destroy the memo along with a batch of up to 25 copies.

OCI's former chief Rowen Osborn said he always assumed Mr Whitlam and his senior officials were told within days about the DSD intercept regarding the journalists' deaths. Mr Osborn said he and Mr Bennetts prepared a series of three special reports on the deaths which were sent to Prime Minister Gough Whitlam, his foreign and defence ministers and their department heads.

Much of the evidence about intelligence matters were dealt with in closed court sessions but a former DSD staffer and linguist Robin Dix told the court that he translated an Indonesian military signal on October 16 which read "Five Australian journalists have been incinerated/burnt to a crisp." This transcript was immediately telexed to DSD's Melbourne Headquarters.

Colonel Yunus Yosfiah headed the invasion in the Balibo area, on 16 October 1975 and subsequently pursued a glittering military career followed by a stint as a Cabinet Minister in the Habibie Government. He has refused to attend the inquest and the Indonesian Government says the warrant issued by the Sydney court has no jurisdiction in Indonesia. Yosfiah is currently an MP for the Islamic United Development Party.

Yunus Yosfiah has now been named by one witness as starting the shooting, firing at Mr Peters from 3 metres away as he stood with his hands up and palms out in a sign of surrender. Yosfiah has spoken to the Australian media but he evaded direct answers to the allegations that he was responsible for the deaths. Instead he has said that the witnesses were seeking political protection.

### **Some challenges remain for the inquest when it resumes on 1 May 2007:**

- ⇒ Will the inquest recommend that there be a war crimes prosecution against the Indonesian Commander at Balibo, Yunus Yosfiah?
- ⇒ Will former Australian Prime Minister Gough Whitlam and his close aides be subpoenaed to give evidence?
- ⇒ Will New Zealand face the music?

New Zealand officials of the day advised then Prime Minister Rowling to say as little as possible about cameraman Gary Cunningham's death and if asked to stress that he was working for an Australian TV channel and was resident in Australia.

The Cunningham family, including Gary's brother Greig Cunningham, who lives in Australia have long sought a more active role from the New Zealand Government and an apology for past inaction. But the Government seems to be persisting in its hands-off approach. IHRC has called on the Government to fulfill the recommendation of the Timor-Leste Commission for Reception, Truth and Reconciliation that Australia, Britain and New Zealand should undertake a "joint initiative" to get to the truth about the journalists' deaths. The Minister of Foreign Affairs replied to IHRC in February that he intended to "await the outcome of the Australian inquest before giving further consideration to the specific recommendations of the CAVR in relation to this case".

Reporters without Borders recommends that New Zealand as well as British and US officials should attend the next inquest session to offer all the information they have about the deaths of the journalists. New Zealand should also call on Indonesia Government to make its records and documents available to the Sydney court in the interest of full accountability.

### **What can you do?**

Write to your MP and MAF Winston Peters  
c/- Parliament Buildings, Wellington to urge Govt  
⇒ to offer to participate in the inquest proceedings  
⇒ to contribute any intelligence/other official documentation held by NZ government

### **Balibo inquest update links:**

Pacific Media Watch: [www.pmw.c2o.org](http://www.pmw.c2o.org)

Pacific Media Centre: [www.pmc.aut.ac.nz](http://www.pmc.aut.ac.nz)

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### **Gerard Ford cont. from p.2**

the net of persecution. However Secretary Kissinger was concerned because he feared Congress would not agree to American backing for a campaign based on repression and state terror. So Kissinger advised haste. In June 1976 he told the Argentine Foreign Minister: "If there are things that have to be done, you should do them quickly." (National Security Archive, Briefing Book Number 133) By the end of 1976 10,000 Argentines had been 'disappeared' or assassinated.

Haste was also the order of the day when President Ford and Henry Kissinger visited Jakarta on 6 December 1975 just twenty four hours before Indonesia launched a full scale naval and air invasion of East Timor. Indonesia had earlier pledged to use United States weapons 'solely for legitimate national self-defence' but Secretary of State Kissinger suggested a way around these legal obstacles as he explained to

*Continued on p.7*

# Tommy Suharto released early for murder

by Murray Horton

Editor: Watchdog (CAFCA Journal)



## Tommy Suharto

(better known to us as Tommy Klepto), the most heroically corrupt offspring of the murderous and kleptocratic Suharto dictatorship which plundered

and terrorised Indonesia from 1965-98, was a regular fixture in *Watchdog* throughout the 1990s, courtesy of his ownership of the luxury Lilybank Lodge resort and high country station in the central South Island's Mackenzie Country. Tommy was the poster boy of precisely who should not be allowed to buy land in New Zealand. CAFCA dined out on Tommy and Lilybank for years and we were almost sorry to see him go – his circumstances changed when Daddy Klepto was overthrown in a popular uprising in 1998 and Tommy sold Lilybank to his Singaporean business partner for the highly dubious sum of \$1 the following year. Since then, Lilybank has been re-New Zealandised and disappeared from the media headlines that it, and CAFCA, used to regularly command.

What happened to Tommy? In 2000 he became the first and only member of the Suhartos to ever be convicted of anything and was sentenced to 18 months prison for a multi-million dollar land scam. He was having none of that and promptly shot through. Ironically, whilst he was underground, he was acquitted on appeal, a decision that shocked (but didn't surprise) the nation and the world. Tommy was a busy boy during his more than a year on the run – he was accused of procuring the murder of the judge who had sentenced him to prison. In late 2001 Tommy was recaptured and finally went to prison (where his conditions were befitting the billionaire son of the former dictator). He was charged with arranging the murder of the judge, fleeing from justice and possessing illegal rifles, handguns, grenades and explosives. He went on trial in 2002.

“But Tommy's four month trial sometimes veered into farce. At one point his lawyer was accused of bribing witnesses in the trial and had to spend two weeks in jail. Tommy himself was brash and sarcastic throughout, calling in sick on several occasions and boasting at one point that he stayed out of jail through 'coordination with law enforcers'. But (in July 2002), the judges in Jakarta proved that reformasi was still alive by ruling that Tommy had masterminded (Judge) Syafiuddin's killing, paid \$US11,000 to two gunmen and loaned them one of his own pistols to use in the attack

(those two were convicted of murder in February 2002 and are serving life sentences)...(On the day of sentencing his lawyers) insisted their client's stomach cramps and headache had kept him in his comfortable, air conditioned cell – outfitted with a television and a stereo system – and away from the Jakarta courtroom....Such was the reputation of Tommy, 40, youngest son of former Indonesian President Suharto, that observers in the packed, tropical courtroom thought that malingering might actually set him free. They were wrong, as they discovered when the court declared the absent Tommy guilty on all four charges and sentenced him to 15 years in prison.

“...The sentence handed down is considerably softer than the life terms being served by his henchmen. 'According to any legal logic', says Frans Hendra Winata, a Jakarta-based legal expert, 'the mastermind behind the killings has to get a heavier verdict than the executioners'. The court explained its decision with a list of mitigating factors: that Tommy had been depressed, had a family to support, that he was young and was capable of reform...'. From a legal point of view, this is good', says Todung Mulya Lubis, a prominent Jakarta attorney. 'No one ever imagined in the past that someone like Tommy Suharto could be convicted'. (Time, 5/8/02: "Throwing the Book at a Suharto")

## Special Treatment

And that was the last time that Tommy was mentioned in *Watchdog* (101, December 2002: "Lilybank Finally Sold: From A Kleptocratic Murderer To Common Or Garden Local Capitalists", by Murray Horton, which can be read online at <http://www.converge.org.nz/watchdog/01/02.htm>. In the intervening years, his sentence was cut from 15 to ten years (intriguing, as Tommy himself did not appeal either his sentence or conviction). And then, lo and behold, in November 2006, the 44 year old was released, after serving four years. To quote Time (13/11/06; Milestones): "His early release for good behaviour, while the men who carried out the hit are still serving life terms, has prompted criticism that Indonesia's wealthy still benefit from special treatment under the country's justice system". You could have knocked me down with a feather!

Tommy's early release (four years cushy imprisonment for arranging the contract murder of a judge is pretty good going) appeared in Time's Milestones alongside the news of Saddam Hussein having been sentenced to hang for a small selection of his many crimes against his own people. But, ah, the Iraqi butcher was not Our Son of a Bitch (well, not at the finish anyway), whereas

the Indonesian butcher was. American tanks bringing “regime change and democracy” were never to be seen in the streets of Jakarta during Suharto’s long reign of terror, which included genocidal slaughter on the scale of the Nazis. The old mass murderer has never been charged with anything, let alone faced the gallows, and will die peacefully in his own bed. And his thieving family go on their merry way. At least one hopes that, if Tommy ever decides to try and buy a nice retirement block of land in New Zealand, the Overseas Investment Office might actually deem him to be “not of good character” this time around.

**Postscript:** In March 2007 a new scandal surfaced. While still inside in 2004, Tommy hired the legal firm *Ihza and Ihza*, which is run by State Secretary *Yusril Ihza Mahendra*, to withdraw US\$10 million from his funds held in the London branch of *Bank BNP Paribas*. *Yusril* has had to answer to challenges of conflict of interest and other branches of Government including the Attorney General’s office have had to answer claims that an official letter was provided to support the funds transfer.

Whatever the truth of that it is clear that Tommy still has substantial funds tucked away in overseas banks and in companies such as the improbably named “*Motorbike*” in the Bahamas. *Maire Leadbeater*

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**Gerard Ford** cont. from p.5

President Suharto: ‘it depends on how we construe it, whether it is in self-defence or is a foreign operation.’

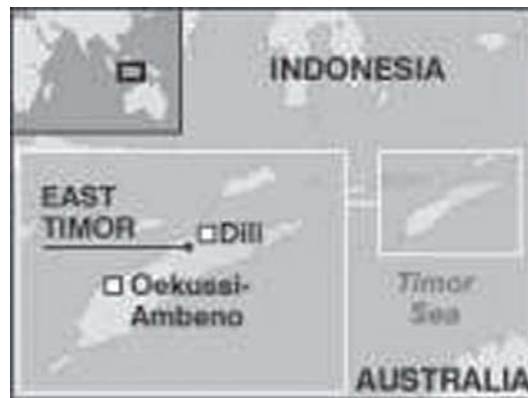
He went on to emphasise that ‘It is important that whatever you do succeeds quickly. We would be able to influence the reaction if whatever happens, happens after we return ... We understand your problem and the need to move quickly but I am only saying that it would be better if it were done after we returned’ (National Security Archive Briefing Book 62).

This notorious episode is sometimes described as the ‘the big wink’ but of course Indonesia had been sounding out President Ford and his officials for a year prior to the invasion. The documents of the time show that President Suharto was a ‘dove’ compared to his military and intelligence ‘hawks’ until he was persuaded of US backing.

There can be little doubt that without US support the invasion could not have succeeded. Less than a week after the invasion the United States National Security Council prepared a detailed breakdown of all the United States equipment used. Some ninety per cent of all the naval air and ground force equipment was supplied by the United States. This included destroyers used in coastal shelling, landing craft, and the C 47 and C 130 aircraft that dropped Indonesian paratroopers. The paratroop jump masters had been US trained and their weaponry was supplied by the United States. (National Security Council Country Files Indonesia Box 6)

Even so, the invasion of East Timor did not succeed quickly as Ford and Kissinger had hoped and over the nearly twenty-four years of Indonesian rule US administrations kept Indonesia supplied with weapons, training and economic aid.

It would be unfair to attribute the full blame to President



Ford who lost office after the US elections of November 1976, but it is unjust to the memories of nearly 200,000 Timorese to wipe this crime from his record.

Sadly, New Zealand’s role, although on a smaller scale, was no less sinister. Our Government was fully in the know about Jakarta’s plans to invade and was communicating closely with

Australia and the US State Department. But instead of supporting the East Timorese, successive Prime Ministers were carefully briefed by officials to say as little as possible and to couch their statements in deceptive and reassuring terms. Immediately post invasion Prime Minister Rowling blithely welcomed Indonesian Foreign Minister Malik’s assurance that ‘the people of East Timor should be permitted to exercise their right of self-determination’. (Telegram US Embassy Jakarta to Washington DC, ‘Ford-Suharto Meeting’, 6 December 1975)

Indonesia was most appreciative when we abstained or voted against the UN resolutions condemning the invasion and rewarded our diplomats with privileged access to East Timor. New Zealand did its bit to help Indonesia’s military as well. At the same time as the period of the main Indonesian invasion of East Timor, six army personnel from the First Royal New Zealand Infantry Regiment visited Indonesia to conduct a course of instruction in small arms shooting.

Timor-Leste today is one of the world’s poorest nations and deserves great praise for a remarkable report documenting the work of its Commission for Reception, Truth and Reconciliation. Some of the Commission’s research relied on government documents supplied by New Zealand, and the conclusions clearly identify those western nations whose support was so crucial to Indonesia. Both the United States and New Zealand owe reparations and neither country’s politicians should be allowed to wipe this black story off the record.

# Plight of West Papua's political prisoners

Human Rights Watch, New York, recently released a major report which focuses on the plight of political prisoners in West Papua and the long sentences meted out to participants in peaceful protests such as flag-raising ceremonies. The criminal law provision is most often the crime of 'makar' or rebellion which is used against those alleged to support separatism. The law also includes colonial era 'hate-sowing' articles which prohibit expressions of hate or contempt towards the government.



Yusak Pakage

Human Rights Watch identified 18 political prisoners and highlighted the cases of Filep Karma and Yusak Pakage who were arrested on 2 December 2004 following a peaceful flag raising ceremony and sentenced to 15 and 10 years respectively. Freedom of expression is a basic human right and when it is

not present other rights are not secure. HRW states that without access to the province by human rights organizations, foreign correspondents and independent monitors, it is impossible to reach clear conclusions about the human rights situation.

Rev Socrates Yoman who visited New Zealand last year continues to be outspoken about the limitations in practice of the Special Autonomy Law – he says it is a new problem which has only brought more oppression. "Special Autonomy has successfully increased the number of troops and the number of migrants which has changed the balance of the indigenous and migrant populations." Royal Line passenger ships bring new migrants to



Filep Karma

West Papua on a weekly basis. Most estimates put the non-Papuan population at 45% of the total but it could be higher and is very marked in urban areas where indigenous Papuans are living on the fringes of mainstream society. Puncak Jaya: In January in the remote central West Papua highlands an estimated 5,300 civilians were forced to flee to nearby mountains and jungles, because of a new military offensive. This is not the first time thousands have been forced to flee – in 2004 the military intimidation and destruction of homes and crops sparked the first evacuation. In the forests, scores of West Papuans died because of lack of medical care, shelter or access to gardens and other food sources.



The developments leading to the new TNI campaign included a flag raising event on December 8 which some suspect was staged by the 'fake OPM'. The military reported the deaths of two soldiers who were searching for OPM members. Although the precipitating events may not be clear, it is clear that further mass evacuation during the wet season will inevitably lead to another humanitarian crisis as people try to survive without adequate shelter, food and medicine. The military denies the account of fleeing refugees but other reports describe a new military build up including intelligence officers, Brimob police and other troops.

An Elsham representative says the refugees have built shelters using foliage and wood, somewhere near the Yomu river, an area two days' walk from the nearest town, difficult to reach, and infested with mosquitoes carrying malaria and dengue fever. He said four had already died and predicted a rising death toll.

"In terms of professionalism, the TNI registered no significant progress. The institution gave no accountability for human rights violations committed by its members who were involved in shootings, kidnappings, wrongful arrests and physical abuses," Kontras coordinator Usman Hamid

**Source:** *Commission for Missing Persons and Victims of Violence (Kontras) 2006 year-end report.*

**Subscription:** We welcome new members.

For further information or to join our e-group, please contact Maire

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