

# Indonesia News Digests #11 - March 16-22, 2006

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## NEWS & ISSUES

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**Indonesian now leads Jemaah Islamiyah**

Associated Press - March 22, 2006

Chris Brummitt, Jakarta — A young Indonesian militant with close links to al-Qaida is now in charge of the Southeast Asian terror group Jemaah Islamiyah, which remains dangerous despite more than 270 arrests since 2000, a top counterterrorism official said Wednesday.

Abu Dujana's rise to power within Jemaah Islamiyah is an indication the group's organizational structure remains intact, and highlights the challenges that remain for police fighting terrorism in the world's most populous Muslim nation.

Dujana, who learned bomb-making skills in Afghanistan alongside Hambali, an alleged regional terror chief now in US custody, is a "talented leader. He has good relations with al-Qaida and is trusted", said Col. Petrus Reinhard Golose of Indonesia's counterterrorism task force.

The 34-year-old, who unlike many Indonesian militants is fluent in Arabic, replaced Abu Rusdan as head of Jemaah Islamiyah when Rusdan was arrested in 2003, Golose told members of Indonesia's foreign correspondents association.

Jemaah Islamiyah is blamed for a series of bloody bombings and failed plots in Southeast Asia in recent years, including two strikes on Indonesia's resort island of Bali that killed more than 220 people, most of them foreign tourists.

Golose said arresting Dujana, who he said was a native of West Java province, was a priority.

Nasir Abbas, a former militant-turned-police informer, said he trained alongside Dujana in 1990 in Afghanistan. "He was smart, you could tell that," Nasir told The Associated Press.

Recruits at the camp received instruction in basic weapons handling and bomb-making.

Golose said that since 2001, Jemaah Islamiyah operatives coming to Java from elsewhere in Indonesia had to first report to Dujana, and that the perpetrators of the 2003 car bombing of the J.W. Marriott Hotel also came to see him immediately after the attack.

Golose repeated earlier police statements that Noordin Top, a Malaysian militant accused of a key role in all the attacks on Indonesian soil, was now working outside Jemaah Islamiyah and had declared himself al-Qaida's representative in Southeast Asia.

Even if Top were to be arrested, the risk of more attacks would still remain, he said. "There are others who are still more dangerous who are active," he told journalists.

The leading international expert on Jemaah Islamiyah, Sidney Jones, confirmed that Dujana had long been a key figure in the organization, although she said it's too early to say whether he's heading the group.

"Dujana was indeed the secretary of the central command of the organization. Over the last year there have been rumors he is head of JI, but people close to JI have said they do not know how his name appeared as a leader," said Jones, who lives and works in Jakarta and has monitored its militant fringe for decades. "We must wait for more facts before we can make that conclusion," Jones said.

Dujana fled Indonesia for Malaysia with other Muslim activists in the 1980s to avoid repression by then-Indonesian dictator Suharto, said Jones.

Rusdan, Dujana's alleged predecessor, was released from jail last year after serving a short prison term for hiding one of the perpetrators of the 2002 Bali bombings. He is a free man, but refuses to speak to reporters.

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## **TNI still keeping on guard against communists in Jakarta**

Detik.com - March 21, 2006

Ahmad Dani, Jakarta — Although they have not found any presence of a communist threat, the TNI (Indonesian military) is still keeping on guard against the latent danger of communism in Jakarta.

"The TNI is still continuing to monitor the communist movement. We are constantly keeping on guard", said the director of the TNI's information centre, Rear Admiral Muhammad Sunarto Sjoekronoputra.

Sjoekronoputra raised the issue after an event presiding over the handing over of duties by the TNI's former information centre director, Major General Kohirin Suganda S at the TNI's headquarters in Cilangkap, East Jakarta, on Tuesday March 21.

Is there a concrete threat? "Indeed the essence is that communists need to be watched", said Sjoekronoputra. He admitted however that they had not yet found any information on the activities of the communists. "For the moment there is isn't any [information]. We are still observing", he exclaimed. (aan)

[Translated by James Balowski.]

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## **Kalla says no hike in power rates this year**

Jakarta Post - March 18, 2006

Rendi A. Witular and Anissa S. Febrina, Jakarta — Vice President Jusuf Kalla confirmed Friday the government would drop a planned increase in electricity rates this year amid widespread opposition.

Kalla said the government would likely provide around half of the extra subsidies needed by state electricity company PT PLN to cover rising fuel costs without having to increase rates, while the other half would have to be shouldered by PLN chiefly through efficiency measures.

"The government actually has no intention to increase the power rates," he said Friday during a visit to PLN headquarters here. "But the problem is who will bear the Rp 10 trillion (US\$1.09 billion) extra subsidy (needed by PLN). The government is willing to cover half of the amount, while the other half will be borne by PLN so that the public doesn't have to be burdened."

Kalla met with top PLN officials as part of a campaign to push for greater efficiency in the state company.

A credible source at the State Palace told The Jakarta Post on Thursday that President Susilo Bambang Yudhoyono and Kalla had decided not to raise power rates this year, fearing a political backlash after objections from businesses, lawmakers and the public.

Kalla acknowledged that an increase in electricity rates would be burdensome to the business sector, especially with the government attempting to revive the weakened real sector and help boost employment.

Asked about the source of government funds to cover the extra subsidies needed by PLN, Kalla said it was still exploring ways either to increase revenue through taxes or the sale of more bonds.

He played down concerns that the move to drop the hike would cause a widening of the state budget deficit, saying that a deficit of more than 1 percent of gross domestic product was still manageable.

Businesses roundly opposed the plan after the government more than doubled selected fuel prices in October last year.

Indonesian Employers Association chairman Sofjan Wanandi said the government's decision sent a positive signal to the private sector.

"We thank the government and the legislature for having heard our complaints. Now, the private sector will have certainty in calculating costs. We can also avoid layoffs." However, Sofjan added the government must ensure there would be no additional costs applied by PLN outside of the base rate.

"Just make sure that PLN does not then impose extra costs that would burden businesses," he said.

Industry players have complained about PLN's additional costs imposed on consumption of electricity during peak hours, as well as onerous

infrastructure costs.

Sofjan added that if the economy improved next year, the private sector would not mind sharing the burden of an increased electricity rate.

The cancellation would help ease inflationary pressure and allow the central bank to cut its benchmark interest rate sooner than expected.

Bank Indonesia has predicted inflation would start easing in the second half of the year, and it would cut the benchmark rate, which is at 12.75 percent, accordingly.

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## **Malnutrition hits West Sumba, Lampung**

Jakarta Post - March 18, 2006

Yemris Fointuna and Oyos Saroso H.N., The Jakarta Post, Kupang, Bandarlampung At least 16 children in West Sumba Regency, East Nusa Tenggara, have died this year from complications caused by malnutrition.

Oktavian Diky, a director at Karitas Weetabula Hospital, said the children, who were all under five years of age, had suffered from marasmus, a chronic illness stemming from malnutrition.

Oktavian said that 13 of the victims had died in January and the other three in February.

"This month, however, no deaths have been reported even though up to 40 children are being treated at the hospital," Oktavian said, adding that they were all from very poor families.

The deaths raised the number of victims of marasmus since May last year to 17, he said. He explained that at least 200 patients, most in very poor health, were currently being treated at a number of hospitals and malnutrition rehabilitation centers throughout West Nusa Tenggara.

Octavian expressed concern at the lack of attention the government has paid to malnutrition, as it is feared it will affect the futures of



thousands of children under five years old.

East Nusa Tenggara health office Head Stef Bria Seran said that the provincial administration had conducted a number of programs, ranging from the provision of food supplements to the revitalization of integrated health service centers.

Bria Seran said that the central government had earmarked in its 2005 budget a fund of Rp 51.7 billion (US\$5.58 million) for malnutrition prevention, of which Rp 44.1 billion was managed by regental regencies throughout the country.

East Nusa Tenggara Legislative Council deputy speaker Kristo Blasin urged the provincial administration to optimize its services for those suffering from malnutrition and undernourishment.

Meanwhile, in Lampung province the number of children under five years old suffering from malnutrition has reached 200, of whom 105 are from East Lampung regency.

Although up to 181 of the cases were detected last year, many of the children are still suffering, while the other 20 were discovered from January to March this year.

Chairman of the Coalition for Healthy Lampung, Herdimansyah said that these figures were compiled based on reports from hospitals and regency health offices throughout Lampung, but the real number of the sufferers could be much higher.

Herdimansyah cited as an example the malnutrition case in Tanggamus regency in 2005, which had been denied by Lampung health office officials. In reality, up until March 2005, the Tanggamus health office had recorded at least 829 malnutrition cases, with 6,226 children under five years old suffering from protein deficiency, he said.

The discovery was made after the Tanggamus health office conducted health checks on 59,102 children.

According to Herdimansyah, the malnutrition was caused mainly by the government's neglect of integrated health service centers.

"This is a huge threat because we fear we will have a lost generation," he said, adding that his

agency was directly visiting villages in Lampung.

"We predict that thousands of children suffer from malnutrition in Lampung. This is a serious problem, so the central government should act now, not just wait until the patients have been treated in hospital or community health centers," he added.

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## **Pro-government figures stack 'TVRI' supervisory board**

Jakarta Post - March 16, 2006

Jakarta — Opposition lawmakers and the independent Indonesian Broadcasting Commission (KPI) doubted Wednesday whether the new supervisory board members of state broadcaster TVRI would be able to stay neutral doing their jobs.

House of Representatives legislators selected Musa Asy'airie, Retno Intani, Hazairin Sitepu, Abraham Isnani, and Brig. Gen. (ret) Robik Mukav as supervisor board members for TVRI after a two-day fit-and-proper test for 14 candidates fielded by the Communications and Information Ministry.

Sitepu and Mukav were both members of President Susilo Bambang Yudhoyono's campaign team in the 2004 presidential elections. Two others, Retno and Abraham, were from TVRI, while Musa was a government representative.

The board would be authorized to determine TVRI's general policies and to monitor the implementation of TVRI's work plan and budgetary spending. The board would also have the authority to select, appoint and fire the members of TVRI's board of directors.

The newly appointed board members face tough challenges; to fight rampant corruption and restructure the disorganized management of the public broadcasting agency. They are also supposed to ensure the station does not become a government mouthpiece, as it has been in the past.

In a report in October last year, Indonesian Corruption Watch reported the management of the 43-year-old television network to the Corruption Eradication Commission. The group's report detailed an alleged Rp 15 billion markup in procurement projects, TVRI's inconsistencies in reporting its advertising revenue and other "unusual" balance sheet items.

Some legislators said they were not impressed by the 14 candidates proposed by the government. "Very few are actually qualified for the job," National Awakening Party legislator Muhammad A.S. Hikam told The Jakarta Post. Hikam said corruption was responsible for TVRI's poor performance and had become a "moral hazard" within the broadcaster, spreading throughout its staff.

KPI head Sinansari Ecip said that with the appointment of the five board members, TVRI would again become a mouthpiece of the government. "The board does not represent the public, but it represents the government," he said. The government should have coordinated with the KPI in the selection of candidates, he said.

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## **Dozens of students 'possessed'**

Jakarta Post - March 17, 2006

Mataram, West Nusa Tenggara — Dozens of students of Sakra No. 1 high school in Sakra district, East Lombok regency, were reportedly possessed by "evil spirits" Thursday and dropped into trances while in the classroom.

Classes were disrupted when other students volunteered to help subdue the "possessed" students, most of whom were female. The afflicted screamed, rolled on the ground and shouted incomprehensible words before passing out.

Similar incidents have happened at the school during the past five days. According to a number of teachers, the symptoms are contagious, and when one student falls into a trance others immediately follow suit.

"This is the fifth day. The first student possessed was a 12<sup>th</sup> grader, and it continues to affect others. There are already 32 students affected so far," said Yeyen, an 11<sup>th</sup> grader.

School officials are trying to discover the cause of the occurrence, and have requested help from psychics and religious figures in the area.

"Getting them back to their senses can take 15 minutes," Salman, a teacher, said, adding that the disturbance usually starts at 10 a.m.

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ACEH

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### **Aceh bill still to be discussed during DPR recess**

Tempo Interactive - March 22, 2006

Wahyu Dhyatmika, Jakarta — Although the recess at the House of Representatives (DPR) starts next week, the Special Committee for the Aceh Government Draft Bill will still continue its discussions in order to meet the deadline.

"There already is a permit from the DPR Speaker to continue the discussions," Ida Fauziyah, Head of the National Awakening Party (PKB) faction, told reporters at the parliament complex on Tuesday (21/3).

Even so, Ida admitted she was not certain that the bill would be completed by March 31 as required by the Helsinki Memorandum of Understanding. "We will not sacrifice quality, but we are doing our best to finish on time," she said.

Yesterday, the factions finished listing the inventory of problems and entered a stage of more detailed discussions.

The PKB faction, according to Ida, will fight for a two percent rise in the general allocation funds for Aceh, to be provided for a period of ten years. In addition, she also stressed her faction's support for the establishment of local political parties in Aceh.

Last Monday, the PKB faction visited the Nahdlatul

Ulama Board of Directors Chairman, KH Hasyim Muzadi, in order to ask for input regarding the Aceh draft bill. "Mr Hasyim advised that any privilege for Aceh must still be controlled under the Unitary State of the Republic of Indonesia," said Ida.

Separately, Ferry Mursyidan Baldan, Deputy Chairman of the Golkar Party faction, emphasized that his faction was still suggesting non party candidates. "The requirement is that he or she can collect signatures from a minimum three percent of Aceh residents," he said.

However, Ferry, who also acts as the Aceh Government Draft Bill Special Committee Chairman, said that non party candidates would only be accommodated while local political parties had not been formed. "So, this is only for this year's regional elections," he said.

In addition, Golkar has also proposed that the increase in the balance and profit share funds be between five and 20 percent higher than the government's proposal. It has also been suggested that the mechanism of regional revenue distribution be changed.

"So, tax revenues, for example, will be distributed only in Aceh, with the central government's share transferred to Jakarta. Therefore, the revenues will not first all be transferred and then distributed back after that, like under the current system," said Ferry.

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## **Acehnese get in line for new ID cards**

Jakarta Post - March 22, 2006

They took their place behind a piece of card bearing their name in orderly fashion, a sharp click signaling an end to their moment in front of the camera.

For residents of Sukadamai village, Lhueng Bata district in Banda Aceh, it marked a new chapter in their lives from the ugly days of the past — and some saw the funny side of things. "Heh, it looks

like a criminal, right?" joked Muhammad, 30, as he posed for the digital camera.

Muhammad and his friends lived through the military emergency situation in Nanggroe Aceh Darussalam, when obtaining an ID card was a long, stressful process requiring the provision of many supporting documents. "Now it's easy, just by showing our family card and a copy of the old ID card. Then, there is the photo session at no cost," he said.

In accordance with planned regional elections under the Aceh governance bill, the locals' old "red-and-white" cards — which signified their Acehnese identity and were roundly criticized as discriminatory — are being replaced.

"The ordinary ID cards before the strife were preferable. The red-and-white cards differentiated Acehnese from other Indonesian citizens," said Siti Habsah, 38, another resident.

Cut Husna, 50, of the Banda Aceh population mobility and transmigration agency, said the replacement of cards began March 8 and would continue until March 31.

Former members of the Free Aceh Movement, who do not have ID cards, and people whose cards were lost during the 2004 tsunami are also eligible for the cards. "Those having no family cards can simply report to their respective village heads," Cut Husna said.

The number of Banda Aceh residents receiving the cards may reach 143,000 or more due to the shifting population, she said.

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## **Legislators support effort to disband GAM**

Jakarta Post - March 17, 2006

Muninggar Sri Saraswati, Jakarta — A number of legislators backed Thursday a call for the inclusion of articles into the bill on Aceh governance specifically disbanding the Free Aceh Movement (GAM).

The call was raised by former Aceh military commander Maj. Gen. Bambang Darmono, a government representative in the EU-led Aceh Monitoring Mission (AMM), during a hearing late Wednesday in the House of Representatives.

Bambang threatened to dissolve GAM along with SIRA, a non-governmental organization campaigning for an independence referendum in Aceh, and the Aceh Transition Committee (KPA) if the House passed the controversial bill into law.

"Last year, the TNA (the National Aceh Armed Forces established by GAM) was disbanded after the decommissioning phase was completed. GAM, SIRA and KPA must also be dissolved after the bill is passed into law. Otherwise, I will dissolve them," Bambang told the hearing.

The KPA is assisting GAM in transforming from an independence movement into political force. Bambang said the KPA must register with the local authorities if it wanted to remain in existence.

Legislator Idham of the Indonesian Democratic Party of Struggle (PDI-P) said GAM as an organization could not exist in its current form after the bill was passed.

Lawmaker Saifullah Ma'shum from the National Awakening Party (PKB) said GAM should have dissolved after it signed a truce with the government in August last year.

Under the Helsinki peace accord, the rebel group abandoned its violent campaign for Aceh's independence and instead demanded self-rule inside the Unitary State of Indonesia. The pact also allowed former GAM combatants to contest direct local elections.

AMM chief Peter Feith has called on GAM and SIRA to change their names. GAM spokesman Bakhtiar Abdullah said both groups were still considering the idea.

Meanwhile, political observer Ikrar Nusa Bhakti told a hearing of the House special committee deliberating the bill that the draft law should be made consistent with other regulations on Aceh.

"There is no point creating a beautiful (law) if

it cannot be implemented," he said. If the articles in the bill did not fit well with other existing legislation, it could create serious legal problems in the future, like in the other special autonomy region of Papua, Ikrar said.

The bill implements the peace deal in Aceh, creating the legal basis for the special regional and gubernatorial elections in the province.

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## **Militia and illegal weapons still haunt peace in Aceh**

Detik.com - March 17, 2006

Shinta Shinaga, Banda Aceh — The peace process in Aceh has encountered a stumbling stone. Militia groups still exist and recently their level of activity has even been increasing. Added to this is the spread of illegal weapons.

These two issues continue haunt the implementation of the Memorandum of Understanding (MoU) between the Indonesian government and the Free Aceh Movement (GAM). To this day, Friday March 17, they are increasingly becoming hot topics of discussion.

Moreover it needs to be remembered that the MoU does not regulate the disbanding of the militia and there are no clear mechanisms for the surrender of the illegal weapons they possess. The MoU only regulates the disbanding of the Aceh National Army (TNA, GAM's armed wing) and the decommissioning of GAM's weapons. Both of which have already been carried out.

GAM says the militias are derived from the TNI (Indonesian military) and regards them as a potential threat that could hinder the peace agreement. "These militia are a potential threat. But we are not assuming it will obstruct the peace process in Aceh. The problem will of course still exist. But it should be handled wisely", said GAM's Swedish spokesperson Bakhtiar Abdullah at GAM's central office in Lamdingin, Banda Aceh, on Wednesday March 15.



On the question of the weapons possessed by the militia meanwhile, Abdullah declined to speculate admitting that he does not have any hard evidence. "Our weapons were destroyed in accordance with the MoU. The weapons that in the past we constantly carried, like a wife, have been cut in three, destroyed by the Aceh Monitoring Mission (AMM)", said Abdullah.

The head of the Aceh Transitional Command for the Pase region, Tengku Zulkarnain, also says he can guarantee that the illegal weapons did not originate from GAM. "In Pase there is not one illegal weapon. But of course there is no evidence. Even if there was, the illegal weapons in Aceh are not our business. That is the responsibility of the police", said the ex-TNA member at his office on Jl. Medan in Lhokseumawe on Thursday March 16.

The North Aceh head of the AMM, Jorma Gardemeister, also confirmed that GAM's weapons had been surrendered to the AMM and destroyed. "If [weapons] still exist, it's illegal. It is the police that must deal with it and then hand them over to the AMM", said Gardemeister who originates from Finland.

#### Government investigation

The AMM has meanwhile asked the Indonesian government to investigate reports on the increase in the level of militia activity in various parts of Aceh. The AMM is presently waiting for the results of the investigation. "A militia presence could disrupt the peace process. But we believe that the government can overcome it", said AMM head Pieter Feith at his offices on Jl. Tengku Abdul Rauf in Banda Aceh on Wednesday.

Although not often, the AMM has however also been monitoring actions that are unhelpful to the peace process such as statements about the past that was dominated by conflict. "These statements does not reflect [the views of] the GAM leadership. This phenomena, they are illegal groups. Of course it will be embarrassing if they reemerge after the AMM has gone. Even though the crisis in Aceh has ended and the armed conflict resolved", asserted Feith. (sss)

[Translated by James Balowski.]

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## **Acehnese Peoples Party preparatory committee declared**

Detik.com - March 17, 2006

Nur Raihan Banda Aceh — Not long from now a local political party will enliven the political dynamics in Aceh. An embryonic Acehnese political party has already been officially launched.

The embryonic local party is called the Acehnese Peoples Party Preparatory Committee (KP-PRA) which already has representatives in 11 regencies/cities across Aceh.

"If in [after the draft] law on a government for Aceh [is ratified], local parties are accommodated in accordance with the Helsinki Memorandum of Understanding, then next August we will proclaim the KP-PRA as a local party in Aceh", KP-PRA chairperson Thamrin Ananda told Detik.com in Banda Aceh on Thursday March 16.

Ananda explained that if it turns out that local parties are still unable to be created after the draft law has been ratified, the KP-PRA will affiliate with one of the national political parties that has the same vision and mission as the KP-PRA.

Such a national party must be a party that wants a government that is clean, democratic, populist and free from foreign intervention. In addition to this they must place ordinary people as the subjects and not just as object during elections.

The declaration — that was held at a restaurant in Banda Aceh — was attended by around 600 people made up of KP-PRA cadres and sympathisers, most coming from Banda Aceh and Greater Aceh. Aside from students, the KP-PRA's cadre and sympathisers also come from farmers and traders.

According to Ananda, 500 KP-PRA cadres are presently deployed in a number of regencies/cities across Aceh including Banda Aceh, Greater Aceh, Sigli, Bireun, North Aceh, Lhokseumawe, Central Aceh, West Aceh, Nagan Raya and South Aceh. (fjr)

## **Golkar first to back independent candidates in Aceh**

Jakarta Post - March 16, 2006

Muninggar Sri Saraswati, Jakarta — The Golkar Party, the biggest faction in the House of Representatives, has led the way in declaring its support for independent candidates to contest direct elections in Nanggroe Aceh Darussalam.

The stance was revealed in a hearing Wednesday, during which all factions unanimously expressed their agreement to continue the deliberation of the bill on the governance of Aceh.

Led by legislator Ferry Mursyidan Baldan, the session was also attended by Information Minister Sofyan A. Djalil, Home Minister M. Ma'ruf and Deputy Chairperson of the Regional Representatives Council, Sri Kadarwati.

Speaking on behalf of Golkar, legislator Abdul Gafur told the hearing that independent candidates should be seen as a form of affirmative action, which would accommodate the participation of all Acehnese groups in politics.

"Independents will be a type of affirmative action that can ensure the participation of all Acehnese elements in politics, while local political parties have yet to be established," he said.

However, Golkar proposed that they should only be able to run as independents, if supported by 3 percent of the overall population in Aceh, the same requirement applied to political parties.

With 126 of 550 seats in the House, the Golkar Party is the largest faction and is considered to be pro-administration. It is now led by Jusuf Kalla, who is the vice president and one of the key architects behind the August 2005 peace pact between the government and the then Free Aceh Movement (GAM), which ended over 30 years of conflict in the province.

The National Mandate Party (PAN), the United Development Party (PPP), the National Awakening Party (PKB) and the Democrat Party also offered full support for further deliberation of the bill.

"The bill will ensure the protection of people with differing views in the country. We don't take the position that some people have, who say the bill would prompt other provinces to separate from Indonesia," legislator Sayuti Asyatri of PAN said.

Democrat legislator Teuku Rifky Harsya said it was time for the country to allow Aceh to exercise its rights as past governments had been very "centralistic" while applying top-down approaches in the province.

Golkar said it was also ready to allow an allocation of natural resources-based revenue, which is more than the 3 percent proposed in the bill. "We understand that the Acehnese need more money to build the province, particularly after the tsunami," Abdul Gafur said.

However, Golkar raised its opposition to the possible establishment of a human rights tribunal in Aceh. "We shall not root out something that has been happened in the past," the legislator said.

The Indonesia Democratic Party of Struggle (PDI-P) maintained its stance to reject the truce, but announced that it was ready to deliberate the bill for the sake of the Acehnese.

"We don't reject peace in Aceh, we only expect a lasting peace and prosperity for the Acehnese. They don't need an empty promise," legislator Sutjipto said.

PDI-P rejected a clause in the bill that requires the House to get approval from the Aceh legislative council if the national legislature issues a policy involving Aceh.

The special committee deliberating the bill is set to meet Maj. Gen. Bambang Darmono, who represents Indonesia in the EU-led Aceh Monitoring Mission (AMM).

During the peace talks in Helsinki last year GAM dropped its demand of total independence in return for a form of self-governance within the context

of the Republic of Indonesia.

Some parties, including former president Megawati Soekarnoputri and her PDI-P, the military and the police retired officer groups, as well as former president Abdurrahman "Gus Dur" Wahid have opposed the bill, saying they fear a possible separation of Aceh from Indonesia.

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## **Aid group suspends some tsunami operations**

Associated Press - March 16, 2006

Chris Brummitt, Jakarta — International aid group Oxfam has suspended some of its tsunami-relief operations in hard-hit Aceh province while it investigates suspected financial irregularities there, a spokesman said Thursday.

Relief organizations in Indonesia have pledged to carefully audit their funds amid concerns that aid dollars could be stolen by corrupt officials or contractors in the country, which is rated as one of the world's most graft ridden.

Oxfam spokesman Douglas Keatinge said investigators were probing irregularities involving "tens of thousands of dollars" at one project office covering the provincial capital Banda Aceh and surrounding districts. He gave no more details on the nature of the irregularities.

"Oxfam has taken the decision to temporarily suspend part of our operational activities in Banda Aceh and Aceh Besar while our auditors thoroughly review the issue," he said.

He said that essential services such as water trucking and rubbish collection would continue, but other activities, including house building and job creation schemes, would be put on hold in the region, which was worst hit by the Dec. 26 tsunami. Oxfam's overall budget for Aceh is \$30 million.

Its early disclosure about the irregularities is unusual for an international aid organization, and highlights the pressure relief groups are under to

be transparent about how funds are spent.

"Oxfam is committed to upholding the strictest and most rigorous financial controls," Keatinge said. "The temporary suspension of our operations will allow us to be more accountable to the communities that we work with, and ensure improved service delivery in the future."

The tsunami, triggered by a massive earthquake close to Indonesia's Sumatra Island, killed or left missing at least 216,000 people in 11 Indian Ocean nations, more than half of them in Aceh.

The scale of the death and destruction generated some \$13 billion in aid, the most generous global response ever to a natural disaster.

Some corruption during major relief efforts is inevitable, experts say, but Indonesia has been praised for limiting graft in Aceh, chiefly by establishing a government agency to oversee the reconstruction process headed by a respected former Cabinet minister.

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## **Acehnese Peoples Party preparatory committee launched**

Aceh Kita - March 16, 2006

Radzie, Banda Aceh — Civilian activist have launched the Acehnese Peoples Party Preparatory Committee (Komite Persiapan Partai Rakyat Aceh, KP PRA), which represents the precursor for the formation of the first local political party in Aceh. The launch — which took place at a restaurant in the Lamnyong area of Banda Aceh on Thursday March 16 — was attended by around 500 party supporters and a number of other invited guests including Juha Christensen from the Aceh Monitoring Mission.

The chairperson of KP PRA, Thamrin Ananda, said in a political speech that preparatory committees have already been formed in 11 regencies/cities in Aceh and they are targeting a total of 12. "In the regulations it says that branches must exist in 50 percent of the regencies/cities that exist in Aceh", said Ananda.

Ananda said that the idea of forming a local political party was because there is already a clear legal basis that flows from the Memorandum of Understanding (MoU) between the Indonesian government and the Free Aceh Movement (GAM) that was signed in Helsinki on August 15 last year.

In addition to this, during the congress of the Acehese Popular Democratic Resistance Front (FPDRA) that was held at the beginning of 2006, they agreed to form a local political party in Aceh. This was because a local political party can be the entry point for improving the welfare of the people who for too long have been afflicted by conflict.

The formation of the party received warm greetings among a number of circles both within in Aceh, nationally and from political parties in other countries including Malaysia, Bolivia, Venezuela and Germany.

In the election of regional heads or Pilkada that will be held next June after the enactment of the Law on a Government for Aceh, the KP PRA will not be putting forward its own candidates even though this is possible through the nomination of independent candidates. This is to demonstrate a commitment to an alternative government supported by a united national front.

"We will support candidates that are put up in the form a national united front with a platform of a clean, democratic, populist government that is free of foreign intervention", said Ananda.

The former Student Solidarity for the People (SMUR) activist added that a local political party must have a different character from the national parties that have long existed in Aceh. "The character I mean is a local party's courage to place the people or the masses as the subject, not just an object during elections", he said adding that the soon to be formed PRA will place the people as subjects. It is because of this that the PRA will orientate its membership towards farmers, the urban poor and students.

In its future program, the PRA will focus on the nationalisation of the management of natural resources. To date the natural wealth of Aceh has largely been controlled by superpower countries

such as the United States and Japan. The distribution of natural wealth between the central government and Aceh has also been unclear, even though a 70 percent (Aceh) and 30 percent (Jakarta) share has already been agreed to. "This kinds of issues are not clearly referred to in the Draft Law on a Government for Aceh and the MoU", said Ananda. "So in the future it will reopen up the possibility foreign control". [dzie]

[Translated by James Balowski.]

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WEST PAPUA

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### **Students staying away from dormitories in Abepura**

Jakarta Post - March 22, 2006

Nethy Dharma Somba, Jayapura — Thousands of students are staying away from their dormitories in Abepura, fearing further reprisals after the killing of four security personnel last Thursday.

About 1,200 students fled 18 dormitories — organized by the Cendrawasih University administration or local government — after angry armed Mobile Brigade members raided them on the night of the killings, which occurred during a protest against PT Freeport Indonesia near the university campus.

"The students are afraid to return to the dormitories for fear of another security sweep by Mobile Brigade members," said Decky O Avide, chairman of the university's student body.

Three Mobile Brigade members and an Air Force officer were lynched as the demonstration outside Cendrawasih University became violence.

The university was closed after the riot and is scheduled to reopen March 27.

At least one dormitory was reportedly destroyed last Friday by a group of Mobile Brigade personnel returning from Sentani Airport after the bodies of some of those killed were returned to their hometowns. Residents of other dormitories fled after hearing of the attack.



"Our dormitory was spared but we were afraid to return because we heard that police officers were visiting dormitories," said Martha Diekmi, a Cendrawasih political science student who resides in a dormitory for members of the Amungme Kamoro tribe.

She said she and 13 of her friends hid in the house of a relative but slept in the forest at night to avoid being caught in more sweeps.

Papua Police chief Insp. Gen. Tommy Jacobus called on the students to return to their dormitories because Abepura had returned to normal and Cendrawasih University would reopen soon.

He promised there would be no arbitrary arrests, adding that Mobile Brigade personnel involved in the clash had been sent back to barracks and their duties taken over by police brought in from Makassar, South Sulawesi.

National Police chief Gen. Sutanto said that as of Tuesday, 14 people had been named suspects and police were tracking down another 24.

Among the 14 suspects are the leader of the West Papua Referendum Front, Selpius Bobii; a teacher, Moses Totoba; a parking attendant, Ferry Pakage; and a security officer, Musa Asol. The rest of the suspects are seven students identified as Benius Baker, Alex Wayangkaw, Thomas Okayo, Elkana Lokobal, Elias Tanaka, Matius Patrius Alangior and Obaya Papua, as well as three workers — Louis Gedi, Oten Bapial, Markus Kayame.

The police confiscated three Molotov cocktails, three bullets, three sets of bows and arrows, one round of SS-1 ammunition, one machete, one knife, one dagger and a pair of boots at the site of the Thursday's riot.

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## **Papua students hide, clash toll rises to six**

Agence France Presse - March 22, 2006

Jakarta — Indonesia's Papua remained tense with hundreds of students hiding in the jungle to evade

a police manhunt, reports said, as the death toll from riots over a US-run mine rose to six.

Students staged a rally last week that degenerated into bloodshed on the outskirts of Jayapura, the Papuan capital. They were demanding the closure of a huge mine operated by a local unit of US company Freeport-McMoRan.

Some 1,200 students have since fled their dormitories at the state-run Cendrawasih University, where the demonstration was held, and were in hiding, Aloy Renwarin from rights group Elsham-Papua told AFP.

"The 1,200 students ran and are still hiding in the forests, and they're hungry," he said. The university remained closed and the streets were still tense, he added.

Decky Avidé, chairman of the university's student body, told the Jakarta Post the students were "in fear of another security sweep by Mobile Brigade members." The Mobile Brigade, better known as Brimob, has developed a reputation for brutality in dealing with separatist conflicts in places such as Papua and Aceh, and has been strongly criticised by international human rights groups.

The state-run Antara news service reported that security had been reinforced at several locations in Jayapura, including the governor's office, provincial parliament and several main streets.

Activists accuse Freeport of polluting the environment and of tacitly condoning human rights abuses by the Indonesian military assuring the Timika gold and copper mine's security.

They also complain that Papua has not received its fair share of profits from the mine, something which has helped to fuel the decades-old separatist insurgency against Jakarta's rule in the region.

Papua police spokesman Samuel Payu said another Brimob member identified as Eko had died of his injuries in hospital Wednesday, bringing the overall toll to six. Protestors lynched three Brimob police and an air force officer during the melee, while a civilian died in hospital shortly afterwards.

Police also said that they had charged two suspects with the murder of the security officers. "From the fourteen suspects, two of them are direct perpetrators of murders. They killed using stones and by stabbing with a knife," deputy national police spokesman Anton Bachrul Alam told a press conference. He did not name the pair. Police were still searching for another 24 suspects, he added.

The director of Jayapura's main hospital Pauline Watufa said that three seriously injured protestors had fled the hospital after the clashes because they were too afraid to stay there. She feared their wounds would be infected without treatment.

Police said Tuesday they were readying another 200 troops to send to Papua, some 3,000 kilometres (1,800 miles) east of Jakarta, as reinforcements.

Meanwhile, Papua's parliamentary tribal council began discussing Freeport Wednesday in response to the demands to close the mine. "On Friday we will send our report to Papua's parliament," Agus Allua, the chairman of the council, told AFP.

The Papuan provincial parliament has said it would hold a special session to discuss the mine. It does not have the power to close the mine but could apply pressure to the Indonesian government to do so.

Freeport signed a 30-year contract with Jakarta to run the mine in 1991. Last week's violence has stoked fears of further separatist unrest.

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## **Defense minister calls for Papua blacklist on Greens senator**

Australian Associated Press - March 22, 2006

Rob Taylor, Jakarta — Indonesia's defence minister wants to blacklist Australian Greens Senator Kerry Nettle from travelling to Papua, saying her presence could stir more violence in the restive province.

The New South Wales senator had hoped to go to Papua next month to assess the security situation following fierce clashes last week in which as many as four Indonesian police officers and an air force officer were bludgeoned to death by demonstrators.

But Defence Minister Juwono Sudarsono has asked the Indonesian Foreign Affairs Department to stop the visit taking place, the Koran Tempo daily reported. "I prefer her not (to visit), because it will incite unnecessary controversy in the field," Sudarsono told the paper.

Nettle, who visited 43 Papuan asylum seekers on Christmas Island in January and afterwards demanded Australia's government "stand up for human rights and for freedom" in Papua, would try and embarrass Indonesia over human rights, Sudarsono said. "Certainly the data will be manipulated," he said.

The call for a blacklist came a day after Indonesia's intelligence chief, Major-General Syamsir Siregar, accused Australian-backed aid groups of fomenting last week's protests against the massive US-owned Freeport gold and copper mine.

Sudarsono's senior adviser Bonnie Leonard said the minister believed Senator Nettle was "indirectly linked" to the violence.

The Indonesian government has also barred foreign journalists from visiting Papua, bringing criticism from international rights groups.

Police said yesterday they would strengthen their presence in the province with an extra 200 men from the elite paramilitary Mobile Brigade, which has a notorious human rights record.

A spokesman for Senator Nettle said she had been planning to visit Papua since the Papuan asylum seekers landed in north Queensland in January.

The group, who arrived at sea after days in a dugout canoe, claimed they feared death at the hands of Indonesian security forces and are being assessed by Australian immigration officials on Christmas Island.

"A number of people from civil society basically suggested it would be good if we could go up there ourselves," Senator Nettle's spokesman said. "We've been in contact with various groups, political organisations. We wanted to go in April, as soon as possible." Senator Nettle had been planning to visit either officially if possible, or if necessary on a business visa as a private citizen, he said.

Indonesia's chief foreign spokesman, Yuri Thamrin, who is also in charge of Australian and Pacific affairs for the foreign ministry, said no official request for a visit had been made by Australia's Jakarta Embassy. An embassy spokeswoman said the mission was unaware of Senator Nettle's plans.

Thamrin said Sudarsono's request for a blackban would be sent to the Indonesian government's "clearing house" of senior officials for approval.

National police deputy spokesman Anton Bahrul Alam said yesterday 24 people were wanted over over Thursday's violence in Papua, while 14 more had already been arrested and would face trial as soon as possible.

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## **Freeport and the Suffering of the Papuans**

Jakarta Post - March 21, 2006

Israr Iskandar, Padang — Like an irresistible piece of chocolate cake, Freeport has become an issue politicians are eager to talk about.

Former People's Consultative Assembly (MPR) speaker Amien Rais has recently urged the government to revise its contract with PT Freeport Indonesia. He has even agreed with the activists, who demand Freeport's closure.

In the same tone, Vice President Jusuf Kalla set up an inter-departmental team to re-audit the giant US-based gold mining firm. The government is expecting an extra royalty allocation from the company.

The politicization of Freeport intensified after a violent demonstration in Abepura, Papua against

the firm, leaving three police officers and an airman dead on March 16. Earlier, volatile protests took place in Jakarta, Jayapura, Manado, Solo and Timika. Some of the protests turned violent, such as that the one at the building, which houses PT Freeport Indonesia's offices in Jakarta.

In the Papuan town of Timika, the highway to Freeport's Grasberg mine was again blockaded by local people. This, despite the fact, that local people had earlier "made peace" with Freeport via a traditional declaration.

Local politicians have added to the complexity of the issue. Members of the Papuan People's Assembly (MRP) and the Papuan Regional Council have become actively involved. Non-governmental organizations and Papuan students aggressively supported the local community's basic rights. Now the local elite have become further involved in the Freeport case, particularly as it gets more politicized.

The Papuans' objection to the presence of Freeport is nothing new as it involves basic rights issues. But the nationalistic cliques in Jakarta are motivated to pressure Freeport purely out of a sense of "economic nationalism" (as indicated by Amien and a number of conservative politicians in the House of Representatives), the Papuan elite and NGOs find their reason for complaints in the poor conditions of indigenous people amid the abundance of Papua's natural wealth, which is greedily exploited by "outsiders".

For a long time, the US-based corporation has been considered less responsive to the interests of its surrounding people, especially in matters related to pollution of the environment, which includes a diverse ecosystem that has served as a source of native people's livelihood. On top of this, Freeport is the most obvious irony in Papua. A multinational corporation has the freedom to exploit Papua's natural resources, while some people in the province still virtually live in the "stone age".

Economists and entrepreneurs view the "pressure" on Freeport as bad news for the country's investment climate. They say that in order to recuperate from economic crisis that has lingered since 1997, there needs to be new investment, and

not the removal of an ongoing investments. Actually, even without any such direct pressure, many foreign firms have left Indonesia due to the country's unfavorable business climate and the overly politicized nature of big investments.

However, the government cannot blame local protesters and politicians for what it describes as undermining the investment climate.

Freeport's operation has been considered less than conducive to the betterment local people's welfare. The Freeport case today is the "tip of an iceberg" of the ire of locals against the greed of the powerholders in Jakarta, who collaborate with foreign investors in draining Papua's natural wealth.

The exploitation of Papua's resources has been taking place intensively and extensively amid Papuans' growing poverty and backwardness after decades of integration with Indonesia.

In the early period of reform (since 1998), Papuans had great expectations. Various aspirations were expressed to demand justice from the central government, not only in terms of political rights, but also in economic, social and cultural spheres. The fruit of these demands was special autonomy.

Politically, the 2001 Law on Special Autonomy for Papua is a "compromise" to absorb the call for freedom. Economically, Papua shares a "fair" amount of income from the exploitation of its resources.

But in reality, the law has not yet brought about fundamental changes in Papua. Research by the Working Group on Papua in early 2006 revealed that for over five years, special autonomy has had no impact yet on the welfare of local people, particularly native Papuans. Data from the Central Statistics Agency (BPS) in 2004 showed that 80 percent of the Papuan population remained poor, the highest such rate in the country. The recent famine disaster in Yahukimo seems to have only confirmed the statistics.

For Papuans who have studied their history, Freeport's presence looks strange. The company's operation in Timika was planned long before

Papua's integration with Indonesia. This historical speculation has affected the dynamics of the Jakarta-Jayapura relations. Suspicion has arisen that its integration in the 1960s was just a process of coercion of "political economy" because it was realized against the backdrop of foreign (i.e. US) investors' interests.

Speculation has also emerged that collaboration between foreign capital and the New Order regime purposely sacrificed the political and economic rights of Papuans.

Upon a closer look at the issue, one will notice that local protests against Freeport today are not only aimed at the American company, but also meant as a manifestation of Papua's continued resistance to central government policy.

Consequently, for Jakarta, resolving the Freeport crisis and satisfying Papuan political aspirations are crucial. The government's attitude toward foreign investment has hitherto been ambivalent. Its attention to foreign investment has not been balanced with proper care about the interests of nearby communities. In the Freeport case, the impression is that the government sides with the multinational companies, while treating locals in an unfair way.

The Freeport case is not a specific one. Indonesia is an example where many investors only consider profit accumulation, while neglecting the environment around them, including the rights of local communities. This is widely practiced not only by foreign corporations but also domestic companies, including state-owned enterprises. The irony is not lost on those of us in this independent republic.

[The writer is a lecturer and political analyst, Andalas University, Padang.]

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**BIN accused of trying to discredit NGOs in West Papua**

Detik.com - March 22, 2006



Iqbal Fadil, Jakarta — The accusations by Syamsir Siregar, the head of the National Intelligence Agency (BIN), that local West Papuan non-government organisations (NGOs) in Papua sponsored the Abepura incident are intended to discredit NGOs in Papua as a whole. The accusations must be clarified immediately in order that it not be seen as slander and in itself provoke the impression that the situation in Papua is unsafe.

"There is a certain political intent behind the accusations. This kind of mind set is a method from the past that is still used for certain goals that endanger peace in Papua", said the executive director of the Institute for the Strengthening of Papuan Civil Society (LPMSP), Budi Setyanto, in a press release received by Detik.com on Wednesday March 22.

If BIN has concrete and valid data it must be immediately handed over to the national police to be followed up through the legal mechanisms that are in force. BIN doesn't need to issue statements that are unclear and have a strong tendency to upset the public, in particular NGO activists.

"It must be understood that there are quite a lot of NGO in Papua. Not all NGOs have a clear vision and mission. Many parties call themselves NGOs for the interests of [certain] individuals and groups", explained Setyanto.

In principle the LPMSP does not agree with expressing aspirations through means of violence or by disruption the public interest because this conflicts with democracy.

LPMSP is therefore calling on Siregar to immediately clarify his statement and if he has accurate data to immediately report it so that the legal steps can be taken against the perpetrators of the riot. (bal)

[Translated by James Balowski.]

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## **Indonesian spy chief accuses Aussie group**

Herald Sun (Melbourne) - March 21, 2006

Rob Taylor in Jakarta — Indonesia's intelligence chief has accused an Australian-backed aid group of being behind clashes in the province of West Papua in which four security officers were killed.

Major-General Syamsir Siregar, who heads the Indonesian State Intelligence Agency, or BIN, refused to name the organisation which he believed fomented last week's protests against the huge US-owned Freeport gold and copper mine. Three policemen and an air force officer were killed in the riots.

But General Siregar said the aid organisation operated in Papua and had close ties with an outside country, which Indonesian newspapers said was Australia.

"There was an NGO (non-government organisation) sponsoring it all," he said according to Koran Tempo newspaper. "As far as I know, the mover was a local NGO, but had connections with the outside. "I guess you all know (who)."

Indonesia has previously accused several Australian aid groups of secretly backing the independence aims of West Papuan separatists, who have for decades waged a low-level insurgency against Jakarta rule.

The aid arm of the Australian union movement, Union Aid Abroad-APHEDA, has come in for particular criticism for circulating communiques from the separatist Papuan Council Presidium to activists in Australia. Many influential Indonesians believe Canberra secretly backs independence for West Papua and hopes for an East Timor-style separation.

In a 2003 meeting with Prime Minister John Howard, former Indonesian president Megawati Sukarnoputri said she was concerned Australian government aid funds were being used indirectly to support separatist movements in Indonesia.

The executive director of APHEDA, Peter Jennings, said the agency had no projects in Papua. But he believed the West Papuan people had been denied their rights in a 1969 UN integration referendum widely regarded as a sham. "The bottom line is the people of West Papua are entitled to another UN-sponsored referendum on their future," he told

AAP.

The Australian Government's aid wing, Ausaid, warns NGOs it will not approve funding for projects which "subsidise evangelism or missionary outreach, or similar activities by partisan political organisations". It also warns it will not support independence movements.

In February, Foreign Minister Alexander Downer assured Jakarta that Australia believed West Papua should remain a part of Indonesia. That assurance was given after 43 West Papuans landed in Australia's north seeking asylum.

Following last week's clash in West Papua's provincial capital, Jayapura, police have arrested 14 people and questioned more than 70 students on charges ranging from destruction of property to assault and murder.

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### **Conflict over TNI, police businesses triggered Freeport riot**

Detik.com - March 20, 2006

Jakarta — The National Intelligence Agency (BIN) has accused non-government organisations (NGOs) of sponsoring the bloody incident in Abepura, West Papua. But NGOs are pointing the finger at conflicts over the provision of security businesses by the TNI (Indonesian military) and national police (Polri).

Large payments have been found to have been made by PT Freeport Indonesia to rogue elements of the TNI and Polri. The Abepura riot that killed three Mobile Brigade and one Airforce officer are suspected to be linked to conflicts over security businesses.

"I think that underlying the recent problems in Abepura there was a problem of conflicting business interests between the TNI and Polri in relation to the provision of security to vital installations at Freeport", said the coordinator of the Commission for Missing Persons and Victims of Violence (Kontras), Usman Hamid, at his office

on Jl. Borobudur in Jakarta on Monday March 20.

Hamid cited as evidence the Global Witness report in July 2005 that said there were financial payments by Freeport to rogue elements of the TNI and Polri and military institutions such as the regional military command in 2001 of as much as US\$5.6 million. "Isn't that an irregularity. It could also be called a bribe", said Hamid.

Hamid is of the view that an independent audit is needed of the monies Freeport has paid to the government, including money Freeport has paid for security services. "Government officials often say NGOs are foreign lackeys. But I think the government's behaviour is far worse", said Hamid.

As well as an independent audit continued Hamid, there needs to be a review of security systems in the provision of security for vital installations. "It must emphasise the transfer of security tasks for vital installations to the national police", asserted Hamid. (sss)

[Translated by James Balowski.]

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### **Papuan protests 'planned to push cause'**

Australian Associated Press - March 20, 2006

Deadly clashes in Papua, in which four security officers were killed by demonstrators, were planned as a stepping stone to full independence for the restive province, Indonesian authorities said.

The protests last week against a massive US-owned gold and copper mine may also have been engineered to become as notorious as the 1991 Santa Cruz massacre in East Timor, in which Indonesian troops shot dead 271 demonstrators, Defence Minister Juwono Sudarsono said.

"It's true. At first it was going to be made into something like Santa Cruz," Sudarsono told the Koran Tempo newspaper.

Separatists among the demonstrators thought Indonesian security forces would open fire on the

crowd and transform the protest into an international human rights incident, he said.

But instead three police and an air force officer were killed, defusing thoughts the clash would morph into another Dili massacre, Sudarsono said.

The Santa Cruz shootings helped galvanise international opposition to Indonesia's brutal occupation of East Timor, which ended in 1999 after an independence vote marred by an orgy of bloodshed unleashed by pro-Jakarta militia.

Former foreign minister Ali Alatas called the massacre a "turning point", which set in motion the events leading to East Timor's nationhood.

The protesters, mostly students, had gathered at the cemetery in Dili for the funeral of a fellow student shot and killed by Indonesian troops the month before.

After they unfurled flags and banners calling for independence, soldiers opened fire, killing 271 and wounding another 382. Another 250 demonstrators disappeared.

Following last week's clash in Papua's provincial capital Jayapura, police have arrested 14 people and questioned more than 70 students on charges ranging from destruction of property to assault and murder.

The rock-throwing demonstrators were demanding closure of the giant Freeport-McMoRan gold and copper mine amid claims billions of dollars in profits have been sucked from the province while leaving behind an environmental catastrophe.

The mine is one of the biggest contributors to Indonesian government coffers and last year announced record profits as international gold prices soared to 25-year highs.

But an unnamed military officer told Koran Tempo there was a lot more at stake than a protest about Freeport, which has acknowledged paying millions of dollars to government forces for security. "There is a much bigger agenda," he said. "The thing this could be used for is human rights and this case becomes a stepping stone."

The clashes could have implications for 43 Papuans

who landed in Australia earlier this year demanding asylum from Indonesian oppression and death threats. Their claims threaten to damage Canberra's fast warming relations with Jakarta, where authorities have demanded the return of the group. But rights activists expect many of their refugee claims to be successful.

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## **Police attack Papua residents**

Associated Press - March 19, 2006

Jayapura — Paramilitary police in Papua pulled people from cars Saturday and beat them, an official said, two days after a mob bludgeoned to death four security officers during protests to demand the closure of a US-owned gold mine in eastern Indonesia.

The mob rampage Thursday that left three police officers and an air force officer dead began when security forces fired tear gas and charged protesters with batons in Jayapura, provincial capital of Papua.

Protesters say the community has seen little benefit from the billions of dollars earned by Freeport-McMoRan Copper & Gold Inc., based in New Orleans.

Police have arrested 12 people on charges of murder, assault and destruction of property, said spokesman Col. Kartono Wangsadisastra, who pledged to investigate the incidents involving paramilitary police.

The killing of the four security officers underscored the hatred many Papuans feel for Indonesian soldiers and police. A decades-long separatist rebellion in the remote province has left more than 100,000 dead, many of them civilians who suffered mistreatment, starvation and other consequences of the war.

On Saturday, paramilitary police were deployed in the streets, guarding a road that connects Jayapura to the airport.

Shooting into the air, the security police pulled people out of their cars, kicking and beating them. "We are investigating the incidents and some officers are being questioned," said Wangsadisastra.

He said two journalists were among those attacked, and the paramilitary officers involved were apparently distraught about the deaths of their comrades.

President Susilo Bambang Yudhoyono warned that people trying to manipulate anger over the mine to win support for independence would not succeed and that the easternmost province would remain part of Indonesia.

Freeport defends its operation in Papua, saying it pays millions of dollars in taxes each year and funds scores of local projects.

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## **Police in Papua must 'calm down'**

Jakarta Post - March 19, 2006

Jayapura/Jakarta — Heeding public pressure, the National Police moved Sunday to stop retaliatory measures by ordering its Mobile Brigade (Brimob) in Papua to return to their barracks in Jayapura.

In a bid to restore security and order following Thursday's anti-Freeport demonstration that turned deadly, two companies, about 200 new officers, were sent in to Jayapura on Sunday, National Police Spokesman Brig. Gen. Anton Bachrul Alam said.

National Police Chief Gen. Sutanto has also replaced Papua's Mobile Brigade Commander, Snr. Comsr. Tatang Hermawan with Snr. Cmsr. Roby Kaligis.

The National Police reportedly have faulted Tatang for failing to follow the appropriate procedures that could have prevented the loss of life during Thursday's clash.

Meanwhile as of Sunday 12 were named suspects after police questioned around 60 people. One

suspect was Selphius Bobbi, the secretary of the West Papua Referendum Front, police said. Anton said that the Brimob return order was aimed at allowing police officers involved in quelling the unrest to "calm down and recuperate" in their barracks.

His statement came amid public concern over reports that police officers had launched a major security operation to conduct random raids in search of people involved in the rioting, which claimed the lives of four security personnel — three Brimob officers and one Air Force officer.

Police officers have reportedly resorted to harsh measures to vent their anger over the death of their colleagues. A 10-year-old girl was injured, reportedly by a stray bullet, and a student boardinghouse was raided.

The Association of Indonesian Television Journalists (IJTI) also reported Saturday that four reporters from RCTI, TV7 and AnTV had been beaten up by officers separately on Friday.

Endi Muhammad Saputra of RCTI, Gogor Pambudi and Dominicus Aryo of TV7 were stopped on their way from Sentani Airport to Jayapura by Brimob soldiers. IJTI said the reporters were beaten with rifle butts and had their cameras and laptop computers destroyed.

President Susilo Bambang Yudhoyono welcomed the National Police plan to rotate out many of the men affected directly by the rioting.

"I support the police chief's plans to bring back normalcy and I understand how members of the Mobile Brigade feel about the deaths of their colleagues," he said.

Three policemen and an Air Force officer were bludgeoned or stabbed to death in the clashes. Reports said another man died Friday from his injuries sustained during the riot.

Police spokesman Sr. Comr Kartono said Selphius, one of the suspects, would be charged under Article 160 on provocation against security officers, while the other 11 under Article 170 on aggravated assault against the officers. Other charges include the destruction of public



property, he said. Three “co-conspirators” are still at large, Kartono said.

Thursday’s slayings highlighted the simmering anger among many Papuans over the massive gold mine — which they say brings no benefit to the local community — and for the Indonesian security forces tasked to quell a separatist movement.

Jayapura on Saturday was still tense, however many residents have resumed their daily activities after staying at home Thursday and Friday. Shops and supermarkets in the Abepura section of town, where the riots took place, had also been opened. Traffic resumed and police seemed to have stopped their search for suspects.

The Papua People’s Assembly (MRP) issued an announcement, appealing the entire community against being easily provoked to resort to excessive actions that tended to hurt the public.

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## **Generals take over after deadly Papua riots**

New York Times - March 17, 2006

Jane Perlez, Jakarta — Indonesia’s top military and police generals took control of the provincial capital of Jayapura in Papua on Friday, ordering the arrests of university students and directing the riot police to fire into the air as they patrolled the streets.

Nearly 60 people, many of them students at Cenderawaih University, have been arrested in connection with a violent demonstration Thursday that resulted in the death of three policemen and an air force officer, a police spokesman, General Anton Bachrul, said.

The protest, organized against the American mining company Freeport-McMoRan, which operates a huge gold and copper mine about 500 kilometers, or 300 miles, from Jayapura, turned violent when the police clashed with several hundred students near the campus.

After the policemen and the military officer were

killed, the police started shooting, a former policeman and security officer for the mining company said Friday. "It was extraordinary that the police did not kill anyone, they were so mad," the former policeman, who declined to be identified, said.

In an unusual display of strength and in a reflection of the seriousness of the violence, the Indonesian Army chief, General Djoko Suyanto; the head of the police, General Sutanto; and the head of the domestic intelligence service, Syamsir Siregar, arrived in Papua on Thursday night.

The sudden show of Indonesian military brass in Papua, the country's easternmost and poorest province, was not only to protect the valuable mining company, but the country's hold on the province itself.

A low-level insurgency has rumbled for decades against the central government, and the student protesters openly sympathize with it.

The sounds of shooting reverberated Friday from the area of Adepura, around the university, and schools and markets were closed, residents of Jayapura said.

The riot police officers from Brimob, the most feared of Indonesia's police units, were still going door to door at the university dormitories, said Hans Magal, the secretary general of the Highland Students Association.

The police were targeting students from the highland region where the mine operates, Magal said by telephone from Timika, the town adjacent to the mine.

The violence directed against Freeport, an escalation of scattered incidents in the past month, is the most severe against the company since Papuans armed with bows and arrows rioted at the mine site 10 years ago.

The current protests began last month and operations were closed for three days. They then spread to Timika and the provincial capital.

To quiet the antagonism after the 1996 rampage, the company began directly paying individual

police and military officers to protect the mining operations that stretch from glacier-capped mountains to the coastal lowlands, where the mine waste covers 230 square kilometers, or 90 square miles, of former wetlands.

The New York Times reported in December that Freeport had granted far greater financial support to the Indonesian Army and police in Papua than the company had publicly reported, in some cases giving individual commanders tens of thousands of dollars.

The Justice Department has said it is investigating whether these payments made from 1998 to 2004 were in breach of the Foreign Corrupt Practices Act. The Securities and Exchange Commission told the New York City Pension Fund, a major investor in Freeport, that it was also investigating if the company failed to fully disclose the payments to its shareholders.

After the 1996 riots, the company paid for new social programs for local people, assigning 1 percent of annual revenues for medical services, schools, roads, and AIDS programs.

Whether, or how, the New Orleans-based company and the Indonesian government can make such a relatively quick fix to tame the current surge of anger is an open question.

The most senior Papuan at Freeport, Thom Beanal, a leader of one of the biggest tribal groups, the Amungme, and a director of the Indonesian unit of Freeport, said Friday that the company was concerned about maintaining its daily operations in the current atmosphere.

Consistently one of the largest sources of income for the Indonesian government, the company announced record profits in the final quarter last year, as gold prices reached a 25-year high.

Beanal said by telephone from his home in Timika that he had advised Freeport recently that to reduce hostilities toward the mine, the company needed to deal more effectively with more than 700,000 tons of daily mine waste.

Protests against the mine began last month when villagers were told by the security forces that

they could no longer pan for gold in the waste.

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## **Police hit back at Papuan students**

The Australian - March 18, 2006

Sian Powell, Jakarta — Indonesian paramilitary police beat and kicked Papuan students yesterday in reprisals for the deaths of three policemen and an air force officer.

Human rights worker Albert Rumbekwan, from the Indonesian National Commission on Human Rights, said the police had blocked roads and were searching every vehicle.

"The Papuans, the young ones, have been taken and beaten, kicked, hit with guns and threatened," he said. "One of my men was beaten. Another two were threatened. Their cameras, their tape recorders and their notes on the chronology of events were taken."

Experts said the anger and frustration in Indonesia's easternmost province of Papua could soon boil over, fuelled by the armed forces' reprisals and resentment of Jakarta's rule. Indonesia's security forces, accused of a string of atrocities in the province, are expected to crack down harder than ever.

Indonesian police had arrested 57 people in connection with Thursday's riot. Others who had fled to the mountains would be hunted down, said police spokesman Kartono Wangsa Disastra.

"We will never stop hunting these people who have created havoc and murdered our officers," he said.

Nineteen security officers were seriously wounded and five protesters were hurt in the violence, he said, adding police had used rubber bullets and that reports of shootings with live bullets were false. "If we used live bullets they would all be dead," he said.

Thursday's riot on the outskirts of Jayapura was the most violent of the protests in Papua and Jakarta in recent months.

Protesters in Timika blocked a road for days last month as security guards were attacked with arrows and protesters apparently shot with bullets. The Sheraton hotel in Timika was later attacked.

The giant Freeport gold and copper mine in Timika has become a lightning rod for Papuan anger, according to International Crisis Group Southeast Asia analyst Francesca Lawe-Davies. "It's actually a set of protests long-organised by Papuan student groups, which is partly about (demanding) the closure of Freeport, but which channels a general sense of frustration," she said.

Papuans were concerned about human rights abuses, Ms Lawe-Davies said, along with the failure to discipline the military responsible for the breaches and the splitting of the province. "It reflects a generalised malaise about the failure of special autonomy," she said.

Mr Rumbekwan said people in the Abepura and Kotaraja districts on the edge of Jayapura were terrified. "Those who are guilty, those who are not guilty and not involved, everyone is considered the same," he said. "Brimob (the paramilitary police) are sweeping through the streets, and I think this is an act of revenge."

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## **Police detain 11 more after Papua clashes**

Reuters - March 18, 2006

Jakarta — Indonesian authorities have detained another 11 people in Papua province after three policemen and a soldier died in clashes with protesters demanding closure of a giant US-run mine, police said on Saturday.

Fifty-seven people had already been detained after Thursday's violence in the provincial capital, Jayapura, on the northeastern shore of Papua, about 3,500 km (2,200 miles) from Jakarta.

The clashes sparked fears of more protests against US firm Freeport-McMoran Cooper & Gold Inc, which runs the mine.

Tensions have been running high in the area in recent days and, on Friday, police fired shots into the air as they patrolled the city. Three people were hurt in the incident.

Last month mine operations were halted for four days before protesters, mostly illegal miners, left the site near the town of Timika, about 500 km (300 miles) southwest of Jayapura. The mine has been operating normally this week.

"The number of people detained has increased from 57 to 68," Papua police spokesman Kartono Wangsadisastra said on Saturday.

"Our team is still searching for those responsible for the criminal activities... We have found the perpetrators' identities and formed an investigating team to hunt for them." He said 10 people had been declared suspects, but gave no details.

President Susilo Bambang Yudhoyono has rejected demands for the immediate closure of the mining operation, the country's largest taxpayer, but said he would assign ministers to examine social grievances related to the mine.

There have been sporadic protests, both in Papua and Jakarta, since the February shutdown. Issues range from illegal miners seeking access to the mine area to the demands for closure of the mine, believed to have the world's third-largest copper reserves and one of the biggest gold deposits.

Illegal miners often enter mining areas in Indonesia, a sprawling archipelago with huge deposits of such metals as copper, gold and tin. The Freeport operation has been a frequent source of controversy over its environmental impact, the share of revenue going to Papuans, and the legality of payments to Indonesian security forces who help guard the site.

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## **Murders will not close mine, vows Yudhoyono**

Sydney Morning Herald - March 18, 2006

Mark Forbes, Jayapura — Indonesia's President, Susilo Bambang Yudhoyono, has called for restraint following the brutal murder of four security officers by Papuan demonstrators. He promised to respond to concerns about the giant Freeport goldmine but vowed it would remain open.

Dr Yudhoyono warned that "some elements" were turning discontent against Freeport, the largest goldmine in the world and Indonesia's single largest taxpayer, into a campaign for Papuan independence.

The national police and military chiefs were dispatched to Jayapura, the capital of Papua province, yesterday for crisis talks, as security crackdowns continued across the city. Its streets and those of other regional centres remained tense but quiet, with activists in hiding, fearing reprisals.

Local leaders emerged dissatisfied from talks with the chiefs in Jayapura, calling for international intervention in the province and demanding direct talks with Freeport.

Further negotiations were to continue last night. A local church leader, Socrates Sofyan Yoman, said Papuans must take part in a renegotiation of the mine's contract.

An organiser of the original protests against Freeport and co-ordinator of the continuing campaign, Jefri Pagawak, spoke yesterday from a hideout in Timika, close to the mine site, protected by 40 tribal warriors armed with bows and arrows. If demands against Freeport were not met and tough police tactics continued "then we will attack the Government in self-defence", he said.

As well as helping an illegal miners' blockade at Freeport after locals were prevented from sifting through the mine's tailings last month, Mr Pagawak led an attack that closed Timika's Sheraton Hotel on Tuesday.

The miners' blockade sparked a wave of pro-Papuan demonstrations, despite the original dispute being resolved. "We will continue our protests until Freeport stops its operations," Mr Pagawak said.

A new deal between Freeport and Papua should be negotiated without the involvement of the Indonesian Government, he said, adding that the dispute could lead to independence for Papua. "Freeport is one of the tools, the issues for independence."

The deaths of three police and one military intelligence officer occurred after hundreds of rock-throwing demonstrators pushed back police storming their protest at Cendrawasih University.

The men were isolated, beaten with rocks, sticks and stabbed. Two of the bodies were doused with petrol and burnt. At least 19 other police and eight demonstrators were seriously injured.

Shots could still be heard in Jayapura yesterday as police continued hunting for demonstrators who allege the Freeport mine's multi-billion dollar profits were diverted from the province. A spokesman for Freeport said the claims against the mine were "totally untrue".

Dr Yudhoyono said that while his Government would "respond to discontent in Papua", it would also "facilitate the operations of Freeport". Mark Forbes is the first Western journalist admitted to Papua in nearly two years.

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## **Rights activists urge restraint in Papua**

Jakarta Post - March 18, 2006

Jakarta — An alliance of NGOs has condemned Thursday's violence in Jayapura, Papua, but demanded the authorities not exact reprisals for the killing of three policemen and an Air Force officer.

"This has to be handled according to the law and proportionally without the police demanding vengeance," said Commission for Missing Persons and Victims of Violence (Kontras) coordinator Usman Hamid.

"We urge everyone to act reasonably by not doing things which are unwanted by all," he added, amid



concerns of an escalation of violence due to hostility between the public and the security forces.

The NGOs abhorred the actions of security personnel, who conducted sweeps of civilian areas Thursday night to apprehend individuals suspected of being involved in the incident near Cendrawasih State University.

They alleged the police acted indiscriminately in apprehending suspects, and intimidated college students from the central highland areas of Jayapura, Abepura and Sentani.

"If the police don't obey the law, how will the people feel the need to obey the law?" said Center for Democracy and Human Rights (Demos) executive director Asmara Nababan.

Past incidents show that retaliation by security personnel in Papua, including after the 2000 attack on a police station in Abepura in which two policemen and a civilian died, exacerbated the situation and led to human rights violations.

The NGOs also demanded that the military commander and the police chief immediately intervene by withdrawing security personnel members with strong emotional ties with the victims.

To restore order and peace in the area, the NGOs demanded that talks also involve religious and community figures, due to the sociocultural background of the populace.

Nababan implored the police to never forget the presumption of innocence.

The NGOs blamed the incident on the lack of communication between the central government and the Papuan people, saying Jakarta must reopen and intensify dialog with the Papuan people in order to obtain their opinions.

"How come the government can communicate with Aceh, but not with Papua?" said Nababan. "The Papua situation is already like a bundle of dry grass, which will take only a single match to set it ablaze."

The National Commission on Human Rights also urged the Jayapura authorities to immediately apprehend

those responsible for the incident without resorting to excessive force, which would lead to further human rights violations in Papua.

"This is because the Papuans have had to suppress their suffering for such a long time due to the government's policies," said Human Rights Watch Group coordinator Rafendi Jamin.

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## **Greens call for end to West Papua violence**

Sydney Morning Herald - March 18, 2006

Greens Senator Kerry Nettle has urged Prime Minister John Howard and Foreign Minister Alexander Downer to press Indonesia for an end to violence in West Papua.

Senator Nettle said its time for Mr Howard and Mr Downer to do something. "The Prime Minister and Foreign Minister often boast of the close relationship we have with Indonesia," she said in a statement.

"Now is the time to ring President Susilo Bambang Yudhoyono and call on him to stop the use of lethal force in West Papua." His call follows a series of incidents in West Papua this week when protests turned violent.

Uniting Church minister Reverend John Barr, who recently returned from Papua, has forecast an intensification of violence and also demands from protesters to have the Freeport mine and the Indonesian government held responsible for despoiling the Papuan environment.

"We have heard one student was shot dead and many are badly wounded. I could hear people yelling and fleeing as my contact spoke to me on the phone from the grounds of the theological seminary," he said in a statement.

Reverend Barr said it was now time for the Indonesian government to grant access to West Papua for the UN's special rapporteur on torture, Manfred Nowak, the office of the High Commissioner for Human Rights and the United Nation's special

adviser on the prevention of genocide Juan Mendez.

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## **Violence escalates in Papua**

Radio Australia - March 17, 2006

Reporter: Peter Cave

Mark Colvin: Three policemen and an Indonesian air force officer have been beaten to death, and an unknown number of demonstrators have been shot in the last 24 hours in escalating violence in Indonesia's Papua province, or as it used to be known, Irian Jaya, West Papua.

Police in riot gear moved against protesters who blocked the road in front of a university for two days. The road provides access to the airport in the provincial capital, Jayapura.

As our Foreign Affairs Editor, Peter Cave reports from Jakarta, there've been rolling protests in Papua, Jakarta and elsewhere, since a blockade of the giant American-owned Freeport Gold and Copper Mine began last month. (sound of riots: police sirens, glass smashing, yelling etc)

Peter Cave: Police in riot gear fired teargas and rubber bullets into the crowd of around 500, most of them students.

(sound of yelling and shooting)

They then charged into the crowd with their riot shields, batons swinging. Police spokesman, Kartono Wangsadisastra, told the ABC what happened next.

"Such brutality, anarchy, barbarism can't be tolerated. I call them murderers," he says "because once they got a policeman they killed him immediately. They bashed his head with a rock, then they stabbed him. They were brutal. Three police were killed and 19 were badly injured. We didn't have live bullets, just blanks. You need to know that, just blanks."

Obet Rawar from the Papua-based human rights group, ELSHAM, was in the crowd when police opened fire. He told the ABC what he saw.

"We evacuated several victims, there were men who got shot in the chest, another in the right leg and another in the right side of the forehead. But they were not then only ones, there were many more. We evacuated one victim who had been left in a swamp. There were more men coming to help those who got shot and to take them to the nearest hospital."

(sound of tyres screeching, sirens and yelling)

Police have denied using live rounds but Indonesian Television station, Metro TV, showed footage of police firing pistols at demonstrators.

(sound of shooting)

The human rights group says elements of the Indonesian military were also involved in firing on demonstrators.

(sound of shooting)

The Freeport mine, reputed to be the world's largest producer of gold and copper has been a constant source of friction since it began operations in 1972 after being given a lease by the Suharto regime. Freeport was given a 30-year contract to continue running the mine in 1991.

Its opponents say it gives little back to Papuans, it has polluted more than 35,000 hectares of land, as well as the ocean, and that it's been responsible for human rights abuses by the Indonesian military, which it pays for protection.

The New York Times reported last year that Freeport McMoRan which operates it, paid \$20 million to high-ranking security officials between 1998 and 2004.

The company denies the accusations and says it has spent vast sums relocating and supporting local tribes. The Indonesian Government rarely allows foreign reporters to visit Papua.

This is Peter Cave reporting from Jakarta.

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**Up to five dead in clash over US mine in Papua**

Agence France Presse - March 16, 2006

Jakarta — Armed police clashed with rock-throwing demonstrators during a protest against the world's largest gold and copper mine in Indonesia's Papua province leaving up to five people dead and many more injured, police and witnesses said.

The bloodshed occurred outside the state-run university in the provincial capital Jayapura amid ongoing protests against the operator of the mine, US giant Freeport-McMoRan.

Papua police spokesman Kartono Wangsadisastra told AFP three police officers were killed including two who were burned alive, while 19 officers and a journalist from the weekly Tempo magazine were seriously injured.

He said police had fired warning shots and tear gas in a bid to push back the crowd after protesters started pelting police with rocks, but he denied reports two protesters had been killed.

However Aloy Renwarin of the Papua-based Elsham human rights group told AFP he saw two Papuans killed and five others wounded when police opened fire on the crowd of around 150 protesters. "I saw with my own eyes five people wounded and two others shot dead.

The shootings are still taking place, the situation is still grave," he told AFP by telephone from Jayapura as he organised his staff to help the wounded.

A spokesman for the state-run Abepura hospital in Jayapura said at least eight wounded policemen were being treated at the establishment and more were expected.

Thursday's protest was just the latest unrest linked to the controversial mine, which provides one of the top sources of revenue for Indonesia's government.

A new round of protests flared last month after Freeport security forces tried to evict local miners, who prospect among the mine's waste, alleging their activity was illegal.

Some 500 then blocked the road to the mine, forcing its closure for four days.

The dispute was resolved when Freeport agreed to allow the miners to resume their work, but it triggered rowdy demonstrations in the capital Jakarta, Jayapura and elsewhere.

The police spokesman said the protesters, who included students from Cendrawasih University, had been blocking the main road outside the campus for two days and nights.

National police chief Sutanto said there was no need to send reinforcements to Jayapura, which is around 3,500 kilometres (2,200 miles) east of the capital Jakarta. "We regret this happened," Sutanto told reporters, calling on the protesters to refrain from "anarchy".

The protestors accused Freeport of not giving enough to the people of Papua in return for the mine, creating environmental pollution and being responsible for human rights abuses through their use of the military to protect the mine.

Its payments to the military for security have been under intense scrutiny in recent months amid allegations that they amounted to corruption, while the environment ministry is investigating pollution allegations against them.

International media are banned from travelling freely in easternmost Papua, where a simmering separatist conflict persists.

The Papuan provincial parliament has announced that it will hold a special session this month to discuss the mine. It does not have the power to close the mine but could apply pressure to the Indonesian government to do so. Freeport signed a 30-year contract with Jakarta to run the mine in 1991.

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## **Indonesian troops detain Papua protest suspects**

Associated Press - March 17, 2006

Irwan Firdaus, Jayapura — Troops rounded up suspects Friday after mobs bludgeoned to death three police officers and a soldier during a

protest to demand the shutdown of a massive US-owned gold mine in eastern Indonesia.

National police spokesman Brig. Gen. Anton Bachrul Alam told reporters 57 people had been arrested, though only five were named suspects, including a protest organizer. They could face charges of assault, murder or destroying public property, he said.

The demonstration Thursday was the most violent in a series against Freeport-McMoRan Copper & Gold Inc., the world's largest gold and copper mine.

The killing of the three policemen and one air force officer underscored the hatred many Papuans feel toward Indonesian security forces. A decades-long separatist rebellion in the remote province has left more than 100,000 dead, many of them civilians who suffered from mistreatment, starvation and other consequences of the war.

Protesters say that while Freeport's gold mine has earned the New Orleans-based company billions of dollars, the local community has received little benefit.

They went on a rampage after gun-toting security forces fired tear gas in an effort to break up the rally, charging demonstrators with their batons. Hundreds of shots were fired, though police insisted they did not use live ammunition.

President Susilo Bambang Yudhoyono sent top security chiefs to the region to investigate the unrest, and warned that some people were trying to manipulate anger over Freeport into a push for independence. They would not succeed, he said.

But the Indonesian government said the company could do more to help the community.

Foreign Minister Hassan Wirajuda told visiting Secretary of State Condoleezza Rice this week that American companies operating in the sprawling archipelago should be asked to focus more on "community building," ministry spokesman Desra Percaya said.

Wirajuda pointed to Freeport and Texas-based oil giant Exxon Mobil Corp, telling Rice "more could be done in the area of corporate social

responsibility," the spokesman said.

Freeport defends its operations in Papua, saying it pays millions of dollars in taxes each year and funds scores of local projects close to the massive mine.

Hundreds of paramilitary police stood guard Friday near the state-run university, the site of the demonstration in Jayapura, the provincial capital. The campus was largely deserted.

New York-based Human Rights Watch called on authorities to determine why the rally spiraled out of control. The group's Asia director, Brad Adams, said police may have opened fire first, wounding several demonstrators, who responded by attacking the officers with rocks and knives.

One resident, Marcus, said he was walking by the university when he heard gun shots. "I was chased by plainclothes police and then beaten up," said the 31-year-old, who only uses one name, as he recovered in Jayapura Public Hospital, his face badly bruised. "I didn't know anything about the protest, but I was a victim."

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## **Indonesian police seen firing on students in protest**

Agence France Presse - March 17, 2006

Jayapura — Enraged Indonesian police fired live bullets to root out about 1,000 protesters from a university in Papua after the students beat several officers to death, eyewitnesses said.

Three policemen and an airforce officer were killed in Thursday's melee in the restive province of Papua, where the mine run by US firm Freeport McMoRan has become a symbol of local grievances against Jakarta and Washington "The students were insulting Indonesia, yelling 'Indondesia is a robber, Indonesia protects Freeport,'" Benny Giay, a local Christian minister who tried to mediate in the dispute, told AFP.

The students had gathered outside the university



in the provincial capital of Jayapura, blocking a main road and demanding the closure of the mine, which is a top source of revenue for the Indonesian government. Troops and riot squads came in after police failed to convince the students to open up the road, said Yanke Baru, a volunteer for the human rights group Elsham-Papua who was on the scene.

He said three cordons of police then surrounded the protesters — regular police, female officers, and finally the riot squads.

"Then the mass started throwing stones while police were negotiating with a student leader. The police grabbed the student leader and when other students saw police treat him so brutally, they threw many stones," Baru said. "And that's when police started beating some students." Many in Papua complain that they do not see enough benefits from the mine and with tensions already high, the beatings apparently infuriated the crowd.

Two policemen fell in the fracas as officers chased the protesters into the university campus, Baru said. "They were beaten to death." The others were beaten later, he said.

Baru said that the shooting began shortly afterwards. "Because the students threw stones, they shot back," he said. "They used live bullets. I took 12 students injured to the (Catholic hospital)... Ten students were shot."

Obet Rawar, also from Elsham, said he feared more than 12 were injured and that some may have died because they were too fearful to seek medical help and had simply run away. "They ran to the forest, to wherever," he said.

Minister Giay said he helped two injured students and saw a five-year-old boy being treated in hospital for gun wounds. "They were shot. It was live bullets not rubber bullets, because they bled a lot and the bullets are still there."

Johannes Do, another witness, said that police opened fire again on Friday morning when they were carrying the bodies of their slain colleagues away from the university to the airport. "They shot to the left and right as they travelled all along the street" leading away from the university, Do said.

Locals have long complained that they do not get their fair share from the mine and that the company is guilty of significant environmental pollution.

Freeport McMoRan has also been under scrutiny over its payments to the military. According to a New York Times report in December, it paid 20 million dollars to high-ranking security officials between 1998 and 2004.

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## **Indonesia protesters kill police officers**

Agence France Presse - March 16, 2006

Jayapura — Protesters beat three police officers to death Thursday during a violent demonstration to demand the closure of a US-owned gold mine in Indonesia's Papua province, police and witnesses said. At least 19 people were injured in clashes.

Two members of the police paramilitary unit and a regular officer were killed, said Col. Kertono Wangsadisastra.

An Associated Press reporter saw protesters corner two of the officers and beat them with sticks and stones while hundreds demonstrated near a major university in the provincial capital of Jayapura.

Police fired tear gas, wielded batons and chased and attacked several protesters, who threw stones at the approaching officers, an Associated Press reporter at the scene said. At least 19 people were injured, many with gunshot wounds, two hospitals reported.

It was the third day of violent protests against the mine run by the New Orleans-based Freeport-McMoRan Copper & Gold Inc. "We want Freeport to close because it has not given any benefits to the people of Papua. In fact it's made them suffer," said Kosmos Yual, one of more than 200 protesters.

There have been several rallies in recent weeks against the gold mine — said to be the world's largest — both in Papua and in the Indonesian capital Jakarta.

Freeport, which pays millions of dollars in taxes and funds scores of community projects close to the mine in central Papua, was forced to temporarily shut the facility last month after demonstrators blockaded it.

Papua is home to a popular separatist movement that has been brutally repressed by Indonesian security forces. The mine is often held up by independence supporters as a symbol of the unfair division of resources between the capital and Papua.

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### **Police make arrests for Papua hotel attack**

Jakarta Post - March 16, 2006

Nethy Dharma Somba, Jayapura — Mimika Police on Wednesday arrested 15 people for an attack on the Sheraton Timika Hotel in Timika, Papua, on Tuesday, and are searching for five more suspects.

The 15 people arrested were among a group of protesters who have blocked off one of the roads leading to the Freeport gold mine in Timika for the last several days to protest the American mining giant's activities in the province.

During the arrests, two police officers suffered arrow wounds when the suspects attacked them with traditional weapons.

Papua Police spokesman Sr. Comr. Kartono S. told The Jakarta Post on Wednesday the police officers were attacked as they attempted to arrest 20 people suspected of involvement in the hotel attack.

He said police fired warning shots after they came under attack and were able to arrest 15 of the suspects, with the remaining five suspects managing to flee.

"Currently the checkpoint (on the road to the mine) is clear, there are no more residents there and the police are on guard," he said.

He said the 15 suspects were arrested for the attack on the hotel and the possession of

dangerous weapons. "They're currently being questioned at Mimika Police Headquarters," Kartono said.

The two wounded police officers are being treated at Mitra Community Hospital in Timika. Hospital deputy director Antonius Darmono said the two officers were admitted about two hours apart with arrow wounds. Darmono told AFP one of the officers underwent emergency surgery to remove an arrow from his chest.

Those responsible for the attack on the Sheraton smashed up four buses and set a car alight. They were expressing their anger over the operations of Freeport. The hotel's guests, including members of the Papua provincial council and the Papuan People's Assembly (MRP), had to be evacuated.

The attack forced the councillors and MRP members to cancel a visit to the Freeport mine to gather information ahead of a planned special session on March 22 to decide Papua's stance on Freeport's operations in the province.

"It's likely there will be no special session because we have no information to discuss because we didn't get to the mine," councillor Abdul Hakim told the Post in Jayapura.

Eleven councillors and 18 MRP members staying at the hotel were on a five-day working visit to Freeport's mines in Tembagapura and Timika in Mimika regency. The trip was to gather information following widespread protests demanding the closure of Freeport's mines over allegations of environmental damage and complaints that the company's operations failed to benefit Papuans.

"We went to Freeport to gather data following protests demanding Freeport's closure... but we didn't get there because people blocked the road and attacked the Sheraton hotel where we were staying," Abdul said.

In Jayapura, members of the Papua's People Fighting Front, led by Arnold Omba, blocked a road outside Cendrawasih University in Abepura, demanding Freeport's closure and the withdrawal of soldiers deployed to secure the mine.

The protest, which began at noon, completely

blocked off the street, causing long traffic jams.  
The only vehicles allowed to pass were ambulances,  
and that only after protesters checked to  
determine whether the vehicles were carrying sick  
people.

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## MILITARY TIES

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### **Rights groups blast Rice for defending military ties**

Associated Press - March 15, 2006

Jakarta — Human rights groups criticized US Secretary of State Condoleezza Rice on Wednesday for restoring full military ties with Indonesia, saying the army remains a threat to the country's young democracy.

"The (Indonesian armed forces) remains a largely rogue institution which commits human rights violations without concern for the law," said a statement issued jointly in Washington D.C. by four nongovernmental groups.

The military was the main pillar of the 32-year dictatorship of former strongman Suharto, who was ousted amid massive pro-democracy street protests in 1998.

The United States cut all military ties with Indonesia the next year after the army and its militia proxies devastated East Timor during its break from Jakarta.

Last November, however, Rice waived all restrictions on military assistance, citing cooperation by the world's largest majority Muslim nation in the war on terror.

Washington said that continuing to isolate the Indonesian military was no longer in its strategic interest.

"The administration's abandonment of congressionally imposed restrictions... rewards and encourages continued human rights violations, impunity, and corruption, thus undermining Indonesian democracy," the statement said.

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## POPULAR RESISTANCE

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### **Hundreds of applicants stage protest over public service exam**

Jakarta Post - March 22, 2006

Apriadi Gunawan, Medan, Karanganyar — Hundreds of participants in the public service exam in North Sumatra and Central Java staged protests Tuesday over the decision by regional administrations to annul the announcement declaring that they had passed the exam.

The applicants in Medan, North Sumatra, went to the local office of the Legal Aid Institute, while those in Karanganyar regency, Central Java, went to the office of Karanganyar Regent Rina Iriani to express their disappointment. Others in Surakarta went to the City Hall and a similar protest also took place in Temanggung.

Suhendri, one of Medan applicants whose name had been announced in the media before the annulment, said that he and his colleagues could not accept such treatment and pledged to seek legal settlement through the help of the legal aid institution.

"We will file a lawsuit against the North Sumatra provincial administration for the annulment of its announcement," Suhendri told The Jakarta Post.

Suhendri explained that in one newspaper he and four of his friends, namely Saripuddin, Mahani Manurung, Nurmila and Azmiar, were cited as having passed the exam as teachers of Islam.

In the next announcement, however, their names were replaced with five other applicants, namely Sulastris, Siti Aisyah, Jumiah, Nurtleli and Widiyanti.

Suhendri questioned how this could happen. If the mixup was due to data copying, all the data should have been wrong, not only the five, he said.

Mangasing Mungkur, head of North Sumatra province's recruitment section, stressed that the

mistake was caused by a technical problem. "This is a good lesson for us... we hope it will not happen again in the future," he said.

Meanwhile, 134 emotional applicants in Karanganyar were received in a cordial way by Regent Rina Iriani at her office, Antara reported.

In the revised announcement, up to 2,881 applicants who were mentioned in the first announcement were replaced by other applicants in the subsequent announcement. Out of 667 applicants declared cited as having passed the exam in Karanganyar, 134 were dropped.

The protesters asked the regent to take up the issue with the Central Java provincial administration and the central government.

In Surakarta, Deputy Surakarta Mayor FX Hadi Rudiatno disclosed Tuesday that the revision of the announcement by the Central Java province was made because data was falsified during registration.

Speaking to the protesters, Hadi said the falsification was uncovered during a meeting at the governor's office. A revision was the only viable action rather than annulling the results of hundreds of thousands of applicants throughout Central Java, he said. The number of applicants whose test results were annulled in Central Java reached 2,800, with applicants hailing from 35 regencies and mayoralities, he said as quoted by Antara.

Hadi has asked the provincial administration to accept all the annulled applicants for next year's public service exam. However, the applicants asserted that they should be accepted as civil servants immediately.

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## **Clashes on mine worsen**

Agence France Presse - March 21, 2006

Jakarta — Hundreds of people have attacked and torched a mining camp run by a subsidiary of the

US mining company Newmont on Indonesia's Sumbawa island.

The attack came days after deadly clashes in Indonesia's Papua province during protests to demand the closure of another gold and copper mine run by the US firm Freeport-McMoRan.

"The attack took place on Sunday morning but we had already evacuated the base camp the previous day and temporarily halted our explorations there," a Newmont spokesman, Kasan Mulyono, said yesterday.

He said the company, Newmont Nusa Tenggara, received reports of the planned attack on the camp, where the company is exploring possible mine sites, and had evacuated its 135 workers.

Mr Mulyono said he was told hundreds of people had attacked the camp in the jungle east of the company's main mining site in Batu Hijau, destroying and then setting fire to buildings.

"From our air reconnaissance flights we estimate about 80 per cent of the buildings in the camp, all semi-permanent buildings, were destroyed." He had no details about who conducted the attack or the reasons behind it.

Sumbawa's district police chief, Abdul Hakim, said three people were arrested after the attack, which he said involved up to 500 people.

The paper said villagers had blockaded a road leading to the mine a week earlier, demanding they be involved in the company's exploration operations. Residents also wanted the company to pay money into a community development fund.

In Papua, Freeport-McMoRan pays 1 per cent of its profits into a fund controlled by local tribespeople. Another Newmont subsidiary, Newmont Minahasa Raya, has been accused in court of polluting a bay near its mine in North Sulawesi province.

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**Cepu oil block operation attracts more protests**



Jakarta Post - March 21, 2006

Suherdjoko and ID Nugroho, Bojonegoro — Protests over the Cepu oil block continued in Central Java on Monday, with 250 residents demanding to be involved in the project while other protesters rejected ExxonMobil Corp.'s involvement in the oil block's operation.

The residents, who called themselves the Coalition of Banyuurip Jambaran Community, staged a protest at the oil block's planned exploration site in Banyuurip, Mojodelik village in Ngasem district, Bojonegoro regency.

The protesters, who had greeted positively last week's signing of a joint operating agreement on the oil block, demanded to be involved in the project. They said they had been left out during negotiations on the oil block and demanded a 2 percent share of its profits.

The residents also demanded the oil block's operators build infrastructure, including roads, community health centers and schools, while involving the residents in community development programs.

Kustini, a Berabuhan villager in Ngasem district, wanted the oil block's operators to provide free education for children all the way to university. "I also want them to provide health care and suitable employment for our residents," he said.

State oil and gas firm PT Pertamina and US oil giant ExxonMobil announced last week they had finally reached an agreement to jointly operate the Cepu oil block.

Under the agreement, Pertamina and ExxonMobil will jointly form and operate the Cepu Organization, which will run the oil and gas rich block under a 30-year production-sharing contract with the government.

While Bojonegoro and Blora residents were in full support of the oil block, 50 protesters from the Islamic Youth Struggle Committee were not.

On Sunday, the group, from Surakarta, was blocked by the police on its way to stage a protest at the Cepu oil block. The police told the protesters

they had not secured the proper documents for the protest march. On Monday, they went on with the protest.

"Our reason for protesting is that ExxonMobil is a US colonialist. We've been ruled by the Dutch. Freeport and Newmont are our foreign rulers, too. So we reject another colonialist in the Cepu Block," the protest coordinator Khofid Syaifulah told The Jakarta Post Monday.

Central Java Governor Mardiyanto regretted the protests. "Such actions should not be held to allow the Cepu oil block to safely operate," he said in Semarang. He said the hopes of many lay with the oil block, and that once it was operational people would feel the benefits.

Cepu oil block, which straddles the border of East Java and Central Java, is estimated to have about 500 million barrels in oil reserves and is the country's biggest untapped oil field.

It is expected to start producing crude oil in 2008, with an estimated daily output of 165,000 barrels per day, or 20 percent of the country's total daily output.

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## **Hunger strikers hospitalized on day six**

Jakarta Post - March 21, 2006

Jakarta — Four hunger strikers from several Jakarta universities collapsed Sunday, six days into their strike.

They had their lips sewn up in a show of support for people claiming to be the victims of the construction of extra-high voltage electricity wires in their neighborhoods.

Donnie and Rifsia Iga, both from TAMA University in Jagakarsa, South Jakarta, and Simon and Sadrak, from Indonesian Christian University in East Jakarta and Satya Negara University in South Jakarta respectively, were admitted to Yadika Hospital.

The student protest was held on the Jl. Pondok

Indah campus of Satya Negara University.

"They are in a very weak condition after going without food for six days," said Roni, the spokesman for the group of 20 hunger strikers.

The head of Yadika's emergency room, Hendrik Sulo, said all of the students — who refused to have their stitches removed — would need three days to recover.

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## **Protestors torch camp of US mining giant Newmont**

Agence France Presse - March 19, 2006

Jakarta — Hundreds of people have attacked and torched a mining camp run by a local subsidiary of US giant Newmont on Indonesia's Sumbawa island.

The attack on Sunday followed in the wake of deadly clashes in Indonesia's Papua province last week during protests to demand the closure of a gold and copper mine run by US firm Freeport-McMoRan.

"The attack took place on Sunday morning but we had already evacuated the base camp on the previous day and temporarily halted our explorations there," Newmont spokesman Kasan Mulyono said. He said that the company, Newmont Nusa Tenggara, which also mines for gold and copper, received reports of the planned attack on the camp, where the company is exploring possible mine sites, and had evacuated its 135 workers.

Mulyono said he was told that hundreds of people had attacked the camp in the jungles some 60 kilometers (37 miles) east of the company's main mining site in Batu Hijau, destroying and then setting fire to buildings.

"From our air reconnaissance flights, we estimate that about 80 percent of the buildings in the camp, all semi-permanent buildings, were destroyed," Mulyono said.

He said he had no details about who conducted the attack or the reasons behind it. Police overseeing the area could not be immediately reached for

comment.

The Koran Tempo quoted Sumbawa district police chief Abdul Hakim as saying that three people were arrested following the attack, which he said involved up to 500 people.

The daily said that a week earlier, local residents had blockaded a road leading to the mine and demanded that they be involved in the company's exploration operations.

The residents also reportedly wanted the company to pay money into a community development fund. In Papua, Freeport-McMoRan pays one percent of its profits into a fund controlled by local tribespeople.

Another Newmont subsidiary, Newmont Minahasa Raya, has been accused in court of polluting a bay near its mine in North Sulawesi province.

The company agreed last month to pay 30 million dollars in an out-of-court settlement of a civil suit but is still facing a separate criminal case.

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## **Newmont suspends work on Indonesian island**

Associated Press - March 20, 2006

Chris Brummitt, Jakarta — The world's largest gold mining company suspended exploration on Indonesia's Sumbawa Island after unidentified people torched a camp for its workers, the company said Monday.

No one was injured in the attack Sunday on a remote Newmont Mining Corp. camp. But the incident underscores the difficulties facing foreign companies working in remote corners of Indonesia and comes amid rising anger at Western mining and energy interests in the country.

Newmont's local subsidiary said in a statement that the "unlawful and violent action" by around 50 people had forced it close the Elang camp and suspend exploration activities in the area. It said the attackers did not come with any demands.

However, local police spokesman Maj. Tribudi Pangastuti said the assailants were demanding unspecified amounts of "compensation" for the exploration activity. She said no arrests had been made.

Newmont "is disappointed that the illegal act by this small group of people has caused the larger community to suffer as many people will lose their jobs and businesses," the company said.

The Denver-based company already operates a massive gold and copper mine on the island. It said operations there were unaffected by the violence.

Foreign mining and energy companies in Indonesia face frequent protests by nearby residents demanding jobs or compensation for resources, and spend millions of dollars on community development projects.

Poor law enforcement and local government compound the problems, which analysts say are stopping foreign companies from investing badly needed dollars in the country's natural resources sector.

"This is wrong, specially at a time when we are trying to fix our image to become investor friendly," said Indonesian Chamber of Commerce and Industry deputy chairman John Prasetio. "Even domestic investors will feel uneasy if the government cannot guarantee security."

Newmont faces other problems elsewhere in Indonesia. On Sulawesi island, one of its top American executives, Richard Ness, is facing criminal charges over allegations that waste from a now-closed gold mine polluted the bay and sickened villagers. The company denies the allegations. Freeport-McMoRan Copper & Gold Inc. temporarily closed its massive Grasberg gold mine in Papua province last month after protesters demanding the right to mine its waste ore blockaded the facility.

On Monday, around 100 protesters rallied outside the US Embassy in Jakarta, holding banners demanding the return of the country's natural resources and torching an effigy of President Bush, depicted with long nails and bloody fangs.

Separatists demanding Papuan independence, environmentalists complaining of alleged pollution and nationalists angry at a foreign company digging up Indonesian metals have all joined recent protests against the mine.

There have also been rallies over a deal last week between Indonesia's state-owned oil company and Exxon Mobil Corp. to jointly operate the country's largest untapped oil field in Cepu, Java Island.

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### **Fisherfolk protest land reclamation at their farms**

Jakarta Post - March 17, 2006

Jakarta — Over 500 fishermen from Kalam Muara, North Jakarta, held a rally at noon Thursday in front of the City Council, to protest land reclamation at their fishing grounds.

"We want the government to get rid of regulations that burden the people. Our fishing grounds are our only source of income," said one of the fishermen, Asep.

"Compensating us with just Rp. 1 million (US\$107) each is not enough. Building a single fish farm costs Rp 8 million, not to mention the loss of future income," Asep said.

Spokesperson for the protesters Didik told The Jakarta Post the first eviction happened in February when officials from Kalam Muara subdistrict administration collected data from the fishermen and paid them Rp 1 million each. There were 93 evictions at that time.

At present, there are at least 2,000 fish farms around Kalam Muara seaboard, which generate income of Rp 1 to 2 million per month for each fisherman.

Didik said the local authorities had never asked for their opinion or discussed the matter prior to the evictions.

Land reclamation is a multibillion rupiah project undertaken by the city government with the aim of expanding Jakarta's land and protecting seashores against land degradation due to floods and

irresponsible waste disposal.

Ten fishermen were then allowed to enter the City Council to meet two councillors, Tubagus Arif and Arkeno, both from the Prosperous Justice Party (PKS).

Tubagus said his commission would organize a meeting to discuss the matter with related government agencies and promised to visit Kalam Muara soon.

Any eviction in the area is considered illegal because the city administration never planned to develop the areas around Kalam Muara.

"There must be a third party in this incident. The focus of the provincial government is still toward the inner-city not the city outskirts," he said. "There is indeed a plan for land reclamation as stated in provincial regulation No.6/1999, but it is still far from being materialized as no rules of the game have been set to govern the operation, "We have found many similar cases. Third parties are exploiting the provincial regulation for their own benefit," Tubagus said.

The fishermen mentioned one property developer, PT. Mandara Permai, who they claimed was one of the investors behind the evictions, but the company denied it through their secretary officer, Fui Ling, by saying that they did not have any projects around that area.

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## PORNOGRAPHY & MORALITY

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### **Porn bill dividing people down faith lines**

Jakarta Post - March 21, 2006

Emmy Fitri, Jakarta — The impending reward once the contentious bills on pornography and pornographic acts is endorsed, could be a division among the people — specifically the devout believers and the not-so-devout.

Lawmakers have evidently failed to detect this potential rift among the people here, even on the days when they decided to restart the bill, which was actually shelved by their predecessors.

Across the country, boisterous rallies voicing support for and enmity toward the bill, have merely been taken as 'the dynamics of a democratic country.' And, predictably, like other high-profile (and controversial) legislation, lawmakers forged ahead without bothering to listen.

Staunch Muslim groups have incessantly praised the "noble intention" of the bill, which the devout believe can aid in protecting the young generation from further immorality. They have also pleaded with the lawmakers to endorse it with little or no deliberation.

On the other side, women's rights activists and those with common sense, point out how the bills undermine and target women as a source of many sins, and further how sexuality and cultural diversity are viewed by some people as crimes.

The War of Words between the two different sides is now in full swing.

The Balinese opposition to the bill has been a good example to reiterate that the Balinese Hindus have a different faith from the majority of people, so they do not want the bill. Other provinces with significant non-Muslim populations might also join the movement opposing the bill.

Many have expressed suspicions that some lawmakers hope to use the bill to retain their cushy seats by winning the hearts of the Muslim voters ahead of the 2009 election.

Critical eyes however, see a different perspective in the legislators' steadfast determination to go ahead despite mounting protests: The lawmakers are apparently trying to bridge the gap between mankind (in this country) and God.

They are trying to take over God's role on earth by judging what is a sin, regardless of the fact that it involves the most private areas of one's life.

Unbelievable? It is. Just take a close look at the first paragraph of the explanation of the draft bill, which says "as religious believers, Indonesians are convinced that God forbids antisocial behavior, such as indecency and immorality in our sex lives, for instance; sexual



harassment, adultery, sexual deviation etc."

By and large, the bill requires citizens to agree upon this clause, and if they do not, then they are sinful animals.

Where do the House members wish to stand between the state, the people and God? It is really a confusing leap that the House members are trying to make.

The truth does not only exist in Islam, which forbids such sins as sexual deviancy and immorality. Many other religions are of the same opinion. So why do the hard-line supporters of this all happen to be Muslim groups? Are Muslim supporters trying to play the holier-than-thou card? Perhaps.

Sex has been a lucrative industry since the beginning of civilization. If sex is considered a demon, the best way to wage war against cannot be to try and kill the demon. Remember, demons are immortal.

The best way would be to protect oneself with common sense and keep the beast at bay, so one will be saved.

Logically, it is similar to fasting during Ramadhan. Muslims do not go berserk when people around them are eating, because the teachings assert 'save your anger and consume the suffering and heaven awaits you.' Besides, many laws have contained clauses touching upon pornography. The Criminal Code has articles on pornography, street prostitution and even adultery. If these are considered inadequate, the broadcast law can be revised to regulate "porn" or graphic images aired on television.

So why produce new laws, while we are quite aware of the high cost and the valuable time that the lawmakers spend on each one.

So what would happen if the bills were really endorsed? Quite obviously, there would be a holy war between believers and non-believers. Or the police would be outnumbered by offenders and overwhelmed with porn-related crimes. Prisons would be bursting at the seams.

Worse still, the state budget item for prison expenses would balloon exponentially. It will create chaos on a daily basis.

Some say it is a cliché to say that morality has nothing to do with religious beliefs, but it is true.

In this country, it is not even news to hear how an ustadz (teacher) sexually harasses his acquiescent students, how scout instructors molest young girls or boy scouts, how state officials steal money from the state coffers, how public figures openly disparage political rivals or how religious leaders become engrossed in worldly materialism.

If believing is a matter of seeing, then those who have seen aforementioned incidents, must say no to this bill.

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### **Porn bill debate head accused of deceiving public**

Jakarta Post - March 19, 2006

Muninggar Sri Saraswati, Jakarta — Balkan Kaplale, the head of the deliberation of the controversial pornography bill, has been accused of misleading the public.

Legislators critical of the bill said Saturday Balkan misled the public when he announced last week that all members of the team deliberating the bill had agreed to drop its controversial elements.

Several legislators are seeking to have Balkan, a legislator from the Democrat Party, which was co-founded by President Susilo Bambang Yudhoyono, removed from the chairmanship.

Balkan said last week that the deliberation team had agreed to scrap all contentious issues from the bill and that the future law would deal only with the distribution of pornographic material.

Legislator Eva K. Sundari of the Indonesia Democratic Party of Struggle and a member of the deliberation team, said that her party has been

lobbying other legislators for the dismissal of Balkan. "He has mislead the public. There is no such thing as agreement among legislators to overhaul the bill," she said Saturday.

Balkan announced that the vague definition of pornography in the bill would be revised, and so would key issues like eroticism and sensuality, which have met with strong objections from critics. Clauses on pornoaksi (pornographic acts) would be dropped, he said.

Balkan made the statement after the deliberation team secretly convened for three days at the holiday resort of Puncak, 60 km south of Jakarta, following weeks of massive protests both for and against the bill. However, Eva said, legislators finalizing the bill only made a few changes to the bill's title and structure. Legislator Boy Saul of the Democrat Party said that Balkan's view did not reflect that of his party.

"We are yet take a stand but, yes, we have heard about legislators critical of his leadership," he said.

When contacted by phone, Balkan refused to comment on the moves to remove him from the chairmanship, saying "I will carry on with my job without fear." The bill criminalizes acts many regard as part of the private domain, such as kissing in public and the display of nude art in public exhibitions. Critics warn that the bill threatens indigenous cultures and tourism and claim it is part of a plan to ingrain Islamic values in pluralistic Indonesia.

The bill remains a burning issue throughout the country. In Lombok on Saturday, thousands of Muslims took to the streets in the capital, Mataram, demanding the bill's speedy passage. Earlier last week, an estimated 300 activists opposing the bill, mostly women, demonstrated outside the local Legislative Council.

Saturday's protest, organized by the Alliance for Islam, was attended by students, members of political parties and social groups from across the province.

In the Central Java town of Brebes, leaders of the 40-million-strong Muslim organization Nahdlatul

Ulama also demonstrated in support of the bill.

"There must be a good way to deal with some disputed articles without canceling the deliberation of the bill," said NU chairman Hasyim Muzadi.

The House, he said, should not hesitate to pass the bill for the "betterment of the nation's morality." "It doesn't take an extremist to understand the negative effects of pornography," Hasyim said.

Religious Minister M. Maftuh Basyuni said that he found it "a bit strange" that the issue of the porn bill "has been diverted to that of women's rights".

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## **Porn bill needs to wait: Jero**

Jakarta Post - March 20, 2006

Bandung — State Minister of Culture and Tourism Jero Wacik has told legislators not to rush the deliberation of the pornography.

"The bill should not be finalized just yet. There is still a lot of controversy. The bill's special committee should find out whether the bill is beneficial or not," he said after the graduation ceremony of over 500 tourism institute students in Bandung on Saturday.

He said there were still many different perceptions of the bill and how it would effect people's live, particularly in traditional areas.

"We know West Java has the Jaipongan dance, which is loved by the people. This has been around for a long time but causes no problems. It's the same in Bali and East Java. Problems arise when television runs these dances, and people who don't know them question them," he said.

He said that in a recent tourism ministers meeting, he had stated the world could not regulate culture and make it uniform. "Our differences make the world an interesting place," Jero said.

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## **Komnas-HAM senior official rejects porn bill**

Jakarta Post - March 18, 2006

Muninggar Sri Saraswati, Jakarta — Legislators should drop the controversial pornography bill because its implementation would only lead to human rights violations, a member of the National Commission on Human Rights (Komnas HAM) says.

Hasto Atmodjo told the House of Representatives on Friday he feared the bill's vague articles would allow multiple interpretations and could be easily manipulated. "The House should cancel its deliberation or at least postpone it until a compromise between the advocates and the critics is reached," he said.

Hasto has been assigned by the commission to study the legislation. The commission is set to announce its official stance on the bill early next month.

"Such things as sensuality and eroticism are difficult to define in a law," he said. "Actually, the bill is unnecessary because the issues it deals with are already covered by other laws like the Criminal Code, the Broadcasting Law and the Film Censorship Law," Hasto said.

On Friday, Muslim groups in Bandung and Makassar called for the speedy passage of the legislation into law.

Some legislators doubt they will be able to finish the deliberation of the bill by June, the deadline set by legislator Balkan Kaplale of the Democrat Party who chairs the committee. Lawmakers are set to go on recess next week until March 24.

In Bali, the Young Hindu Dharma Intellectuals Forum came out Friday against the bill, saying it would threaten tourism and local culture.

Earlier, members of the hard-line Muslim Indonesian Mujahidin Council had protested the Bali provincial government's stand against the bill. "We reject any laws that discriminate against religions and local cultures," forum chief

Anak Agung Ngurah Arya Wedakarna said.

However, the forum said it would support any law that would stop the distribution of pornographic materials.

The group said the bill was inspired by sharia law, which might suit some Muslims but should not be imposed on people of other religions.

The draft legislation, which has articles banning kissing in public and punishing people for how they dress, has been rejected by artists, women's activists and media groups.

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## **Coalition to take bylaw on soliciting to Supreme Court**

Jakarta Post - March 18, 2006

Tantri Yuliandini, Jakarta — Activists and community groups plan to file a request for judicial review with the Supreme Court next week on a 2005 Tangerang mayoralty bylaw on prostitution, which they deem tramples on the rights of women.

The Antidiscriminative Bylaw Coalition demanded Friday that the bylaw — which its proponents say was designed to eradicate prostitution by stopping people from acting "suspiciously" in public areas — be revoked.

Indonesian Legal Aid and Human Rights Association director Dedi Ali Ahmad, who is the coordinator of the coalition, said articles in the bylaw were vague and open to interpretation, leaving all women vulnerable to the accusation of soliciting.

Article 4 (1) of the bylaw states that "every person who acts and behaves suspiciously, and comes across as being a sex worker, is prohibited from being on the streets, on playing fields, in hotels or dormitories, in residential areas or coffee shops, at amusement centers or theaters, on street corners or under bridges, or in any other public place".

The Jakarta Legal Aid Institute's Hermawanto said

the article was dangerously ambiguous. "Everyone could be deemed suspicious if law enforcers are presumptuous," he said.

The imprecise definition led public order officers to take a 36-year-old pregnant woman, who was waiting for public transportation, into custody during the first raid conducted under the bylaw.

She was sentenced on Feb. 27 to 80 days in prison and fined Rp 300,000 (US\$32.8). She was only released four days later after her schoolteacher husband paid the fine.

According to the coalition, the stipulations in the bylaw run counter to the 2004 Law on Formulation of Regulations. In that law, all regulations have to fulfill the principle of clarity and of ease of implementation.

Astuti Listianingrum of the Legal Aid Institute of the Indonesian Women's Association for Justice said that although men were also subject to the bylaw, women were most vulnerable to suspicions of being a sex worker.

Astuti, who said the bylaw contravened a 1984 law on the eradication of discrimination against women, noted that people detained in the first crackdown, were denied their right to legal counsel.

Meanwhile, hundreds of people grouped in the Tangerang City People's Alliance (Almakta) demonstrated Friday outside the offices of Kompas daily, charging it with unfair reporting on the implementation of the bylaw on prostitution and another on the sale of alcoholic.

The group — comprising representatives of the Indonesian teachers Union and student groups affiliated to the Muslim organizations Nahdlatul Ulama and Muhammadiyah — cited several articles, published between March 2 and 8, which they claimed were unfair, antagonistic and out of proportion.

"Kompas' reports made it seem that a very scary environment prevailed in Tangerang because of the bylaws and that's not true," the coordinator of the demonstration, Tb. H. Mahdi Adiansyah, said after Friday prayers.

Kompas spokesman Saliman acknowledged the newspaper had so far reported on the concerns about the repercussions of the bylaw, but it had also tried to provide responses of the administration and the bylaws' proponents.

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## **Government states porn bill must target materials**

Jakarta Post - March 16, 2006

Jakarta/Denpasar/Surakarta — The government made its position clear on the pornography bill on Wednesday, stating the focus should be on limiting distribution of obscene materials instead of criminalizing personal conduct, particularly of women.

"The government believes the eventual anti-porn law should be effective in protecting the nation from excessive exposure to pornographic material, thus it should touch more on how to regulate its distribution," State Minister for Women's Empowerment Meutia Hatta Swasono said after accompanying President Susilo Bambang Yudhoyono in a meeting with the National Commission on Violence Against Women.

The special House committee deliberating the bill recently said the vague definitions, particularly defining "obscene" conduct, would be scrapped.

The bill has been criticized for imperiling the rights of women, already under pressure from the introduction of sharia regulations on dress and public conduct in scattered areas of the country.

"We also ask... that women are treated fairly, it's as if they are blamed by the way they dress," Meutia said, in a rare reinforcement of the government's stated policies toward equal treatment of women.

The minister said limiting the distribution of materials considered obscene was essential to protecting minors from exposure to potentially harmful images.

The Indonesian Democratic Party of Struggle has



been most vocal in its opposition to the bill, sharing the stance of women's groups and the arts community.

In contrast, the Prosperous Justice Party is among the few parties left in pushing for retention of the contentious articles. The Islamic-oriented party says the Criminal Code is inadequate in protecting minors and in preventing what it considers the country's increasing moral degradation.

The bill's proponents also dismiss claims that it presents a monolithic value system for multicultural Indonesia, and argue opponents ignore the aim of the "greater good" of preventing sexual exploitation and immorality.

On Wednesday, Bali Governor Dewa Made Beratha and council speaker IBP Wesnawa stated their official rejection of the bill and its deliberation.

Artists and activists have protested a number of times in the province, including in a noisy, crowded hearing and plenary session at the provincial legislative council on Wednesday.

The governor said the future law "might put Balinese cultural heritage and sacred religious objects in danger of legal prosecution".

The governor was angered by the pursuance of a legal grievance from a Muslim organization, the Majelis Mujahidin Indonesia, who accused him as showing separatist tendencies in his opposition to the bill.

In the Central Java town of Surakarta, at least 1,000 artists, students and activists protested the bill, with about 500 tayub traditional dancers joining the parade.

Murtdijono, the organizer and head of the Central Java Cultural Center, feared the passage of the bill into law would lead to moral crusaders patrolling the streets unhindered.

"Members of militant groups will feel they have legal grounds to act as they like toward artists and their works due to a one sided interpretation, at a time when law enforcement is very weak," he said.

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## **Balinese reiterate opposition to pornography bill**

Jakarta Post - March 16, 2006

I Wayan Juniarta, Denpasar — The room fell into an uneasy silence as Satria Naradha, one of the most influential community figures in Bali, made a point to the visiting members of the House of Representative's special committee on the pornography bill.

"Bali will never betray Indonesia, we will never secede. Instead, we shall fight until the end any group that is trying to subvert the nation into a monolithic society based on the teachings of one single religious belief," he stressed. "If Jakarta and Aceh want to betray the republic (by suppressing religious freedom and multiculturalism) then we will let them go (from the republic). Bali will not go away, we will fight to keep this nation as a nation that respects religious freedom and celebrates multiculturalism," he said.

Satria's remarks were obviously aimed at the pornography bill, a controversial document the visiting legislators tried in vain to sell to the Balinese.

The visiting legislators were obviously a bit shocked by the statement. So far, Satria's remarks were the most pointed political position they had heard during their three-day visit to Bali in early March.

The fact that the remarks were made by a man who owns the influential Bali Post and Bali TV made them politically impossible to ignore.

Born into a family of heroes — his mother was a veteran of the War of Independence and his father was one of the country's first newspaper publishers — Satria has become the living embodiment of the contemporary Balinese's struggle to win the modern world without losing their traditional cultural and religious identity.

A main proponent of the Ajeg Bali, a cultural and economic movement aimed at creating a Balinese-

style renaissance, Satria's influence extends beyond the modern wall of Denpasar. He commands deep respect in the island's rural areas and numerous Balinese communities outside Bali.

His remarks also reflect the substantial paradigm shift that has taken place recently among various opponents to the bill on the island.

"Previously, many of us viewed the bill as a threat to our interests, either to our tourist industry or cultural freedom. Nowadays, the majority of us see the bill as a grave threat to the interests of our nation," a scholar, Ketut Sumarta, said.

Opponents believe the bill's rigid and gender-insensitive interpretation on pornography and its ignorance of the nation's colorful cultural and religious heritage would inflict irreversible damage on the fragile uniting fabric of the nation.

"Indonesia is a nation in waiting. We spent decades to nurture the spirit of nationhood among hundreds of the country's ethnic and cultural groups. The bill will damage that spirit and send this nation to the edge of disintegration," Sumarta warned.

Separately, the chairman of the main movement opposed to the bill, Komponen Rakyat Bali, I Gusti Ngurah Harta, reminded that the unitary state of Indonesia was founded on the noble principles of Pancasila and Bhinneka Tunggal Ika (Unity in Diversity), which reflected the founding fathers' utmost respect for the nation's diverse sociocultural landscape.

"The bill, on the other hand, reflects and promotes the moral and cultural values of only one group of religious beliefs," he said.

The paradigm shift has convinced the Balinese that the struggle against the bill is no longer a selfish effort to save the island's tourist industry or cultural heritage, but an altruistic endeavor to save the Republic of Indonesia.

"The struggle has been taken to another level, a nobler one," Sumarta said. "We will intensify our contacts with other regions in Indonesia, such as

Papua and Yogya, to form a nationalistic coalition to fight the bill," Ngurah Harta added.

Satria Naradha views this as a patriotic struggle. "My ancestors sacrificed their lives to build this republic. I and my fellow Balinese will not let this sacred heritage be ruined by a small group of people who want to impose their moral values on this nation," he said.

At the end of the meeting, Satria once again shocked the legislators by presenting them with unique gifts — red-and-white flags of the Republic of Indonesia; a symbolic gesture. "May these flags always remind you of what this republic really stands for," he said.

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HUMAN RIGHTS/LAW

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### **TNI immunity a step backward: Experts**

Jakarta Post - March 20, 2006

Jakarta — A government plan to prevent soldiers from being tried for crimes in civilian courts was a step backward and would further weaken the checks and balances against the powerful military, a panel of experts said.

The 2004 Law on the Military reformed the military courts system, allowing soldiers to be tried in civilian courts for crimes against civilians and other violations committed outside the line of duty.

Previously, all crimes committed by soldiers were tried by the military courts, which were criticized for a lack of transparency and for seldom punishing offenders.

While the 2004 has been passed it has not yet been implemented into policy, meaning military courts still try soldiers for most crimes.

However, new amendments to the 2004 law drafted by the government would restore the old system, speakers at a forum on military and police accountability said. "The jurisdiction of the courts must be based upon the crimes committed,"

Indonesian Legal Aid Institute head Munarman said at the discussion.

Munarman said military courts should only have the authority to handle disciplinary violations committed by soldiers. All other crimes should be under the jurisdiction of civilian courts, he said.

Speakers at the forum, which convened to discuss the problems of accountability in the armed services and police, said the military courts had failed to bring soldiers committing crimes against civilians to justice.

"There is no equality before the law because the military still considers itself to be in a class of its own, where it cannot be touched by civilian laws," Munarman said. "The military's professionalism will progress hand in hand with its intention to reform and open up," he said.

Munarman said the old system where military courts ruled supreme was a hangover from the Dutch colonial system. However, for most of their rule, the Dutch had never considered their soldiers immune from civilian laws, he said.

The separation only came in times of conflict with their Indonesian subjects, he said. "Any violation committed by military personnel when the country is not in a state of alert or in wartime should always be handled by the state courts," Munarman said.

The military's push for the reinstatement of the old system was mostly due to entrenched attitudes in the forces, panelists were told. Military top brass had argued that police and civilian prosecutors lacked the willingness to investigate soldiers because of a real fear of reprisals if military officials were found guilty.

The failure of ad hoc human rights tribunals to convict military generals for a series of rights violations, including human rights abuses in the former East Timor, were cases in point, they said. "The problem is sociological, not psychological," a panelist, House Commission III member Andreas Hugo Pereira, said. "It will take a lot of time to change the mentality of the military," Pereira said.

However, it was vital the legal system continued to be reformed so that civilians were protected and security forces were brought under government control. "I fear the reappearance of a soft-authoritarian power if the court system is not thoroughly watched," he said.

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## **House ratifies United Nations convention on corruption**

Jakarta Post - March 22, 2006

Jakarta — The House of Representatives passed two bills Tuesday, ratifying a United Nations convention on corruption and a bilateral agreement on transnational crimes with China.

During a plenary session led by House deputy speaker Soetardjo Soerjogoeritno, all 10 House factions agreed on the need to ratify the 2003 United Nations Convention Against Corruption.

Lawmakers said the bill was necessary because successive reform-era governments had not recovered most of the public money stolen in the aftermath of the Asian financial crisis.

The bill provides the legal basis for the government to seek international cooperation to fight graft and recover state assets. At the meeting, the House also passed a bill approving a bilateral agreement on transnational crimes with China, a top destination for Indonesian graft fugitives.

"The crime of corruption cannot only be settled on a national level, we need to cooperate with other countries," said Andreas Parera, of the Indonesian Democratic Party of Struggle, as quoted by Antara.

Speaking for the government, Justice and Human Rights Minister Hamid Awaluddin said the passing of the two bills represented a breakthrough in the fight against graft.

"These bills ease international cooperation in combating corruption and other transnational crimes. We now have a legal framework from the

investigation phase to a court trial, and we can more easily recover state property taken by graft criminals," Hamid said.

The bilateral agreement with China will allow prosecutors and police forces from the two countries to share evidence gathered on criminals and repatriate the proceeds from crimes.

When Hamid had finished his speech, legislator Anas Yahya of the National Awakening Party interrupted the session.

Anas said all legislators being investigated in connection with corruption at the General Elections Commission (KPU) should not be allowed to speak in House sessions about graft.

Hamid, a former KPU member, has been questioned by Corruption Eradication Commission investigators over graft in the commission committed during the 2004 elections. Investigators have not named Hamid a suspect. Soetardjo said he would consider the suggestion.

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## **Munir's widow to take Garuda to court**

Jakarta Post - March 21, 2006

Jakarta — The widow of murdered human rights activist Munir plans to file a civil suit against national flag carrier Garuda Airlines for negligence leading to her husband's death.

Suciwati, along with a team of lawyers from the Action Solidarity Committee for Munir, plans to charge the airline with negligence of passenger safety, which led to her husband's arsenic poisoning on a Garuda flight in September 2004. The case would be filed in court by mid-April, lawyers for Suciwati said.

Commission for Missing Persons and Victims of Violence (Kontras) coordinator Usman Hamid, who is a member of the legal team, said the case was one way to keep Munir's murder in the public eye. This was especially important because police and prosecutors seemed to have lost interest in

bringing the masterminds of the murder to justice, he said.

Garuda pilot Pollycarpus Budihari Priyanto was found guilty by the Central Jakarta District Court in December last year of lacing the food served to Munir with a lethal dose of arsenic, during a Garuda flight to Amsterdam from Jakarta on Sept 7.

Judges at the trial noted there was evidence National Intelligence Agency (BIN) agents were involved in the killings after Pollycarpus was found to have made multiple phone calls to former agency deputy chief, Muchdi Purwo Prandjono, in the days before the murder. They and Kontras have called for a further investigation into the case.

Former BIN chief A.M. Hendropriyono has emphatically denied BIN had any role in Munir's murder, while Muchdi said he had lent his phone to subordinates, whom he blamed for making the calls.

Hendropriyono refused to meet members of a government fact-finding team investigating the murder last year because he said it had no legal right to question him.

During Pollycarpus' trial, prosecutors accused former Garuda deputy for corporate security Ramelgia Anwar of helping Pollycarpus get permission to travel on the same flight as Munir. Pollycarpus pled not guilty during the trial but was sentenced to 14 year's jail by the court. He is appealing the ruling.

The authorities seemed to have neglected facts pointing to a conspiracy to kill Munir and a further investigation into the case had stalled, Usman said. "We have planned this lawsuit because there is no progress in Munir's investigation and there is no good will on the part of the authorities to solve the case," he said.

Jakarta Legal Aid Institute director Uli Parulian Sihombing said the case would also encourage the public to put pressure on the government. "During the trial, we hope that Garuda will submit new evidence along with relevant witnesses," Uli said.

The lawsuit to be brought against Garuda also covers the distress caused by Garuda's initial claim Munir had suffered a heart attack on the



plane. The plaintiffs are demanding an official apology from the airline is published in the media.

The head of Indonesian Human Rights Monitor, Rachlan Nashidik, said the lawsuit would also include scrutiny of Garuda's administrative policy.

Rachlan said justice, not money, was the motivation for bring a case against the airline. A lawyer, Uli, said the team had not yet determined the amount of damages it would seek from Garuda.

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## **Rights victims want truth law reviewed**

Jakarta Post - March 20, 2006

Jakarta — Victims of human rights abuses have called for a review of the 2004 Law on the Truth and Reconciliation Commission (KKR), which they say gives impunity to state officials implicated in a series of state crimes.

"Through the establishment of a KKR, we are worried that the government has just looked for justification over the past violence, while on the other hand, victims have to accept reconciliation with the state," said Mugiyanto, a human rights activist who provides legal advocacy for human rights victims grouped in the Association of Relatives of Missing Persons (Ikohi).

Ikohi said this was discussed during a three-day national congress that ended March 10 in Makassar, South Sulawesi.

The law was enacted two years ago, but the KKR was not yet been established as President Susilo Bambang Yudhoyono continues to delay the selection of 21 of 42 candidates proposed by the government-sanctioned selection committee. Their selection must be approved by the House of Representatives.

Politicians have said the commission was expected to delve into past human rights cases purportedly involving state officials during the Soeharto

administration.

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## **Activists want more details on Rice's visit**

Jakarta Post - March 16, 2006

Tiarma Siboro and Muninggar Sri Saraswati, Jakarta — Strong words from human rights activists and grumbles from lawmakers greeted US Secretary of State Condoleezza Rice on the second day of her two-day visit to the country on Wednesday. Rights activists questioned whether Rice had sought Indonesian support for the signing of a Bilateral Immunity Agreement (BIA) during her trip to Jakarta.

Under the agreement, all American citizens — be they members of the US military corps, diplomats or businesspeople — would enjoy immunity from prosecution by the International Criminal Court (ICC).

Activists grouped in the Human Rights Working Group said the government should publicly disclose all it had discussed with Rice during the visit.

The group said if Rice had asked Indonesia to sign a BIA and the government had acquiesced, this would "endanger our public interests, democracy, justice, and human rights values". "Should the government give the nod to the agreement, we are worried that we (Indonesia) will never ratify the Rome Statute, which is considered a vital foundation for countries once ruled by authoritarian regimes to move toward democracy," Usman Hamid, the coordinator of the National Commission for Missing Persons and Victims of Violence, said. The Rome Statute rules on the establishment of the ICC.

The United States has come under fire worldwide for its failure to respect human rights in its treatment of prisoners of in Iraq and Guantanamo Bay. The US-led invasion into Iraq has also drawn condemnation and protest from international rights groups, which have demanded the superpower withdraw its troops.

The immunity agreements are apparently aimed at

ensuring American troops are shielded from possible prosecutions in the ICC over the Iraq invasion.

Separately, dozens of legislators refused to attend a meeting hosted Wednesday by the Indonesian Council on World Affairs, which featured Rice as the keynote speaker, in protest against what they said was "ambiguous" US foreign policy. Only 10 out of 40 legislators invited to the event showed up.

"The US only gives empty promises to Indonesia. They promised to supply military spare parts and equipment (to Indonesia) last year, but to date this has not materialized," said legislator Djoko Susilo of the National Mandate Party (PAN), who was among those who boycotted the meeting.

Another legislator, Permadi of the Indonesian Democratic Party of Struggle said he did not attend the event because "I don't want to listen to a US lecture about democracy."

Several legislators who attended, meanwhile, were dissatisfied with how the event was run. House of Representatives deputy speaker A.M. Fatwa criticized the heavy security measures at the venue and complained about the seating detail, which put him in the last row.

"I was told to arrive at 7.30. After the lengthy procedures, it turned out that she (Rice) didn't come until two hours later. This is too much," he said.

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### **Book details Supreme Court's decline**

Jakarta Post - March 18, 2006

Jakarta — The Supreme Court lost all credibility years ago and has long been corrupt and its judges unprofessional, a new book on the history of the institution says.

The Indonesian Supreme Court: A Study of Institutional Collapse blames the Sukarno and Soeharto regimes for undermining the power of the

Supreme Court and using it as a political tool.

Written by former resident legal advisor to the International Monetary Fund (IMF) Sebastian Pompe, the book argues during the 1950s, Indonesia's legal system was in a golden age when the Supreme Court and the country's other legal institutions operated properly and were trusted by the public.

"The Old and New Order governments laid the groundwork to ignore what courts do, and perhaps ignore them all together," he said during the book's Jakarta launch, which was attended by court Chief Justice Bagir Manan and judge Marianna Sutadi, along with Corruption Eradication Commission deputy head Amien Sunaryadi.

The two regimes often refused to comply with court orders, consistently reduced the budget and salaries of judges, undermined the Supreme Court's independence and limited the power of the courts.

Pompe, a former senior lecturer at Leiden University Law School, said that the Supreme Court was not corrupt until around 1974.

"During the New Order, the judiciary over time changed from a victim into a collaborator as its household was progressively subverted by the politics it dealt with, and then a major crisis in confidence of the courts emerged," he said.

Pompe suggested the Supreme Court take harsher measures to implement its internal reform agenda.

"I know that the commitment (to reform) is there but that is not enough. This is a matter where justice must be seen to be done, and clear and very public measures are in order to begin to restore public confidence," he said.

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LABOUR ISSUES

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## **Major ports back to work after strike**

Jakarta Post - March 22, 2006

Ridwan Max Sijabat, Jakarta — Truck drivers went back to work at four major seaports in the country

on Tuesday after a massive wildcat strike a day earlier.

The day-long strike by the drivers at major ports in Jakarta, North Sumatra, East and Central Java ended Monday evening after officials from the Organization of Land Transportation Owners (Organda) reached an agreement with the government, Organda chairman Murphy Hutagalung said.

Hurt by high petrol prices, the strikers had demanded a value-added tax levied on land transportation in 2003 be revoked. They said the tax breached an earlier law exempting them from VAT.

Transportation operators also demanded an end to other illegal levies imposed on them by unscrupulous port officials.

Authorities said the delay to shipments cost the nation around US\$80 million.

Thousands of trucks and trailers carrying containers and other cargo were seen busily working at the ports on Tuesday. At Tanjung Priok Port, the one-day delay caused long queues of trucks carrying containers on several roads leading to the port.

"We feel glad, not only because VAT will be phased out but also because drivers will pay no more illegal levies on the way to and from the port," Lumumba Panjaitan, an owner of three trailers operating at Tanjung Priok, said.

Murphy said owners and drivers of trailers were confident the government would fulfill its pledge to revise Ministerial Decree No. 527/2003 which imposed VAT on trailers and trucks transporting containers to the ports.

"Otherwise, we will go strike again," Murphy told The Jakarta Post. He said the strike was an act of last resort after the government ignored repeated calls by Organda to revise the decree during the past three years.

Drivers and trailer owners agreed to resume operations following a meeting between Organda, Transportation Minister Hatta Radjasa and director

general of tax affairs Hadi Poernomo. That dialog was preceded by a limited Cabinet meeting, which decided to meet the drivers and owners' demands.

Separately, Minister Hatta Radjasa called on owners and drivers to avoid going on strike in the future because the action cost the nation dearly.

"The day-long strike caused financial losses to the government, most industries exporting their products and those importing a part of their raw materials, and it could affect the country's international credibility," Hatta said.

Hatta, however, blamed tax officers for misinterpreting regulations and levying VAT on trucks transporting goods at ports, which he said should never have been subject to the tax.

Toto Dirgantoro, the secretary general of the Indonesian Board for Transportation Service Users, said the high losses from the strike were caused by the delay of between 2,000 and 4,500 containers to destinations overseas. Thousands of stevedores on the ports earned nothing that day, Toto said.

R. Novian G. Ismy, the secretary general of the Textile Industry Association, said his organization had no figures on financial losses caused by the strike in the textile and garment sector.

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## **Pink slips prey on minds of Indonesian workers**

Jakarta Post - March 22, 2006

While a few sought-after employees leapfrog from one company to another, reaping benefits along the way, many Indonesian workers are worried about holding on to the job they have right now.

Job cuts are often the first survival measure when market economies are flat or declining, and last year was no exception as the economy took a beating, a survey on employment found.

According to the online survey conducted by ACNielsen last November, 38 percent of the 500 Indonesian respondents had either been laid off or

had an immediate member of their family lose their job in the past year, heightening their fears about their job security.

Thailand had the highest percentage of respondents experiencing the pain of layoffs firsthand (16 percent), but Indonesia stood out with almost a third of respondents with an immediate family member made redundant in the past 12 months.

"Indonesia's figure is the highest among countries in the Asia-Pacific region," Nielsen executive director Catherine Eddy said Tuesday of the survey, also conducted in 42 other countries.

The Indonesian Employers Association (Apindo) reported that about 350,000 workers lost their jobs last year, an almost tripling of the 138,000 employees laid off the previous year.

Companies have been forced to streamline their factory workforce after a fuel price increase last year and the government's failure to effect its promised incentives to revive the economy, Apindo secretary-general Djimanto said earlier this year.

"The high prevalence of layoffs leads to people feeling insecure about their current jobs," Catherine added.

Although 40 percent of the respondents said that they had a secure job, 39 percent were insecure about their position.

A total of 85 percent of the respondents said the government was not doing enough to encourage job creation. The figure is higher than that of neighboring Asian countries like Malaysia, Thailand and the Philippines.

According to a survey by University of Indonesia's Institute for Economic and Social Research (LPEM-UI), job creation actually increased in 2005, with almost two million jobs provided from 1.3 million reported in 2004.

However, the unemployment rate also rose, LPEM-UI economist Chatib Basri said, revealing a 10.3 percent open unemployment rate in 2005 compared to 9.8 percent for the previous year.

"It is indeed a challenge for a big country like Indonesia and people tend to have high

expectations of the government," Catherine added.

Indonesia plans to attract more than US\$420 billion in additional investment over the next five years to speed up economic growth and provide more jobs for its 106 million workforce.

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## **Workers angered by joint furlough rule**

Jakarta Post - March 22, 2006

Hera Diani, Jakarta — Many workers are displeased by the government regulating a joint furlough scheme for certain national holidays, saying it is infringing on their right to more time off from the grind of work.

The government announced Monday six days of joint furlough for 2006 and 2007. The government regulated "squeezed days" — work days between national holidays and weekends — to be a joint holiday by counting them toward people's leave. In the past, many companies decided to close anyway due to worker absenteeism on Fridays.

The first such holiday will be Friday, March 31, after the national observance of the Hindu Day of Silence on Thursday.

An employee of a private television station, Kenny Santana, 27, strongly objected to the government's decision. "They're forcing the decision on us while taking over our rights," he said.

Unlike some European countries, where leave can be four weeks or more, Kenny said the 12-day allotment here would be slashed in half by the plan. "The holiday is OK, but not if it reduces our rights," he said.

He added that he preferred the policy of the previous administration under Megawati Soekarnoputri, in which a national holiday falling two days before the weekend was moved to the Friday for a long weekend.

Media company employee Meylin, 26, also disagreed. "People should have the freedom to choose when they would like to take their leave," she said.



Another media employee, Antonius Sulistyو Prabowo, said the government's decision was flawed. "How can the government make a decision like this just because Friday is between two holidays on Thursday and Saturday?" the 26-year-old said.

The decision, he added, would lead to worker unproductivity because they would be on holiday when they should be working. "The government instead decided to give them time off. I believe that it will make us lazy to get back to work on the next Monday," Antonius said.

Annisa Muharammi, 23, a copywriter in an advertising agency in Jakarta, welcomed the government's decision and has already made plans to go on holiday.

"I definitely agree with the decision because this month I have to face a lot of jobs from clients and deal with pressing deadlines. The holiday will give me breathing space among my deadlines."

Apart from March 31, other joint furloughs will be on May 26 for the Ascension Day of Jesus Christ, Aug. 18 for Independence Day, and Oct. 23, 26 and 27 for Islamic Idul Fitri celebration. Meanwhile, next year's joint furlough will be on Oct. 12, 15, and 16 for Idul Fitri, and Dec. 21 for Idul Adha, as well as Dec. 24 for Christmas.

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## **Strike paralyzes nation's major ports**

Jakarta Post - March 21, 2006

Jakarta — Activity at major ports in Jakarta, North Sumatra, Central and East Java ground to a halt Monday, with container truck owners and drivers going on strike over the imposition of value-added tax (VAT) on transportation services and of rampant extortion at the ports.

Loading and unloading activities were halted at the ports of Belawan, Tanjung Priok, Tanjungmas and Tanjung Perak as transportation owners and drivers protested outside their gates. The cessation of activities affected shipments for exports and imports, causing billions of rupiah in

losses to the government and businesspeople.

Of about 8,000 trucks and trailers usually serving Tanjung Priok Port, only about a dozen, believed to be owned by tax officials, ignored the call to strike. Thousands of stevedores were idle, and the tax and excise office was silent.

About 1,700 drivers held a sit-in outside Tanjungmas Port in Semarang, Central Java, after they parked their trucks and trailers on the road leading to the port.

They demanded the government revoke Ministerial Decree No. 527/2003 which applies VAT on transportation services at the ports.

"The operation will only resume after the government meets our demands," said Murphy Hutagalung, chairman of the Organization of Land Transportation Owners (Organda), which led the work stoppage.

Lumumba Pandjaitan, owner of three trailer trucks, said he suspended their operation because it was the appropriate time to eradicate numerous illegal as well as legitimate levies at the ports, noting income of transport owners and drivers had plummeted since fuel price hikes last year.

Chairman of the Indonesian National Shipowners' Association Oentoro Surya said the government must act quickly to end the dispute because of the domino-effect on the economy. He estimated the strike could cause between Rp 100 billion (US\$10.9 million) and Rp 200 billion in losses per day at the four seaports.

Hendra Budhi, spokesman for state-owned PT Pelindo II, operator of Tanjung Priok, said the stoppage at the Jakarta port could cause daily losses of Rp 1.8 billion to the company.

Transportation Minister Hatta Radjasa, saying Organda's decision to carry through with its threat to strike was regrettable, was concerned about severe economic repercussions, especially in trade amid the government's efforts to improve investment.

"In quantitative terms alone, the strike has already resulted in about 5,000 containers at

Tanjung Priok Port piling up and left unattended, while by qualitative terms it may affect the whole economy," he was quoted as saying by Antara newswire after a meeting with the strikers at the port.

The port's assistant manager for services, Hambar Wiyadi, warned of the total shutdown of the port if the strike continues for three or four days, affecting the port's Rp 30 million in daily revenues. Tanjung Priok Port usually serves up to 3,000 containers from at least 30 ships each day.

Finance Minister Sri Mulyani Indrawati said the government was open to proposals to revise the decree if necessary, but it would be done in strict accordance with the VAT law.

"We will see if there indeed needs any clarification in the application of VAT in the decree," she said. "We will clear this up, in reference to the VAT law."

[With additional reporting by Apriadi Gunawan in Medan, Suherdjoko in Semarang and Indra Harsaputra in Surabaya.]

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## **Truck owners fed up with government inaction**

Jakarta Post - March 21, 2006

Jakarta — None of the usual whirring of machinery, clanging of metal or shouts of workers sounded Monday at Tanjung Priok Port.

About 12,000 truck drivers from 151 transportation companies went on strike, refusing to deliver goods for export or pick up ones unloaded from destinations around the world.

Truck owners and drivers said they were fed up by a VAT charge eating into their income, and which has caused several companies to close. "We have suffered for a long time," a truck owner, Lumumba Panjaitan, told The Jakarta Post.

Panjaitan, whose usual delivery route is Tangerang, said the Rp 900,000 (US\$98.5) he received for one order was slashed by various

expenses.

"Half of the payment goes to the driver, and 30 percent goes for vehicle maintenance, oil and fuel. With the 10 percent for value-added tax, it's killing us," he said.

The Organization of Land Transportation Owners (Organda) has repeatedly protested the policy on the 10 percent value-added tax, which took effect one year before the stipulation issued in 2003.

"Since the regulation was retroactive, the companies had to pay one full year of extra taxes... The policy has shut down 21 of us," said Organda director Murphy Hutagalung. Last year's fuel price hikes have compounded their problems.

The strike, which began at noon, brought all activities to a halt at the port, which accounts for about 60 percent of export and import activities in the country.

Those still delivering goods were turned back at the entrance gates, where each of the about 6,000 trucks using the port daily pay an entrance fee of Rp 5,000.

The effect of the strike was quickly felt by the port authority. The assistant manager of customer service and public relations at Tanjung Priok Port, Ambar Wiyadi, said it suffered Rp 30 million in losses Monday from the halt in sales of entry tickets.

Ambar said the port was providing three warehouses and seven temporary open storage enclosures for undelivered goods. Delivery will be made using smaller vehicles whose operators are not Organda members. "Storage services will be free for the next four days. After that, there will be charges," Ambar said.

The chairman of the Jakarta chapter of the Indonesian Chamber of Commerce and Industry, Sofyan Pane, said the goods could also be stored at the Koja storage site not far from the port.

Businesspeople feared the wider ramifications if the strike continues. The chairman of the Indonesian Freight Forwarders Association in Tanjung Priok, Sunyoto Wihadi, said the strike

would affect international confidence in business activities here. "The government must find a win-win solution to solve the problem immediately," he said.

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## **Labor rejects revision on manpower law**

Tempo Interactive - March 21, 2006

Zaky Almubarak/Imron Rosyid, Boyolali — The government's plan to revise the Manpower Decree has been refused by many labor circles. About 3,000 members of Boyolali National Trade Union, yesterday (20/3) crowded the streets to refuse the decree revision.

They came to the Regional Parliament building asking for parliament's support in refusing it. "Don't strangle labor," said one of the labor's speakers after leaving the factory. According to the Boyolali Trade Union Chief, Wahono, the Manpower Decree revision is a step backward. On the matter of separation pay, for example, it will put labor at a loss if it is revised.

Meanwhile, the Secretary General of the Indonesian Entrepreneurs' Association, Djimanto, plans to submit an alternative draft for the Manpower Decree. "More or less, there are 32 Articles in the draft," he said last night.

According to Djimanto, the draft is important as the entrepreneurs' and government's effort to attract investors and improve the economic condition. "But don't blame us if the investment atmosphere is not growing. It's because of the government's attitude," he said.

Tempo obtained information that Apindo has submitted 16 Articles in the alternative draft to the Manpower Department. The fact is, Apindo plans to submit about 32 Articles in the alternative draft.

Before, the government planned to revise the Manpower Decree in order to create an investment atmosphere. Several trade and labor unions refused this aim of the government's.

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## **Labor Law revisions protect employers at cost of workers**

Jakarta Post - March 16, 2006

Ridwan Max Sijabat, Jakarta — It is pretty easy to imagine what will happen to workers and their families if the House of Representatives and the government endorse amendments to the 2003 Labor Law allowing companies to outsource not only additional and/or temporary work, but also their core businesses, and to recruit contract-based employees.

Workers will be paid less and they will likely lose most of the benefits they currently enjoy under the unamended law, including meal and transportation allowances and social security programs. Remuneration will be determined not by the companies that actually employ workers, but by the companies that recruit them.

Professionals will compete with expatriates for the highest pay, skilled workers will seek jobs that provide compensation in line with their skills, while unskilled workers, who make up the majority of the country's workforce, will have absolutely no bargaining power.

Contract workers will no doubt see their rights and benefits disappear, under contracts written up by employers who will naturally look after their own interests first. Besides receiving no bonuses, allowances for transportation, leave or health, or vacation, workers are likely to be denied raises and will have nowhere to turn in demanding improvements in their working conditions.

Employers will hold all the power over contract workers, being able simply to decide not to extend the contracts for any reason.

The current law allows employers to outsource only a part of their work to other companies, while the core business must be done by permanent workers. It also allows employers to extend labor contracts twice, with the hope that contract workers will eventually be promoted to permanent staff.

The government and the Indonesian Employers Association have proposed about 50 changes to the employment system in what they call an attempt to repair the investment climate in the country and attract more foreign investment.

Other proposed changes include the elimination of service payments and a maximum limit on severance pay for dismissed workers of three months' salary. Currently, employers pay a maximum of 14 months' salary and severance payments for fired workers.

If the Labor Law is amended, fired workers and their families will be powerless. The issue of severance pay has been one of the most contentious during deliberations of the proposed amendments by the House and the government, pitting labor unions against employers. Labor unions so far seem to have the support of the legislature in blocking any amendments that would make it too easy for employers to dismiss workers.

The proposed amendments would certainly make it easier for investors to do business here, but in the end the changes could be counterproductive.

Outsourcing could affect worker productivity and loyalty. Poor working conditions will discourage workers from doing their best to help the companies employing them. Employees will have no loyalty because they will have "two masters" — their recruiters and their employers.

The proposed revisions to the law will also affect the industrial relations system, which now sees employers and workers as partners. There will also be no room for the two sides to reach collective labor agreements where they establish their own rights and obligations.

Making matters worse, labor unions and analysts are skeptical the proposed amendments can improve the investment climate and smooth the way for foreign investors entering Indonesia. They have warned of social and political instability if the 27 million workers employed in the formal sector take to the streets to oppose the amendments, as some 3,000 steel workers did recently.

Critics say the government remains ignorant of the true problems discouraging foreign investment here. They say the government should take a close

look at the way it has treated potential investors, and evaluate the security situation in the country over the last seven years.

Complicated bureaucratic procedures have made it costly and time consuming for investors to obtain the necessary documents to set up companies. Corruption and double taxation by the central and regional governments of foreign investors further burden businesses, adding to their production costs. And a lack of legal certainty frightens off investors from expanding their businesses in the country.

Of course, deregulation is necessary. The law must absolutely be enforced and security must be ensured for the sake of certainty for investors. Clean governance and security guarantees are two of the main conditions for making investors feel at home.

Indonesia should learn from China, which has successfully deregulated industry, maintained security and repaired its infrastructure to attract foreign investors.

[The author is a staff writer at The Jakarta Post.]

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CORRUPTION/COLLUSION/NEPOTISM

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## **Observers, politicians want to see bad bankers in the dock**

Jakarta Post - March 20, 2006

Jakarta — The government is being pressured to reverse its publicly unpopular decision to drop criminal charges against eight former bank owners willing to settle their debts to the state.

In response to public outrage over the decision, observers and politicians are demanding the government proceed with the criminal charges against the former bankers, to avoid creating a public backlash against the state's anticorruption drive.

"The main question here is whether crimes were



committed surrounding the debts, which the public strongly suspects," economist Faisal Basri of the University of Indonesia said.

"To clearly answer this, there is no other way but for the government to continue the legal process (against the bankers)." In an announcement last Friday, the government said eight former bank owners could have all criminal charges against them dropped if they repaid their outstanding debts to the state by the end of the year.

The government, via the central bank, disbursed billions of dollars worth of liquidity support to bail out dozens of banks in the wake of the 1997 regional financial crisis. According to the Supreme Audit Agency, a large percentage of the bailout funds was misused by bankers and controlling shareholders in the receiving banks.

The outstanding debts of the eight former bank owners in question total nearly Rp 4.5 trillion (US\$493.15 million).

Finance Minister Sri Mulyani Indrawati has requested the debts be repaid in cash or near-cash assets such as bonds, while Attorney General Abdulrahman Saleh said Article 35 of the 2004 Prosecution Service Law allowed the Attorney General's Office to drop a legal case in the interests of the public.

Faisal, however, questioned whether dropping the charges was in the public interest, as well as the significance of the debt repayments themselves.

"Although the amount of the debts cannot be said to be small, it is nothing compared to the hundreds of trillions of rupiah that were disbursed (to bank owners) and lost," he said.

What is really at stake here, Faisal said, is the public's trust and confidence in the legal system.

"This is a stark example of everyone not being equal under the law. So what's the use of President SBY talking all the time about respecting the law?" he said, referring to President Susilo Bambang Yudhoyono. The economist also raised the possibility of political fund-raising considerations being behind the government's decision.

Legislator Dradjad H. Wibowo of the National Mandate Party agreed that the bankers should be prosecuted, raising several questions about the legality of the government's decision.

"In terms of the criminal case, the AGO's decision to drop the case must be supported by underlying regulations, but this would mean the government stepping into the judicial domain.

"Meanwhile, from the point of view of a civil case, the decision is also questionable as the debts must have accrued fines and interest. And according to the 2004 law on state claims, any decision to write off over Rp 100 billion in debts must be approved by both the president and the House of Representatives," he said.

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### **Immigration officers are the culprits, politician says**

Jakarta Post - March 20, 2006

Jakarta — Foreign ministry officials are advised to take over immigration duties at foreign consular offices to minimize cases of corruption, many of which have recently been revealed.

Legislator Djoko Susilo said that if getting rid of the immigration officers were impossible, then at least their number should be reduced and supervision tightened.

He was responding to last week's revelation of Rp 28.6 billion (US\$3.1 million) in corruption cases occurring in Indonesia's consular offices in Malaysia and Japan over the past five years.

Djoko and Foreign Ministry spokesman Desra Percaya said that the graft cases mostly involved immigration officers, who are under the Justice and Human Rights Ministry, while dealing with passports and visas.

"The pattern is always similar. The culprits are immigration bureaucrats. They have the habit of charging illegal fees for processing passports and visas," Djoko alleged.

He pointed out that some Indonesian embassies had too many immigration officials. The Indonesian Embassy in Singapore, for example, has four immigration bureaucrats.

If foreign ministry officials take charge of all immigration-related duties, they will have direct control of all staff in a particular embassy.

"I know he (Foreign Minister Hassan Wirayuda) is very tough. In December 2005, he fired an official involved in such a crime," Djoko said. In contrast, the Justice and Human Rights Ministry will merely withdraw corrupt immigration officials from a given embassy, he added.

Immigration office spokesman Cecep Supriatna rejected Djoko's suggestion, saying that the core of the problem was the lack of supervision — and not from which ministry a staff member came from.

"We have been trying to fix the old system, which is notorious for corruption," Cecep said. "However, it is not as easy as turning your palm." He explained that the immigration office was improving its internal rules. Corrupt immigration officials can be reported to the police or the Corruption Eradication Commission (KPK).

Foreign ministry spokesman Desra told The Jakarta Post that the ministry would consider Djoko's suggestion. "We need more detailed ideas from him (Djoko)," he said.

The ministry promised to improve its supervision system in its foreign missions. "All payments will be done by way of bank transfer, no longer in cash. But we need to build the infrastructure because not all missions have the necessary facilities," Desra said.

Desra also said that the corruption cases at the Kuala Lumpur and Tokyo Embassies, and also the Johor Baru and Kuching consulates as well as the Tawau liaison office in eastern Malaysia were being investigated by the KPK.

Deputy Chairman of KPK, Erry Riyana Hardjapamekas told The Jakarta Post that investigators were ready to follow up on the reports.

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## **Rp 28.6b graft uncovered in foreign missions**

Jakarta Post - March 18, 2006

Jakarta — The Foreign Ministry said Friday it had uncovered cases of corruption worth more than Rp 28 billion (US\$3.1 million) at Indonesian missions in Malaysia and Japan.

A senior official said cases of officials charging illegal fees in the processing of passports and visas were detected in the Kuala Lumpur and Tokyo embassies, the Johor Baru and Kuching consulates and at the Tawau liaison office in Malaysia's eastern state of Sabah.

"We have found financial irregularities in our offices in the two countries," ministry inspector general Diene S. Muhario said.

Last year, House of Representatives legislator Djoko Susilo of the National Mandate Party alleged the practice of charging illegal fees was widespread in Indonesian missions in Malaysia.

Diene said the amount of illegal levies charged in Malaysia between 2000 and 2005 reached Rp 17.5 billion. All related to the administration of passports and visas.

Malfeasance in the Tokyo embassy from January 2004 through February 2006 was worth Rp 11 billion and was mostly related to visa extensions, she said.

The graft came to light after ministry officials investigated the offices in Malaysia at the end of last year and the Tokyo embassy in February, she said.

Diene declined to name the officials suspected of involvement in the scams because they were still being questioned by Corruption Eradication Commission investigators.

"At least one senior official in each office is accountable for the crimes. However, in the Tawau case, we have two persons," she said. No arrests had yet been made.

To minimize graft, Diene said the government planned to reform the ministry's bureaucracies, Antara reported.

"In the future, immigration payments will not be in cash and will not take place inside the offices. Instead they will be transferred through banks. We will also rotate officials in immigration offices," she said.

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ISLAM/RELIGION

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### **Separation of mosque, state wanes in Indonesia**

Los Angeles Times - March 20, 2006

Richard C. Paddock, Malang — Yusman Roy, a former boxer and a convert to Islam, is serving two years in prison because he believes that Muslims should pray in a language they can understand.

Roy, who led bilingual prayer sessions at his small East Java boarding school, is seen as a heretic by conservative Muslims here. They believe true prayer can be conducted only in Arabic.

Roy's desire to pray in Indonesian has sparked such an outrage that he was convicted last year in criminal court of "spreading hatred." Animosity toward Roy ran so high that police posted guards to keep an angry mob from torching his house and school.

Now, he is kept in a cell by himself at overcrowded Lowokwaru prison, and the warden has warned him not to preach to his fellow inmates in any language.

Roy is one of at least 10 Muslims incarcerated in recent months for what the Indonesian Council of Ulemas, the country's most influential Muslim body in setting religious policy, has deemed deviant thinking.

"The government and the council have been working together to suppress my ideas," Roy said during an interview in prison. "But this will not stop me from doing what I believe."

Indonesia is a democratic, secular country, and there is no constitutional basis for using Islamic law in court in most regions. But insulting a religion is a crime, and a fatwa, or religious edict, issued by the Council of Ulemas can carry great weight as evidence of an alleged offense to Islam.

Indonesia, which has more than 190 million Muslims, the world's largest Islamic population, has become increasingly conservative since the 1998 collapse of President Suharto's military regime. In recent years, the government has grown more active in enforcing religious law.

In recent months, fatwas issued by the Indonesian Council of Ulemas and its regional councils denouncing clerics and cults as deviant have been followed by arrests, prosecution and sometimes mob violence against the accused.

Sumardi Tappaya, 60, a high school religious teacher on the island of Sulawesi, was locked up in January after a relative told police he had heard Sumardi whistling while he prayed. The whistling was declared deviant by the local ulemas, and Sumardi is now in jail awaiting trial on charges of religious blasphemy. He faces five years in prison.

Ardhi Husain, 50, who ran an Islamic center in East Java that treated drug addiction and cancer with traditional medicine and prayer, was sentenced in September to five years in prison for writing a book that the ulemas said contained 70 "errors," such as claiming that Muhammad was not the last prophet and that non-Muslims could go to heaven. Five editors of the book also received five-year terms. An employee who sold a copy to a neighbor received three years. After Husain's arrest, a mob burned down his facility. No one has been arrested in the attack.

Lia Aminuddin, 58, who claims to be the Virgin Mary and leads the quasi-Islamic God's Kingdom of Eden cult, was arrested in December on blasphemy charges after thousands of angry protesters surrounded her headquarters in Jakarta, the Indonesian capital. The ulemas and demonstrators accused her of insulting Islam by claiming that she was married to the archangel Gabriel and that God spoke to her through him. (In Islam, Gabriel,

or Jibril, is revered as the archangel who communicated God's word to Muhammad.)

Prominent human rights lawyer Adnan Buyung Nasution, whose Indonesian Legal Aid Foundation represents several of the accused, says the government is ignoring zealots who commit religious violence and instead prosecuting the targets of religious hatred. "The intolerance is becoming worse," Nasution said. "Why are the victims being punished?"

Fighting between Muslims and Christians has claimed thousands of lives in Indonesia in recent years, and Islamic suicide bombers have staged high-profile attacks in Bali and Jakarta that have killed hundreds. Less visible has been the effort by conservative Muslims to compel other members of their faith to hew to a more traditional line.

The Indonesian Council of Ulemas, which is made up of 43 Muslim scholars and leaders of major Islamic organizations, was formed in 1975 to guide Muslims on how to live in accordance with Islamic principles. Muslims make up more than 85% of the nation's population.

The council has recently issued fatwas banning women from leading prayers if a man is present and prohibiting Muslims from praying alongside members of other religions. Provincial and local branches of the council also have issued numerous fatwas regulating Islamic practices.

Ma'ruf Amin, a vice chairman of the Indonesian Council of Ulemas and the chairman of its fatwa committee, says the ulemas' role is to define proper behavior for Muslims and to set boundaries that protect the purity of Islam. He denies that the ulemas are promoting hatred, and says Muslims who engage in deviant practices are bringing violence upon themselves.

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## **Ahmadiyah gets fresh attack, house razed in Lombok**

Jakarta Post - March 20, 2006

Panca Nugraha, Mataram — A house belonging to an

Ahmadiyah follower has been destroyed by his own neighbors in Central Lombok, but nobody was injured during the attack, a police officer said Saturday.

The provincial police spokesman Adj. Sr. Comr. HM Basri surmised that the attack occurred because the people did not like an Ahmadiyah member living near them. The house belonged to a man identified as Amaq Jumahir, aged 50.

"The local people have decided to forbid any Ahmadiyah follower from living in their neighborhood," he said. No reports whether the police have arrested the attackers.

The idea to destroy the house and expel Jumahir had been announced after Friday prayers at a local mosque, Basri said. At least 300 people gathered in the kampong later in the evening and marched to Jumahir's house and destroyed it.

"The owner had already fled, earlier in the afternoon," Basri stated. He added that Jumahir was the only Ahmadiyah follower living in Praya village.

Police officers on Lombok explained that they had taken preventive measures to ward off such an attack a week earlier. Two officers were ordered to stand guard near the house. However, the police guards were outnumbered by the angry residents, Basri said.

The incident concluded after West Lombok police deployed more officers later in the evening, and as of Saturday, more security officers remained on guard at Jumahir's wrecked home.

The attack was the second such incident in as many months against Ahmadiyah followers on Lombok, after 32 families were expelled from Ketapang village in West Lombok on Feb. 4. Their houses were also destroyed and the people had to flee for their safety to other areas.

In July last year, an estimated 10,000 members of the "Indonesian Muslim Solidarity" attacked the Indonesian Ahmadiyah Congregation complex in Bogor, West Java. The attackers claimed that Ahmadiyah members had engaged in the practice of teaching local people.



The violence sparked fears of possible attacks on other Ahmadiyah members across the country. Ahmadiyah has some 200,000 followers, and was first established in Indonesia in 1925.

The government recognized Ahmadiyah as a corporate body in 1953. But in 1984, the Religious Affairs Ministry issued a circular to its regional offices to consider Ahmadiyah's teachings as "heresy", because they believe founder Mirza Gulam Ahmad was a prophet. Muslims believe Muhammad was the last prophet.

The Indonesian Ulema Council recently issued a fatwa that forbids Ahmadiyah's teachings after studying nine books on the matter.

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## **Survey shows prevalent conservatism**

Jakarta Post - March 17, 2006

Ridwan Max Sijabat, Jakarta — Islamic conservatism is a growing force to be reckoned with across the country, with research indicating about 40 percent of citizens would support the replacement of state laws with sharia and one in 10 consider suicide bombings justified in some circumstances.

A survey conducted in late January by the Indonesian Survey Institute (LSI) found 40 percent of respondents approved of adulterers being stoned to death, 34 percent did not want to see another female president and 40 percent accepted polygamy.

On a thief's hands being chopped off, 38 percent of respondents said the punishment fitted the crime.

The survey involved 2,000 respondents from different backgrounds nationwide. In presenting the survey results Thursday, a senior researcher at the LSI, Anis Baswedan, said it was clear that certain Muslim groups had already embraced sharia as a value system as evidenced by their support for conservative organizations, such as the Islam Defenders Front and the Indonesian Mujahidin Council. On the whole, respondents were less

acquainted with right- and left-wing extremist groups, such as the Eden sect, the Liberal Islam Network, Syiah, Hisbut Tahrir and Ahmadiyah.

Anis said, however, that despite the obvious support for conservative organizations, the majority of Muslims did not want to see the existing election system replaced, as was indicated by the results of the 2004 general election.

Muslim-based parties advocating the adoption of sharia did not fare well in the legislative election. Likewise, the presidential candidates nominated by them did not get the support they were counting on from mainstream Muslim groups.

Yet, the majority of respondents saw eye to eye with the country's largest Muslim organizations — Nadhlatul Ulama and Muhammadiyah.

On the other hand, the survey also revealed that one in 10 people tolerate suicide bombing and other attacks on civilian targets in the name of Islam.

Anis said the strong support for conservatism and "radicalism" had much to do with what respondents called the negative influence of Western culture and the global injustice blamed on the United States as a superpower representing the West.

Sixty two percent of respondents were of the opinion that Western influences had brought no good to Indonesian Muslims and between 22 and 49 percent held the US responsible for global injustice.

Amin Abdullah, rector of Sunan Kalijaga State Islamic University in Yogyakarta, said he was not surprised by the survey results as conservatism had long flourished in the country but, despite strong conservatism, Muslims did not want to replace the existing state ideology with an Islamic one.

"The majority of Muslims have been moderate and accepted pluralism because Indonesia — as the most populous Muslim nation — lies far from the center of Islam, the Middle East, and this has made Islam in Indonesia rather different from that in Pakistan and Afghanistan," he said, adding that

conservatism here had gotten stronger on the eve of the reform era in 1998.

Imam Prasodjo, a sociologist of the University of Indonesia, disagreed with the parameters the survey used to measure radicalism, saying they were relative. "Women oppose polygamy, all communities dislike mixed marriages and all human beings are against terror acts," he said.

The two agreed that, despite the strong grip of conservatism, the "silent majority" supported the two largest Muslim organizations, which see themselves as tolerant of modern ways of thinking.

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## BUSINESS & INVESTMENT

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### **Foreign firms feeling the heat across Indonesia**

Jakarta Post - March 20, 2006

Jakarta — Following the deadly anti-Freeport riot in Papua last week, at least two more serious incidents targeting foreign companies have taken place in different areas of the country.

On Sunday, protesters burned Newmont's exploration camp on Sumbawa island in West Nusa Tenggara. No one was injured in the attack, located about 60 kilometers from the company's US\$2 billion Batu Hijau copper-gold mine operation.

PT Newmont Nusa Tenggara's spokesperson, Nunik Maulana, said in a statement made available to The Jakarta Post on Sunday that the company condemned the irresponsible and unlawful violence.

The company has decided to close the camp and suspend exploration activities in the area. They were able to evacuate all personnel earlier Saturday after serious threats.

She said late Saturday, some 50 people came to the area with gasoline and threatened to burn down the camp. "There was no demands brought by this group for discussion with the company. On Sunday, the group set fire to the camp," Nunik said. "The company is disappointed that the illegal act by this small group of people has caused the larger community to suffer, because many people

will now lose their jobs and businesses."

Sumbawa Police chief Adj. Sr. Comr. Abdul Hakim Munsyarif said Sunday that officers had been deployed to the site, some eight hours drive from the regency capital town Taliwang. Others were airlifted in.

The police officers, Munsyarif said, would hunt the attackers down and already have the identities of 19 people allegedly responsible for the attack.

Separately, in Central Java on Sunday, police blocked at least 1,500 protesters from the Islamic Youth Struggle Committee (KPPI) of Surakarta as they were on their way to the Cepu oil block in Blora regency to protest against US oil giant ExxonMobil Corp., which recently agreed to terms with the government on the management of the block.

The officers told them that they had not secured the proper documents for the protest march.

The protesters, who were planning to pass through several cities before reaching Blora, set up tents in front of Boyolali Police station, while waiting for confirmation to proceed. Some of the protesters were planning to go ahead Monday with the protest, regardless of permission.

"Other KPPI members from other areas that will take part in the protest will not move until we're allowed to proceed," Kholid said. The planned protest received support from legislator Catur Sapto Edy, who claimed it was evidence of the people's disappointment over the government's decision to allow a foreign company to operate the oil block. "The Cepu block is ours and we have the right to manage it. It doesn't need advanced technology, and we can do it on our own," Catur told Antara.

Sunday's unrest is the latest in a series of problems besetting foreign multinationals. Freeport-McMoRan Copper & Gold Inc., which runs the world's biggest gold mine, located in Papua, suspended operations for three days in February after protesters blocked the main road leading to the site.

Protests against Freeport escalated with

Thursday's clash between riot police and Papuans in Abepura, in which four security officers were beaten to death.

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## **Indonesia opens a gusher**

Asia Times - March 16, 2006

Bill Guerin, Jakarta — Spurred by the personal intervention of President Susilo Bambang Yudhoyono, Indonesia has brought to a dramatic end a four-year dispute between US oil giant ExxonMobil, the world's largest oil company, and Pertamina, Indonesia's largest state enterprise. The dispute involved rights to a massive oil discovery.

The Cepu oil-and-gas block, Indonesia's largest oil discovery in decades, has estimated recoverable reserves of as much as 600 million barrels of high quality reserves and 2 billion barrels of lesser-quality reserves. The field is also estimated to hold 11 trillion cubic feet of natural gas. Tapping the find promises to return Indonesia to the status of a petroleum-exporting country, and Yudhoyono's bold intervention in the deal was interpreted widely as a signal move towards a more foreign investment-friendly policy regime.

Exxon, which joined with Mobil Oil in 1998 in the largest industrial merger ever, has been operating in Indonesia since 1898. Its local operations are integrated under the subsidiary ExxonMobil Oil Indonesia Inc, which currently operates Indonesia's Arun gas field and is also developing a huge contested gas field near the Natuna Islands in the South China Sea.

Yudhoyono, who pledged early in his term to settle the protracted negotiations surrounding the Cepu contract, intervened in big-bang fashion last week, which came in the middle of a high-profile visit to Jakarta by US Secretary of State Condoleezza Rice.

The president fired six of Pertamina's seven directors and appointed Ari H Soemarno as the new

director, replacing Widya Purnama, who was widely viewed to be at the core of the disagreement with ExxonMobil. Washington had lobbied heavily for a resolution, and the new contract signed on Wednesday gives Exxon the lead role.

The deal simultaneously represents a defeat for nationalist elements in Indonesia's legislature, suggesting that, contrary to the claim of his critics, Yudhoyono does indeed have the political will to take decisions in the national interest — even if it means siding with foreign investors.

#### Dwindling reserves

Although Indonesia is Asia's only member of the global Organization of Petroleum Exporting Countries (OPEC) cartel, dwindling oil output and decades of mismanagement at Pertamina has reversed the country's energy fortunes, making Indonesia a net oil importer for the past two years. While the 2006 state budget assumes oil production of 1.075 million barrels per day (bpd), the actual figure dropped to an average of around 970,000 bpd throughout last year.

Contradictory regulations, security problems, bureaucratic tangles and corruption, not to mention years of well-documented mismanagement at Pertamina, have stymied investment in new exploration in the oil and gas sector and led to declining output — although the Cepu agreement should go some way towards restoring the global oil industry's faith in Indonesia.

At a time when domestic fuel consumption is growing annually at 4%-5% and export demand for Indonesia's oil and gas is up almost 20% year-on-year, the urgency for a settlement with ExxonMobil was paramount. Current crude oil reserves are expected to be depleted by 2018, and Indonesia is in desperate need of new sources to boost production and resume its position as a net oil exporter. Last year the country had a massive US\$7.3 billion oil trade deficit.

At full production capacity, which would require about \$2 billion in new investments, it is estimated by 2008 Cepu could produce around 180,000 bpd. Analysts estimate that once Cepu is fully online, it would increase national production by some 20% and would restore Indonesia

as a net oil exporter.

In Indonesia, the state owns all rights to petroleum and mineral finds. Foreign companies participate in the industry through production sharing and work contracts, which historically have often been prone to disagreement. Oil and gas contractors are required to finance all exploration, production and development costs in their contract areas, and are entitled to recover those expenses through sales revenues.

The enactment of new oil and gas legislation in June 2003 ended Pertamina's long-running regulatory role in the sector, which critics said often led to a conflict of interest with its production activities. The law effectively ended the state concern's upstream monopoly on handling exploration and refining contracts, and last year its longtime control over domestic distribution of fuel and petroleum-based products came to a close. Pertamina's regulatory role in the upstream sector was taken over by the state-managed Upstream Oil and Gas Implementing Body (BP Migas).

In January, a high-powered business delegation from the US, including representatives of oil companies ExxonMobil, ConocoPhillips and mining giant Freeport McMoRan, had pressed the Indonesian government to review its taxation policy on production sharing contracts and provide better incentives for their exploration activities. Specifically, they requested that the government give a clear-cut policy and explicit job descriptions for BP Migas and Pertamina, towards the aim of preventing future conflicts of interest.

BP Migas had earlier cited the Cepu difficulties as motivation for a new government plan to force foreign oil and gas investors to provide multimillion dollar performance bonds before they be allowed to sign production sharing contracts. The state agency now must approve all work and spending plans of production sharing contractors, including the Pertamina-ExxonMobil deal, and is responsible for determining what expenditures can be counted as expenses for oil and gas production operations.

New age contract

The Cepu deal cuts across Indonesia's geography in complicated ways. Part of the Cepu block is in Blora regency, Central Java, while another part is in Bojonegoro regency, East Java. Under the new agreement, Pertamina and ExxonMobil will each have a 45% equity holding in the block, with the remaining 10% — legally considered a participating interest — going to local administrations in East Java and Central Java, distributed 6.7% and 3.3% respectively.

ExxonMobil's local subsidiary, PT Mobil Cepu Ltd, will operate the block under a 30-year production-sharing contract with the government, under the supervision of the so-called Cepu Operation Committee (COC), drawn jointly from officials from ExxonMobil, Pertamina and local administrations. The committee will be empowered to take decisions on operations, development and budget, while Pertamina's subsidiary, PT Pertamina EP Cepu, will be the deputy operator of the block.

The ExxonMobil deal had featured prominently in Indonesia-US bilateral relations. On a visit to Washington last year, Yudhoyono told US oil executives that amendments to current laws governing oil and gas deals were in the works, which would offer more lucrative fiscal incentives, including a revision of the current 15% to 85% revenue split between oil producers and the government, as well as changes to the 35% to 65% split on natural gas deals.

For the Cepu deal, Exxon's take will range from 6.75% to 13.5%, depending on global oil prices. Although the contract's production split will give the government and local contractor the same 85% and 15% shares, the deal stipulates that global oil prices must average \$45 per barrel or higher to maintain that pay structure, an unprecedented clause for an Indonesian energy deal. If world prices fall below \$35, the split would diminish to 70% and 30% respectively.

### Political energy

In August 1990, Pertamina, which was the governing Golkar Party's cash cow under former president Suharto, granted a 20-year concession to operate the Cepu block field to Humpuss Patragas (HPG), then owned by Suharto's youngest son, known locally as "Tommy", who is currently serving a



jail sentence for ordering the murder of a supreme court judge. That deal was in cooperation with Australian Ampolex, which at the time owned a 49% stake in the field.

The deal was that HPG would get 35% of its production costs rebated after production. Pertamina and the contractor, HPG, would split the revenue from any excess oil produced over the agreed limits in the contract on a 65%-35% basis. But after years of unsuccessful exploration activities, HPG ran up severe debts and encountered cash flow problems, and was later forced to sell its 51% holding in the Cepu block to the Indonesian Bank Restructuring Agency (IBRA), a state-run asset rehabilitation agency established in the wake of the 1997-98 Asian financial crisis.

ExxonMobil Oil Indonesia bought both HPG's and Ampolex's stakes reportedly for around \$90 million, through Mobil Cepu Ltd, acquiring 100% ownership. Soon thereafter, ExxonMobil discovered a huge reservoir of oil, the largest found in Indonesia for decades, that Pertamina had failed to hit on after nearly 30 years of plumbing the site.

Exxon said it was willing and able to invest \$2 billion to develop the potentially lucrative field, but because the initial work contract was due to expire in 2010, the company sought a 20-year extension under the original terms. Pertamina proposed to act as the project's sole operator during the first five years under a new contract, a suggestion that Exxon flatly rejected unless the state-owned company put in half the development costs.

Despite the deadlock, Pertamina had said it was willing to go it alone in developing Cepu — even at the risk of facing a protracted arbitration lawsuit. Widya Purnama, Pertamina's president director at the time, said in October 2005 that the state oil firm had set aside \$120 million to start drilling 30 wells in the Cepu's Sukawati and Banyu Urip fields.

Indonesian vested interest groups famously run exclusive agendas, aiming to bolster narrow personal benefits over broad national interests. Pertamina has neither the capital nor the

expertise needed to develop such a major oil project, analysts say, and Hestu Bagyo, head of Pertamina's Cepu block exploration and production unit, has conceded this point in public.

Still, nationalistic sentiments have run on high since the 1997-98 Asian financial crisis, often ensnaring foreign investors. Other high-profile business disputes with foreign investors, such as with Mexican cement producer Cemex, US gold miner Newmont and the one brewing with US mining giant Freeport, reflect the risk to foreigners doing business in Indonesia. But with global commodity prices spiking up, foreign investors are nonetheless seeking new deals in Indonesia's resource rich territories, and hopes are that Yudhoyono's recent intervention will mitigate the political risks to new and existing investments.

Analysts say the resolution of the ExxonMobil deal, which is expected to start production in about 2.5 years, will bring massive benefits to the central government and also shore up newly-autonomous local regions. At peak production, citing the conservative future estimates of global oil prices averaging \$35 per barrel, the government would earn as much as US\$1.5 billion a year from the deal — excluding the revenues that would go to Pertamina as contractor.

"The project will create jobs, and of course it will bring benefits to the local economy," says Energy and Mineral Resources Minister Purnomo Yusgiantoro. Exxon has said it also plans to build roads, schools, medical clinics and other infrastructure for the project.

#### Marginal dissent

Nationalistic commentators had demanded that Pertamina maintain sole control of the Cepu block for the first five years of the project, and thereafter manage it with ExxonMobil managers on a rotating basis. American control would amount to another form of colonization, they claimed, and in any case they argued that Pertamina's local staffing expenses would keep down costs.

Although Yudhoyono's intervention has broadly cheered foreign investors, it's not yet clear that the nationalists have been completely pushed into the shadows. Over 400 Muslim protesters staged a

rally in front of the US Embassy on Tuesday, slamming what they said was US interference in Indonesia's domestic affairs, citing in particular ExxonMobil's deal in Cepu and Freeport's investment in Papua. The protesters were predominantly from the Muslim radical Islamic groups Hizbut Tahrir and Majelis Mujahideen, led by convicted cleric Abu Bakar Baashir, the alleged leader of the militant Jemaah Islamiyah organization accused of masterminding the Bali bombings.

It's not just Islamic radicals that are making nationalistic demands, however. Sutarjo Suryoguritno, deputy speaker of the House of Representatives, warned that a ruling in favor of ExxonMobil would be tantamount "to us being colonized again... I urge the government to return to the true path. We should take a firm stance, that the oil block is the right of Indonesia and its people," he told reporters. "We'll take every means, including legal and political measures, to fight the decision," echoed Tjatur Sapto of the National Mandate Party.

Yudhoyono, with his strong democratic mandate, at least for now is firmly in control and has shown no sign of being influenced by the nationalist opposition. He has important backing for his pro-foreign investment decisions from the secular-minded Golkar Party, which commands the most seats in the House of Representatives.

Agusman Effendy, chairman of the commission responsible for mining and energy and a political heavyweight from the secular Golkar Party, recently said that it was essential that the Cepu block start production as soon as possible. "We should not lose the momentum."

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OPINION & ANALYSIS

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## **Losing Papua**

Jakarta Post Editorial - March 20, 2006

Days after peaceful gubernatorial elections in the provinces of Papua and the newly established West Irian Jaya, three policemen and a member of the Air Force were killed in clashes with protesters demanding the closure of the Freeport gold and copper mine, the largest in the world.

We condemn the killings and urge the government to bring to justice those who are responsible for this butchery. The killings were inexcusable, whatever their motivations. We also urge the government to set up an independent team to investigate the incident and discover the real roots of the problem.

Despite criticism of the police's handling of the protests, it is in the interests of the nation and civil society that the National Police, not the Indonesian Military, remain in charge of domestic security and public order.

We also express our condolences to the families of the four victims. We hope the government will carry out its duty and ensure the families receive help to start new lives without the presence of their beloved husbands and fathers. These men and their families deserve more than just a state funeral and empty praise.

It may have surprised many how the young Papuans expressed the outrage they feel toward Freeport and the government. As the demonstration took place in front of Cendrawasih University we assume that many of the protesters were students. It seemed that they did not fear for their own safety.

One could compare the convictions, even the fearlessness, of the young Papuans to those of the student protesters who clashed with riot police in the weeks before Soeharto's fall in May 1998, and during demonstrations against Soeharto's successor, B.J. Habibie. They felt cheated by the government and no longer trusted it. They decided to confront state-sanctioned violence and terrorism, risking their lives in the process. If

the Papuan students lose all trust and hope in the central government, then the situation could become much more dangerous.

The government needs to allay the concerns of the Papuan protesters as soon as possible. It needs to convince them the central government understands the aspirations of the Papuan people, and be credible in dealing with their frustrations and anger.

President Susilo Bambang Yudhoyono has repeatedly said that his government fully understands the Papuans' grievances and that his government has learned much from its dealing with the rebels in Aceh.

Despite this, however, we feel that there is little reason to hope that the President will be able to realize his promises to the region. Why? Because it was the President himself who promised his government would follow the law on special autonomy for Papua when resolving problems in the frequently rebellious territory. But West Irian Jaya was formed despite protests from the tribal chiefs' council, the Papuan People's Assembly, the Papuan Legislative Council, religious leaders and university students. Many Papuans feel grossly betrayed by the central government.

Protests against the Freeport mine are often regarded as a threat to lucrative state revenue, a tool used by members of the political elite both in Papua and Jakarta to gain financial advantages. Many if not all of the social issues that the protesters raise are ignored.

PT Freeport itself cannot simply respond by claiming that it has met its obligations to the state and the people through being the biggest taxpayer in Indonesia. The roots of the local people's dissatisfaction with the mine are not only economic. The company has little to say about the impact its mine has had on local indigenous people, and how it has changed their lives since being established in the 1970s. The company's ethical record is questioned by many observers, both in Indonesia and overseas.

In other words, the reasons for the protests in Papua are obvious. The government cannot continue to buy time by claiming that it needs to study and

discuss the origins of the problems. It must deal with them now.

There is a common tendency in this country, particularly among the political elite and the decision makers, to treat Papuans as uneducated and stupid, simple tribespeople who are ungrateful for the services provided by the government. This could prove a fatal mistake.

The previous government practiced this in East Timor and we lost the province in 1999. It is only a matter of time — perhaps not long at all — before Papua is no longer a part of Indonesia. If the central government and the powers in Jakarta continue to think that only they know what is best for Papuans, then it is surely inevitable.

As citizens of Indonesia, Papuans are entitled to be treated with the same level of respect afforded to other Indonesians. They deserve the right to preserve their culture and ethnic identities. It is not impossible that Indonesia will need to redraw its map again, if the Papuans decide enough is enough and are ready to sacrifice their own lives to throw off the state which continues to oppress them.

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### **Will the real prostitutes please stand up, then stand down**

Jakarta Post - March 20, 2006

Endy M. Bayuni, Jakarta — Something seems to be amiss in the current nationwide crackdown on prostitution.

Tangerang municipality is leading the charge by rounding up women walking alone in main streets past newly imposed curfew hours, but Jakarta and other major cities have also been raiding locations allegedly used as brothels.

Needless to say, these campaigns get massive coverage by the ever news-hungry media, with female prostitutes the main focus, to send a clear message that the authorities are serious about fighting vice.

Waged in the name of stopping society's moral decay and saving the nation's young from moral bankruptcy, one is left to wonder if the campaign is missing the real targets.

Commercial sex workers who sell their bodies for a few hundred thousand to a few million rupiah are certainly a menace, and if they operated in your neighborhood, you'd probably want them removed too, and thus you would wholeheartedly support the campaign.

But let's be honest with ourselves. These streetwalkers are not the only ones who are selling their bodies and souls for financial or material gain in this country. Since they work in hiding to evade the authorities, they are not even the most visible of all prostitutes, either.

No. There are bigger prostitutes — bigger fish for the authorities to catch if they are serious about wiping out prostitution. And a lot of the time, these prostitutes do their deeds so blatantly that it is really just a matter of political will for the authorities to round them up.

Prostitution is usually defined as the sale of sexual services, but the online encyclopedia Wikipedia says: "In a more general sense of the word, anyone selling his/her services for a cause thought to be unworthy can be described as prostituting him/herself."

Going by this wider definition, we can think of many other people in various forms of employment who are engaging in the world's oldest profession:

- The elected politicians who betray the people's mandate by continually claiming to work for the people when they are really just serving their personal and political interests.
- The appointed officials and bureaucrats who, instead of acting as the servants of the people, make the people their servants while enriching themselves.
- The intellectuals who sell their minds and thoughts to provide scholarly justifications for laws and policies that are clearly detrimental to the interests of the people.

- The ulemas and priests who willingly give a religious cloak to laws and regulations that suppress people's freedoms and rights.
- The journalists who betray the public trust and fill the media with lies and half-truths to mislead the people.

True to the wider definition of prostitution, they are selling services for causes thought to be unworthy. And there is no cause more unworthy than corruption.

These, and many other people in different professions, are the real hardcore prostitutes and thus the real menace to society. Their corrupt and perverted conduct poses a much more serious threat to the nation's morals than the simple sexual services offered by streetwalkers. Most streetwalkers enter the profession not by choice but because of economic pressures. 11 million people in this country out of job (according to unreliable official statistics) and 30 million others are underemployed. For many, prostitution is the only available means of survival.

Such justification cannot be used by the elite members of society who willingly and knowingly sell their soul and services, and sometimes their body too, for profit, material or otherwise. Their only reason for prostituting themselves is greed.

And they are doing it in the open for all to see. Corruption is so rampant that our children, whose future we are all concerned about, are so exposed to such practices at early age that some grow up to accept them as normal.

Moral decadence is indeed a big problem in this country, but moral hypocrisy is an even bigger problem since we tolerate the bigger and more dangerous type of prostitution.

Condemn prostitution in the name of morality, but it's the bigger and more menacing prostitutes that deserve to be pilloried.

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**Who is fit to be the moral arbiter of dress sense?**



Jakarta Post - March 18, 2006

Soeryo Winoto, Jakarta — Thank God! Finally, the government has made its position clear on the controversial pornography bill.

State Minister for Women's Empowerment Meutia Hatta Swasono said Wednesday the focus of the bill should be on limiting the distribution of obscene materials, not prosecuting personal conduct, especially the conduct of women.

The day before, the chairman of the House committee deliberating the bill, Balkan Kaplale, said the bill on pornography would focus on pornographic materials and their distribution.

Meutia and Kaplale demonstrated strength of leadership and clear thinking among all the absurdity in the House surrounding this bill, including those legislators who insist the bill target personal conduct, particularly of women who wear a "certain" type of clothing.

This change in the emphasis of the bill was made only after waves of public protests, the latest by about 500 performers of the traditional *tayub* dance in Surakarta on Wednesday. Though the government was slow to respond to the public outcry, it could no longer ignore all the voices opposed to the bill.

While the legal definition of pornography here remains hazy, it is interesting to consider the American Family Association's online definition of pornography. This definition states, "Pornography is sexually explicit pictures, writing or other material whose primary purpose is to cause sexual arousal."

Given that women are the target of the bill, it is pretty clear the House committee deliberating the bill is dominated by men. This underlines the results of a survey conducted in the US by Harris Interactive Inc. and released in September 2004. The survey found 57 percent of women believe pornography is demeaning to women, and showed that men and women differ in their views about pornography. This may help us understand why the majority of the protesters against the bill are women.

Of the many surprises surrounding the deliberation of the porn bill, the biggest is that none of the committee members have been able to offer a clear definition of what exactly constitutes pornography.

What is defined as pornography in the bill differs very little from the definitions of porn offered in articles 282, 283 and 284 of the Criminal Code, which have in the past been used to prosecute people from the entertainment world, including models.

The Criminal Code clearly is still relevant and workable. The problem seems to be the classic one of poor law enforcement.

Perhaps the House committee deliberating the bill should have considered the American Family Association's definition of pornography, whose key words are "to cause sexual arousal".

So, can a woman's outfit be considered sexually explicit material? Probably, since men apparently are so easily aroused, at least according to the original draft bill. This just highlights the absurdity of the definition of pornography. So how can the House committee decide something is pornographic when the exact definition of pornography is so unclear?

Perhaps inspired by the absurdity of the House members, the Tangerang mayoralty has passed its own regulation on prostitution, which has drawn criticism for targeting women. The mayoralty, however, remains unbowed and is preparing another regulation on the dress of female students.

Since the 1950s, students in the country have been playing a game of hide-and-seek with their teachers and a kind of moral police over their clothes. In those days female students were not the only targets. Boys with tight trousers, called Napoleons, had to be extra careful out on the street to avoid being caught by the police, who would insert a bottle inside the leg of their trousers. If the trousers proved to be so tight the bottle would not fit, the officer would slit the pants. And nobody complained or questioned the legality of the officers' actions.

In the 1970s, a lot of teens got into trouble over

their hair. Quite a few boys sporting Beatles-like hairdos received unwanted haircuts from their teachers in front of their classmates. Teachers were also prone to confiscating “Beatles” shoes from unlucky fashion wanna-bes.

The authorities and teachers defended their actions by arguing that young people had to be protected from “destructive Western culture”.

History clearly shows that the authorities here have always been impractical idealists who have turned quite trivial matters into major affairs. And if fashion caused moral decay among the young, as the authorities believed at the time, what are we to think of the moral state of people now in their 40s, 50s and 60s, who grew up with Napoleon trousers and Beatles shoes? Maybe lawmakers should consider adding an article to the Constitution governing how people dress, to save the country from moral decay.

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## **The politics of bare flesh**

Asia Times - March 17, 2006

Desi Anwar, Bali — The Balinese are calling it the third Bali bomb, threatening to frighten even more foreign tourists away from their beaches.

A proposed bill on pornography currently under deliberation by Indonesia’s parliament could be the coup de grace for the island’s tourism industry — already in the death throes after a second bomb attack that targeted tourists (in October 2005) and recent fears over the uncontrolled spread of the bird-flu virus, according to Tjokorda Oka Sukawati, head of Bali’s Hotel and Restaurant Association.

Hotels, restaurants and souvenir shops are slashing prices to compete for the continually dwindling number of tourists. Many vendors are closing down and contemplating going back to till the land, says Tjokorda. The proposed pornography ban — which would make kissing and baring flesh in public punishable by possible jail terms and fines reaching into the millions of rupiah —

threatens to drive sunbathers to neighboring countries' beaches at a time when Bali's tourism industry is already deep in the doldrums.

Economics aside, the proposed anti-pornography law and its oddly named companion the "anti-pornoaction" bill vie to push modern, moderate Indonesia in the direction of the many repressive regimes seen in the Middle East. The bill is generating a wave of popular resistance from women who see the bill as a further violation of their already limited rights. More broadly, the proposed legislation threatens the harmony of a predominantly Muslim nation that has historically celebrated its unity in diversity. The bill also threatens to undermine Indonesia's hard-won democracy and new laws aimed at protecting freedom of expression.

The porn law threatens to criminalize various actions that by their very nature are subject to interpretation and would necessarily result in arbitrary enforcement. For example, showing one's buttocks in public can get you two to six years in jail, though for some reason showing your genitals or breasts is less of an offense, earning you only one to five years in the clink.

For masturbating in public, you can get two to 10 years behind bars, which incidentally is an offense viewed only slightly less seriously than pedophilia, a crime that carries three to 10 years in jail. That's on par with moving one's body erotically in public, which to some legislative minds might incite sexual arousal and other moral depravities.

Why Indonesia's legislators are expending their valuable time to deliberate the proposed legislation, particularly considering that the laws on the books regulating public decency, domestic violence and other sexual offenses are still in need of better enforcement, is mind-boggling. Syafriansyah, a legislator with the Muslim PPP (United Development Party), has said the country's morality is in decline and hence the people need to be controlled to make sure that the nation doesn't go collectively to hell. The unnerving subtext is that prominent members of certain Muslim parties are trying to use the proposed legislation as a beachhead for pushing forward their broader political agenda of

implementing Sharia law nationwide.

Aceh, whose special autonomy status allows it to impose its own brand of sharia law, which includes the use of public lashings, publicly parading alleged prostitutes and casting judgment on women's attire, is the model these legislators aspire to. In several urban areas, such as the regency of Tangerang on the outskirts of Jakarta, some local governments have taken advantage of their new regional autonomy to arbitrarily force women to wear head scarves and stay home at night or risk being charged with soliciting.

Increasingly these Muslim politicians are obsessed with issues of morality rather than delivering on their electoral promises of cleaning up corruption and creating a more just and equitable society — the issues that got them elected in the first place. Now that questions of morality have entered the national agenda in the shape of an anti-pornography bill, it looks as if the central government also is keen to impose these narrow sectarian values on the entire nation — which could stoke ethnic, religious and cultural tensions across the archipelago.

From Papua, where normal clothing consists of penis sheaths and grass skirts, to Bali, where the baring of the flesh is an integral part of its cultural traditions reflected in dances, paintings, sculptures and even religious worship, to Java, where female traditional costumes such as the kebaya are designed to enhance a woman's curves rather than hide them, Indonesia is a testimony to a pluralist society that celebrates its beauty and art in all its different manifestations.

To force a restrictive style of clothing, where women cannot show their hair, arms and legs or move about in a manner that might provoke lust in men, not only violates Indonesia's basic laws and cultural character, but threatens to undermine the greater regional autonomy and grass roots democracy-promoting policies the government is meant to be implementing.

The secessionists in Papua see this as another form of central government arrogance and another reason to opt out of the republic. Banners protesting the anti-pornography bill in Bali are

already calling for the Hindu island's independence. At the same time, other non-Muslim Indonesians are wondering how they fit into all of this discussion.

The Asian financial crisis hit Indonesia particularly hard, and many people are looking to the government to find ways to improve the economy and up the national standard of living. Many wonder why parliamentarians instead are dedicating so much time and national resource to a cause that appears to be a distinct move away from pluralistic democracy and toward the authoritarianism seen in many Middle Eastern countries.

In practicality, it would be difficult to impose this kind of law short of assigning moral police across this archipelago of more than 17,000 islands and 215 million people. Most of the local arts and entertainment would have to be banned as nearly all of the traditional dances figure sensual movements and bare shoulders of some sort, not to mention hiding away paintings, sculptures and all kinds of traditional art works that pertain to fertility and physical beauty. Women would conceivably be forced to stay at home as they fear being mistaken for a prostitute or arrested for showing too much flesh. The bill's hugely adverse impact would be as much social as it would be economic.

Supporters of the bill, who often decry the country's trend toward liberalization as kowtowing to the degenerate West, might be wondering why they have encountered so much popular resistance. Past efforts to turn Indonesia into an Islamic state have been launched and failed. As a full-fledged representative democracy, parties that campaigned on fundamentalist platforms performed poorly during the last round of presidential and parliamentary elections. And if those that were elected prioritize anti-pornography legislation over improving the overall national good, they could find themselves out of jobs after the next polls.

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