

Action in Solidarity with Asia and the Pacific

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## TABLE OF CONTENTS

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## NEWS & ISSUES

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\* Reflections on fall of Sukarno, and the rise of Soeharto

\* Malnutrition deaths continue in West Java

\* Bali's vanishing rice paddies see unlikely alliance

\* NGO urges help for child prostitutes

## INTERNATIONAL WOMEN'S DAY

\* Women take to streets to condemn Sharia, porn bill

\* Commemorating IWD, 100 reject pornography bill

\* IWD actions held at parliament and state palace

\* Women activists demonstrate at State Palace

\* Yogya students reject pornography bill

\* IWD rejects discrimination and pornography bill

\* Acehese women demand to be involved in policy making

## ACEH

\* Aceh: Progressives form new party

\* Former peace negotiator arrested over Sharia violation

\* As many as 62 GAM prisoners yet to be released

\* Acehese want cloud of suspicion lifted

\* Taliban-style Islamic police terrorizing Aceh

- \* Tsunami agencies accused of lying

## WEST PAPUA

- \* No new command in West Irian Jaya
- \* West Irian election commission faces tough questions
- \* West Irian Jaya voters defy violent threats
- \* Irate Papuans attack KPUD office due to election count
- \* Top diplomat dismisses West Papua
- \* The secret war against the people of West Papua
- \* US report might help Papuan boat people

## MILITARY TIES

- \* Rice defends military ties with Indonesia
- \* US aid to corrupt TNI risks more rights abuses
- \* Rice says US ties with Indonesia transformed

## POPULAR RESISTANCE

- \* Ambon students vent anger at shooters
- \* Ambon students continue strike
- \* Hunger strike a desperate cry for attention
- \* Health, money charge debate over power lines

## PORNOGRAPHY & MORALITY

- \* Fight broadens against anti-women laws
- \* Parties agree to scrap anti-porn bill articles
- \* Pornography bill a serious threat to artists
- \* Big factions want porn bill changed
- \* Islamic moral drive spreads fear in Indonesia
- \* Lombok ladies angry over 'moral police state'
- \* Civil liberties under threat
- \* Bylaw makes any woman a sex worker

## HUMAN RIGHTS/LAW

- \* Suciwati: Fighting for justice and end to impunity
- \* Munir, Ahmadiyah attacks, churches issues for UN meeting
- \* Prosecutors snowed under by graft cases

## LABOUR ISSUES

- \* Government rapped for failing to protect migrant workers
- \* Workers demand new pro-labor law, reject amendments
- \* Indonesia targets sending 700,000 workers overseas

## WAR ON TERROR

- \* Rice seeks to boost ties with key anti-terror ally
- \* Counter-terrorism tops agenda as Rice visits

## GOVERNMENT/CIVIL SERVICE

- \* 'Suspicious' offer from House Speaker
- \* Village officials beg and borrow to reach the top
- \* House denies pay hike plan
- \* SBY says no to demands of village chiefs
- \* Palace's efficiency drive short lived
- \* ID cards sold like parking tickets, official says

## REGIONAL/COMMUNAL CONFLICTS

- \* Bombing at Poso temple injures one
- \* Security operation in Poso extended

## ENVIRONMENT

- \* Abuses by international firms to be raised with UN
- \* Illegal logging in Padang extends to national park
- \* Newmont deal no mine of controversy

## BUSINESS & INVESTMENT

- \* High cost holding back manufacturing
- \* Indonesia's down and dirty coal fight

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## NEWS & ISSUES

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### **Reflections on fall of Sukarno, and the rise of Soeharto**

Jakarta Post - March 14, 2006

J. Soedjati Djiwandono, Jakarta — Scanning the print media around March 11, it was clear that few, if any, remembered, or perhaps most just ignored or could not care less, what happened on March 11 in 1966. During the 32 years of the New Order regime under Soeharto, March 11 was regarded as sacred.

Several important national occasions were later held on that date, such as the beginning session of the People's Consultative Assembly (MPR), the supreme governing body of the republic, according to the 1945 Constitution, until the onset of the "era of reform" after the resignation of Soeharto in 1998.

March 11, 1966, was a turning point in Indonesia's

history. It was the day the late president Sukarno issued an order, later known as Supersemar (Surat Perintah 11 Maret, or the March 11 Order) to Soeharto, then a major general.

The primary significance of the Supersemar is that it was used by Soeharto as the basis of the establishment of what he called "The New Order" to replace the "Old Order", which referred to the era of "Guided Democracy" under Sukarno.

The rationale for the change, as Soeharto stated in his first "State of the Union Address" as acting president in 1967, was that Sukarno's Old Order had been a deviation and betrayal of the 1945 Constitution, particularly the ideology of Pancasila (five principles) embodied in its Preamble, and Soeharto's New Order was meant to be a "total correction" of that deviation, for his New Order would be based on a "pure and consistent" implementation of Pancasila, whatever that meant.

Yet, Supersemar has been full of mystery. Until now nobody knows, perhaps except Soeharto himself, where the original order is. Three generals — Basuki Rachmat, Amir Mahmud and M. Yusuf, all dead now, were Soeharto's messengers to see Sukarno in Bogor to receive the order. The first died in 1967 of a heart attack. The other two died much later, both taking the secret to their graves.

Some time after the resignation of Soeharto in 1998, however, a TV station rebroadcast Sukarno's speech about the March 11 order. This proved the existence of Supersemar. The most important part of Sukarno's usual fiery speech was his emphasis that the March 11 order was "not a transfer of authority". In fact, he said "poverty" instead of "authority", but he immediately corrected his slip of the tongue.

In other words, Soeharto clearly interpreted the order to his own advantage, in the interest of power. That interpretation was sustained by having Supersemar firmly entrenched in a decision by the powerful MPR (then the provisional MPRS), especially considering that the 1945 Constitution provided no mechanisms for judicial reviews or the separation of powers with an effective system of checks and balances. Indeed, in the face of a student demonstration (if I remember correctly, against the Taman Mini Indonesia Indah project in

1972), Soeharto threatened to use the power of supersemar.

A huge number of articles and books have been published over the years since the Gestapu, the Indonesian acronym for the "September 30 Movement". Scholars and journalists across the world have analyzed and attempted to understand the Gestapu, its aims, the forces behind it, and other aspects. Yet so many questions remain to be answered, and perhaps will remain unanswered.

From the dozens of books and articles that I have perused over the years, perhaps all I can say is some may be closer to the truth than others. After all, the "truth" of an affair such as the Gestapu may be too complex to understand completely. Using an article by W.F. Wertheim, Soeharto and the Untung Coup: The missing link in *Journal of Contemporary Asia*, vol. 1 and 2, winter 1970, as a starting point for her analysis, a PhD thesis later published by Nawaz B Mody of Bombay University, Indonesia under Soeharto (1987) is probably, I believe, as close to the truth as anyone has gotten.

Yet what is the "truth" of anything, anyway? What sounds logical, coherent and sensible may not be true, while what is true may not sound logical, coherent and sensible, particularly in the circumstances prevailing in Indonesia at the time of the complex Gestapu affair.

One of the most recent books was by Antonie C.A. Dake, *Berkas-berkas Soekarno 1965-1967, Kronologi Suatu Keruntuhan* (2005), which while using a large number of ideas and facts from lots of largely secondary sources, does not come to any conclusion. Yet all the ideas and facts may help change previous conclusions, which may in the end result in a better understanding of what happened around the Gestapu in 1965.

First, the Gestapu was not really a coup d'état, because Sukarno, a dictatorial ruler, remained in control. It was ridiculous that for some time he was suspected of being involved in the "coup d'état". It was, indeed, a struggle for power, involving not just two, but at least three "centers of powers": Sukarno, the Army, or particularly a group of Army generals, and the Indonesian Communist Party (PKI).

There might have been a fourth “center” of power, a question that remains to be answered. Will it ever be answered? There is no need for elaboration here. However, for those interested, Prof. Nawaz B. Mody, among others, is trying to provide the answer, supported by, among other sources, the memoirs of Sukarno’s close aides Dr. Soebandrio and Omar Dhani, who have made allusions to that effect.

[The writer, a political analyst, received his PhD from The London School of Economics and Political Science.]

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## **Malnutrition deaths continue in West Java**

Jakarta Post - March 13, 2006

Bandung — West Java: At least 10 infants have died of malnutrition in West Java over the past three months, with the real number of malnourished children estimated to be much higher in the province.

Head of the provincial health agency’s service division, Fita Rosemary, said they had recorded 24,067 cases of malnourished children from January to March this year.

"These numbers are much lower than the actual number of cases. The data was only based on reports from community health centers where parents take their children for treatment," Fita said.

Fita said out of the 4.5 million children in the province, only 40 to 50 percent received medical attention. "Poverty and poor access to health centers are two main constraints in dealing with malnutrition cases," she said. "Diseases that can afflict malnourished children include tuberculosis, meningitis and heart problems. Most of the malnourished children come from poor families," she said. The three regencies, which have the most cases of malnourished children, she said, were Cirebon regency, Bandung regency and Karawang regency

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## **Bali's vanishing rice paddies see unlikely alliance**

Agence France Presse - March 11, 2006

Ubud — Emerald rice paddies once stretched for mile upon mile alongside the road that winds through scenic Ubud on Indonesia's Bali island, but today just glimpses remain as hotels, restaurants and shops have risen up to block the view. Experts warn the very existence of the famed paddies on this island paradise is under threat as tourism-triggered development eats away at the irrigation systems that have nourished them for centuries.

Now farmers and hoteliers are forging an unlikely alliance to preserve the lifelines that feed Bali's lush carpets that are one of the island's major tourist attractions.

The task is pressing. Bali's rapid construction is starting to damage the fields themselves, says Wayan Kantor, head of one of Bali's more than 1,200 "subak", centuries-old networks that oversee Bali's irrigation systems, "There are some places around Ubud where planting rice is impossible because access to water irrigation has been blocked by buildings," he says.

Wayan Windia, a researcher from Udayana University, says statistics on the issue are thin, but farmers' complaints are on the rise: "The problem is more severe around cities... There have also been cases in Ubud." The subak use water supplied by the island's four mountain lakes and its crisscrossing rivers in a system that intertwines rich Hindu cultural traditions with modern technical developments to guarantee all members water access.

"Irrigation systems were the blood vessels of traditional Balinese culture and economy," says anthropologist Putu Suasta. "But that was in the old days. The modern blood vessels of the Balinese economy now are the networks of road and modern transportation, centered around the airport," he says.

Farmers are under pressure from hotels and foreigners seduced by Bali's beauty to sell off or lease their paddy — a move that earns them far more cash than they can make tilling the land themselves.

Villager Gusti Pageh, for instance, is considering leasing his 50 ares (a local unit measuring 100 square metres) of land. "You can make one million rupiah (about 100 dollars) per year for one are of land, just by leasing it to the rich," he enthuses. "And that's easy money, without risk."

In lush Ubud and its surrounds, one are of cultivated paddy can earn a farmer 80,000 rupiah per season, or triple that per year. But normally, complains farmer Gusti Ngurah Jelantik, one good season is chased by two bad. "During a bad season, we make only 50,000 or even 35,000 rupiah per are. Being a farmer is the poorest profession," he sighs.

Luh Sari, 45, leases her land to a family from the capital Jakarta. "The most important thing is that I can earn money from the land," Sari says, adding that her husband also works as a gardener for their tenants, earning a bonus 600,000 rupiah per month.

It's outsiders such as those from Jakarta, the subak's Kantor says, who are not aware of Bali's complex ecological systems and tend not to think about how their construction might impact on their neighbours.

"When one buys a piece of land, they often don't see the small irrigation channel running next to it. They don't realise that if they fill it, the farmers downstream will have no access to the water," Kantor says.

### Fighting back

In a bid to highlight the issue, some subak are now inviting the outsiders to join them, he says. Traditionally, only Hindus, who are a majority on the island of Bali — unlike the rest of mostly-Muslim Indonesia — were members.

Twenty-four out of 177 members are now such "housing" members. "One day, maybe, all these places will be full of buildings, but the subak



system will still be preserved by building owners. I hope it will be like that, because we have to thank the gods for the water given to us," Kantor says.

Concerned hoteliers are also starting to snap up paddy to ensure that the island stays postcard-perfect, says Cokorda Oka AA Sukawati, head of Bali's Hotel and Restaurant Association and vice chairman of the Bali Tourism Board.

"It is an interesting new trend," he says, noting that some restaurants too have their own rice fields — guests eat as they observe the farmers at work.

Agung Rai, for instance, the owner of an arts museum in Ubud as well as several hotels and restaurants around the area, leases a piece of land near his museum from a local farmer.

"Bali is a living museum of agrarian life. Our culture owes a lot to rice paddy," he says.

Rai has asked the farmer to keep working the land, so he is effectively paid to continue his usual work but does not bear the risks he would farming alone.

"I ask him to do what he normally does as a traditional farmer," he says, adding that he wants people to keep enjoying the views of the paddy.

Sue Simon, a tourist from the United States, says the rice paddies of Bali — which also lures tourists with its palm-fringed beaches and cheap, stylish shopping — says rice paddies are the real draw for her family.

"The green rice fields are number one here... We spend hours there and our children love it too. "If the rice fields disappeared?" Bali would have lost one of its main attractions," she says.

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## **NGO urges help for child prostitutes**

Jakarta Post - March 9, 2006

ID Nugroho, Surabaya — Eighteen underage prostitutes were recently held at Surabaya Police

Headquarters for several days after being picked up by officers during a raid on the city's Dolly red-light district.

The girls were picked up March 1 during a raid on Dolly — believed to be one of the largest red-light districts in Southeast Asia — after police received information on the presence of child sex workers in the area.

"We immediately conducted a raid and picked up 43 girls believed to be child prostitutes," Surabaya Police chief of detectives Adj. Sr. Comr. Mulyono said recently.

Officers determined 18 of the girls were under the age of 20, which according to the Criminal Code makes them legally minors. Of these 18 girls, four were found to be below the age of 18, which under the 2002 Child Protection Law makes them underage.

"Those girls who are underage will be returned to their parents. Meanwhile, the police will interrogate five people believed to have acted as their pimps," said Mulyono.

This case underlines the fact that the trafficking of children remains a major problem in East Java, according to Suratman, coordinator of the group Children in Need of Special Protection.

He told The Jakarta Post the actual number of underage children working as prostitutes in Dolly was probably much higher than any official figures. The Dolly red-light district, according to Suratman, is a known "haven" for child prostitution.

"According to our investigations, sexually promiscuous men come to Dolly to have sex with child prostitutes," Suratman said.

He said many of the men who engaged in sex with child prostitutes were under the false belief that having intercourse with an underage girl was somehow beneficial for their health. "The number of child sex workers has increased because of the high demand," he said.

Suratman urged police to continue monitoring brothels in Surabaya, especially in the Dolly red-light district. He said non-governmental

organizations working on the issue often had trouble rescuing child sex workers from brothels, and needed more cooperation from authorities. "It is difficult to get inside the brothels that employ child sex workers," he said.

Suratman said rehabilitation programs were vital to prevent former child sex workers from slipping back into the life. In many cases, police will detain underage girls for prostitution, and as soon as they are released they return to their pimps because they have no other options.

Suratman said the authorities had to do more than arrest underage prostitutes; they had to prepare them to return to normal lives with their families and communities. "Child victims of prostitution should be taught skills to earn a living, while their families and their communities should be prepared to accept them back," he said.

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## INTERNATIONAL WOMEN'S DAY

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### **Women take to streets to condemn Sharia, porn bill**

Jakarta Post - March 9, 2006

Jakarta — Women's groups took to the nation's streets Wednesday to voice their opposition to sharia law and the controversial pornography bill, both which they said unfairly criminalized women's sexuality and behavior.

Demonstrations across the country to mark International Women's Day also called on the government to reduce basic commodity prices and do more to stop crimes where women were victimized, like human trafficking and domestic violence.

In Nanggroe Aceh Darussalam, around 1,000 women protested against what they said was the unfair implementation of sharia law in the province.

Activists told The Associated Press the "sharia police" — religious vigilantes enforcing the rules — were detaining women who did not wear traditional Muslim headscarves or were found walking outside at night unaccompanied by a man. The women said the laws were unfair as they

curtailed women's freedoms but not men's.

About 200 women rallied in Jakarta to voice their opposition to the pornography bill, which is currently before the House of Representatives. The bill if passed would encroach on basic freedoms, including the right to personal expression, they said.

Marching from the State Palace to the House of Representatives building, the women said the controversial bill was a move back to the bad old days where women had little autonomy.

The bill bans people from kissing in public and fines or jails women for exposing "sensitive" body parts, which could include their hair, shoulders and legs. Artists could also be prosecuted for including nudity in their works.

The women said the bill targeted women without examining the core issues in pornography that mostly involved men, capitalism and the patriarchal system.

The bill has been supported by Muslim organizations throughout the country. Muslims account for an estimated 92 percent of country's total population.

Supermodel Olga Lidya, who joined the protest, said the bill blamed women for being the cause of moral degradation. "The government should instead focus on improving education," she said. Pornography definitions had already been incorporated into the existing Criminal Code but were never properly enforced, she said.

The protesters called for the government to focus more of its attention on cases of human trafficking and domestic violence, two issues they said were being overlooked by the administration.

In Surabaya and Yogyakarta, demonstrators also called on the government to decrease fuel prices and abandon a proposed electricity price hike. High prices for basic commodities ended up hurting women and children the most, they said. Women also needed better working conditions, including regulations for more maternity leave, they said.

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## **Commemorating IWD, 100 reject pornography bill**

Detik.com - March 8, 2006

Ratih Syara Maretta, Jakarta — Wednesday March 8 is International Women's Day. A number of beautiful and stylish women wearing sun-glasses and hats commemorated IWD by holding an action opposing the Draft Anti-Pornography Bill (RUU APP).

The action was centered at the Hotel Indonesia roundabout right in front of Plaza Indonesia on Jl. MH Thamrin in Central Jakarta. The action by around 100 activists from the Jakarta Women's Coalition only continued for around 15 minutes ending at 10.15am.

They brought banners and white paper cartoons with the writing "Reject RUU APP". "Attention must be paid to women's lives. Pay heed to my future", shouted one of the protesters who was accompanied by a number of small children.

The demonstrators said that the policies of the government of President Susilo Bambang Yudhoyono and Vice President Jusuf Kalla have done great damage to women. "The Draft Pornography Law pays no attention to women's sexuality", said action coordinator Vivi Widyawati from the women's organisation Perempuan Mahardika.

After feeling they had demonstrated long enough at Hotel Indonesia roundabout, the group marched to the National Development Planning Board (Bappenas) on Jl. Diponegoro. "All of the government's policies are issued by Bappenas. It is because of this we are going there, then on to the State Palace", explained a housewife.

The demonstration was only guarded by around six uniformed police officers. Because the action was orderly it did not disrupt the flow of traffic.  
(ndr)

[Translated by James Balowski.]

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## **IWD actions held at parliament and state palace**

Kompas Cyber Media - March 8, 2006

Jakarta — Commemorating International Women's Day which falls on March 8, today, thousands of women in Jakarta held an action at the State Palace and the House of Representatives (DPR).

The demonstration begun at the Hotel Indonesia roundabout at around 9am followed by a rally to the National Development Planning Board (Bapenas) at around 10am, then on to the State Palace and will finish at the DPR.

"According to plans hundreds of balloons that we brought will be released at the State Palace as a symbol of the liberation from the poverty that confronts women, the theme we have brought [here today]", said one of the spokespersons for the demonstration from the non-government organisation (NGO) Women's Heroin Democracy, Nuraini, prior to the start of the action.

The action was joined by around 40 organisations and NGOs such as Women's Journal, Perempuan Mahardika, the APIK (Association of Indonesian Women for Justice) Legal Aid Foundation, the Commission for Missing Persons and Victims of Violence (Kontras), the Indonesian Women's Coalition and a number of labour organisations such as the Migrant Workers Union and the Indonesian Automotive Trade Union.

The groups brought a number of banners and posters as well as a huge billboard containing their demands. "We call on the government to ensure that women's poverty in the political, cultural and economic sectors is ended immediately", said Nuraini.

The hottest issue was the Draft Anti-Pornography Bill (RUU AAP) continued Nuraini which is also being taken up by the action, because it too concerns women's issues. "If the RUU APP is passed into law then there will be discrimination against women. It is because of this that we are asking the government to reject the law", she said.

According to plans, the demonstration will continue until 4pm. Similar actions commemorating IWD are also being held in a number of other parts of Indonesia such as Semarang in Central Java.

[Translated by James Balowski.]

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## **Women activists demonstrate at State Palace**

Media Indonesia - March 8, 2006

Jakarta — Around 100 women activists from the Women's Anti-Poverty Movement (GPAK) held a peaceful action at the State Palace in Jakarta on Wednesday March 8 to commemorate International Women's Day.

During the action protesters urged President Susilo Bambang Yudhoyono to pay more attention to women's issues. "Women's lives have always been one of oppression starting with domestic violence, human trafficking and the persecution suffered by women migrant workers", said action coordinator Ria Mariana.

According to Mariana, the Yudhoyono government's only skill is in enacting legislation, its enforcement however remains weak, and this is evident from the cases of violence against women that continue to take place. The protesters also opposed the enactment of the Draft Pornography Bill (RUU APP) because they regard it as restricting women's rights.

"Aside from this, this issue is already regulated by the Criminal Code. If bare-chested people are to be made an issue out of what about people at the Kraton [Sultan's Palace in Yogyakarta] who are linked to the history of establishing this nation", she said.

Mariana warned that the government is also looking backward, particularly to the period of the administration Indonesia's founding President Sukarno when women were prohibited from wearing clothing "you can see" [original in English - JB] and men from wearing long hair although it was not explicitly regulated by law.

The hundreds of activists who came from a number of organisations including the National University Student Activist Association (Hamas), the Indonesian Trade Union Action Committee (KASBI), the National Student Front (FMN), the Independent Trade Union Movement (GSBI) and the National Student League for Democracy (LMND) gave speeches at the Hotel Indonesia roundabout before holding the action at the State Palace. (Ant/OL-06)

[Translated by James Balowski.]

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## **Yogya students reject pornography bill**

Detik.com - March 8, 2006

Bagus Kurniawan, Yogyakarta — Hundreds of students in the Central Java city of Yogyakarta held an action commemorating International Women's Day on March 8 where they expressed their opposition to the Draft Anti-Pornography Bill (RUU APP).

The first action was held by the Yogyakarta National Student Front (FMN) together with a number of women activists from the Indonesian Family Planning Association (PKBI). A second action was organised by the March 8 Action Committee which represents a coalition of student groups.

The afternoon actions began at the Yogyakarta Monument followed by a long-march to the central post office. As well giving speeches, protesters and women activists collected signatures on a petition rejecting the pornography bill. They plan to send the petition along with signatures collected by Yogyakarta non-government organisations and artists to the government and the House of Representatives in Jakarta.

"The Draft Anti-Pornography Bill must be rejected, because it will only become a political commodity and a tool of oppression", said Herdian in a speech at the central post office.

Asra from the March 8 Action Committee said that the patriarchal culture that is a leftover from



feudalism must be wiped out because it continues to make women second-class citizens and regards them as having a lower status than men. "These kind of cultural [views] must be wiped out, because it is a tool to justify the exploitation of women", she said.

Asra said that the forms of exploitation include paying women lower wages than men, lack of menstrual and maternal leave and the failure to pay child allowances for women workers who are already married.

They also expressed their opposition to polygamy and demanded that the government revoke legislation that discriminates against women such as Law Number 1/1974. "The Draft Law on Pornography must also be revoked because it will limit women's room to move and with the zeal of discrediting women", she said.

The action was tightly guarded by a platoon of Yogyakarta municipal police when they marched down Jl. Malioboro to the Yogyakarta State Palace.  
(nrl)

[Translated by James Balowski.]

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## **IWD rejects discrimination and pornography bill**

Kompas - March 9, 2006 (abridged translation)

Jakarta, Kompas — Commemorating International Women's Day on March 8, women in Jakarta, Banda Aceh, Yogyakarta and Makassar held peaceful actions demanding that the government and the House of Representatives (DPR) resolve the nation's major problems.

The issues emphasised yesterday were poverty, corruption, education and health. Protests also rejected regulations that limit women's political space.

In Jakarta hundreds of women from a number of different groups and organisations that are concerned with issues of development and poverty called on the government and the DPR not to shift

public attention away from urgent national problems by using women's issues.

In the Acehese provincial capital of Banda Aceh, hundred of women from dozens of women's groups — the majority of whom were victims of the tsunami disaster — held a peaceful action at the Regional DPR and the Banda Aceh offices of information and communication. They were demanding that the enforcement of Islamic law in Aceh not just focus on women's clothing but also on the eradication of corruption.

In the Central Java city of Yogyakarta, hundreds of women from various organisations held a peaceful rally opposing the Draft Anti-Pornography Bill (RUU APP)

In the South Sulawesi provincial capital of Makassar, hundreds of women workers from various different companies and dismissed former employees condemned government policies that are bringing suffering to the people. They said that the fuel price hikes and planed increases to basic electricity charges, the high cost of education and healthcare and mass dismissals indicate the government's insensitivity to the lives of ordinary people.

In Jakarta, the coordinator of the APIK (Association of Indonesian Women for Justice) Legal Aid Foundation, Ratna Batara Munti, said the rally from the Hotel Indonesia roundabout in Central Jakarta to the National Development Planning Board at 10.45am and then on to the State Palace was to demand basic rights for Indonesian citizens.

The government is unable to fulfil basic rights such as healthcare, education and employment. At the same time however, women who work at night are limited by various local regulations.

According to Munti, the action was aimed at rejecting the politicisation of women's bodies for the sake of political power. What we reject is political horse trading to obtain popular support by discriminating against women. The inability of the government and the DPR to fulfil basic rights that is more urgent is now being shifted to politicising women's bodies said Munti.

The coordinator of Indonesian Heroines of Democracy, Nuraini, said that the government is unknowingly forcing women into a corner. On the one hand the fuel price hikes and the planned increases to basic electricity rates have forced women to work harder to cover household expenses. On the other hand, when they work outside of the home, women are confronted by regulations that restrict their movements. The RUU APP currently being discussed in the DPR with its multi-faceted articles will stop women from being free to be active outside the home.

[Translated by James Balowski.]

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### **Acehnese women demand to be involved in policy making**

Aceh Kita - March 8, 2006

Radzie, Banda Aceh — Acehnese women are asking to be involved in the process of public policy making in Aceh. In addition to this they are also calling for the enforcement of Islamic law not just be for women but for crimes such as corruption.

These were the main issues voiced by Acehnese women during the commemoration of International Women's Day at the Regional House of Representatives (DPRD) on Wednesday March 8.

The lack of women's involvement in determining policies can be seen from the quotas in the Aceh-Nias Rehabilitation and Reconstruction 2005 budget where only 0.83 percent of funds are budgeted for women and children's empowerment posts. This is despite the fact that the budget totals as much as 3 trillion rupiah.

"A policy will not have any significant influence when it does not accommodate important points related to the social and political rights of women", they said in a statement. "To the policy makers, apply ideas of gender sensitivity and support women's interests in the decision making process".

They also asked the government to provide the

broadest possible access to the public, particularly women, of information in order to understand the government programs and budgets in all areas of development.

During the action that was joined by thousands of women, they brought banners and posters with messages opposing violence, oppression and harassment against women. The action began in front of the Great Baiturrahman Mosque followed by a march to the DPRD. They also shouted slogans such as "Viva Women", "Women unite for Acehese peace" and the like.

Raihana Diani, the coordinator of the Women's Organisation for Aceh Democracy (Orpad), said that the government's attention to women's issues in Aceh is extremely inadequate, including in the Draft Law on a Government for Aceh (RUU PA). However, "Comrades have been fighting to improve the RUU PA so it support improvements to women's lives", said Diani in a speech. "If conditions for women are good, thus Aceh will also be good".

According to Diani, women's issues in Aceh at the moment are complex. For example, the application of Islamic law in Aceh severely discriminates against women. "Islamic law has ostracised women in Aceh", said Diani, to the applause of participants.

In a statement read out before M Gade Salam (a member of the Aceh DPRD who met with demonstrators), Acehese women asked that Islamic law in Aceh be implemented fairly and be valid for all components without exception. "It must also be punishment for corrupters as violators of Islamic law", they wrote in the statement.

In addition to this they also asked for a standardisation of Muslim clothing that is in accordance with and is socialised to the public so that violations do not occur against women and that the Wilayatul Hisbah (Islamic police) be made up of trusted, credible people with high moral standards that carrying out their duties in accordance with Islamic law. [dzie]

[Translated by James Balowski.]

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## **Aceh: Progressives form new party**

Green Left Weekly - March 15, 2006

Max Lane — The second congress of the Acehese Peoples Democratic Resistance Front (FPDRA), held on February 23-26 in Aceh Besar, took a decision to form a new political party in Aceh. The FPDRA was established in the late 1990s and grew out of student, women's and farmers' groups struggling against the Suharto dictatorship.

After the fall of Suharto in 1998, the FPDRA emerged as one of the key activist groups independent of the Free Aceh Movement (GAM) that supported a referendum for self-determination while continuing the struggle for social justice. The FPDRA also built up a working alliance with activists in Jakarta and helped form the Solidaritas Aceh Papua (SAP), in collaboration with Papuan students and activists from the Peoples Democratic Party (PRD).

The Preparatory Committee of Acehese Peoples Party (KP-PRA) will be declared on March 16 in Aceh's capital Banda Aceh. Thamrin Ananda, former secretary-general of FPDRA, has been elected chairperson of the KP-PRA.

There is now a debate, within and outside of the Indonesian parliament, about whether local parties will be able to contest elections in Aceh. This possibility was a concession won through the peace agreement signed between GAM and the Indonesian government last year, but is yet to be formalised in law. In all other parts of Indonesia, local parties are not permitted to contest elections. Parties must prove they have branches in more than half of the country's provinces, as well as in a minimum number of districts and villages in every province.

Ananda issued a statement outlining the key elements of the KP-PRA's perspectives: "The fundamental problem of Acehese people has been capitalism with huge foreign capital domination; militarism in the political area; and feudal remnants in culture. The KP-PRA stands for the

nationalisation of the main state assets which had been plundered by imperialists; repudiation of the foreign debt; and national industrialisation for employment. For the majority of the Acehnese peasantry, KP-PRA is fighting for modern, cheap and massive technology for agriculture and also to reduce the price of agricultural production means."

The statement also explained that there has been a massive influx of money into Aceh in the form of post-tsunami aid, creating a scramble among the local bourgeoisie to hook-up with foreign capital in competition with Indonesian capital from outside Aceh. "All of the factions of capital need political stability for their commercial activities, which is why they have backed the peace process. But their self-seeking scramble has meant the continuing marginalisation of the poor, especially the peasantry."

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## **Former peace negotiator arrested over Sharia violation**

Agence France Presse - March 14, 2006

Jakarta — A former separatist peace negotiator in Indonesia's Aceh province may face public caning after he was caught with a French humanitarian worker alone inside a car, in violation of partial Islamic law in force there, police said Tuesday.

Banda Aceh city police chief Zulkarnaen said the ex-negotiator of the now disbanded Free Aceh Movement (GAM) and the woman were caught in a parked car around midnight on Monday night by residents in Lambhuk village.

The man was only identified only by his initials AAM, 34, while the woman, was identified as PC, 24.

Under partial Islamic law in force in Aceh, unrelated members of the opposite sex are not allowed to be alone with each other in a room or elsewhere.

Residents handed the pair over to police around

1:00 am, Zulkarnaen told AFP, adding that they were to be released later on Tuesday.

He said the man could face up to nine strokes of the cane and a fine of up to 10 million rupiah (1,081 dollars) if convicted by a sharia Islamic court. The woman, who is not a Muslim, will not be tried.

The initials and age of the man matched those of Amni bin Ahmad Marzuki.

He and four other negotiators were jailed for between 11 and 15 years following the collapse of initial peace talks in 2003. They were released shortly after a pact was signed last August between the government and GAM to end the 29-year separatist revolt.

Sofyan Dawood, a former GAM commander, confirmed to AFP that Marzuki had been arrested Monday night but declined further details.

GAM disbanded after dropping its demand for independence in return for wide-ranging autonomy and the right to form a local political party.

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## **As many as 62 GAM prisoners yet to be released**

Aceh Kita - March 14, 2006

Radzie, Banda Aceh — As many as 62 Free Aceh Movement (GAM) members detained in a number of correctional institutions in Sumatra have yet to be granted amnesty by the Indonesian government. As a result they are still incarcerated in jail. The tragedy is that several of them have fallen ill.

On Monday March 14, dozens of former GAM combatants from Pidie, Bireuen, East Aceh and North Aceh Utara, asked that the Aceh Transitional Command (KPA) endeavor to seek the release of the GAM members still in jail. They also conveyed this demand to the Aceh Monitoring Mission (AMM) represented by Juha Christensen.

Rusli A Gani, the head of the KPA in Peureulak, East Aceh, said that there are presently hundreds

of former GAM members still being detained on subversion charges that have yet to be released. Most are incarcerated at the Tanjung Gusta prison in Medan. "In this jail there are two former GAM [members] who were jailed on charges of subversion, [who] are sick and not receiving attention", said Gani.

The former GAM combatant told reporters that Christensen has said that the AMM will follow up the report. Christensen admitted that the AMM has been a little slow in dealing with the cases of GAM members who have yet to be granted amnesty. He asked the former combatants to list the names and places of their detention and give the data to the AMM. "The AMM will check and investigate the data", Christensen told them.

GAM spokesperson Bakhtiar Abdullah meanwhile, said that there are still around 62 GAM members who are still incarcerated in jail. Some time ago GAM had reported there were 116 prisoners that had yet to be granted amnesty. "At that time, we tried to trace them case by case, and it this is still in process", Abdullah told journalists at the KPA offices in Banda Aceh on Tuesday March 14.

He said that during a Commission on Security Arrangement (COSA) meeting on March 12, all of the parties (AMM, Indonesia and GAM) agreed that 13 of prisoners would be granted amnesty shortly. "But what about the mechanisms, and when they will be released is still unknown. This is still in at the consideration stage according to Indonesian law", said Abdullah.

Abdullah said that they would continue to work for the release of the GAM members however it needed time and a process. "We are still concerned about the former GAM [members] that are still in jail. We have not forgotten them and are now trying to get them released", promised Abdullah who resided in Sweden for 25 years. [dzie]

[Translated by James Balowski.]

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**Acehnese want cloud of suspicion lifted**



Jakarta Post - March 13, 2006

Muninggar Sri Saraswati, Jakarta — Acehnese appealed once again for an end to lingering suspicion about their allegiance to the country as the House committee deliberating the bill on the province's governance made a weekend trip to Banda Aceh.

With the looming deadline of early April for the passing of the law, legislators, scholars and military figures are among those who have expressed fears the proposed bill from the government, which only partially accommodates the original draft from the legislative council in Nanggroe Aceh Darussalam, leaves loopholes for the separation of the province.

"We reject any suspicion that the bill is a move by Aceh to separate from Indonesia," said Junardi Al Jundi, who led a peaceful protest on Saturday held the provincial branch of a Indonesian Muslim Students Action Front (KAMMI).

Antara newswire reported that Junardi presented a rencong (traditional Acehnese dagger) to the committee's deputy chairman Soekartono Hadiwarsito to symbolize that "... the Acehnese will fight and are ready to sacrifice themselves for the bill".

Soekartono, who is from the Democrat Party, said legislators "were listening and understood the aspirations of the Acehnese".

The protest in the provincial capital occurred in the middle of the legislators' meeting with the deputy chairman of the Aceh and Nias Rehabilitation and Reconstruction Agency, Tengku Kamaruzzaman, a former negotiator of the Free Aceh Movement (GAM).

Similar appeals to end suspicions toward the Acehnese were made in other demonstrations and during the House committee's meetings with local figures during their three-day visit, which ended Sunday.

Last Monday, Defense Minister Juwono Sudarsono was quoted as telling a House hearing that GAM was intensifying its "propaganda" through meetings with local figures, in response to similar suspicions raised by a number of legislators.

In another meeting in Banda Aceh, a local Muslim cleric assured the committee that Acehnese were loyal to the unitary republic and the Constitution.

If they seemed aggressive in their demands, T. Abdurrahman Kaoy said, it was only to ensure the government "fulfilled its promises".

Legislators from the Indonesian Democratic Party of Struggle (PDI-P) have repeatedly said that several clauses in the government draft contradict principles of the unitary republic and the nation's sovereignty.

Advocates of the draft drawn up by the Aceh legislative council say the government draft contradicts the spirit of the Memorandum of Understanding signed last year in Helsinki, and effectively diminishes the autonomy promised to Aceh.

Another Muslim cleric, T. Mohamad Husaini, asked the legislators to accommodate Acehnese aspirations, which he said were reflected in the draft from the province's legislative council.

"The Acehnese would be very disappointed if their aspirations are not accommodated — they were all involved in the drafting process," he said.

On Sunday, the House delegation was reminded of the aspirations of some Acehnese for separate provinces.

Antara quoted local figures as saying that people of at least five regencies, who had declared their intention to establish provinces last year, said the demand was "non-negotiable". The regencies are Southeast Aceh, Central Aceh, Gayo Lues, Aceh Singkil and Bener Meriah.

The representatives, who attended a meeting of the committee with regents and local council speakers in Banda Aceh, said residents of mountain areas and the southern coast said they lagged behind other parts of the province for development. They are demanding the establishment of new provinces of Aceh Leuser Antara and Aceh Barat Selatan.

"We have long raised this request to the government and the House but it has been

neglected," representative Tjut Agam said.

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## **Taliban-style Islamic police terrorizing Aceh**

Deutsche Presse Agentur - March 10, 2006

Banda Aceh — Dewi Haryanti was in a hurry. The 25-year-old was exchanging her hotel waitress uniform for street clothes for the trip to her second job at a boutique she owns with her sisters in the capital of Indonesia's tsunami-torn Aceh province.

In her rush to get out the door, Haryanti almost forgot to put on her traditional Muslim headscarf. It was a near-mistake that these days would have easily led to police harassment, possible arrest — maybe even a public flogging. Things have certainly changed in Aceh since billions of dollars began pouring to rebuild the province following the 2004 Indian Ocean tsunami, but not all of them are positive.

"I didn't wear a jilbob (headscarf) at the hotel I worked in before the tsunami," Haryanti, a native Acehnese with Middle Eastern features and a quiet, high-pitched voice. "Now I do."

She has little choice. In the months following the tsunami, the Aceh government inexplicably began vigorously enforcing a three-year-old provincial statute on Sharia, or Islamic Law. The provincial Islamic law department was unleashed to crackdown on "immorality" — alcohol, gambling, women appearing in public without headscarves or venturing out at night without a male escort. The "Sharia police," as they are known across the province, have become a power unto themselves — uneducated, arrogant young men operating outside of any legal framework or rules, human and women's rights activists say.

Their illegal detentions and harassment of women, intimidation of the population and violent behaviour — they've publicly flogged more than 135 people for various violations in the past nine months — has earned them comparisons to Adolf Hitler's "Brown Shirts" in Nazi Germany.

"It's only going to get worse," warned Mercedes Chazez for the United Nations Development Fund for Women. "It's infuriating (because) they don't have the authority to be doing these arrests."

Indonesian law on Sharia is, to say the least, vague and confusing. The constitution states that the Muslim-majority nation is a secular, but the national parliament in Jakarta in 2003 passed legislation allowing Sharia in Aceh, and several local district governments have followed suit. Although Indonesia has 190 million Muslims, the country has historically been mainstream. Alcohol, cigarettes, bars and nightclubs are legal across the country.

Residents of Aceh are considered among the most devout Muslims in Indonesia, but the province has never previously had Sharia or hudud — Islamic punishments such as publicly whipping people with a bamboo cane. That's why both foreign and Acehnese activists are dismayed with the Sharia police's campaign.

One young Acehnese woman was publicly flogged for kissing her boyfriend in public, while another 23-year-old has been locked up in Acehnese jail for more than two weeks without access to an attorney after being caught drinking beer. She could be flogged up to 40 times if found guilty by a local religious court.

H. Alyasa' Abubakar, director of the Sharia enforcement office, denied during an interview with Deutsche Presse-Agentur that his employees were abusing their power or arresting women, saying they "are only advising them about wearing the jilbab." But when pressed on numerous cases of women being illegally detained, he said, "If they do that, then it's wrong," but gave no indication that any of his officers would be punished.

Equally troubling is the complete silence among Western and Asian donors who have pledged billions of dollars to Aceh's reconstruction.

A spokesman for the US embassy in Jakarta declined to say whether the Bush administration, which justified its invasion of Afghanistan by saying American troops were liberating women from the Taliban, supported the Aceh government's flogging

policy. The issue will likely come to a head when US Secretary of State Condoleezza Rice visits Indonesia on March 14.

Activists say many Acehnese are increasingly fed up with the Sharia police's antics. Last November, after officers arrested a teenage schoolgirl standing outside her front yard with a male friend and accused her of being a prostitute, a mob ransacked their office.

But Acehnese society as a whole remains weary of publicly speaking out. "If anyone says they don't like Sharia, it can be interpreted as not supporting Islam," said T. Ardiansyah, director of Kata Hati Institute, an Aceh-based human rights and conflict resolution institute.

That appears to be changing. Last Wednesday hundreds of Acehnese women marched through the capital demanding nondiscriminatory implementation of Sharia, and an end to the heavy-handed tactics by enforcement officers.

"They deserve to be hated because their way of implementing Sharia is arrogant," said Elvida, a protest coordinator from Flower Aceh, a local women's right group "Women are almost always blamed for any infractions (while) the rich and powerful get away with things like corruption."

More public dissent is expected. A newly formed group of activists and attorneys is planning to file a lawsuit against the Sharia enforcement office to demand that it be close.

That might prevent a repeat of incidents like one that occurred in late February at a leading Banda Aceh hotel. Sharia policemen barged into the lobby and arrested three women attending an international conference because they were not wearing headscarves. According to witnesses, an officer screamed at one of the women: "The way you are dressed makes my penis erect!" Ironically, none of the witnesses could recall seeing it.

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**Tsunami agencies accused of lying**

Sydney Morning Herald - March 9, 2006

Mark Forbes, Jakarta — An Australian aid agency is among those to have lied about their lacklustre efforts in Aceh's \$7 billion tsunami reconstruction program, the program's director says.

Kuntoro Mangkusubroto, the head of the Reconstruction and Rehabilitation Agency, has made a scathing attack on some charities' efforts, singling out CARE International. CARE's Australian arm has been undertaking some of the larger rebuilding efforts in Aceh.

Dr Kuntoro told the Herald some agencies had been dishonest. They had until June to lift their performance or he would order them out of Aceh and take over their projects.

"Last year CARE pledged many houses, but they keep reducing the number, they have come down to a third or a quarter of what they promised."

Dr Kuntoro said he was putting CARE and other charities on notice. His agency would take over projects that were unfinished in June next year and order the charities responsible to leave.

CARE International's Australian director, Robert Glasser, said he was "floored" by the criticism. CARE was seeking an urgent meeting with Dr Kuntoro.

"We take this very seriously and we are committed to doing a first-class job in Aceh. Either there is some confusion or he has seen something we haven't been alerted to," he said. CARE has 1054 houses under construction, but none has been completed.

Dr Kuntoro said some of the larger organisations had "lied" to their donors and the public about their progress, and were beset by high overheads or divided by internal problems.

"One agency took pictures claiming they had built 100 houses, but they just built two houses. I am very disappointed with the unprofessionalism of some agencies," Dr Kuntoro said. "In some areas they have built houses without water or toilets."

Dr Kuntoro said 120,000 homes were required to

replace those destroyed by the 2004 tsunami, but fewer than 20,000 had been constructed so far. He also criticised the pace of the United Nations' Habitat rebuilding program. Its project head, Ian Hamilton, said there had been initial delays, but it had built 200 homes and had promised to construct 4000.

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WEST PAPUA

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### **No new command in West Irian Jaya**

Jakarta Post - March 15, 2006

Bandung — There are currently no plans to develop a new military command in West Irian Jaya following that its separation from Papua, according to Army chief Gen. Djoko Santoso.

Speaking in Bandung on Tuesday, he said the Indonesian Military would instead maximize the role of the Cendrawasih Military Command in Papua.

"There is no plan to develop a new military command. Even with the existence of West Irian Jaya province, the command remains the Cendrawasih XVII Military Command," Santoso said.

He said a new command would be created only if there was a possible threat, but currently there was "no significant change in Papua".

Santoso added that there were no plans to increase the number of military personnel in Papua.

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West Irian election commission faces tough questions

Jakarta Post - March 14, 2006

Hyginus Hardoyo, Manokwari — Former Sorong regent Abraham Octovianus Atururi maintained his lead in the West Irian Jaya direct gubernatorial election Monday amid threats by an opponent to take the local election commission to court.

According to the Provincial Election Commission (KPUD) chairperson Regina Sauyai, the number of votes counted as of 6 p.m. Monday was 206,444, or about 50 percent of the total of 406,651 valid votes Abraham and his running mate Rahimin Katjong were well in the lead with 60.9 percent votes, while Yorrays Th. Raweyai remained a distant second with 21.2 percent and Dorteus Asmuruf in last with 17.8 percent.

"The results are provisional, but later we will have the official figures," Regina said. She added that Saturday's election, held after being postponed twice last year, proceeded without significant disruptions.

According to KPUD's schedule, the counting would be held at the village level March 12-14, the district level March 15-17 and the regency/city level March 18-20. "The vote-counting process is still going on at the lower level. We're grateful that we have received plenty of data so far," Regina said.

She played down allegations by candidates who have charged that the election was not legitimate since less than 50 percent of voters turned out, arguing that it was too early to respond because the counting was still underway.

However, she expressed optimism that there would be better than a 50-percent turnout. "Even now, some 50 percent of votes have been counted. So we will see the result. According to election regulations, if a pair gets 25 percent of votes, they can be declared the election's winner. So let's wait," Regina elucidated.

According to article 95 of a 2005 Government Regulation on Gubernatorial Elections, a candidate who garners more than 50 percent of the valid votes will be declared the winner. If the requirement is not met, the candidate with more than 25 percent of valid votes, or the most in the election, will be declared the winner.

Separately, Yorrays Raweyai said that based on his team's data, only 30 percent of eligible voters cast their votes, therefore the election should not be considered valid.

He also said he was upset with the candidates'



teams for conducting "black campaigns" but no action was taken against them. However, he did not go into detail about campaign misdeeds.

He expressed further disappointment with the KPUD for not allowing residents without voting cards to cast a vote, although they had other official identification, while adding that he would encourage the Papua Tribal Council to fight the matter.

Abraham's almost certain victory, however, has been cause for celebration for his supporters, hundreds of whom danced in traditional attire around his home in West Manokwari on Sunday night.

One community leader in Arowi, Marthen Nauw, said the residents spontaneously began dancing after hearing of Abraham's early lead. "Although the data is still provisional, it does look to be an unassailable lead," Marthen said.

[With additional reporting from Nethy Dharma Somba in Papua.]

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## **West Irian Jaya voters defy violent threats**

Jakarta Post - March 12, 2006

Hyginus Hardoyo, Manokwari, West Irian Jaya — Eligible voters in West Irian Jaya crowded polling stations Saturday, ignoring threats of violence if the gubernatorial election in the disputed province went ahead.

Voting proceeded peacefully in Manokwari, the capital of the newly established province, and other regencies. Because Saturday was declared a public holiday, the only activity in much of the region seemed to be around the voting booths.

Long lines were seen at most of the polling stations as people waited to cast ballots for the first governor and deputy governor of the province. Business in the province ground to a halt with shop-houses and other traditional markets closed.

Agus Alue Alua, chairman of the Papuan People's Assembly, representing Papuans opposed to the

election, said in Jakarta on Thursday that many people in the area were prepared to fight the establishment of the province. "Tribespeople and students in Sorong and Manokwari will take up arms to thwart the election," Agus said.

However, this threat failed to materialize and there were no reports of violence Saturday. Talk of a bloodbath had already been played down by political leaders in West Irian Jaya and tribal leaders.

Voting took place from 7 a.m. to 1 p.m. in eight regencies — Sorong, South Sorong, Raja Empat, Fak-Fak, Kaimana, Manokwari, Teluk Bintuni and Teluk Wondama — as well as Sorong mayoralty.

According to data from the West Irian Jaya General Elections Commission (KPUD), of a population of about 647,000 there were at least 406,314 eligible voters.

Three pairs of candidates are contesting the election. They are Abraham Octovianus Atururi and Rahimin Katjong; Yorrays Th. Raweyai and Abdul Killian; and Dortheus Asmuruf and M. Ali Kastela. Manokwari Police chief Adj. Sr. Comr. Petrus Waine said the situation was calm and there were no incidents during the election. He said he deployed 606 police officers to watch over the voting in the regency.

"Don't try and pit people against each other," he said, warning parties from attempting to disrupt the polls.

As of 6:30 p.m. Saturday, only a small number of ballots had been sent to the KPUD's office in Manokwari for counting.

Abraham and Rahimin took an early lead in the provisional count, with 23,313 votes from South Sorong, Raja Empat, Fak-Fak, Kaimana, Manokwari and Sorong mayoralty. In second were Dortheus and Ali with 7,260 votes, while Yorrays and Abdul Killian were third with 6,801 votes.

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**Irate Papuans attack KPUD office due to election**

## **count**

Jakarta Post - March 12, 2006

Nethy Dharma Somba, Jayapura — Hundreds of residents angry with the results of the gubernatorial election in Papua on Friday attacked the General Elections Commission (KPUD) office in Puncak Jaya regency.

The residents pelted the office with stones and destroyed furniture on Saturday because the candidate they supported, Lukas Enembe, did not come out on top during the vote count at the KPUD office in the regency capital Kota Mulia.

"They accused the KPUD of miscounting the votes and then attacked the office. The residents refused to accept that other candidates also received some votes.

They wanted their candidate (Lukas) to win 100 percent of the votes," Papua Police spokesman Kartono S. told The Jakarta Post in Jayapura on Saturday.

Five pairs of candidates are contesting the gubernatorial election. They are Barnabas Suebu-Alexander Hessegem, who lead the provisional vote count in the province; Lukas Enembe-Arobi Ahmad Aituarauw; John Ibo-Pascalis Kossy; Constant Karma-Donatus Mote; and Dick Henk Wabiser-SP Inaury.

Some 1.4 million voters cast their ballots across the province on Friday. There was no information available on how many votes each candidates received from the 99,322 eligible voters in Puncak Jaya regency.

Kartono said about 150 residents were watching the vote count at the KPUD office when the altercation began. More residents rushed to the scene after hearing the warning shots fired by police to disperse the angry crowd. The police spokesman said the residents calmed down and dispersed only after additional officers and Lukas Enembe arrived at the scene.

He said police did not make any arrests. "We didn't arrest anybody because we are trying to keep the peace in Puncak Jaya," Kartono said.

The secretary of the KPUD in Papua, Hasjim Sangadji, told the Post on Saturday he had not received any official information on the attack in Puncak Jaya, but expressed regret over the incident.

"Blaming the KPUD is wrong. The voting was done by residents, so ask the residents why they voted for other candidates. This is a direct election, a democratic process, so it's natural that people vote for different candidates," Hasjim said.

He said democracy was a long process and it might take another generation before people were able to accept political differences.

The provisional vote count in the province as of 6 p.m. Saturday had Barnabas maintaining his lead from Friday night.

Barnabas, nominated by the Indonesian Democratic Party of Struggle (PDI-P), had 111,154 votes, or 36.96 percent of the 305,691 ballots so far counted from 591 polling stations in 11 regencies.

There are 19 regencies in the province with a total of 2,455 polling stations.

Golkar's candidate, John Ibo, was in second with 78,195 votes or 25.56 percent of the ballots counted; Lukas Enembe was in third with 59,777 votes or 19.45 percent; Constant Karma in fourth with 29,740 votes or 9.7 percent; and Dick Henk Wabiser in last with 27,025 votes or 8.84 percent.

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## **Top diplomat dismisses West Papua**

Daily Telegraph - March 10, 2006

Washington — Australia's top diplomat in the US has delivered a rousing speech in support of Indonesia and criticised the motives of fighters for the independence of Papua.

Ambassador Dennis Richardson's address yesterday to a US/Indonesia advocacy group in Washington was so supportive Indonesia's ambassador joked that he may soon be out of a job.

Mr Richardson, who served four years as a diplomat in Jakarta before returning to Australia to run ASIO, said critics of Indonesia's hold on Papua were misguided. Papua is a province of Indonesia, called West Papua by some residents who want to form an independent country.

Mr Richardson posed the question whether "those whose raison d'être was East Timor" had simply adopted the Papuan cause.

"Perhaps those critics cling to an Indonesia which no longer exists and for them to accept the Indonesia of today and to reinforce the positive developments in Indonesia is to deprive them of their raison d'être," he said. "I certainly don't believe that policy approaches to Indonesia should be held hostage by the issue of Papua."

Mr Richardson also congratulated Indonesia on its efforts to tackle terrorism, after the four bombings in Bali and Jakarta since the devastating Kuta nightclub attacks in October 2002.

He said Indonesia's anti-terror efforts had resulted in the arrest of over 200 suspects, 40 convictions for involvement in the Bali bombings, and the death of terror mastermind Azahari.

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## **The secret war against the people of West Papua**

Dissident Voice - March 9, 2006

John Pilger — In 1993, I and four others travelled clandestinely across East Timor to gather evidence of the genocide committed by the Indonesian dictatorship. Such was the depth of silence about this tiny country that the only map I could find before I set out was one with blank spaces stamped "Relief Data Incomplete." Yet few places had been as defiled and abused by murderous forces. Not even Pol Pot had succeeded in dispatching, proportionally, as many people as the Indonesian tyrant Suharto had done in collusion with the "international community."

In East Timor, I found a country littered with graves, their black crosses crowding the eye:

crosses on peaks, crosses in tiers on the hillsides, crosses beside the road. They announced the murder of entire communities, from babies to the elderly. In 2000, when the East Timorese, displaying a collective act of courage with few historical parallels, finally won their freedom, the United Nations set up a truth commission; on 24 January, its 2,500 pages were published. I have never read anything like it. Using mostly official documents, it recounts in painful detail the entire disgrace of East Timor's blood sacrifice. It says that 180,000 East Timorese were killed by Indonesian troops or died from enforced starvation. It describes the "primary roles" in this carnage of the governments of the United States, Britain and Australia. America's "political and military support were fundamental" in crimes that ranged from "mass executions to forced resettlements, sexual and other horrific forms of torture as well as abuse against children." Britain, a co-conspirator in the invasion, was the main arms supplier. If you want to see through the smokescreen currently around Iraq, and understand true terrorism, read this document.

As I read it, my mind went back to the letters Foreign Office officials wrote to concerned members of the public and MPs following the showing of my film *Death of a Nation*. Knowing the truth, they denied that British-supplied Hawk jets were blowing straw-roofed villages to bits and that British-supplied Heckler and Koch machine guns were finishing off the occupants. They even lied about the scale of suffering.

And it is all happening again, wrapped in the same silence and with the "international community" playing the same part as backer and beneficiary of the crushing of a defenceless people. Indonesia's brutal occupation of West Papua, a vast, resource-rich province — stolen from its people, like East Timor — is one of the great secrets of our time. Recently, the Australian minister of "communications", Senator Helen Coonan, failed to place it on the map of her own region, as if it did not exist.

An estimated 100,000 Papuans, or 10 percent of the population, have been killed by the Indonesian military. This is a fraction of the true figure,

according to refugees. In January, 43 West Papuans reached Australia's north coast after a hazardous six-week journey in a dugout. They had no food, and had dribbled their last fresh water into their children's mouths. "We knew," said Herman Wainggai, the leader, "that if the Indonesian military had caught us, most of us would have died. They treat West Papuans like animals. They kill us like animals. They have created militias and jihads to do just that. It is the same as East Timor."

For over a year, an estimated 6,000 people have been hiding in dense jungle after their villages and crops were destroyed by Indonesian Special Forces. Raising the West Papuan flag is "treason". Two men are serving 15 and ten-year sentences for merely trying. Following an attack on one village, a man was presented as an "example" and petrol poured over him and his hair set alight.

When the Netherlands gave Indonesia its independence in 1949, it argued that West Papua was a separate geographic and ethnic entity with a distinctive national character. A report published last November by the Institute of Netherlands History in The Hague revealed that the Dutch had secretly recognized the "unmistakable beginning of the formation of a Papuan state", but were bullied by the administration of John F Kennedy to accept "temporary" Indonesian control over what a White House adviser called "a few thousand miles of cannibal land".

The West Papuans were conned. The Dutch, Americans, British and Australians backed an "Act of Free Choice" ostensibly run by the UN.

The movements of a UN monitoring team of 25 were restricted by the Indonesian military and they were denied interpreters. In 1969, out of a population of 800,000, some 1,000 West Papuans "voted". All were selected by the Indonesians. At gunpoint, they "agreed" to remain under the rule of General Suharto — who had seized power in 1965 in what the CIA later described as "one of the worst mass murders of the late 20<sup>th</sup> century." In 1981, the Tribunal on Human Rights in West Papua, held in exile, heard from Eliezer Bonay, Indonesia's first governor of the province, that approximately 30,000 West Papuans had been murdered during 1963-69. Little of this was

reported in the west.

The silence of the "international community" is explained by the fabulous wealth of West Papua. In November 1967, soon after Suharto had consolidated his seizure of power, the Time-Life Corporation sponsored an extraordinary conference in Geneva. The participants included the most powerful capitalists in the world, led by the banker David Rockefeller. Sitting opposite them were Suharto's men, known as the "Berkeley mafia," as several had enjoyed US government scholarships to the University of California at Berkeley. Over three days, the Indonesian economy was carved up, sector by sector. An American and European consortium was handed West Papua's nickel; American, Japanese and French companies got its forests. However, the prize — the world's largest gold reserve and third-largest copper deposit, literally a mountain of copper and gold — went to the US mining giant Freeport-McMoran. On the board is Henry Kissinger, who, as US secretary of state, gave the "green light" to Suharto to invade East Timor, says the Dutch report.

Freeport is today probably the biggest single source of revenue for the Indonesian regime: the company is said to have handed Jakarta 33 billion dollars between 1992 and 2004. Little of this has reached the people of West Papua. Last December 55 people reportedly starved to death in the district of Yahukimo. The Jakarta Post noted the "horrible irony" of hunger in such an "immensely rich" province.

According to the World Bank, "38 per cent of Papua's population is living in poverty, more than double the national average."

The Freeport mines are guarded by Indonesia's special forces, who are among the world's most seasoned terrorists, as their documented crimes in East Timor demonstrate. Known as Kopassus, they have been armed by the British and trained by the Australians. Last December, the Howard government in Canberra announced that it would resume "co-operation" with Kopassus at the Australian SAS base near Perth.

In an inversion of the truth, the then Australian defence minister, Senator Robert Hill, described Kopassus as having "the most effective capability



to respond to a counter-hijack or hostage recovery threat." The files of human-rights organizations overflow with evidence of Kopassus's terrorism. On 6 July 1998, on the West Papuan island of Biak, just north of Australia, special forces massacred more than 100 people, most of them women.

However, the Indonesian military has not been able to crush the popular Free Papua Movement (OPM). Since 1965, almost alone, the OPM has reminded the Indonesians, often audaciously, that they are invaders. In the past two months, the resistance has caused the Indonesians to rush more troops to West Papua. Two British-supplied Tactical armoured personnel carriers fitted with water cannon have arrived from Jakarta. These were first delivered during the late Robin Cook's "ethical dimension" in foreign policy. Hawk fighter-bombers, made by BAE Systems, have been used against West Papuan villages.

The fate of the 43 asylum-seekers in Australia is precarious. In contravention of international law, the Howard government has moved them from the mainland to Christmas Island, which is part of an Australian "exclusion zone" for refugees. We should watch carefully what happens to these people. If the history of human rights is not the history of great power's impunity, the UN must return to West Papua, as it did finally to East Timor. Or do we always have to wait for the crosses to multiply?

[First published in The New Statesman.]

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## **US report might help Papuan boat people**

Australian Associated Press - March 9, 2006

A US State Department report alleging torture and intimidation by Indonesian security forces against Papuan separatists may add weight to the case of 43 Papuan boat people seeking asylum in Australia. The US report on human rights in Indonesia said abuses had decreased in the past year, but there were still serious problems in Papua province, where separatists have struggled against Jakarta's rule for decades.

Widespread intimidation was occurring even though the military estimated there were only 620 guerrillas belonging to the Free Papua Movement, or OPM, armed with only around 150 weapons among them, the report said.

The use of torture to obtain confessions from suspects was most apparent in Papua and Aceh, where rebels have concluded a peace deal with the Indonesian government.

"Torture was sometimes used to obtain confessions, punish suspects, and seek information that incriminated others in criminal activity," the report said.

"Torture used included random beatings, bitings, whippings, slashings, and burnings." The report said the Papua Legal Aid Foundation and national rights watchdog Komnas HAM had reported 35 cases of torture by security forces in Papua during the year.

"On July 14, soldiers allegedly tortured a presumed OPM member by slashing his face and body with a knife and razor and then pouring petrol over his head and setting his hair on fire," it said.

"On July 22, 14 soldiers allegedly tortured two Papuan civilians over the course of a day. "The soldiers reportedly kicked, bit, and punched them. The soldiers then tied up one of the victims and set fire to dried weeds on his back after whipping him."

The report — part of a worldwide human rights survey — may add weight to asylum claims lodged by the 43 Papuan asylum seekers, including independence leaders, women and children. The group landed in Cape York in January after sailing to Australia in an outrigger canoe.

They are being detained by immigration authorities on the Australian territory of Christmas Island while the federal government assesses their claims. Indonesia's government has demanded the group be sent home and said they had no valid claims to persecution.

President Susilo Bambang Yudhoyono promised Prime Minister John Howard the group would not be harmed

if their asylum claims were rejected.

The State Department report said while democratic change in Indonesia was leading to an improvement in human rights, there were still serious problems.

"Inadequate resources, poor leadership, and limited accountability contributed to serious violations by security forces," the report said. "Widespread corruption further degraded an already weak regard for rule of law and contributed to impunity." The head of Indonesian rights group Elsham, Ihdhal Kasim, said it was unclear if the US report would help the Papuans' case.

"It's a general report of human rights in Papua," he told AAP. "The asylum seekers are a specific case and what hasn't been found yet is whether it is true they are being chased by the military or others."

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## MILITARY TIES

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### **Rice defends military ties with Indonesia**

Associated Press - March 13, 2006

Anne Gearan, Jakarta — Secretary of State Condoleezza Rice said Indonesia has earned the restoration of close military ties with the United States, despite complaints from human rights groups that the move betrayed victims of military brutality.

The United States lifted a six-year arms embargo last fall and re-established other military ties with the world's most populous Muslim nation, which the Bush administration views as a key ally against terrorism. The ban was imposed in 1999 after Indonesian government troops ravaged East Timor during the territory's break from Jakarta.

En route to Indonesia, where she arrived Monday, Rice cited Indonesia's cooperation in anti-terror investigations as well as democratic progress.

"The military is an important institution in Indonesia," Rice told reporters on her plane. "It's by no means completely made its reform, but we believe those reforms are underway and that we

can have a more positive effect on the reforms by being part of it."

Rice's first visit here as secretary of state will include a speech on democracy in the Muslim world and the similarities between two trade-oriented multiethnic democracies. She is visiting an Islamic school and meeting with Indonesian President Susilo Bambang Yudhoyono, a US-educated former general.

"You want to be careful not to cut off contacts with the very people who are going to be important for the restoration of democracy," Rice said.

Al-Qaida-linked militants have launched a series of deadly bombings on Western targets in Indonesia since 2002, including suicide attacks last year on three crowded restaurants on Bali island that killed 20 people.

The Bush administration had long wanted to lift the arms embargo, but it was stymied by US lawmakers demanding the military undertake meaningful reform.

Citing national security concerns, the State Department used recently granted powers to waive the restrictions in November. But that action has prompted complaints from human rights groups.

"This is a profoundly disappointing and sad day for human rights protections everywhere," John Miller from the East Timor and Indonesia Action Network said then. "With the stroke of a pen... President Bush betrayed the untold tens of thousands of victims of the Indonesian military's brutality." In a letter to Rice last week, the New York-based Human Rights First asked her to link US military aid to real progress in reform.

Yudhoyono, elected in 2004 in the country's first-ever direct elections for head of state, visited Washington twice to lobby for lifting the ban.

Defense Secretary Donald H. Rumsfeld said last week the United States "lost a generation of relationships" with the Indonesian and Pakistani militaries because of sanctions. Most military ties with Pakistan were severed during the 1980s because of its nuclear weapons program.

Rumsfeld said it's important that the United States "not complicate efforts to build useful relationships with nations that can aid in our defense." He said the US military had to renew the ties with these large predominantly Muslim countries "almost from scratch" following the terrorist attacks of Sept. 11, 2001.

Rumsfeld said he understands the reason why the sanctions were imposed. But, he added, "I think it's something that we need to think very carefully because as a result of some of those actions the United States is looked at as a less than perfectly reliable friend and ally."

The Indonesian military has long been accused of human rights violations as it put down separatist insurgencies in far-flung regions of the sprawling archipelago. While Jakarta did hold trials for some of those accused in the East Timor violence, 16 of the 18 government and military officials involved were acquitted. That sparked outrage among Western governments and rights groups who labeled the rights court a failure.

The US and Indonesian militaries had close ties during the three-decade rule of the dictator Suharto, whose regime collapsed in 1998 amid riots and an economic meltdown, ushering in democracy.

Indonesia's invasion of East Timor in 1975 and the subsequent 24-year occupation is blamed for the deaths of 200,000 people — a third of the population. Anti-insurgent activities in the eastern province of Papua since 1969 are believed to have caused the deaths of more than 100,000 people.

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## **US aid to corrupt TNI risks more rights abuses**

Jakarta Post - March 14, 2006

Lisa Misol, New York — US Secretary of State Condoleezza Rice's visit to Jakarta today is intended to showcase Indonesia's transition to democracy. It follows the Bush Administration's controversial decision to reestablish full relations with the Indonesian Military (TNI). That

move opens the door to renewed US assistance, but pumping aid to an unreformed Indonesian military would serve only to encourage further rights abuses and undermine civilian governance.

The Indonesian military has long been responsible for grave abuses — including extrajudicial executions, torture, and arbitrary detention — in conflict areas such as Aceh and Papua, as well as a range of serious abuses across the country. But, as recognized by the US State Department in its annual human rights report issued last week (March 8), military personnel of all ranks have largely been above the law.

For years, the TNI has been accountable only to itself. It raises and spends large sums of money completely outside government control. It is involved in a vast network of military-owned business enterprises, shady deals with private entrepreneurs, criminal activities such as illegal logging, and corrupt practices like inflating the price of weapons purchases. Foreign corporations operating in Indonesia can easily become linked to lawful and unlawful military business activities.

For instance, US mining giant Freeport McMoRan makes huge security payments to Indonesia's military, totaling around US\$60 million through 2004. Freeport reportedly doled out at least a third of that directly to individual commanders and units. The company, which denies any wrongdoing, faced recent protests in Indonesia over its close ties to the TNI and other practices.

Corporate protection payments that bankroll Indonesia's highly abusive security forces undermine civilian control and threaten democratic governance. These payments also facilitate abuses of power and military impunity, because civil authorities cannot exercise effective oversight if they do not control the flow of funds.

Today it is estimated that Indonesia's official defense budget covers only between one-third and a half of what its military actually spends. Contributions from private companies, together with revenue from military-run businesses and illegal economic activities (including corruption), help make up the rest.

The September 2004 TNI law banned the military's business activities and ordered the government to withdraw the military from business by 2009. But the Indonesian government has been very slow to transform the potential of this law into reality.

It has suggested that its plan to take over military businesses, when it is finally announced, will address only a few of the 200-plus businesses the armed forces admit to owning. It has failed to put in place measures to prevent asset-stripping by the military. Moreover, critics warn the government's narrow approach ignores the TNI's many other economic entanglements.

The human rights consequences are serious. Cases investigated by human rights groups show that soldiers have employed abusive tactics — including violence and intimidation, extortion and property seizures — to advance their financial interests or those of their business partners.

One coal company in South Kalimantan sub-contracted part of its business to a military cooperative in order to combat illegal mining. But the soldiers ran the operation as a coal mafia that brokered deals for the company, oversaw illegal mining, and exploited workers. Military personnel extracted protection payments from miners and used threats and beatings to keep them in line.

In November the Bush Administration, without consulting Congress, invoked a national security waiver to override longstanding human rights restrictions on military aid to Indonesia. Last month the Administration asked Congress to approve \$6.5 million in proposed Foreign Military Financing (FMF) for the Indonesian military, more than a six-fold increase over the previous year. The Administration maintains that this assistance will "provide further incentives for reform of the Indonesian military."

But giving more support to an unreformed military that retains its independent money-making ventures will not make Indonesians safer, and could make the US complicit in future abuses. The Indonesian military continues to act with impunity: many officers remain on active duty even after being indicted for war crimes in East Timor by a UN-organized court that Indonesia has ignored.

Some US military trainers have told Human Rights Watch that providing aid without reform is wrongheaded. In Jakarta earlier this month, however, US Assistant Secretary of State Christopher Hill declared that the Bush Administration is “very satisfied” with progress toward military reform.

The new TNI chief, Air Marshal Djoko Suyanto, has pledged to advance some elements of military reform. But he has not yet established a track record and is expected to face internal resistance from powerful elements in the army. Also, rather than pledging to stamp out military economic activity, he has argued that the TNI should be allowed to retain some businesses.

Before the Bush Administration provides assistance to the Indonesian military, it should demand to see evidence of real reform. Secretary Rice should press Indonesia to place the military under the authority of the civilian defense ministry. She also should use her trip to announce that the US will refuse to provide them with lethal weapons and will insist on robust monitoring of whatever aid it sends.

The US can usefully support enhanced civilian oversight, proper military budgeting practices, the publication of audits of the military, and efforts to clamp down on military corruption. It also should press the government for concrete benchmarks and a timetable to implement the ban on military businesses. Ending military self-financing is a precondition for the professional army and stable democracy the US says it wants to help Indonesia build.

[The writer, a researcher based in New York, has investigated the human rights impact of military economic activity in Indonesia for a forthcoming Human Rights Watch report. She can be reached at [business@hrw.org](mailto:business@hrw.org).]

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## **Rice says US ties with Indonesia transformed**

Associated Press - March 12, 2006



The emergence of democracy in Indonesia has "thoroughly transformed" US relations with that country, the US Secretary of State, Condoleezza Rice, said in remarks made public yesterday.

Dr Rice, due to arrive in Jakarta late tomorrow as part of a week-long foreign tour, also praised Indonesia's efforts to reconcile with neighbours and its "stalwart" role in combating terror.

"It's also a place that shows that people of many different faiths and many different ethnicities can live together in a democratic system," Dr Rice said in the interview with reporters from Indonesia and several other countries.

In addition, Dr Rice welcomed the re-establishment of normal relations between the US and Indonesian military forces.

During her stay in Indonesia, Dr Rice said she will discuss a number of issues, among them the potential for a bird flu pandemic.

Meanwhile, Human Rights First, a New York-based group, urged Dr Rice to raise human rights problems with Indonesian officials during her visit.

Of particular worry are attacks on human rights defenders, the slow pace of military reform and abuses by the police in the context of counterterror operations, the group said in a statement.

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## POPULAR RESISTANCE

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### **Ambon students vent anger at shooters**

Jakarta Post - March 15, 2006

At least 300 students in Ambon, Maluku, went on a three-kilometer long march Tuesday to demand a thorough investigation in the shooting of a civilian during a deadly clash between police and the military in the city last week.

The protesters from the Association of Islamic Students were blocked by guards at the governor's

office but they insisted on meeting Governor Karel Albert Ralahalu.

The students called on the governor to organize a meeting between the Pattimura Military commander Maj. Gen. Syarifudin Summah and Maluku Police chief Brig. Gen. Adityawarman to ask them to take responsibility for the shooting.

"If you want to play war games, don't do it in residential areas because it will make residents the victims," said a protester, Ilham Sipahutar, in his speech.

The protesters demanded the authorities arrest those responsible for shooting Saiful Wakano, a Pattimura University School of Engineering student and HMI member. Saiful was shot on the evening of March 4 when police officers fired at a crowd of soldiers in the Batumerah area.

During the clash between the police and military, one police officer and a soldier were stabbed to death in separate incidents.

During the protest, the students delivered speeches condemning security personnel for injuring a civilian. They also staged a performance where a victim was dragged away by two people clad in military and police uniforms and carried a coffin to symbolize the death of human rights in the province.

"The protest is to show out anger and disappointment. If the police are no longer professional and independent, let's form a people's militia instead. How can people seek the police's protection if they are not doing their job," Muhiba Tuheteru, the protest coordinator, said in a speech.

The governor's staff met the students and told them Karel could not meet them because he was preparing for the arrival of President Susilo Bambang Yudhoyono on March 17.

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**Ambon students continue strike**

Jakarta Post - March 10, 2006

Ambon, Maluku — A protest at the State Islamic Institute in Ambon escalated Thursday when 500 students told lecturers and staff to leave the campus. The protesting students have sealed off the campus since Monday, forcing 3,000 students to miss classes.

The protesters were prevented by lecturers from blocking off the only door to the rector's office. Police officers attempted to intervene to end the action, but students attacked the officers and drove them from the campus.

Ibrahim Ruhunussa, president of the students association, said Thursday students were angry over a 100 percent increase in tuition fees and the illegal fees collected by several lecturers. Tuition at the school has risen from Rp 300,000 to Rp 600,000.

A university official, Hasan Lauselang, said the institute could not discuss the protest since rector Mochamad Attamimi was in Jakarta for a meeting.

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## **Hunger strike a desperate cry for attention**

Jakarta Post - March 13, 2006

Jakarta — Unruly demonstrations make for good newspaper copy and dramatic photos, but trashing a government building is likely to lead to criminal punishment.

When all other avenues of protest have been exhausted, some, like residents claiming to be victims of the construction of extra high-voltage electricity wires in their neighborhoods, resort to the most drastic measure of all: hunger strikes.

After the clamor of noisy protests has died down, the protesters say they believe a hunger strike is the most effective way to be heard.

Kuswiyanto, 24, and Suyoto, 38, traveled all the way from Kalisari village in Semarang, Central

Java, to Jakarta with only enough money for a one-way trip. They left behind their wives and children in the village to take part in the hunger strike.

"We have had enough. Nobody cares," Kuswiyanto said. "In our village, if you carry an umbrella and touch it with an electricity rod, it will immediately light up."

He said he was among the many villagers who suffered mysterious health problems since state electricity company PLN built the electricity towers, with capacity of 500 kilovolts, in his village in 1997.

"I've had respiratory problems for over nine years. Doctors said there was something wrong with my lungs," he said.

The two men joined the band of hunger strikers, who had their lips sewn up; there are four today, down from 12 earlier this month, on Jl. Diponegoro, Central Jakarta.

The first to have their mouths sewn shut were Ikah, 44 and Yani, 40, both residents of Cianjung in Sumedang, West Java, on Dec. 27. They were later joined by three farmers from Kademangan village in Cianjur, West Java.

Many have refused to give up their protest despite their weakening condition. One was rushed to a nearby hospital where his stitches were forcibly removed.

A few days later, he was back on hunger strike. "The idea of having my lips stitched up doesn't scare me at all. The pain is minor compared to what we have to stand every day. Us little people are used to suffering," Kuswiyanto told The Jakarta Post a day before his lips were stitched up.

A group of 10 mentally and physically disabled children also was brought before the media, their handicaps a result of living below the electricity lines, protest organizers said.

"The physical growth of some children was seriously affected even before they were born," said student activist Mustar Bonaventura, who has

assisted the protesters in getting their story out to the media. He claimed that a five-year-old girl weighed only 11 kilograms.

Mustar said the people demanded that the government pay attention to their health problems, as well as their relocation from the area. "The government can either relocate their homes or provide land compensation at current market value." Mustar and his group, Saksi, have helped the residents for the last 10 years.

"We are still waiting for the right moment to launch a strategic fight against the injustice. Our fight will be massive," he said. As they wait for that right time to come, the handful of hunger strikers continues to hold out for their complaint to be heard.

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## **Health, money charge debate over power lines**

Jakarta Post - March 13, 2006

A group of residents have been unrelenting in their protest over the proximity of extra-high voltage power lines (Sutet) to their property, despite the seemingly blinkered government response. The Jakarta Post's Abdul Khalik and Andi Haswidi look at the root causes of the problems that drove a group of villagers to embark on a hunger strike.

It is a warning commonly heard: Any electricity installment is safe, unless you touch it. But is it really safe to the about 400,000 people who actually live under it? Without enough research done to answer the question, the Indonesian government was quick to conclude there was nothing wrong with the residents who complained of health problems some time after the first phase of the construction of the 500,000 Volt (500 kV) Java-Bali extra-high voltage power grid was completed in 1989.

The protests began when residents realized the financial compensation for property affected by the project was not enough to buy land elsewhere. Not only had the value of their land plunged since

the Sutet construction began, but there were no buyers.

"My land is valued at Rp 5,000 per square meter. Before the Sutet project, I could have gotten Rp 50,000 per sq m. Even at that price, no one wants to buy it," said one of the residents who is staying at the post on Jl. Diponegoro in Central Jakarta, where they have been holding their silent protest since December.

In June 2003, 30 people from Ciseeng village in Bogor regency embarked on a hunger strike. They demanded that state power company PLN provide land compensation at current market value. That year, the residents began to complain of illnesses resulting from exposure to electromagnetic fields, and reported a growing number of births of disabled children. The protest failed to attract the attention of the state.

Over a year later, in September 2004, thousands of residents affected by Sutet projects across West Java staged a rally in front of the State Palace, demanding that president Megawati Soekarnoputri find a solution to their problems.

Megawati established a special team to look into the problem, but until today nothing has been heard from the team.

In mid-2005, the protests gained momentum as people from Central Java and Yogyakarta joined the struggle.

In its defense, the power company insisted the matter was out of its hands. PLN vice president for transmission and distribution Herman Darnel Ibrahim said that policies on compensation were in the hands of the government.

In accordance with the 2002 Electricity Law, a 1992 Ministerial Decree on the construction of power grids before 1999 as well as a 1999 Ministerial Decree on construction after 1999, PLN is required to financially compensate the owners of property acquired for PLN purposes.

Although the Electricity Law clearly stipulates that PLN as a power distributor must financially compensate land owners, the 1992 decree does not require PLN to make any payments, while the 1999

decree states that the power company must pay 10 percent of the taxable value of the property affected by the project. The 1999 decree, however, allows residents to stay put if they should so wish.

"We have paid compensation for land, buildings and plants affected by the construction of Sutet towers before 1999 and we have also paid 10 percent of the taxable value of property affected by post-1999 projects. We have acted in accordance with the prevailing regulations," Herman said.

The Sutet grid is a network of long distance extra-high voltage transmission lines that carry bulk electricity to local utilities. It spans 2,700 kilometers from west to east Java and is 30 meters wide on average. Some people living below the lines or a short distance away from the towers claim to have suffered headaches, dizziness and fatigue. Others say their children's growth was stunted.

Noted legal expert from the University of Indonesia, Rudy Satrio, said the problem was more a political one. He suggested the House of Representatives, Energy and Mineral Resources Ministry or President Susilo Bambang Yudhoyono take over the problem from PLN.

"The longer the problem exists, the greater instability it will create in the future. The two ministerial decrees are no longer relevant in the current reform era, so they have to be changed as we should take into account the decreased value of land to accommodate the people's feelings of injustice," he said.

He said the government should have acquired all property around the power lines after compensating residents.

"Even though many scientists have said there is no proof that the people's health suffered as a result of living beneath high-voltage lines, the government should have deployed an independent scientific mission to check on their health complaints, to find out what really happened to them," Rudy said.

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## **Fight broadens against anti-women laws**

Green Left Weekly - March 15, 2006

Faiza Mardzoeki & Max Lane — A united front has developed among almost all women's rights organisations to campaign against a new law currently before the parliament, the Law Against Pornography and Porno-Action (UUAPP). Opposition to the law was the focus of International Women's Day protests in Jakarta on March 8.

Kompas newspaper reported that thousands of women gathered in Thamrin Street in the city centre and marched to the State Palace and then the parliament. More than 40 organisations participated, including Women's Journal, Women's Freedom, the Women's Legal Aid Centre, the Indonesian Women's Coalition and several trade unions, including the Migrant Workers Union. In addition to opposing the UUAPP, demonstrators raised the issue of poverty among women.

The law, which was first proposed in 2002, contains provisions under its prohibitions of "porno-action" that in effect criminalise the female body. Some of these provisions include a ban on women revealing parts of their bodies in public, including the thigh, hip, buttocks, belly button, shoulders and — either partially or wholly — breasts. Penalties include jail terms for between two and 10 years. There is also a ban on kissing on the lips in public and "erotic dancing" or "erotic swivelling" of the hips in public.

The proposed anti-pornography provisions include bans on any media forms that "exploit the attraction" of "sensual parts of the human body", "of the naked adult body", "of people kissing" and of a range of heterosexual and same-sex sexual activity. The bill provides for heavy prison sentences of up to 18 years.

At the forefront of the parties in parliament supporting the bill is the Justice and Welfare Party (PKS), which has strong Islamic fundamentalist perspectives. Other parties have vacillated or refused to take a clear stand on the



law during the past year, but are being increasingly pressured to either reject or revise the bill. Apart from women's rights groups, human rights groups have also joined in criticising the bill.

A wide range of figures from the arts, film and the media have spoken out against the proposed law, which could lead to a massive puritanical purge of Indonesian cinema, television, and photography, which all show kissing and other aspects of romantic life (of course, with the usual sexist bias of the current society).

Politicians from the more mainstream political parties have come out in opposition to the bill. Both members of parliament from the Indonesian Democratic Party of Struggle (PDI-P), as well as its chairperson Megawati Sukarnoputri, have now stated their opposition to the law. What appears to have tipped the balance in the world of elite politics is increasing fear of a threat to cultural pluralism in a society that has no single dominant cultural perspective.

A broad coalition of community organisations from Bali have opposed the law. This stems from Hindu Bali's acceptance of women's bare shoulders and bare upper torso in traditional dress, including the appearance of such women in traditional paintings and other art forms, such as sculpture. There are also concerns about the impact on Balinese beach culture and tourism. On March 6, the Balinese provincial parliament passed a motion rejecting the bill, with the support of all the major parties, including Golkar (the party of former dictator Suharto). There have been protests from Papuan groups on similar grounds.

Now former Golkar chairperson Akbar Tanjung has weighed in against the bill, arguing that there can be no national law that cannot be implemented in specific provinces. However it is not clear whether these mainstream parties will reject the bill or simply soften it. Vivi Widyawati, from Women's Freedom in Jakarta, told Green Left Weekly that "the campaign against the bill has created quite a polemic and is forcing pressure for revision. But it is not looking good for getting the bill stopped given the ambivalent stand of most of the parties."

President Susilo Bambang Yudhoyono has remained silent, emboldening the PKS and other supporters of the bill. Yudhoyono's party, the Democrat Party, has so far supported the UUAPP.

There are strong fears that the passing of the bill will open the way for greater oppression of women. Even before it has passed, said Widyawati, there have been repressive actions. "In some areas, raids and arrests have already started... This is hitting poor women particular hard. For example, in Tangerang, on the outskirts of Jakarta, they have instituted a curfew for women. Three women were arrested and fined. In other areas, the sense that the law will be passed has emboldened local governments to decree the wearing of Muslim dress for women." Local governments have issued regulations against prostitution, under which women have been detained and sentenced simply because they were out alone at night.

In the island of Batam, just 20 minutes from Singapore by ferry, there have been increasing raids on shopping malls where women have been warned about wearing "provocative" clothes, such as sleeveless tops. In Aceh, there have been arrests of women walking with men who were not their husbands or relatives.

"The driving force behind the bill is the PKS", said Widyawati. "They have said that they think it will help them win the next elections. They have tried to harden the bill by proposing an amendment that an Anti-Pornography and Porno-Action Body be established not only at the national level, but for every town."

Not all Islamic groupings are supporting the bill. Various Islamic figures from the Nahdlatul Ulama (NU), the organisation that former President Abdurrahman Wahid headed for 20 years, have called on the bill to be revised and have criticised the stand taken by other Muslim organisations. One such cleric, Mustofa Bisri, was quoted in the Jakarta Post on March 6 as saying that some Muslim groups were attempting to push the law through parliament without proper consultation. The pressure was "a manifestation of panic from Muslims who have no self-confidence", he said. "It seems that certain Muslims are so worried about globalisation and are unable to deal with it that they are resorting to speedily passing this law."

Islamic student organisations, such as the Indonesian Islamic Student Union (PMII) and the Association of NU Young Men and Women (IPPNU) have also outright rejected the bill.

[Faiza Mardzoeki is a women's rights activist based in Jakarta. Max Lane writes regularly for Green Left Weekly and lectures at the University of Sydney in Asian Studies.]

### **Freeport protests hit hotel, politicians flee**

Jakarta Post - March 15, 2006

Nethy Dharma Somba, Jayapura — Dozens of angry Papuan activists expressed their anger over mining company PT Freeport Indonesia by storming the Sheraton Timika hotel Tuesday where several senior provincial government officials were staying.

The group smashed up four buses and set a car alight. No human casualties or property damage to the hotel proper were reported in the incident.

The latest in a series of protests against Freeport raised such concern among the hotel's guests — which included several provincial councillors and members of the Papua People's Council (MRP) — that they had to be evacuated to safety.

Papua councillor Abdul Hakim told The Jakarta Post from Timika that the action took place as a result of disappointment by the protesters as they could not come along with the councillors and MRP members to visit Freeport's mine in Tembagapura.

Eleven councillors and 18 MRP members staying at the hotel were on a five-day working trip to visit Freeport's mines in Tembagapura and Timika in Mimika regency. They were planning to collect data following widespread protests demanding the mining company's closure.

"We were about to leave at 6 a.m. but the road was blocked and we couldn't get through. The people wanted to come with the group but that was not part of the plan by Freeport so they prevented us from getting through," Abdul Hakim explained.

Since the team could not go to Tembagapura, he said they watched videos of the mining activities while at the hotel. But at 4 p.m., the people that

put up the road block attacked the hotel, he added. The attackers stormed the hotel carrying rocks, spears and machetes. They pelted the hotel's entrance with stones and also damaged cars belonging to Freeport employees in the hotel parking area, Antara reported.

Employees of the US-based mining giant and the US hotel chain tried to fight back and chase the attackers. "Freeport does belong to the Amung Medan Kamoro tribe, but we and our families depend upon Freeport for our livelihoods," one local Freeport employee was quoted by Antara as saying.

A Freeport spokesperson, Mindo Pangaribuan, told the Post the company had provided facilities for representatives of the residents to join the group as agreed following an earlier meeting between MRP members and the crowd.

But when the team was about to leave, he said, the people's representatives did not show up and they blocked the road instead.

Mindo said the company decided to evacuate all guests from the hotel as well as the councillors and MRP members. "We're still evacuating (the guests), for the next step, I have no comment," Mindo said.

The attack, however, did not last long as security personnel quickly arrived and secured the area. Papua Police spokesman Sr. Comr. Kartono S. claimed later Tuesday, however, that Timika had been secured as police personnel were deployed to several locations.

The attack was the latest incident following protests in Jakarta and Papua over the company's activities. Last month, the company had to suspend operations at its Grasberg mine, following a clash between illegal miners and security officers after a dispute over being allowed to sift through the company's tailings.

In the same month, Papuan students attacked a building that houses the company's office in Jakarta. Police named nine suspects in the building attack.

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## **Parties agree to scrap anti-porn bill articles**

Jakarta Post - March 15, 2006

Muninggar Sri Saraswati, Jakarta — Several House of Representatives factions have agreed to throw out articles in the pornography bill that criminalize personal conduct deemed indecent and allow for the establishment of a special anti-pornography body.

The Indonesian Democratic Party of Struggle (PDI-P) has voiced the most vocal opposition to the draft law. It and the National Awakening Party (PKB), the National Mandate Party (PAN) and the Democrat Party — support the demands to scrap all articles that target behavior deemed indecent.

PDI-P legislator Eva K. Sundari said her party suggested that articles on these sanctions be included in a draft revision of the Criminal Code, which is due to be discussed later this year. "The articles about criminal sanctions (on behavior judged obscene) would be regulated in the bill to revise the Criminal Code," she said Tuesday. As a consequence, all articles on the establishment of an anti-pornography body would also be eliminated, Eva added.

The major supporters of the bill are conservative Muslim-based parties, including the Prosperous Justice Party (PKS) and the United Development Party (PPP).

Eva said the legislators wanted the bill to only rule on pornographic materials and industries in a bid to protect children. "We have to make it formal. But we are still concerned about the paradigm of the bill. If the bill is to rule on the distribution of pornographic materials, it should be changed completely," she said.

Separately, deputy chairwoman of the House special team deliberating the bill, Chairunissa, confirmed there was an agreement to scrap such these articles as "we are still in the stage of listening to people's aspirations". "It is still a long way before the bill is passed into law," she

said.

A series of meetings by the special team last week only produced minor changes to the bill, including an agreement to change the title of the bill from the Anti-Pornography and Pornoaksi (indecent acts) Bill into either the Bill on Pornography or the Bill on Pornography and Pornoaksi.

The team did not discuss the substance of the bill during the three-day meeting, which was boycotted by PDI-P representatives. Neither did the team compile a list of contentious articles for further debate.

Meanwhile, several Muslim clerics from South Sulawesi met with the special committee deliberating the bill to express their support for the legislation. "Please, don't go back (on the bill). We need it because pornography has intruded on our children's lives," said a cleric, Sirajudin.

Legislator Balkan Kaplale, who chairs the House special committee, has repeatedly said the bill would be passed into law by June. However, it is now unlikely the deadline will be met as the House will enter its recess period next week.

Legislators must produce a list of contentious articles in the bill before they submit it to the government. After this, President Susilo Bambang Yudhoyono is expected to issue a presidential letter to approve the deliberation of the bill and appoint ministers to represent the government in deliberating it with the House.

The bill has drawn controversy because it bans a series of acts including kissing in public and nudity in public art, and also could punish people for how they dress.

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## **Pornography bill a serious threat to artists**

Jakarta Post - March 13, 2006

A'an Suryana, Jakarta — Art curator Agus Suwage had not expected that exhibiting an art work by

photographer Davy Linggar would land him in serious trouble. "I knew from the media that a group of people had filed a lawsuit against us, but I was steadfast as I believed that we had done nothing wrong. Were they joking?" said Suwage, referring to the protest by right wing Muslim group the Islamic Defender's Front (FPI).

The group had staged a massive campaign against Davy and Suwage along with TV star Anjasmara and model Isabel Yahya, for displaying what the FPI deemed to be obscene pictures in the CP Biennale in Jakarta in September last year.

Despite the FPI protest, Suwage remained calm and was convinced that the case would not be brought to court. He was still confident that he would not be the target of the law when he was taken in for questioning by the police in October last year.

But the situation changed abruptly in February, when police declared him a suspect, along with the three others responsible for displaying the picture in the art exhibition held at the Bank Indonesia Museum in Central Jakarta.

"When I received the letter from the police naming me a suspect, I was stunned, amazed. I was really worried that in the end, I would be put in jail," said the father of two children on Wednesday. He added that his wife was even more shocked than he was.

Since he was named a suspect, Suwage and his family have led a stressful life, uncertain of the future. "We do hope the police will drop the charge as we have done nothing wrong. What we displayed was an art work and in displaying it we had no intention of insulting any people or religious groups," he said.

Many other artists have also been persecuted for allegedly displaying "obscene" art or objects that have insulted certain religious groups. "Suwage's case represents many others where artists and actors have had problems with the religious community. The situation is worrying," said Andreas Harsono, director of the Pantau Foundation, of which Suwage is a member.

The concern has deepened since legislators, especially those from right Muslim parties,

proposed the anti-pornography bill, which is now being deliberated at the House of Representatives (DPR).

The bill — which bans kissing in public, sensual dance and the depiction of sexual activity in literature, paintings, photographs or recordings, among other things — is seen as problem because it lends itself to multiple interpretations. If the bill is passed into the law, it will not only allow the state to oppress the work it considers obscene, as in the case of Agus Suwage, but it could also lead to the demise of freedom of expression in general.

If the bill passes, artists will no longer be able to express their thoughts without fearing legal prosecution, and women wearing fashionable attire could face being criminalized for their sexuality.

The bill has also concerned people in predominantly Hindu Bali, where nudity in certain contexts is an accepted part of the island's art and culture. The Balinese are worried that if the bill is made law, it will also affect tourism, which has been the backbone of the island's economy for years. As a result, the strongest opposition to the bill is coming from Bali.

A string of protests have been carried out since the deliberation of the bill was announced. Bowing to public pressure, the legislators with the DPR have visited various over the past few days to canvas public opinion on the bill. The legislators themselves have promised that the protests will be taken into account when the bill is deliberated but there is no guarantee that the outcome will be satisfactory to all.

Suwage stressed again that by displaying the art work, he did not intend to insult any religions or groups of people. "We have already said this to both the public and the police investigators but whether this will be heard, we have no idea. We can only wait," said Suwage in a gentle voice.

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**Big factions want porn bill changed**



Jakarta Post - March 11, 2006

Muninggar Sri Saraswati, Jakarta — The two largest factions in the House of Representatives are expected to push for major changes to the pornography bill currently being deliberated, as the controversy over the issue continues to grow.

The Golkar Party and the Indonesian Democratic Party of Struggle (PDI-P) occupy 128 and 109 seats respectively in the 550-seat House.

Legislator Yuddy Chrisnandi of Golkar said his faction would likely push for the withdrawal of all articles regarding pornoaksi — pornographic or obscene acts — in the bill, the title of which is the Anti-Pornography and Pornographic Acts Bill.

It is unclear whether articles in the bill regulating non- pornoaksi — pornography in the print and broadcast media and art — would also be rejected. "It is very difficult to define pornoaksi. How can we regulate something that cannot be defined?" he said Friday.

Yuddy said the articles detailing alleged obscene acts drew the most controversy because they encroached on the personal rights of individuals — including their right to dress and behave.

While the party wanted changes to the legislation, Golkar members still wanted the bill deliberated by the House, Yuddy said.

Yuddy, who is a member of the House special committee deliberating the bill, said the Criminal Code did not have sufficient laws criminalizing pornography in the country.

"We need a particular law for this issue because we have to protect our children from pornography. Whether you like it or not, pornography has affected our children," he said.

Meanwhile, the PDI-P vowed to do the best it could to make major changes to the bill. "We consider this a war. We will do whatever we can to prevent this draft being passed into law without changes," legislator Eva K. Sundari said.

Legislator Afridel Jinu said the PDI-P opposed all moves to attack freedom of expression. The faction

has decided to boycott the special committee meetings in Puncak, West Java, which are to be held this weekend.

"We are also planning a move to hold a vote of no confidence in the committee chairman, who has been very arrogant," Afridel said, referring to legislator Balkan Kaplale of the Democrat Party.

Balkan, who wants to finish the bill's deliberation in June, had turned down the PDI-P's request to give legislators more time to submit their list of contentious articles to the committee.

The draft bill has articles banning public kissing, depictions of nudity in public art, and could also fine women who refused to cover "sensitive" body parts like their hair, shoulders, midriffs and legs. Violators risk jail terms and fines of up to Rp 2 billion (about US\$214,000).

Non-Muslim groups in Bali and Papua have voiced strong opposition to the bill, calling it culturally insensitive, while women's groups have said it criminalizes female sexuality.

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## **Islamic moral drive spreads fear in Indonesia**

Sydney Morning Herald - March 11, 2006

Mark Forbes and Karuni Rompies in Jakarta — Lilis Lindawati finished waitressing at 8pm and was waiting for a bus when the men in brown shirts came. Five jumped from the back of a ute and forced her into a nearby van.

The frightened, three-months-pregnant mother of two was about to become another casualty of Indonesia's escalating morality war. Her crime: she was female, alone and wearing make-up. A tube of lipstick sealed her fate.

New bylaws championed by the ambitious mayor of Tangerang, a satellite city on Jakarta's outskirts, aim to drive out gamblers, drunks and prostitutes. They are enforced by a small army of "public order officers" who cruise the streets,

able to arrest anyone at whim.

The move has created a de facto curfew for women in Tangerang. If they are caught alone at night they must prove they are not prostitutes.

As well as banning "physical intimacy" in public places, a bylaw states a woman "who behaves suspiciously" on streets or in hotels, theatres, coffee shops — even private houses — will be jailed.

Tangerang is not the only regional administration to introduce bylaws reflecting sharia — Islamic law. And a proposed national anti-pornography law will ban public kissing and any clothing considered alluring. Baring a navel would earn a jail term.

Moderate Muslim organisations are supporting the changes, but intellectuals, feminists and artists are beginning to mobilise against what they believe is a hardline agenda to reshape Indonesia. This week, on International Womens Day, thousands of Indonesian women demonstrated against the morality campaign.

A fortnight ago, Mrs Lindawati, 36, was ignorant of the debate. "For God's sake, I am not a prostitute. I am a good woman. I have a husband and I have children," she protested.

But the officers ignored pleas to call her family, jailing her overnight. The next morning she was hauled from a two-room cottage to go on trial in the forecourt of the palatial offices of the Mayor, Wahidin Halim, where a large crowd was celebrating the city's anniversary.

"Everybody was watching," said Mrs Lindawati. She told the judge, Barmen Sinurat, she was not a prostitute. He demanded she empty her handbag, which contained face powder and lipstick.

"Then the judge said, 'There is powder and lipstick in your bag. That means you're lying to say that you are a housewife,'" she recounted. "I am hurt, insulted, because people think I am a prostitute. Please don't blame me if I put on make-up. Many housewives today put on make-up, otherwise our husbands will go away for another woman."

Her request to call her husband, a teacher at the local state school, was again rejected. Striking his gavel three times, Judge Sinurat pronounced: "You are guilty. You are prostitute." Unable to pay a \$40 fine, Mrs Lindawati was jailed for three days.

Mr Wahidin, brother of the Indonesian Foreign Minister, Hassan Wirayuda, was unmoved by Mrs Lindawati's plight.

"She could not prove she is not a prostitute," he told the Herald. "It is true when my men arrested her she was not committing adultery, but why does she put on such make-up?" What's more, said Mr Wahidin, she wore tight clothes and "a good girl would not stand in the street with that kind of dress". "The point is we can tell someone is a prostitute or not ... They stand in the street moving their body, waving their hands, trying to attract people, seducing." Mr Wahidin denies the changes are political. There are rumours he will stand for regional governor and his morality bylaws have won support from powerful, Islamic-orientated parties.

A legal aid activist, Astuti Listyaningrum, said the show trial of Mrs Lindawati and 26 others was an abuse of the legal process. "Of course they looked terrible, looked terrified. Not because they are prostitutes, but because they were nervous," she said.

Despite the support of her neighbours, Mrs Lindawati now refuses to venture out. Other women have begun carrying letters from their employers explaining they must work late.

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## **Lombok ladies angry over 'moral police state'**

Jakarta Post - March 12, 2006

Panca Nugraha, Mataram — About 300 people, mostly women, took to the streets Saturday in a loud protest against the antipornography bill, which they said degraded women, insulted many local cultures and threatened tourism.

They marched through the main streets to the

provincial council building to file their petition, demanding that the House of Representatives in Jakarta toss the bill in the nearest dumpster.

Grouped in the Alliance of United People (ARB), the demonstrators expressed concern that the bill would provide a legal basis for the suppression of women's rights and kill the principle of gender equality.

"The bill is full of anomalies, especially in its definition of key issues. Why does the state want to serve as our morality police and repress women?" yelled one woman, Nyayu Erawati, the protest leader.

The protest caught some locals off guard because Lombok is known as a staunchly Muslim island and the bill has found its strongest support among Muslim groups in other parts of the country.

Three councillors met the protesters, but refused to sign a statement rejecting the bill. However, they conceded that they would discuss the demand with the other 52 council members.

Like neighboring Bali, Lombok depends heavily on tourism. Bali, where local culture has always been tolerant of discreet nudity in the fine arts, has fiercely rejected the bill for similar reasons. Some Balinese are so upset, they are now threatening to secede from Indonesia and become an independent state.

Many people in Lombok fear that if the bill, which carries a maximum jail term of 10 years and a Rp 2 billion fine, was passed, it would practically kill off the tourism industry and threaten the indigenous cultures.

"We would no longer be allowed to wear our traditional dresses," Suhaili Mahsun, a respected local figure, told Antara.

Local traditional attire for both women and men does not entirely cover parts of the body that the bill defines as "sensual", which mostly applies to women, such as thighs, hips, the navel and breasts.

"If that's what they (advocates of the bill) want,

then Lombok would eventually lose its indigenous culture and identity," said Suhaili, who chairs the Senggigi Business Forum.

"The government and the house should focus on more pressing issues than this bill. The real pornography issues in the bill have been adequately addressed by the Criminal Code and other regulations."

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## **Civil liberties under threat**

Jakarta Post - March 10, 2006

Charles Honoris, Tokyo — The proposed pornography bill has created a nationwide controversy. Several interpretations of the bill suggest that the article outlawing women from showing "sensual parts" could result in banning women from wearing swimsuits or bikinis — or even the kebaya. Even more difficult will be to define what constitutes an "erotic dance".

Rhoma Irama certainly thinks that Inul Daratista's dance is erotic, and others may even find the traditional poco-poco dance to be so too.

If enacted, the government will be imposing particular religious values on society, and ignoring the diversity of the Indonesian people. Many have claimed that the bill is not an attempt to implement sharia law, but instead to protect women and save Indonesia from further moral degradation. This is clearly not true, however, as the bill's main supporters are conservative Muslim groups intent on using it to push their own religious agenda.

It is also clear that there have been constant attempts by conservative religious groups to insert sharia law into national laws and government regulations. West Sumatra's legislative council, for example, recently endorsed a regulation which bans women from traveling alone without their husbands after 9 p.m. The Indonesian Muslim Council's Edict Commission chief, Ma'ruf Amin, has voiced his support for Tangerang city's regulation preventing women from going out at

night. "That's the way it should be. We have to defend the nation's morality," he said.

To protect women?

Instead of protecting women, the pornography bill will be catastrophic to the lives of many Indonesian women. Women may have to spend years in prison or pay harsh fines for wearing a tanktop or dancing to dangdut music.

In Saudi Arabia, where women are covered from head to toe in public and not even allowed to drive a car, there are constant reports of sex crimes. We frequently hear of Indonesian and other migrant maids being raped and sexually abused by their employers. In Afghanistan, young boys are often targets of rape by older men, and the Afghan government has banned children from areas near military bases in an attempt to stop the problem.

On the other hand, countries that are very liberal on sexual issues, such as Japan and Western European nations, have lower rates of sex crimes.

The bill, if enacted, will curtail many of our civil liberties. It will allow the government to impose a morality defined by certain groups. The government will be allowed to meddle in the private life of the individual. It is also contrary to the spirit of two UN conventions ratified recently by the government: The UN Covenant on Civil and Political Rights and the UN Covenant on Social and Economic Rights.

More importantly, the bill is in clear violation of the foundation of this nation: The Indonesian Constitution, which ensures freedom of expression, freedom to develop in the field of arts, and the protection of traditional cultures.

Balinese leaders have strongly rejected the pornography bill. Imagine the effect on the Balinese tourism industry if tourists were barred from sunbathing on the beaches. One Balinese leader even threatened Balinese independence if the bill was enacted. If that happens, radical groups may react the way they did in Ambon, by sending die-hard militants.

More violence may follow the ratification of the pornography bill. Fundamentalist groups may use

the law to justify destroying objects and harassing people they deem “indecent”.

The pornography bill can be seen as a form of Arabization. It is not, as claimed by supporters, an attempt to restore Indonesian and Eastern values.

Balinese culture has for centuries depicted nudity as something very natural. The kebaya has been part of Javanese culture for many years, and has co-existed with Islam in Java.

By enacting the pornography bill, Indonesia is gradually becoming what Newsweek editor Fareed Zakaria calls an “illiberal democracy”. While democratic institutions may exist, the people are deprived of many of their civil liberties. So, what will be next? No driving for women?

[The writer is a student of political science and law]at the International Christian University, Tokyo.

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## **Bylaw makes any woman a sex worker**

Jakarta Post - March 9, 2006

Multa Fidrus, Tangerang — Some 1,500 people representing various groups staged a rally Monday at the Tangerang administration office on Jl. Satria, to show support for a bylaw that regards the performance of sex work as a criminal offense.

The groups, however, urged the municipal council to revise an article of the bylaw, which makes unaccompanied women vulnerable to police harassment or arrest. The bylaw, which targets female but not male sex workers, came into effect late last year.

The massive rally was initiated by the Tangerang chapter of the Indonesian Teachers Union (PGRI), the Benda Community Alliance, the Betawi Forum for Children’s Communication, the Forum for Independent Women, Tangerang Mother’s Majelis Ta’lim, Tangerang Government Watch and the Confederation of Independent Labor Unions (GSBI).



"Looking objectively at the real situation — at how sex workers have taken to every corner of our city — for our own safety, we strongly support the implementation of the bylaw," PGRI chairman H. Hasan said.

However, he said Article 4 (1) of the law contained definitions so vague they could be used to target women who went out by themselves at night.

The article prohibits any woman whose attitude and behavior gives the impression she could be a sex worker from being on the street, on a playing field, in a hotel or dormitory, in a residential area or coffee shop, at an amusement park, on a street corner or at any other public place at night.

Meanwhile, councillor Abdul Harif, who was seen amid the crowd at the rally, said the language of the bylaw made a woman who was alone in public after dusk a sex worker.

"The article must be revised. It has misled some public order officers, who made a mistake in picking up women on the side of the road, although they were not soliciting." In fact, the bylaw is written in an ambiguous way, which permits officers to apprehend women who are loitering on the street.

Ngadinah, coordinator of the GSBI said she too had urged the council to revise the bylaw. "The bylaw gives a poor definition of a prostitute. It's wrong to judge someone based on suspicion," she said.

She said the bylaw gave certain individuals the license to carry out subjective policing. "Before the bylaw was endorsed, it would have been wise for the administration and the council to research its possible impacts. For example, for female workers, the administration could have suggested to industrial firms that they provide transportation to pick them up and take them home," she said.

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HUMAN RIGHTS/LAW

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## **Suciwati: Fighting for justice and end to impunity**

Jakarta Post - March 12, 2006

Duncan Graham, Surabaya — Before sociologists and grief counselors got hold of the word, "closure" meant keeping the door shut. Now it refers to the absence of a corpse, unresolved disputes about cause of death, the mystery of a sudden fatality.

And the reason. And the perpetrator. Suciwati does not have closure. Maybe she never will.

That's not through any lack of energy or dilution of purpose. The widow of slain human rights activist Munir Said Thalib isn't short of determination and drive; but she knows time erodes all things, including memories and campaigns for justice.

One man has been convicted of her husband's murder and is now serving 14 years in jail. A crime has been committed, a criminal found. The gavel has banged down, the file slammed shut.

The story seems to have run its course. It's time to move on to other things.

"I have to keep going to honor the spirit of my husband and so the truth will be revealed," she told The Sunday Post at her home in the hill town of Batu in East Java.

"This is not about revenge, it's about justice. My hope is that the law in Indonesia will be upheld and that there is no impunity for criminals, whatever their rank and contacts. The rule of law must be returned to our country."

But unless there are new and startling revelations Munir's death will slowly slip down the news lists. An issue which once made page one headlines will become a one-paragraph filler on a slow news day, then disappear altogether as other scandals eclipse the murder.

This is not an Indonesian disease; it happens everywhere unless there's a tireless crusader with credibility prepared to keep going where others falter, to put out the statements, to make the speeches, to lobby the influential.

To maintain the rage. To stay focused. Even when editors spike the stories because they've read them all before, when only the converted come to the meetings to make up the numbers, and the politicians' minders say their bosses are too busy.

Can Suciwati keep going? She's 37 and looks older. Friendly, but cautious. Modest but frank. A no-nonsense woman but not so tough that she's lost her femininity. On the wall just a big photo of Mecca and an ocean of pilgrims. No photos or press clippings, Arabic calligraphy or stirring exhortations from Nelson Mandela in an attempt to display commitment by association.

Understatements everywhere. She greeted this paper politely in a tracksuit and without makeup, dispensing with the elaborate rituals of a Javanese hostess as though she's been mixing with too many foreigners and their casual-but-serious style has rubbed off. Or that she realizes formal rites are superficial and superfluous; they get in the way of important talk.

The strategy now is to keep up the pressure on the government. She has visited Europe and many countries in Asia to tell her story. She's been boosted by the support of 70 US Congress members who have urged the Indonesian government to uncover the plot — but knows American backing carries little political clout since the invasion of Iraq.

Some commentators claim resolution of the Munir case is the acid test for the Indonesian government and its commitment to justice. But this is unfair. No administration can be judged by a single case in a country as complex as Indonesia.

It would be great to say Suciwati is still just as resolved as she was in September 2004. That was when she learned that her husband of eight years had been poisoned with arsenic on a Garuda flight heading for Holland.

But her eyes say this is just the beginning and the road ahead may be even harder and longer than the one she's already trod.

When the poisoning was proven she met President Susilo Bambang Yudhoyono. She said she found him

sympathetic and concerned but *bimbang*, meaning indecisive. But he did agree to commissioning a fact-finding inquiry which has reported and been dissolved.

The upshot was Garuda pilot Pollycarpus Budihari Priyanto has been convicted of premeditated murder. So now it's time for closure.

Not so. Suciwati is tired, but restless. The full report has not been released. Like her colleagues in the NGOs she believes Pollycarpus was just the agent of her husband's death and that other more powerful and sinister figures masterminded the assassination.

She believes they are linked to BIN, the state intelligence agency and seemingly a law unto itself.

She has two small and hyperactive children who demand her time. Like her they seem more Western than Javanese. They don't know why Dad's not coming home or why Mom should always be talking to adult strangers and not competing with them on PlayStation. Caring for them is her priority.

She has to live in two places, Jakarta where she works part time as a secretary, and in the middle-class family home in Batu where she has responsibilities for an aging parent.

But she is in demand for speaking engagements in Indonesia and abroad, deputations and demonstrations. Like it or not, she is the public face of the campaign and if she falters, so will others.

They are in a war of attrition against a mighty opponent with limitless resources and countless tricks to delay and divert: The faceless State. And if she is a continuing success her life may be in danger. Like her late husband.

The package of severed chicken heads delivered after her husband's death with a warning not to implicate the military was well publicized. Not known is that she was recently the victim of a hit-and-run while out on her red motorcycle and believes this was another threat to add to the SMS messages.

Westerners are regularly warned about terrorism and the possibility of kidnapping. Senior politicians fear assassination and have been given extra security.

But the one person who seems most at risk is unprotected. She sits with her back to an open window. Only three meters separate the house from a major road. Into this space a bomb was lobbed when her husband was still alive.

The front door is open, and so is the gate. People wander in and out, unchallenged, including a man in a full-face helmet. Suciwati is determined not to become a prisoner or be silenced. "My life and future are in God's hands," she said. "Everything is in God's plan." Even the killing of her husband? "Everything."

If she'd rushed into a retreat and disappeared from public life no reasonable person could have laid blame. Kontras (the Commission for Missing Persons and Victims of Violence, established by Munir in 1998) has plenty of smart activists prosecuting the cause with vigor. In practical terms she doesn't need to be on the front line.

But in issues like this the public wants a face, an ordinary individual they can relate to as an aggrieved fellow human being. They do not want a distant spokesperson for a complex organization discussing abstract concepts.

The former teacher who was educated at the Malang IKIP (Teachers Training College) was once a labor unionist pushing for higher wages for workers. This brought her to Munir's attention in 1991. But after becoming a wife and mother she saw her role as supporting her husband and family.

"We were a partnership," she said. "Although I come from a traditional Muslim family we were a modern couple, respecting each other. There were no gender issues."

In India, Sonia Gandhi became the reluctant politician after her husband Rajiv's assassination in 1991 defying demands that she return to her home in Italy and keep out of Indian affairs.

Suciwati is in the same mold. She doesn't hanker for status and recognition, but she's now the

internationally known figure representing Indonesia's awful record on human rights.

Every time she appears in public the world remembers that Indonesia may be a fresh new democracy but sinister forces are busily killing, maiming, destroying and destabilizing the government. A wise administration would back her cause to fruition, if only to keep this meddlesome woman silent and shut up the shame.

"Munir was never stopped by threats," Suciwati said. "Danger is everywhere. I get many messages of support and sympathy. Sometimes not strong. I chose the domestic life, but now I have this other responsibility. "If you are human, then you must be afraid. But God has a plan for me and I must follow it."

#### Dangerous activism

Munir was born in 1966 in Batu, East Java. He trained as a lawyer and started work in Surabaya with a legal aid office. He soon made a name for himself defending victims of abuses by government and business.

In particular he criticized the military and police for their treatment of labor activists and their behavior in Aceh and East Timor.

In 1998 he started Kontras in Jakarta and won several international awards for his promotion of human rights.

Despite controls on the media during the New Order government of former president Soeharto, Munir soon became a famous face on television and newspapers because he was always prepared to speak out. There were plenty of threats and physical violence, culminating in the trashing of the Kontras office in 2003 by a mob of thugs.

Many found this curious as the fall of Soeharto had introduced a new era of open discussion. The political power of the military had been diluted, and people felt more relaxed about criticizing authority.

However Munir and his colleagues were also prying into issues of corruption involving big business and government agencies. Clearly they had made

some powerful enemies.

A major problem for the credibility of NGOs in Indonesia is that most are subsidized by foreign funds and consequently open to the charge that they are running agendas set by overseas agencies.

By 2004 Munir felt he was in need of a break and set off to a university in Utrecht. He told friends at the time: "I want to take a rest, to study again and to reflect."

He died on board Garuda flight GA 974 on Sept. 7, two hours from his destination. An autopsy in Holland revealed 456 milligrams of arsenic in his body, three times the lethal dose.

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### **Munir, Ahmadiyah attacks, churches issues for UN meeting**

Jakarta Post - March 10, 2006

Tb. Arie Rukmantara, Jakarta — Munir's murder, the religiously motivated attacks on Ahmadiyah followers and forced church closures are some of issues local activist groups plan to raise at the upcoming session of the United Nation's Commission on Human Rights.

A group of 15 NGOs are to attend the 62<sup>nd</sup> regular session of the 53-nation body in Geneva from March 13 through April 21, the groups' representatives said Thursday.

Coordinator Rafendi Djamin, who will lead the Indonesian delegation, said members would brief the commission about the declining respect for human rights in the country.

"Aside from Aceh Peace agreement, which has been widely praised by the international community, the human rights situation here is not improving. To a certain extent, it's worsening," Rafendi said. "We need to draw the world's attention to this."

Rafendi said the coalition would tell the world that the government had ignored serious religious discrimination in the country during the past year.

Attacks on Ahmadiyah congregations across the country and the closures of many churches in Java proved the government was failing to protect its citizens' basic rights, he said.

"Although the commission's resolutions are not legally binding, it's politically and morally important for the government to abide by them," he said.

Elsam human rights group director Ifdal Kasim said the coalition would also raise the unresolved issues surrounding the murder of rights champion Munir.

"The government has not taken any initiatives to uncover the mystery behind Munir's death. It shows that it lacks commitment to settling this issue," Ifdal said.

Munir's widow, Suciwati, would also attend the session and would brief the commission on the trial, he said.

Suciwati also attended last year's session, where she testified about the alleged conspiracy to kill her husband. The commission promised to monitor and pressure the government to investigate the case and bring its masterminds to justice.

Munir was poisoned to death on a flight from Jakarta to Amsterdam in September 2004. An autopsy by Dutch authorities found excessive amounts of arsenic in his body.

A pilot Pollycarpus Budihari Priyanto was found guilty of the murder by a court last year but evidence emerged in his trial that National Intelligence Agency operatives may also have been involved.

Another delegate, Poengky Indarto of Imparsial, said the coalition would also raise issues relating to women's rights, child protection and the economy, along with social and cultural rights.

"We will urge the commission to press the government to improve the country's human rights record," she said.



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## **Prosecutors snowed under by graft cases**

Jakarta Post - March 9, 2006

Abdul Khalik, Jakarta — The government's campaign against graft seems to be coming unstuck at the prosecutor's office, with a mountain of cases still to be tried. A paltry two of about 2,000 corruption cases have been processed in the past six years, head of the Jakarta Prosecutor's Office Rusdi Taher said Wednesday.

Prosecutors cite the complicated aspects of many of the cases, requiring expertise in banking and finance, the involvement of powerful figures as witnesses or suspects and a lack of human resources in making it difficult to proceed to trial.

"We have only been able to handle alleged corruption cases in the sale of a state sugar factory in Gorontalo in northern Sulawesi, and the sale of assets of a shopping plaza in Bandung. We only have a few prosecutors handling corruption and banking cases in our office," he said.

For the Gorontalo case of the sale of assets of state-owned PT Rajawali III, Rusdi said there were problems in investigating the many businesspeople involved as well as understanding the technicalities of banking and financial transactions.

Former head of the now defunct Indonesian Bank Restructuring Agency (IBRA) Syafruddin Temenggung and several of his staff were named suspects last month and detained.

The office said evidence showed that Syafruddin caused state losses of more than Rp 505 billion (about US\$54 million) in 2003 when he sold assets in the sugar factory to a private company for Rp 95 billion, while their face value was Rp 600 billion.

Syafruddin, who denies the allegations, said he did his job in accordance with regulations. He argued the money raised from the sale was fair

because it was impossible to secure a transaction based on face value amid the decreasing value of state assets.

He also said that the sale was approved by the Financial Sector Policy Committee, whose members included then state minister for state enterprises Laksamana Sukardi, then coordinating minister for the economy Dorodjatun Kuntjoro-Jakti and then finance minister Boediono, who is now coordinating minister for the economy.

Jakarta Prosecutor's Office spokesman Mustaming said Tuesday that his office had summoned Laksamana to verify if he gave his approval on the sale of the sugar factory's assets.

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## LABOUR ISSUES

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### **Government rapped for failing to protect migrant workers**

Jakarta Post - March 11, 2006

Benget Simbolon Tnb., Jakarta — The government is yet to take serious action to protect migrant workers overseas despite recurring cases of their ill treatment by recruiters and employers, a seminar concluded Thursday.

The government's failure to provide adequate legal protection to Indonesian migrant workers was the focus of the one-day seminar organized by the Habibie Center.

The seminar was held in conjunction with the launch of a book, Development, Migration and Security in East Asia, by Dewi Fortuna Anwar.

Human rights activist Edwin Partogi said between 2001 and 2004, about 1,000 Indonesian migrant workers had gone missing abroad.

"Most of them hailed from West Java, East Java and West Nusa Tenggara," he said. The migrants went missing in Saudi Arabia, Malaysia, Singapore, Kuwait, and Qatar.

Tri Nuke Pudjiastuti, a speaker at the seminar,

said there had been many cases of unfair treatment of migrants and even torture, which had caused the death of many workers on foreign soil.

She said sending people abroad as migrant workers was basically human trafficking.

"Before, many people used to ask the government to stop (the practice) because they were concerned workers were being exploited by the broker companies and their employers," she said.

Other participants noted the Philippines had a better record in protecting migrant workers than here.

They noted Philippine President Gloria Macapagal Arroyo decided last year to withdraw the country's troops from Iraq to save the life of single Filipino held hostage by militants.

Social observers Tri Nuke and Rianto Adi suggested the government improve its policy on migrant workers.

Indonesia passed a law protecting migrant workers in 2004 but the government never issued the regulations to enforce it.

Official statistics shows that remittances from migrant workers increased from US\$1.8 billion in 2004 to \$2.93 billion in 2005. This year they are expected to reach \$3.5 billion.

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## **Workers demand new pro-labor law, reject amendments**

Jakarta Post - March 9, 2006

Jakarta — About 3,000 workers took to the streets outside Merdeka Palace on Wednesday to show their opposition to a plan by the government and the Indonesian Employers Association (Apindo) to revise the 2003 Labor Law.

Members of the Federation of Metalworkers Labor Unions demanded President Susilo Bambang Yudhoyono cancel the revisions, which they said discriminated against workers in favor of

employers.

"The bill will not only make workers' conditions even more miserable, it will also allow foreign entities to control Indonesian companies. So please drop the plan," union secretary-general Said Iqbal said. The workers threatened to organize a nationwide strike if the government ignored their demands.

Members of the automotive, shipping, electronic and aerospace industries, the workers began their march at the Hotel Indonesia traffic circle, about two kilometers from the palace.

Part of the union-NGO grouping, the Labor Demand Alliance, they dismissed the amendments as "anti-labor and pro-capitalist" and called for the formation of a new law which had the support of all parties.

"The 2003 labor law was designed to facilitate the entry of investors into Indonesia, to ease the dismissal of workers, and to weaken the unions," organizer Budi Wardoyo said when announcing the protest on Tuesday.

"The revisions are worse than the law which is already bad," negotiator Kambusiha said. "All industrial sectors will be affected by this personnel outsourcing." The alliance said there were 15 crucial articles in the 2003 law that needed urgent revision.

One of the 15 articles revised by Apindo stipulated that foreign employees could now hold managerial jobs, different from the 2003 law that limited foreign workers to technical positions.

The alliance said this would further limit positions available for locals. "Protections for workers are being destroyed," said Budi. "We are demonstrating to counter the government's arguments that Law 13/2003 on labor was passed in order to increase worker prosperity," a representative said.

Demonstrators called upon laborers and the poor to establish a national network of unions from the country's industrial regions to demand a pro-labor law. "I hope that the members of the legislature will change their attitude (toward the bill),"

Indonesian Labor Union Federation representative  
Dahlan Gurnin said.

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## **Indonesia targets sending 700,000 workers overseas**

Tempo Interactive - March 8, 2006

Zaky Almubarak, Jakarta — The government is targeting to send 700,000 Indonesian overseas contract workers this year, an increase of 225,900 compared to last year's total of 474,310.

"They will be placed in Japan, Korea, Australia, and other countries," said the Minister of Manpower & Transmigration, Erman Suparno, in Jakarta yesterday (8/3).

To support this target, Erman stated that he would create new programs, including simpler issuing of passports, which will also be available regionally.

In addition, said Erman, there will be insurance policies that are given to the workers directly and not through their recruitment agencies.

An online information system will also be set up, smart cards will be issued in cooperation with banks so that workers have additional identification and all official costs levied on workers will be reviewed.

"These programs are being carried out in cooperation with insurance companies, Bank BNI, Bank BRI and Bank Mandiri, as well as the Legal and Human Rights Department," said Erman.

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## **WAR ON TERROR**

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## **Rice seeks to boost ties with key anti-terror ally**

Reuters - March 14, 2006

Sue Pleming, Jakarta — US Secretary of State Condoleezza Rice began a trip to Indonesia on

Tuesday seeking closer ties with the moderate Islamic country in a region where China's influence is growing.

Since the September 11, 2001 attacks in New York and Washington, Indonesia has become a firm US ally in fighting terrorism. Security issues were expected to dominate Rice's discussions with President Susilo Bambang Yudhoyono, along with closer military ties between the two nations.

"The Indonesians are making a real effort to rid the region and not just themselves, but in cooperation with the region, of the terrorist threat that has plagued southeast Asia," Rice told reporters traveling with her to Jakarta.

The end of autocratic President Suharto's 32-year rule in 1998 allowed democracy to flourish in Indonesia and encouraged better US relations. Yudhoyono, a former general with US training, became Indonesia's first directly elected president in 2004 on a strong security platform.

Last November, the United States restored military ties with Indonesia as a reward for cooperation against al Qaeda-linked militants and cited reforms in the military and efforts by the government to improve its human rights record.

Before she began her official meetings, some 400 slogan-shouting anti-American Muslim protesters gathered outside the heavily-guarded US embassy to protest against Rice's visit, saying she was a "vampire from America." As 300 policemen looked on with two water cannons on standby, one of the speakers told the protesters: "Our welcome speech will say, 'Condoleezza Rice go to hell'. Because wherever she goes, the US targets the place not to solve problems but to create problems."

Indonesia has seen large anti-American protests over the past few weeks, but Rice said earlier she was not concerned about that during her visit, adding such protests showed democracy was working.

Rice's first appointment was a visit to one of Jakarta's oldest Islamic schools, where she was welcomed by children waving Indonesian and US flags and students in traditional white Muslim headscarves playing hand-held drums. Rice prayed with the children, took part in a science

experiment and announced a \$8.5 million grant for an educational Sesame Street program.

Human rights Rice, due to give a speech on democracy on Wednesday before going on to Australia, dismissed criticism from human rights groups that Washington had moved too quickly to restore military relations with Indonesia. She said it was a better strategy for the United States to have contact with the Indonesian military than to isolate it.

Some human rights groups say progress in reforming Indonesia's military and police has been too slow and that the United States has not paid enough attention to abuses committed by the military, losing important leverage to push for change.

But the United States sees Indonesia as a voice of moderation in the Islamic world and Rice hopes it might have some influence in the Middle East, particularly over the militant group Hamas, which won Palestinian elections in January.

One area where Rice may face prickly questions will be Jakarta's demand for direct access to Indonesian militant Hambali, who has been held by the Americans since 2003. Hambali is suspected to be the mastermind behind the bombings on Indonesia's holiday island of Bali in 2002 in which more than 200 people were killed.

Another topic that could have been contentious, a long-running dispute over whether US company Exxon Mobil Corp or Indonesia's state-owned energy firm would operate a promising new oil field, was settled on the eve of Rice's visit with a compromise giving the US firm the dominant role.

[With additional reporting by Jerry Norton, Tomi Soetjipto and Telly Nathalia.]

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## **Counter-terrorism tops agenda as Rice visits**

Agence France Presse - March 14, 2006

Jakarta — Fighting terrorism and military cooperation are set to top the agenda in talks

between visiting US Secretary of State Condoleezza Rice and Indonesian President Susilo Bambang Yudhoyono.

Rice, who arrived for her first visit to the world's most populous Muslim nation earlier in the day, kicked off her trip by praising Indonesia as "a real success story" notable for its religious tolerance and democratic progress.

During talks with reformer Yudhoyono, she is also expected to raise regional efforts to tackle bird flu, which has killed at least 22 Indonesians so far, and seek Jakarta's help in breaking the political impasse in the Middle East.

Before lunching with her counterpart Hassan Wirayuda, Rice visited the Al Makmur Islamic School in central Jakarta, where amid tight security she took questions from the young students.

Ten-year-old veiled Angina asked the Secretary of State how as a woman she had become a minister. "I studied very hard. Maybe one day you can do this, and then you could become a minister later," Rice told the girl.

Posing beside a man dressed as the red monster Elmo from Sesame Street, Rice announced the US would grant Indonesia an additional 8.5 million dollars to create an Indonesian version of the famous American children's programme. The school is part of a five-year 157 million US aid deal which funds educational programmes in Indonesia's Muslim schools.

Talking to reporters shortly before her arrival, Rice praised Indonesia's efforts at clamping down on Islamic militants, who have staged a string of deadly bomb attacks in Jakarta and on the resort island of Bali.

The country has been actively pursuing members of the Jemaah Islamiyah group, which has some links to the Al-Qaeda network.

Rice hailed the "transnational cooperation that we have on everything from counter-terrorism, where the Indonesians are making a real effort to rid the region — not just themselves but in cooperation in the region — of the terrorist



threat that has plagued Southeast Asia. "Indonesia is increasingly a real success story of a place," she said. "The people of Indonesia seem to be coming together around religious tolerance, ethnic diversity and democracy. And so it's a place that is making real strides forward." Indonesia's emergence in 1998 from 32 years of autocratic rule had promoted warmer ties between the two countries, allowing the lifting of a military embargo and increasing security cooperation, Rice said.

"If you look at where Indonesia was just a few years ago and the ability now to carry out repeated presidential elections democratically... this is a state that has really made giant strides over the last several years. "I think that this relationship with Indonesia stands right at the heart of our strong efforts at cooperation throughout Southeast Asia," she said.

Indonesia is becoming strategically more important to the United States as China's influence in the region grows, analysts say.

The two countries last November resumed full military ties that were largely severed in 1991 when Indonesian forces launched a bloody crackdown on pro-independence protesters in East Timor.

Relations notably improved after the United States launched a massive effort to help survivors of the 2004 tsunami, which killed 168,000 Indonesians. But Yudhoyono has had a tough task balancing close ties with strong anti-American sentiment among some political factions.

Around 400 protestors from several Muslim groups held a peaceful demonstration outside the US embassy criticising the US's involvement in Iraq. Rice has said she would also discuss the surprise election victory of Palestinian militant group Hamas in January elections when she meets her counterpart Wirayuda later.

The top US diplomat heads to Australia Wednesday for talks with her Australian and Japanese counterparts. The focus there is expected to be Iran, Iraq and Northeast Asian security.

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GOVERNMENT/CIVIL SERVICE

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## **'Suspicious' offer from House Speaker**

Jakarta Post - March 16, 2006

Jakarta — Lawmakers slammed Wednesday an invitation by from House Speaker Agung Laksono for legislators to participate in a launch of budget airline AdamAir's new flights in Singapore.

"(Participating in the event) could constitute a conflict of interest," House transportation commission member Afni Ahmad of the National Mandate Party said Wednesday.

Agung, who is AdamAir's commissioner, should publicly explain why he had invited House members to the launch in his capacity as speaker, Afni said.

AdamAir was recently brought to the attention of the House's transportation commission after one of its aircraft was lost in the air for two hours last month and had to make an emergency landing in Tambolaka, East Nusa Tenggara.

An investigation into the incident has not yet been released. Commission chairman Ahmad Muqawwam said Agung had opened himself to allegations of abuse of power by inviting lawmakers to the ceremony in his capacity as House speaker.

"It wouldn't be a problem if he invited us in his capacity as AdamAir's commissioner," Ahmad said.

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## **Village officials beg and borrow to reach the top**

Jakarta Post - March 15, 2006

Slamet Susanto and Suherdjoko, Yogyakarta/Semarang — The social status that came with the position convinced Sugiharto to put aside hunting for a regular job and run instead for Srihardono subdistrict head in Bantul, Yogyakarta.

The university graduate's campaign war chest was Rp 200 million (US\$21,276), taken from his own savings and by borrowing it from his family.

Although he got the job, he has yet to get his money back halfway through his six-year term in office.

Although the official pay is paltry, the position of subdistrict head is considered a potentially lucrative one, with officials entitled to use up to 10 hectares of land during their term.

He has leased out 2.9 hectares for Rp 12 million per year, supplementing his monthly allowance of Rp 152,500 from the local administration.

"It's hard to get all my money back but I was determined to become subdistrict head, not to earn money but for the social status," the 32 year old, who has a degree in economics, told The Jakarta Post on Tuesday.

The hefty campaign fund was spent on gladhanding and entertaining villagers. "Two months before voting day, my supporters began holding regular meetings. I couldn't ignore them. I provided them with meals, cigarettes and transport money," he said.

Regaining all the funds is still a long way off, and last week he joined fellow subdistrict heads in a protest in Jakarta, demanding that their terms in office be extended to 10 years. "If it's only six years, then a development project is just about to start but the time has run out," argued the father of four.

President Susilo Bambang Yudhoyono dismissed the demand, as well as one to allow them to participate in political parties.

Ani Widayani, Sumbermuljo subdistrict head in Bantul, agreed that subdistrict heads, although elected officials, should focus on serving the people and not get into playing politics.

"As subdistrict heads, we directly deal with the residents. If we take sides, what will also happen to the people," said Ani, who has been in the job for a year.

The election of a subdistrict head also provides a source of income for villagers. Purwanto, a resident of Sukaraja Kulon, Banyumas regency, Central Java, recalled that villagers were

promised Rp 15,000 each to vote for a particular candidate in 1991.

"But they did not get the cash immediately, only coupons which they could exchange with money once the candidate won. At that time, Rp 15,000 was a lot," he said.

Central Java has 8,672 subdistrict heads, whose tenure has see-sawed along with regulations from changing central governments.

During the old days, it was considered a lifelong position, until a 1979 law determined the term at eight years. A 1999 law changed it to five years with the opportunity for reelection, but five years later it was set at a period of six years, again with the option to run for reelection.

Supahar, the subdistrict head in Kepuh, Nguter district, Sukoharjo regency, complained of uncertain harvests on his five hectares of land.

"Yields will only be good if there's no pests or a long drought, and the rice price is good. But if the rice price drops during harvest time, it's the same as getting nothing because production costs, especially to buy expensive fertilizers, are high," he said.

Villagers have also become more demanding, some of the subdistrict heads said, especially in seeking cash assistance from the central government's program for the needy. "If the situation goes on like this, I wouldn't mind retiring early," joked Rowandi of Kalimiru subdistrict in Purworejo regency.

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## **House denies pay hike plan**

Jakarta Post - March 13, 2006

Muninggar Sri Saraswati, Jakarta — House Speaker Agung Laksono denied reports Saturday that members of the House of Representatives would receive yet another pay hike.

"There will be no salary hike in 2006. We don't know yet if there will be any in 2007 or 2008. We

last got a salary increase approved in 2005, but it has yet to be disbursed," he told reporters.

Agung said that the finance ministry had not yet paid the 2005 hike because they needed to prioritize more urgent needs, such as malnutrition in some provinces.

Agung was responding to media reports that the House internal affairs board is finalizing a plan to increase legislators' monthly salaries by between Rp 14 million and Rp 16 million.

If true, it will make legislators some of the highest paid people in the country. For example, an ordinary member's take-home pay would reach about Rp 50 million a month, a deputy House Speaker would get Rp 75 million and a House Speaker 90 million a month.

The media reports have sparked public protests. Critics say that the planned pay hike reflects the legislative body's insensitivity in times when poverty across the country has been worsening.

The internal affairs board has confirmed that they planned to ask the government to pay the 2005 salary hike, but denied seeking further increases.

"The finance ministry has yet to disburse last year's allowances for the legislators," legislator Roestanto Wahidi of the Democrat Party, who chairs the board, told reporters. The allowances include that for health care and communications.

Last year, the legislators' salaries were increased by around Rp 10 million a month. The increase also earned strong public protests because it was announced when people were struggling to make the ends meet following the October fuel price increases.

The latest pay hike plan was leaked to the media by legislator Suryama M. Sastra of the Prosperous Justice Party (PKS) last week.

Suryama's move angered some other legislators. Nizar Dahlan, the internal affairs board deputy chairman, threatened to report him to the House disciplinary commission for leaking the information.

"It (pay hike plan) was not supposed to be made

public until we reported it to the House leadership," Nizar said. He also demanded that Suryama be dismissed from the internal affairs board.

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## **SBY says no to demands of village chiefs**

Jakarta Post - March 10, 2006

Suherdjoko, Wonosobo — President Susilo Bambang Yudhoyono told protesting subdistrict heads Thursday that he would not heed their demands for longer terms of office, and added that such a move would be against the law.

Speaking during a dialog with farmers in Siwuran village, Central Java, Yudhoyono said limiting office terms was a good reform measure. A subdistrict head can only be in office for a maximum of two terms of six years each.

"In this case, if they (subdistrict heads) came to Jakarta to demand longer office terms, up to 10 years, it's clearly against the law," Yudhoyono said.

He reminded the subdistrict heads that their term in office remained longer than his own as well as that of governors, regents and mayors (five years). "Such things have been regulated by law..." he said.

Yudhoyono urged the local administration leaders not to fixate on extra powers. "Leaders should not talk about power. It's embarrassing. Staying long in a position (will not mean anything) if they cannot give the best for the people. As leaders, they should think about what's best for the people," he asserted.

On Wednesday, thousands of local administration chiefs held protests outside the Home Ministry and the House of Representatives, demanding a revision of the 2005 Village Administration Regulation and 2004 Regional Government Law.

Apart from an extension of their time in office, the village heads also told the government to

allow them to become political party executives and urged the central government to finance village and subdistrict elections.

During Wednesday's protest, a spokesman from the Indonesia Village Administration Association, Abdul Hadi, told Kompas daily that the government should allow local leaders to become political party executives. "If Vice President (Jusuf Kalla) can be a political party leader, why can't we?" he asked.

He expressed disappointment with the central government because most village leaders had an inadequate benefit package, even though they were the ones who remained "close to the people".

However, Yudhoyono said the government would listen to their demands. "If they want better welfare and better administration management, these things we can consider. They are part of the overall government. And if they've gone to Jakarta for that, it's ok. I just want them to hurry home so their village administrations can run as usual," he said.

Responding to the farmers during the dialog, he also insisted that the government had continued to pay attention to farmers's needs.

"It's not true if people say I don't care about farmers. I was born in Pacitan, a poor and arid area. I can make friends with farmers and fishermen. I come from an ordinary family. That's why I care about them all," Yudhoyono explained.

He said his administration's consideration for farmers was evident in the lowering of fertilizer prices due to a government subsidy, which rose from Rp 2.5 trillion to Rp 3 trillion last year.

While in Wonosobo, the President signed a plaque for the Dieng Plateau tourism development agency, which is hoping to make the area the province's top tourist draw.

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**Palace's efficiency drive short lived**

Jakarta Post - March 11, 2006

Tony Hotland, Jakarta — Eight months ago, top officials were seen attending Cabinet meetings dressed simply. President Susilo Bambang Yudhoyono often wore smart, short-sleeved batik shirts and his Cabinet also sported casual attire.

Air conditioners in the meeting room and in the Vice President and President's offices were set to 25 degrees Celsius from the previous 16-17 degrees — as part of the nationwide energy saving campaign.

The drive began last July when Yudhoyono issued the Presidential Instruction No. 10/2005 on energy saving following the government's fuel subsidy cuts. The rule was supposed to apply in all government offices across Indonesia.

Lamps were turned off during the day. Bureaucrats were supposed to travel less in cars and Yudhoyono and deputy Jusuf Kalla set very public examples by cutting down the number of vehicles in their motorcades.

But few of these noble, belt-tightening moves are visible now.

From the outset, Yudhoyono's campaign received some skeptical responses from the public. His critics dismissed it as a show to appease the public's resentment of soaring basic commodity prices following the fuel price hikes.

These days, most officials are seen wearing heavy formal suits at the presidential office; from the press officers, the presidential guards to the Cabinet ministers — all the President's men.

In the press rooms in the Merdeka Palace and in the State Secretariat, air conditioners are set at between 16 and 20 degrees, otherwise officials would be steaming in their suits.

In the Presidential offices, rooms are brightly lit all day long, and lamps are even on outside. Motorcade sizes are also back to normal.

The vice president's offices are just as comfortable. Rooms are brightly lit and cool with the air conditioner temperature also set below 24 degrees. Lights in the vice president's media



bureau are all on, even though the glass doors allow ample sunlight to come through.

A cleaner at the presidential office joked: "Well, it's getting hotter these past months and I guess they (officials) are not used to this heat. Besides, other political issues have diverted their attention."

Ahmad Rusdi, the head of the presidential office, said: "If weather is hot, what's wrong with setting the aircon cooler?" He insisted the lights were switched on only when necessary, saying at night, only lamps in certain areas were on.

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## **ID cards sold like parking tickets, official says**

Jakarta Post - March 9, 2006

Muninggar Sri Saraswati, Jakarta — Poor coordination among government agencies, a lack of security features and systemic corruption makes it all too easy for criminals to get hold of multiple identity cards, a Home Ministry official says.

Director general for demographic administration Abdul Rasyid acknowledged Wednesday that criminals were exploiting the weaknesses in the system, creating fake IDs to facilitate crimes of corruption, terrorism and human trafficking.

Saleh told a hearing of House of Representatives legislators there was not much he could do to fix the problem until the single identification number system being deliberated by the House was made policy.

"Only with the law can we control the issue of ID cards," he said in response to a question from Latifah Iskandar, who chairs the special committee deliberating the human trafficking bill.

Quoting a report by non-governmental organization, Latifah said criminals frequently used fake ID cards in human trafficking cases.

Rasyid said with more than 6,000 offices issuing ID cards throughout the country, it was easy for criminals to obtain "as many cards as they

wished". "I say that producing ID cards is as easy as creating parking tickets. Anyone can do it" he said.

The absence of a national standard and security features made it easy for even small firms to print the cards he said. Many businesses were selling identity cards on demand, Rasyid said. When he had ordered several firms — one a used-car dealership — to stop producing the cards, three of them had taken legal action against him, Rasyid said.

Rasyid also said he was threatened on a daily basis when trying to regulate the business. "I have brought this to the attention of the (Home) Minister (M. Ma'ruf) and the Vice President (Jusuf Kalla)," he said.

The government is preparing a new administrative system that will provide each citizen with a single identification number for life.

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## REGIONAL/COMMUNAL CONFLICTS

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### **Bombing at Poso temple injures one**

Jakarta Post - March 11, 2006

Jakarta, Makassar — A bomb exploded at a Hindu temple in the conflict-scarred town of Poso, Central Sulawesi on Friday, a day after the government announced an extension of its security operation in the area for another three months.

National Police Chief Gen. Sutanto urged people not to be provoked by the bombing, which exploded at 7:45 a.m. at Natanaraga Grand Temple in Toini village, Poso Pesisir district and injured 40-year-old I Nengah Sugiarta.

"The police are still investigating to find the exact cause and other evidence," Sutanto said in Makassar Friday. He called on people to stay calm and assumed that it was designed to heighten tension in Central Sulawesi. More than 1,000 people died in sectarian violence in the area between 2000 and 2001.

The police have no leads on the latest bombing and Sutanto declined to speculate if it was related to the planned execution of Fabianus Tibo, Dominggus da Silva and Marianus Riwu, convicted for inciting sectarian violence in the area. There have been civil protests from their lawyers and supporters.

"We'll investigate the bombing so the widespread rumors will not mislead people. But the most important thing is to arrest those responsible," Sutanto said.

In Poso, detectives have questioned at least three witnesses about the bombing. "For security reasons, we will keep the (witnesses) identities secret," deputy chief of Poso Police, Comr. I Wayan Andreas told Antara on Friday.

He said the preliminary investigation on the site showed that the bomb was a "low explosive" type. "All evidence has been secured," Wayan added. "We're still investigating the motive and looking for those responsible."

The violence came just a day after the government announced an extension of its security operation in Poso, because tensions remain high. Police Brig. Gen. Paulus Purwoko, the operation commander, said despite the extension, no more new police or troops would be deployed to the region.

"Our aim is to prevent more terror attacks in the next three months," he said after attending a closed-door meeting of top government officials.

About 4,000 reinforcement police and soldiers were sent to restore order in Central Sulawesi in late 2005 after a series of shootings, beheadings and bombings in the region.

The Poso Center, a coalition of over two dozen non-governmental organizations in the area, said the bombing was evidence that the government's security operation was a failure, and the security personnel were not doing their job.

The center's secretary, Ma'fud Masuara, said Friday it had failed to detect the terror act; bombing of place of worship. "This definitely shows the operation's failure despite the fact that it is financed by billions of rupiah from the coffers," Masuara told Antara.

The attack, he said, was likely intended to worsen the situation in Poso and could lower people's trust in security police and soldiers. He urged the formation of a joint fact-finding team involving various elements in the community to solve all the terror cases in Poso.

"Such a team could be the way to solve various (terror) cases in Poso at a time when people's trust in security personnel is low," he said.

The explosion damaged a small house in front of the temple, which serves as a meeting place, but did not harm the temple proper, which is located 40 meters away. It left a crater of some 30 cm in diameter.

The injured victim, I Nengah Sugiarta, who is also Moengko Lama village secretary, is currently in intensive care at Poso Hospital.

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## **Security operation in Poso extended**

Jakarta Post - March 10, 2006

Muninggar Sri Saraswati, Jakarta — The government has extended its security operation in the conflict-scarred region of Poso, Central Sulawesi, by another three months because it says tensions remain high in the area.

Police Brig. Gen. Paulus Purwoko, the operation commander, said despite the extension, no more new police or troops would be deployed in the region. "Our aim is to prevent more terror attacks in the coming three months," he said after attending a closed-door meeting of top government officials.

The meeting was attended by Coordinating Minister for Political, Legal and Security Affairs Widodo Adi Sucipto, Defense Minister Juwono Sudarsono, State Intelligence Agency head Syamsir Siregar, Indonesia Military chief Air Marshall Djoko Suyanto, Religious Affairs Minister M. Maftuh Basyuni, Home Minister M. Ma'ruf and Social Services Minister Bachtiar Chamsyah.

About 4,000 reinforcement police and soldiers were

sent to restore order in Central Sulawesi in 2005 after a series of shootings and bombings in the region.

The House supports the government's plan to extend the command's term, with legislators saying it needed more time to arrest and prosecute those behind the attacks.

Purwoko, a top police officer from National Police Headquarters, said his command had focused on cooperating with security agencies in Central Sulawesi.

In the next three months, the command would tighten security in the region, he said, building checkpoints at the entrances to Poso city. "The checkpoints will normally be open but will close if there are new attacks," Purwoko said.

The command would work with the local legislative council, non-governmental organizations, police and the military, he said. "Our job is to coordinate (these agencies)," he said. Purwoko said he believed the perpetrators of recent attacks included members of radical groups linked to Jama'ah Islamiyah.

Separately, Attorney General Abdul Rahman Saleh said the three Christian men convicted of inciting sectarian violence in the area would be executed as planned despite protests from their lawyers and supporters.

The convicts are Fabianus Tibo, Dominggus da Silva and Marianus Riwu. "The Supreme Court has rejected their appeal for a case review. The President has also refused to pardon them. There is no more chance to file another judicial review motion," he said.

More than 1,000 people died in sectarian violence in the area between 2000 and 2001.

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## ENVIRONMENT

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### **Abuses by international firms to be raised with UN**

Jakarta Post - March 13, 2006

Tb. Arie Rukmantara, Jakarta — Indonesian environmentalists plan to discuss pollution and rights abuse by multinational companies during the upcoming UN Human Rights Commission meetings in Geneva.

Activists grouped in the Indonesian Forum for the Environment are dismayed by what they perceive as the government's failure to properly address the problems, which mainly affect local communities. The 62<sup>nd</sup> session of the UN Human Rights Commission will take place from March 27 to April 8.

The forum's deputy director Ridho Saleh told The Jakarta Post over the weekend that the Indonesian NGOs planned to discuss how law enforcement had been lacking as far as pollution by multinational companies was concerned.

Among the issues to be raised is the government's failure to properly address pollution by PT Freeport Indonesia in Papua and PT Newmont Minahasa Raya in North Sulawesi.

Ridho said he would push the commission to produce a resolution obliging multinational companies to protect the environment and the people living near their operation areas.

"We will demand that the commission force companies to apply protection of these rights by revising the commission's 'norms of corporations and other enterprises', which presently does not include these conditions," he said, in reference to the 2003 UN document entitled Norms on the Responsibilities of Transnational Corporations and other Business Enterprises with Regard to Human Rights.

Rich in natural resources, Indonesia has recently experienced heightened tension with giant multinational companies that extract the country's oil, gas and mineral resources.

Environmentalists have blamed some of the companies for the pollution of the environment, as well as a lack of concern for the people living near their operation areas — specifically mining companies, such as Freeport and Newmont and their tailings disposal.

In addition, Exxon Mobile Corp.'s operation in

Aceh drew criticism this past week for allegedly violating human rights of villagers near a major gas field in the province. A US District Judge, Louis Oberdorfer, granted a lawsuit by Washington-based advocacy group International Labor Rights Fund to sue the oil giant over the rape and torture of local Acehnese, allegedly perpetrated by Indonesian Military troops guarding the company's facilities.

All these companies have denied the allegations against them, saying that they have abided by Indonesian regulations on the environment and have not caused pollution nor contributed to human rights abuses.

Ridho said the Indonesian delegates to Geneva, consisting of activists from 15 human rights groups, would also call for the commission to raise the issue in the upcoming General Assembly meeting.

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## **Illegal logging in Padang extends to national park**

Jakarta Post - March 13, 2006

Syofiardi Bachyul Jb, Padang — Illegal loggers have stripped bare at least 20 percent of the forest in Kerinci Seblat National Park in West Sumatra, and the losses will continue unless the authorities take action, an official says.

Aman Zamora, an official with the 271,870-hectare national park, located in Pesisir Selatan regency, told The Jakarta Post that satellite images had pinpointed 11 large-scale illegal logging sites that are currently operating.

"The most extensive damage has been done along the planned Kambang-Muara Labuh highway, construction of which has been halted by the forestry minister, where all of the trees 200 to 500 meters from both sides of the road have been cut down," he said.

Some 60 kilometers of the road were completed before the minister put a halt to the project. A 20-kilometer stretch of trees along the road from Kambang, and four kilometers from Muara Labuh,

were affected.

According to Aman, there are 11 illegal sawmills operating just outside the national park which are encouraging illegal logging in the park, particularly by residents. He said that though the sawmills were illegal, authorities had done nothing to restrict their operation.

"I'm sure the level of illegal logging would dwindle if the sawmills were closed down, because that's where residents sell their timber. To tell you the truth, we can't stop the sawmills because they always know when we are coming and disappear," he said.

The group West Sumatra People Against Illegal Logging (MAIL), said the national park in Pesisir Selatan was one of the main victims of illegal logging in the province.

"Indonesian Military and police personnel are believed to be involved in escorting timber trucks that are not carrying legal documents," MAIL coordinator Vito Oktavia said Friday.

MAIL is an alliance of 31 NGOs in Padang, among them the West Sumatra chapters of the Indonesian Environmental Forum and Conservation International, which conducted investigations of illegal logging locations in Pesisir Selatan in January.

The groups discovered 18 unlicensed sawmills operating in the regency, most fed with timber coming from Kerinci Seblat National Park.

"Illegal logging in Pesisir Selatan begins with businessmen placing orders for timber from sawmill owners. The sawmill owners then order timber from chain saw owners, who then pay residents to fell trees. The timber is then transported to the border between Pesisir Selatan and Muko Muko in Bengkulu province, and taken back to Padang equipped with legal documents from Bengkulu in the names of forest concession holders there," said Vito.

MAIL blames flash floods in several districts in Pesisir Selatan in January and February on illegal logging in the national park.



Three districts in Pesisir Selatan were hit by flash floods on Feb. 26, damaging hundreds of houses, hundreds of hectares of fields and a number of bridges and schools. Material losses have been estimated at about Rp 114 billion (US\$12 million).

"If the regency administration doesn't put a stop to illegal logging in Pesisir Selatan immediately, the area will continue to be at risk of floods that will cause extensive damage," Vino said.

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### **Newmont deal no mine of controversy**

Jakarta Post - March 9, 2006

Tb.Arie Rukmantara, Jakarta — A technical snafu Wednesday meant legislators were unable to scrutinize the government's controversial US\$30 million out-of-court settlement with PT Newmont Minahasa Raya over a pollution case.

A stream of stinging questions fired at State Minister for the Environment Rachmat Witoelar suddenly turned into a noisy debate among the legislators after they realized they had no copy of the agreement.

After spending some 90 minutes arguing among themselves, the 34 members of the House of Representatives Commission VII overseeing the environment decided to postpone the hearing indefinitely until each had a copy of the deal.

A red-faced legislator Ramson Siagian then announced the hearing was adjourned. "Allow us time to find and study the documents," commission chairman Agusman Effendi told the smiling Rachmat.

The meeting was scheduled to discuss the "Goodwill Agreement" reached between the government and Newmont in February. That deal brought an end to the government's court case against Newmont for allegedly polluting Buyat Bay in North Sulawesi.

Last year, the government lodged a civil lawsuit against the company with the South Jakarta District Court, which found in favor of Newmont in

November. The government then lodged an appeal of the verdict with the Jakarta High Court.

Environmentalists and the police have alleged that Newmont, the local unit of Denver-based Newmont Mining Corporation, had polluted the bay with tons of toxic waste from its Messel mine.

However, the firm has consistently denied the allegations, saying there was no scientific evidence to back the claims up.

A World Health Organization-backed report in 2004 found no evidence Newmont had polluted the bay.

The deal obliged the government to dismiss its civil lawsuit against the company in exchange for 10-year post-mining research and community development project paid for by Newmont worth \$30 million.

Rachmat said he was unaware the House members had not received copies of the document.

Mining Advocacy Network director Siti Maimunah said the incident showed the House and the government did not care about the consequences of the agreement for the country.

"The House should have called a hearing right after the government signed the deal. Now that everything is approved what can possibly be fixed?" she said. "It is proven — both the government and the House have failed to represent the people." Rachmat said he would stand by the government's decision if he was summoned again by a House committee.

"The agreement was far more efficient than waiting for court's verdict on our appeal. And I assure you that the agreement will not affect the ongoing court proceedings against the Newmont director," he said.

NMR executive director Richard Ness is being tried in a Manado district court on criminal charges for polluting the bay. He faces a maximum 10-year jail term and a US\$68,000 fine if found guilty.

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BUSINESS & INVESTMENT

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## **High cost holding back manufacturing**

Jakarta Post - March 13, 2006

Anissa S. Febrina, Jakarta — The government needs to provide better infrastructure and simplify regulations so as to lower logistics costs and help boost the growth of the country's manufacturing sector, an economist says.

"Manufacturing growth declined last year and if the government wants to see it improve, reducing costs is the key," said M. Chatib Basri, an economist with the University of Indonesia's Institute for Economic and Social Research (LPEM-UI).

An LPEM-UI study based on figures from the Central Statistics Agency (BPS) revealed that the manufacturing sector's growth declined to 4.63 percent last year, as against 6.38 percent in 2004.

Almost all industries were suffering declining growth, with the textile, leather, wood, chemical and cement industries seeing the most drastic drops, especially in the last quarter of 2005.

"Indications of the decline can be seen also in the falling investment trend, both domestic and foreign, in machinery and equipment," Chatib explained during a discussion with members of the Indonesian Employers Association (Apindo).

The decline in investment in capital goods was also partly driven by the tendency for loans to be extended to the trade and services sector due to the appreciation in the exchange rate.

Meanwhile, wages in the real sector had declined, the study says. Construction workers in urban areas, for example, received 4 percent lower pay in January 2006 compared to January 2005.

Among the factors leading to the decline in the overall growth of the manufacturing sector were high logistics costs, Chatib said.

The study showed that logistics costs accounted for 14.08 percent of total operating costs in manufacturing companies, a high ratio compared to the perceived efficiency rate of 8.5 percent.

"Inefficiency in loading and unloading processes in ports and poor infrastructure quality contribute to the high costs," he said.

The infrastructure package launched last month looked pretty good, but any improvements would depend on its implementation, Chatib stressed.

"The government should also continue to reduce the current high costs by lowering import tariffs on raw materials and capital goods, as well as simplifying import procedures," he said.

The private sector had previously called on the government to adopt policies that would support the real sector, saying that growth in the sector would boost overall economic growth.

Chatib said that the country's economy would continue to put in a sluggish performance in the first quarter of 2006. This would continue in the second quarter before a recovery in growth in the third quarter.

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## **Indonesia's down and dirty coal fight**

Asia Times - March 8, 2006

Bill Guerin, Jakarta — In a closely watched, highly contentious court case, a German bank is in the dock in an ongoing legal battle against a Singapore-registered company over ownership of Indonesian assets that are now partly owned by the Singaporean government.

In a controversial and secretive deal, Deutsche Bank in 1998 sold off shares in Indonesia's largest coal mine after Singapore-based Beckett Pte Ltd defaulted on a US\$100 million bridging loan at the height of the 1997 Asian financial crisis.

The assets were bundled and sold off at a bargain basement price to PT Dianlia Setyamukti (DSM), a company controlled by Edwin

Soeryadjaya, son of the ethnic-Chinese tycoon William Soeryadjaya, the founder of Indonesia's biggest car group, Astra International. Another

well-known tycoon, Benny Soebianto, was also privy to the deal.

The storyline is convoluted and features cameos by some of Indonesia's wealthiest tycoons. Beckkett previously owned 40% of the shares in Indonesia's second biggest coal miner, PT Adaro Indonesia (Adaro) and PT Indonesia Bulk Terminal (IBT), and is itself owned by three separate entities through the ASMEC group. The three principals are Indonesian pulp-and-paper tycoon Sukanto Tanoto, Hashim Djojohadikusumo and his sister-in-law, Titiek Prabowo, former president Suharto's second daughter, with their Tirtamas group, and Graeme Robertson, an Australian native who took up Indonesian citizenship.

Put simply, Beckkett accuses Deutsche Bank of colluding with Jakarta-based company Dianlia and the management group to buy the shares in the mine for a mere \$44.2 million in a private deal in February 2002. With the recent upswing in global commodity prices, that stake is now estimated to be worth more than \$400 million.

Beckkett is seeking the full restoration of its 40% stake. The company has also said in court that in the event neither Deutsche Bank nor Dianlia is able to procure the restoration of equity to their original respective percentages, Beckkett will seek a claim for damages to be assessed by reference to the present market value of the shares in their original percentages — or roughly \$400 million.

In Tuesday's session in Singapore's High Court, Beckkett, as the plaintiff, said the sale of the pledged shares by Deutsche Bank to DSM, as the first and second defendants, was part of a "conspiracy" between the two companies. Among the team of lawyers representing Beckkett is one known by the single name Lucas, who gained notoriety for the successful bankruptcy application against Manulife's Indonesian unit.

In a bizarre 2002 ruling, a Jakarta commercial court declared insurance firm Manulife Indonesia, a unit of the Canadian firm Manulife, bankrupt for not paying a 1999 dividend to its former Indonesian partner, which it bought out after the partner got into trouble during the economic collapse of 1997 and 1998. By most internationally

recognized standards, the company was solvent. The same court in 2004 controversially declared Prudential, one of Indonesia's top 10 insurance companies, bankrupt.

So, just as Indonesia struggles to regain favor among foreign and local investors, the battle for ownership of a stake in the country's second biggest coal mine puts the country's notoriously corrupt legal system back in the international spotlight. A string of questionable rulings against foreign investors has eroded confidence in the ability of Indonesian courts to enforce contracts or to protect firms' legal rights, and the lack of legal recourse is widely viewed as the top obstacle to doing business in Indonesia.

Although the legal action will ultimately determine the true ownership of the shares, the broader significance of the case is that, for once, the Indonesian legal system is not in the dock at all. The problems with Indonesia's judicial system are not only due to corruption, but also attributable to flawed laws and inexperienced judges. These issues are arguably being dealt with for the first time ever.

The Beckett/Deutsche Bank case is not the average tale of pitched legal battles between indebted Indonesian companies and their foreign creditors over debt restructuring agreements and asset disposals. Rather, it is a rare, probably unique, example of a foreign bank successfully seizing assets in Indonesia. In a startling contrast to the many tales after the 1997 Asian financial crisis of slippery Indonesian businessmen and corrupt courts fleecing foreign investors, Deutsche Bank takes the stand accused of committing fraudulent price-fixing during an asset-disposal deal.

Depending on the final verdict, the case could demonstrate that it is not only local businesses but also foreign ones that sometimes exploit the many loopholes and blind spots in Indonesia's underdeveloped, flightily monitored regulatory regime to win ill-gotten gains. If found guilty, Deutsche Bank's reputation in the region would be in tatters, say observers monitoring the case.

Of course, the foreign bankers beg to differ. Deutsche Bank representatives have described

Tanoto and Djojohadikusumo as "cynical Indonesian businessmen who believed that they would be able to refuse to repay their loans and yet prevent security from being enforced". The lack of a credible legal infrastructure makes seizing assets in Indonesia almost impossible, foreign investors often carp.

The case, watched closely by a bewildering array of international creditors, private equity investors and hedge fund managers, has been dogged by endless legal battles over document disclosure, marred by threats of intimidation and harassment, and complicated by the complex web of the company's operations and share holding structure.

The roller-coaster saga stretches back as far as 1991, when PT Asminco Bara Utama (Asminco) took over management of the Adaro concession. The corporate structure was complex, with Australia's Soul Patterson holding 69.3% of New Hope, which held 40.83% in Adaro. Naturalized Indonesian Robertson has been closely associated with developing Indonesia's infrastructure and coal mining industries, and at the time was a non-executive director and head of Australia's Soul Pattinson's coal operations, New Hope Ltd, which then owned 50% of Adaro.

Asminco, which owned a 15% stake in Adaro, borrowed \$100 million from Deutsche Bank in October 1997, mainly to buy out the 25% stake in Adaro and 15% in the related bulk terminal held by Tirtamas. The guarantor of the loan was Beckett, which owned Asminco and pledged all 40% of its shares as collateral.

In August 1998, at the height of the regional financial crisis, Asminco, which had management control of Adaro, was unable to repay the loan because of all-time-low global coal prices and a sharply depreciated rupiah. Attempts to restructure the loan over the next three years failed, and in February 2002, Deutsche Bank foreclosed on the loan and sold the pledged shares to Dianlia. Beckett claims it was left in the dark about the deal and says it only found out about the sale three days after it took place.

The ownership structure has since changed dramatically, as has the Adaro concession's fortunes. In 2003 a consortium of Indonesian

buyers led by Soeryadjaya bought New Hope's 41% stake in Adaro for \$378 million and then the remaining 11% of Indonesian interests, giving it majority ownership and control.

Last June, a consortium of international banks and strategic investors bought Adaro from Dianlia for about \$950 million, leaving Soeryadjaya and his cousin TP Rachmat each with about one-third of the company. The new foreign investors include the Government of Singapore Investment Corp, the Kerry Group and the private-equity arms of Goldman Sachs Group Inc and Citigroup Inc.

Lawyers for Deutsche Bank say they tried unsuccessfully for two years to restructure the loan before foreclosing on the shares in Adaro, but Wolfgang Topp, Deutsche Bank's Asia-Pacific managing director, talks of the bank "literally being held to ransom", according to court documents. He claims in documents submitted to the court that he was interrogated by Indonesian police over allegations he was party to "deception and fraud" over the sale of the Adaro stake.

The police investigation was dropped in September 2002 because "no criminal acts were committed", Topp says. And Deutsche Bank insists that the disposal of the shares in a private sale was in full accord with the loan contract. But, as Beckkett's Jakarta lawyer OC Kaligis notes, "If this were true, why did [Deutsche Bank] get court decrees prior to the sale?"

This would seem a telling point on its face. The South Jakarta District Court, through no fewer than 16 separate decrees issued at the request of the bank between December 2001 and February 2002, gave a green light to the sale, court records show. If the sale transaction was legal as per the loan contract, then Deutsche Bank never would have needed court endorsement.

Beckkett, however, successfully appealed to the Jakarta High Court, which declared the South Jakarta District Court decrees invalid. Dianlia later asked the Supreme Court to rule against the High Court decision, saying the decrees issued by the District Court could not be appealed, as they were not case-based verdicts. The Supreme Court has yet to make a pronouncement.



Deutsche Bank has strongly contested the case and says it plans to launch a counterclaim against Beckett for more than \$110 million in outstanding loan and interest payments. Certainly Beckett will have to pay up if it loses the action, but the company could be forgiven for taking a stance that all bets were off once it had launched its case against Deutsche within weeks of the foreclosure.

It hardly needs the sophistry of a Singapore counsel to spot what is so ludicrous about the idea of such a counterclaim, particularly in view of what Steven Chong, Beckett's senior counsel, claims was the real game. "The plan was to sell at under value and use the balance amount owing by Asminco to wind up Beckett, the guarantor," he said.

Beckett believes there was a conspiracy between Adaro's management team and Deutsche Bank and Dianlia to sell the shares at a fraction of their real worth to a consortium that included members of the management team. Chong told the court that documents provided by Deutsche Bank clearly showed that the bank and Dianlia acted together against Beckett's interests.

In apparent anticipation of legal wrangles over the deal, the sale agreement reportedly shows that Dianlia agreed to fund all legal costs incurred by Deutsche in enforcing the action against Beckett and also agreed to put \$1.5 million into the kitty for the enforcement proceedings. This adds weight to Beckett's claim that the whole deal was a fix between the bank and the buyer of the undervalued assets.

Looking the other way when it comes to sloppy disclosure may have worked in the Jakarta jurisdiction, but stalling tactics are unlikely to impress the Honorable Judge Kan Ting Chiu, court observers say. State-owned Bank Mandiri, Indonesia's biggest bank, is said to have given Dianlia an interest-free loan of \$40 million. The Singapore Court of Appeal turned down a Deutsche Bank request to prevent one telling document from being disclosed — which revealed that the \$40 million loan from Adaro to Dianlia was a "non-commercial" arrangement.

Court observers say Deutsche Bank presumably

wanted the document suppressed because it pointed to the obvious consideration that Adaro, then in the hands of the management team, had handed over enough cash to Dianlia to buy the shares.

According to the court transcript, counsel for Beckkett pointed out to the Court of Appeal that the documents revealed that most of the funding for DSM's (PT Dianlia) \$46 million purchase of the shares from Deutsche Bank appeared to have come from a \$40 million loan obtained by Adaro from Bank Mandiri and was later on-lent to DSM as an interest-free loan.

For its part, Bank Madiri is riddled with bad loans from politically powerful debtors on its hands, and there are a number of ongoing investigations which threaten to erode the bank's already suspect reputation.

The Indonesian media have intensively investigated Tanoto coincident with the action in Singapore, where he currently lives. At least three investigative pieces have focused on the tycoon's ownership of Unibank, whose operations were suspended by the central bank (Bank Indonesia) in October 2001.

The bank's assets of Rp4.4 trillion (\$475 million) were frozen after it failed to pay trillions of rupiah in obligations to Bank Indonesia. Yet months before the bank was closed down, Tanoto and his companies held less than 5% of the shares in Unibank. Sources close to the case say the media coverage of the issue in Indonesia is no coincidence.

Neither is it a coincidence that several Indonesian reporters are on the case, as it were, in Singapore, with expenses paid by at least one public relations group linked to the plaintiff. Deutsche Bank has also brought up the allegedly poor credit history of his companies in an affidavit to the court. The trial is expected to run for three weeks and a verdict is not expected until June.

Regardless of the final verdict, would-be investors will once again note the risk of becoming embroiled in litigation over Indonesian assets and just what can go wrong with investing in the country.

If Beckett loses the action, the company is expected to move the legal battlefield back to Jakarta, where it could initiate action against Deutsche Bank for breaches of Indonesian law. Deutsche Bank, says Beckett, breached the Indonesian Civil Code, when it executed its rights in Indonesia and sold them to Dianlia.

If the court rules against it, the German bank will be seen as the architect of its own demise. Beckett is asking for the full restoration of its 40% stake, but if it proves impossible to unwind the complicated transactions that followed the foreclosure, it will seek damages equivalent to the present market value of the shares in their original percentages. Shareholders will likely be up in arms should the sale be canceled and the shares returned, or if damages of about \$400 million are awarded to the original shareholders.

More important, perhaps, a guilty verdict would be a major blow to Deutsche Bank's reputation and credibility in the region. International banks will get the message that although they lent vast sums of money to companies in a country where the legal system has consistently been found wanting, they will find it is not so easy to seize assets without the full backing of the law, even in Indonesia.

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## **P.S.**

\* Bill Guerin, a Jakarta correspondent for Asia Times Online since 2000, has worked in Indonesia for 20 years as a journalist. He has been published by the BBC on East Timor and specializes in business/economic and political analysis in Indonesia.