

# Indonesia News Digest No 19 - May 16-23

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## **NEWS & ISSUES**

### **Teen escapes life of prostitution**

Jakarta Post - May 23, 2006

Apriadi Gunawan, Medan — Cheap makeup, stilettos and condoms, sometimes. Perhaps it's time to go beyond the prettified Pretty Woman stereotypes of women on the make to lift the lid on the ugly reality of Indonesia's quietly thriving prostitution industry.

As the politics of sexuality capture headlines

through the pornography bill in Jakarta, the strident debate is of little significance to “Bunga”, one of thousands of ‘licensed’ underage sex workers.

While many commercial sex workers play hide-and-seek with police, “Bunga” was free from official interference — thanks to a special letter, allegedly written by police officers, that effectively licensed her activities.

"The letter was written on a bar owner's suggestion to police," Bunga told journalists at Medan-based Indonesia Pusaka Foundation, an organization providing legal assistance for children, as she showed them the letter.

Her confession sheds light on an industry which many acknowledge but few discuss. It's a trade which has thrived not only because of demand but also due to covert protection.

Prostitution is illegal in this country, but the Social Services Ministry does unofficially oversee certain red light districts — formerly at Kramat Tunggak in North Jakarta and the Dolly Complex in Surabaya, East Java — as a means of trying to rehabilitate sex workers.

More disconcerting are the frequent allegations of security officers involved in protecting the industry. Longtime problems of the abuse of women by their pimps and the prevalence of sexually transmitted disease are not the only issues, with the rampant exploitation of child prostitutes such as Bunga.

"I am 15, but the letter says 18," Bunga, who's name means 'flower', remarked. The native of Medan, North Sumatra, claims prostitution in Walet complex, Bagan Batu, Riau province, has long been backed by unscrupulous security officers.

She said local police guard the prostitution complex located in a plantation area far from the city center. "I don't know how many, but in each bar, there was always a (plainclothes) policeman guarding it. They carry firearms."

The elementary school dropout says she worked there for five months, earning about Rp 300,000 per day. Many of her customers, she added, came

from Malaysia and Singapore.

Her story is not unlike the tens of thousands of minors forced into prostitution. If not sold by their elders, they are often enticed by tempting offers by pimps.

The National Commission for Child Protection last month said 40,000 to 70,000 children were illegally traded for commercial sex annually. In a survey of 12 major cities, the Commission also found 27,000 locations which hire under-17s as prostitutes.

Bunga said she was forced into prostitution by a man named Deni, who in October lured her from Medan with the promise of work in Riau. What transpired next is the story of a thousand victims: She was raped and then forced to serve clients in Rokan Hilir.

"He threatened to kill me. Out of fear, I did everything he asked, including giving him Rp 500,000 each week," she said.

Thankfully the second child of nine was tracked down by her parents in March. The foundation has helped her parents' file a report against Deni with the Medan Labuhan Police, but so far there has been no action taken.

North Sumatra Police spokesman Comr. Aspan Nainggolan, when asked about the alleged involvement of police in the sex business, would only pledge to take action if evidence was found.

"If it is true that police officers are backing prostitution, then it's a big problem. We don't have the authority to intervene in the case since it is in another province, but we will work together with the Riau Police," he said.

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## **SBY 'annoyed' by Amien's letter**

Jakarta Post - May 20, 2006

Jakarta — President Susilo Bambang Yudhoyono was less than impressed Friday when he found his name had been spelled incorrectly in a handwritten

invitation from the National Mandate Party (PAN), presidential spokesman Andi Mallarangeng said.

The invitation in a plain plastic folder without an envelope or signature was delivered to the presidential office by PAN chairman Sutrisno Bachir. From the party's senior advisor and former People's Consultative Assembly chairman Amien Rais, it invited Yudhoyono to PAN's commemoration of National Awakening Day on Saturday.

Andi said the President upon receiving the letter commented on the absence of a proper envelope and signature and wondered why his name had been spelled wrongly.

Replying to the invitation, Andi quoted a Javanese saying that closely translates to "be like this, or this, but don't be like that", before adding the President would not attend the event because he was already going to a ceremony in Bandung.

National Awakening Day marks the founding of the country's first nationalist organization on May 20, 1908.

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## **SBY visits critically ill Soeharto**

Jakarta Post - May 20, 2006

Jakarta — President Susilo Bambang Yudhoyono visited Soeharto in the hospital Friday, saying it was his duty as the head of the state and a "humanitarian gesture" to the ailing former leader.

"I have always visited my seniors, including former presidents and vice presidents, when they are ill. And it is particularly so if the ailment is serious," Yudhoyono told reporters after the 30-minute morning visit at Pertamina Hospital, South Jakarta.

Soeharto, who will be 85 in June and suffered several minor strokes in recent years, has been hospitalized since May 4 due to intestinal bleeding and underwent surgery to remove a 40-cm section of his colon three days later.

Soeharto later underwent 30-minute minor surgery to stop bleeding from his earlier operation. His condition, complicated by respiratory difficulties, was brought under control through blood transfusions and administration of drugs, doctors said.

Yudhoyono did not comment on the controversy about Soeharto's legal status for alleged graft during his 32-year rule. The Attorney General's Office decided last week to forego future prosecution due to his declining health.

Dozens of protesters gathered Friday at Taman Suropati, outside the Vice President's residence and close to the Soeharto family compound on Jl. Cendana, Central Jakarta. The protesters, who clashed with the police, demanded the revoking of the attorney general's decision, the seizing of Soeharto's assets and a class action suit by people who suffered human rights abuses under his regime.

Presidential spokesman Andi Mallarangeng said Soeharto was conscious and seemed to recognize Yudhoyono. His eldest daughter Siti Hardiyanti Rukmana helped the two men communicate due to Soeharto's difficulty in speaking.

Yudhoyono also met with the team of doctors treating Soeharto and his relatives, Andi said. "We only had the chance to talk about Soeharto's health condition. There was nothing about the legal controversy."

Yudhoyono and Vice President Jusuf Kalla later met with chief security minister Widodo A.S., Indonesian Military Commander Air Chief Marshal Djoko Suyanto and Religious Affairs Minister M. Maftuh Basyuni to discuss Soeharto's condition.

Kalla, who did not go into detail about the meeting, commented the Attorney General's Office's decision to halt further prosecution was in line with the law. "It's based on legal considerations, not political or emotional ones. The government is consistent in taking legal measure and following the law," he said.

Concerning corruption allegations about several foundations under Soeharto's patronage, Kalla said their administration was handed over to the



government upon his resignation in 1998. He said it was now a matter of reorganizing the foundations.

Pertamina Hospital head Adji Suprajitno said Soeharto's condition worsened Friday afternoon due to breathing problems, but was brought under control through transfusions.

"He is still conscious and can communicate with his family." He also said Soeharto's condition had not changed from its listing of critical when he was admitted 16 days ago.

"This critical phase has been longer than we expected. The hope was the critical phase would be over in a week but it turned out it remains until today because it has affected other organs."

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## **Disagreement between progressive forces needs to be ended**

Kompas - May 19, 2006

Solo, Kompas — The disagreement between the progressive-revolutionary forces that exist in Indonesia must be ended immediately. If not, these forces will be unable to weave together the cooperation needed to generate the energy to withstand the entry of neoliberalism into Indonesia that is becoming increasingly pervasive and visible.

This view was conveyed by sociologist George Junus Aditjondro during a seminar titled "An Evaluation of the Failure of Reformasi and the Need for an Alternative Political Force", which was organised by the Yaphi Legal Aid Foundation and the United People's Movement on Thursday May 18 in the Central Java city of Solo.

"The ultimate success post-Suharto has been Suharto's release from clutches of the law. Meaning it is increasingly apparent that the protests held at Senayan [parliament] in the past were not for reformasi, but only for a transition of power in the direction of world markets, neoliberalism. What should our attitude be in the

face of this? There are seven issues, one of them is strengthening the movement by means of ending the disagreement between the progressive-revolutionary forces", explained Aditjondro.

The disagreements that has taken place between religious forces, secular, or between mazhab [school of thought concerning Islamic law] and socialism were also taken up by Aditjondro. "Also the disagreement between red-and-white nationalism and non-red-and-white nationalism", he added.

Taken all together, the seven points raised by Aditjondro on the question of checking neoliberalism, represent none other than the problems of the reform movement itself, which must be confronted by a means of participating in the movement to oppose Suharto's release, not just his release from the courts over the corruption cases involving the seven foundations that he establish, but also opposing his release from responsibility for his political sins. (eki)

[Translated by James Balowski.]

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## **Answers sought in journalist's murder**

Paras Indonesia - May, 17 2006

The New York-based Committee to Protect Journalists (CPJ) has joined calls by international press freedom groups for a thorough inquiry into the recent murder of an Indonesian journalist who was investigating corruption allegations against officials in East Java province.

Freelance reporter Herliyanto (40) was found dead on April 29 with numerous stab wounds to his head, neck, stomach and back in a teak plantation near Tarokan village outside Banyuwang town in Probolinggo district. He had written articles about corruption for regional newspaper Radar Surabaya and two local tabloids, Delta Pos and the now defunct Jember News Visioner.

"We condemn the murder of our colleague Herliyanto and urge the national authorities to quickly and

fully investigate the circumstances surrounding his brutal murder," CPJ executive director Ann Cooper said in a statement Monday (15/5/06).

The Jakarta-based Alliance of Independent Journalists (AJI) has said Herliyanto was investigating corruption allegations involving school construction funds in Tulupari village, part of Tiris town.

AJI's advocacy division earlier this month sent a fact-finding team to the area to clarify definitively whether Herliyanto's murder was connected to his reporting or was an ordinary crime. The team has found "strong indications" he was murdered because of his reporting on corruption.

A preliminary police investigation revealed that just before the murder, Herliyanto was followed by five or six people on four motorbikes. His own motorbike was found not far from his corpse, but his camera and notebook were missing. Police have ruled out robbery as a motive but are unwilling to publicly say whether the killing was linked was to his reports.

Local media reports said police have questioned 10 witnesses who saw the reporter in the hours before he was killed. A May 5 report by tempointeraktif.com quoted Probolinggo Police Detective chief Commissioner Samsul Arifin as saying robbery was obviously not the motive because the killers had not taken the reporter's motorbike. The report said the victim was found with his intestines spilled out about 30 meters away from his motorbike, which had been left on a road in the plantation.

The Jawa Pos daily on May 12 quoted an unnamed source from Banyuwangi Police as saying investigators believed five people took part in the killing. The report said a witness told police that Herliyanto had met with Tarokan village head Sugiyadi shortly before he was killed. The witness said that after the meeting, Herliyanto drove his motorbike past Klenang market in the direction toward Tulupari. He said two motorbikes then drove in front of the reporter, while another two drove behind him.

Arifin said police were using witnesses'

descriptions in an effort to identify and track down the people on the motorbikes. He also said police had asked the victim's cellular phone operator to provide a list of numbers for all calls the reporter had made and received in the days leading up to his death.

Police received the reporter's phone from Sugiyadi, who is being treated as a witness. On May 11, he told the Radar Bromo daily he was not able to help police much with their inquiries when questioned for four hours. He said he was with his wife when Herliyanto spoke to him briefly at a food stall in Sebaung village, Gending subdistrict. "At that time he only said he was in a hurry because of an agenda. He did not say what that agenda was." Sugiyadi said he received the reporter's phone from some Tulupari villagers and then handed it over to Banyuanyar Police. He said the SIM (Subscriber Identity Module) card was missing when the villagers found the phone. He claimed he could not remember the identities of the villagers who gave him the phone.

He said Herliyanto was well known as a reporter and had recently been seeking data on the villages of Pedagangan, Tulupari, Tegalwatu and Rejing, all in Tiris town. He claimed he did not understand what sort of data the reporter had been looking for.

Herliyanto leaves behind his wife Sami Murdiyana and their two children. Sami said that in the days before the murder, officials had often visited her husband to ask him questions. She told freelance reporter Iman D. Nugroho that the perpetrators of the crime should be sentenced to death, adding she was prepared to visit the East Java Police chief to demand a thorough investigation.

AJI expressed its appreciation to the local police for their work and asked East Java Police chief Brigadier Herman Suryadi to lend his support to the investigation to ensure the perpetrators are caught as soon as possible.

Herliyanto's death occurred three days before the commemoration of World Press Freedom Day on May 3. Villagers had initially assumed he was the victim of an ordinary crime when they found his body at about 8pm on April 29.

An investigation by TV7 television network confirmed that before the murder, Herliyanto was reporting on the local administration's alleged misuse of subsidies for the poor and school funding in Tulupari. The report said funds intended for the construction of a school in Tulupari were allegedly stolen by the village head and his aides.

Some of the victim's colleagues testified that Herliyanto had sent them a brief text message stating that funds were being misused in Tulupari. According to AJI, he had been gathering evidence of the school funding swindle, including a document with the forged signature of the school's principal. He was also said to be investigating the village head's alleged theft of funds for the rebuilding of a collapsed bridge and river wall.

Iman Nugroho reports on his blog that Herliyanto's colleague Ricard De Mas Nre believes his friend was slain because of his reports. "He was a reporter who often wrote news about criminal cases. I am convinced Herliyanto was killed because of the news that he wrote," he was quoted as saying.

"Furthermore, before he died, he sent me an SMS to write news about the corruption of the BOSS [School Operational Assistance]," said Ricard.

Paris-based Reporters Without Borders has strongly condemned the murder, saying Herliyanto died while "trying to inform the public about corrupt local officials" and called on the authorities to arrest and prosecute those responsible.

A local journalist who wished to remain anonymous said Herliyanto's articles in Radar Surabaya were not accompanied by a byline or his initials.

Probolinggo administration spokesman Tutug Hariyadi said he knew Herliyanto because he had been writing about local government issues.

About 30 reporters in Probolinggo on Monday staged a rally to demand that Herliyanto's killers be unmasked. They said his last article appeared in the May 1-7 edition of Delta Pos and was about the alleged embezzlement of clean water funds by an official in Pedagangan village.

"Some people felt offended by the articles he wrote... Police must catch the perpetrators as soon as possible and bring them to justice," said rally organizer Samsul Choiri.

The protesters marched from the local police office to the local government building, carrying banners with slogans such as 'We Mourn Herliyanto', 'Stop Violence Against Reporters' and 'Reveal the Case of the Murder of Herliyanto'.

A statement issued by AJI on Monday condemned the killing as a threat to press freedom and urged police to bring the killers to court.

It said an autopsy by Probolinggo Public Hospital revealed the victim had sustained stab wounds measuring 12.5 centimeters to his neck and 8 centimeters to his head, while his intestines had spilled out about 25 centimeters.

The statement said one of Herliyanto's articles in Jember News Visioner in 2000 had described a protest by Tulupari residents against their village head for allegedly stealing from a program to provide subsidized rice to the poor. The report prompted local police to carry out an investigation, with the only result being further demands for the village head to step down.

AJI has recorded 53 cases of threats or physical attacks on journalists over the past year up to 3 May, 11 of them in East Java.

One of the most prominent murders of an Indonesian journalist was that of Fuad Muhammad Syafruddin, better known as Udin, a reporter for the Bernas daily in Bantul, Yogyakarta. He was severely beaten outside his house in August 1996 and died three days later.

He had written numerous reports exposing local government corruption and was particularly critical of Bantul regent Colonel Sri Roso Sudarmo, revealing how he paid a bribe of Rp1 billion to a relative of then president Suharto to gain re-election. The reports enraged Sudarmo and efforts were made to silence Udin through intimidation. But the journalist persisted with his reports and was killed. Police refused to investigate Sudarmo and instead blamed the murder on a man they falsely accused of having an affair

with Udin's wife. The case was eventually thrown out of court but no officials were ever jailed for the state-sponsored cover up. Sudarmo was eventually tried by a military court for corruption in 1999 but never accused of masterminding Udin's murder. Edy Wuryanto, a policeman who assisted in the cover-up, was in August 2001 sentenced to 10 months in jail for withholding Udin's notebook. The investigation into the murder has never gone any further.

Hopefully police will have more courage in revealing the mastermind behind Herliyanto's murder. If not, nothing has changed.

## ACEH

### **Law to 'ensure impunity' for Aceh criminals**

Jakarta Post - May 23, 2006

Tiarma Siboro, Jakarta — Human rights activists have slammed legislators for being unwilling to create a law that would ensure soldiers and rebels are tried for past human rights abuses in Aceh.

Grouped in the Aceh Working Group (AWG), they say the Aceh governing bill, which is expected to be passed into law soon, will give impunity to all perpetrators of human rights abuses committed during the almost three-decade-long conflict in which about 15,000 people died.

The activists say the worst cases of abuse occurred between 1989 and 1998 when Aceh became a military operation.

The government and legislators deliberating the bill have agreed on the establishment of a human rights court to try all rights cases that occurred in Aceh after the signing of the peace agreement in Helsinki on Aug. 15, 2005.

However, two powerful party factions on the committee deliberating the bill, the Indonesian Democratic Party of Struggle and the Golkar Party, have rejected giving the court powers of retroactive justice, which would allow it to try people accused of crimes in the 29 years before the agreement was signed.

Defendants would likely include Indonesian Military (TNI) soldiers and Free Aceh Movement guerrillas.

The parties, which together have a majority in the House of Representatives that must pass the bill, say use of retroactive justice in the court would lead to "unfair" prosecutions of military officers.

If the factions get their way, the Commission of Truth and Reconciliation — an institution with as-yet uncertain legal powers — is likely to be left to deal with the past violations.

The Helsinki agreement — which the Aceh governance bill is based on — only specifies the creation of a human rights court and a truth commission for the province. It does not detail whether past crimes should be tried in the court.

AWG activist Choirul Anam said legislators' reluctance to try people accused of serious crimes in a human rights court showed the political elite were attempting to bury a decade of abuses committed during the military operation.

"Legislators should not just put aside the retroactive principle, because the Acehnese people have witnessed their loved ones falling victims to the 10-year military operation.

"Isn't it weird that they (government officials and House members) are trying to ignore victims of the military operation when our country has just been elected as a member of the UN's human rights council?" Anam said.

During the military operation, the AWG gathered evidence of 1,321 cases of extra-judicial killings, 128 rapes, 3,430 cases of torture, 597 cases of arson, and 1,958 cases where Acehnese citizens had gone missing. Indonesian Military (TNI) spokesman Col. A. Yani Basuki said the military would support whatever system the government decided on to resolve past abuses in Aceh.

"The TNI is not in the position to judge whether the retroactive principle of justice is necessary or not. We (the military) leave these issues up to the government," Yani said.



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## **Military hails retroactivity clause in Aceh governing bill**

Jakarta Post - May 20, 2006

Tiarma Siboro and M. Taufiqurrahman, Jakarta — The Indonesian Military (TNI) says it does not oppose soldiers being tried by an Aceh human rights court using principles of retroactive justice as mandated in the Aceh governance bill.

The bill, currently being deliberated in the House of Representatives, would allow soldiers involved in the 30-year conflict to be tried for abuses committed years before human rights laws were passed in the country.

"We have no objection to idea of imposing retroactive principles in the Aceh governance bill. We do understand the principle may bring to trial some of our soldiers due to alleged human rights violations in the past," TNI spokesman Col. Ahmad Yani Basuki said Friday as quoted by Antara.

"But if the legal procedures are observed properly and in a professional manner, we will support the idea" of the establishment of an ad hoc human rights tribunal in Aceh, Ahmad said.

He said the military had always respected the law in Aceh. This had been illustrated by the institution's support for the trials of soldiers charged with violations during the 2003 military operation in the province.

While the TNI supports the move, most legislators deliberating the Aceh bill are opposed to the use of retroactive justice.

The two biggest factions in the House of Representatives — the Golkar Party and the Indonesian Democratic Party of Struggle (PDI-P), are opposed to the idea, which they said would lead to "unfair" trials.

Sutradara Gintings, from the PDI-P, said he believed the retroactive principle would only be used to target members of the military and not

violence committed by Free Aceh Movement (GAM) guerrillas during three decades of separatist fighting.

Meanwhile, the Aceh Working Group (AWG) urged the government and the House to immediately establish an ad hoc human rights court and a Commission of Truth and Reconciliation in Aceh.

AWG activist Choirul Anam said the commission's establishment would force all parties, including TNI soldiers, GAM members and Acehnese militias, to confront the violence they committed during the conflict.

"And the actors behind gross human rights violations in Aceh — be they top level officials or GAM top leaders — will not evade the ad hoc human rights tribunal," he said.

The House's special committee wrapped up its deliberations of the Aceh governing bill Friday, leaving many of the contentious issues in the legislation to be discussed further by a working committee.

Other contentious issues in the bill included the establishment of local political parties, independent candidates contesting local elections, revenue sharing between the central government and local administration from natural resources and the sharia courts system.

Special committee chairman Ferry Mursyidan Baldan of the Golkar Party said the House working committee would convene on Monday. Its discussions on the bill would likely be closed to the public, Ferry said.

"However, if the working committee works behind closed doors, there will be a press briefing every evening to let the public know about our progress," he said.

Twenty lawmakers will sit in the working committee, half the members of the special committee. Golkar and the PDI-P have four and three members on the working committee, respectively.

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## **Students in Aceh protests decision to release Suharto**

Aceh Kita - May 19, 2006

Banda Aceh — Dozens of students from Student Solidarity for the People (SMUR) held a peaceful action at the Simpang Lima roundabout in the Acehnese provincial capital of Banda Aceh on May 19. The action was protesting the decision by the Attorney General to terminate the legal case against former President Suharto.

Watched over by dozens of security personnel from the Banda Aceh municipal police, protesters brought red banners with the writing "Reformasi has failed" and posters reading "Join in grieving over the release of Suharto by the Attorney General". Each one of the participants tied red cloth over their mouths. Shortly before Friday prayers the protesters disbanded.

Action coordinator Rahmat Djailani said that they held the action to protest the decision by Attorney General Abdurrahman Saleh to end the legal cases against the former number-one person in Indonesia. "The release of Suharto (from the legal process) reflects the poor quality of law enforcement and human rights in Indonesia", said Djailani during a break in the action.

According to Djailani there are no grounds for the government to end the legal case against Suharto. Moreover, aside from the corruption case against him, Suharto must also be held responsible for human right violations that took place when Aceh was declared a Military Operation Zone [1989-1998].

"Following the Helsinki Memorandum of Understanding, there has been a momentum to resolve past human rights violations", said the student from the Syiah Kuala University faculty of law.

The demonstrators also condemned the government of President Susilo Bambang Yudhoyono and Vice President Jusuf Kalla. According to Djailani,

Yudhoyono and Kalla have failed to implement the reform mandated by the students that brought down Suharto on May 21, 1998. "Reform has been implemented by people who do not understand the program of reformasi", said the general secretary of SMUR. [dzie]

[Translated by James Balowski.]

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## **Human rights trials in Aceh approved**

Tempo Interactive - May 18, 2006

Wahyudin Fahmi, Jakarta — The majority of factions in the Special Committee for the Aceh Government Draft Bill have approved the establishment of a human rights court in Aceh, one a year after the state decree was enacted.

The settlement of human rights problems, according to Ahmad Farhan Hamid, a member of the Special Committee from the National Mandate Party, must be implemented equally, including in Aceh.

The reason for this is that human rights violations in Aceh can already be categorized as the most urgent.

"This is because in Aceh, there were sexual assaults, rapes, murders and torture," he said during the meeting led by Ferry Mursyidan Baldan, Head of the Special Committee, yesterday (17/5).

Similar opinions were voiced by Muhammad Fauzi from the Democracy Pioneer Star Party (PBPD) faction, Marzuki Darusman from the Golkar party faction and Mahfudz Siddiq from the Justice and Prosperity Party (PKS) faction.

"With transparent human rights trials, reconciliation in Aceh will run well," said Fauzi.

Marzuki suggested that human rights trials in Aceh should be retro-passive or retroactive.

Benny K. Harman from the Democratic Party faction and Nursyahbani Katjasungkana from the National Awakening Party faction accused the central government of being responsible for all the

incidents in Aceh carried out by the Indonesian Military (TNI) and the National Police (Polri).

The central government, said Nursyahbani, issued unfair policies that resulted in victims.

However, Sidharto Danusubroto, a member of the Special Committee from the Indonesian Democratic Party of Struggle (PDI-P) faction, proposed something different.

Sidharto is of the opinion that after the law be enacted, pardons could be granted for all human rights violations committed by the TNI and Polri without going to trial.

In response to all this, Home Affairs Minister Muhammad Ma'ruf said that human rights violations in Aceh were not institutional measures.

The central government, he said, had never issued any policies allowing actions that could result in victims.

"It was done by thugs," said the former ABRI (Indonesian Armed Forces-now TNI) Social and Political Chief of Staff.

He requested all the incidents be retracted for reference so that they will not be repeated. "And not only for Aceh," said Ma'ruf.

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## **World Bank urges follow-up on Aceh peace deal**

Agence France Presse - May 15, 2006

Jakarta — Providing jobs, financial assistance and housing to thousands of former guerillas and political prisoners is essential for ensuring the success of the peace deal in Aceh, the World Bank said Monday.

"In following a peace agreement it matters what you do afterwards. If you want to do it right, then you have to understand combatants' needs for re-integration," said Andrew Steer, the bank's country director for Indonesia.

Three-quarters of the former combatants were

unemployed, 90 percent needed funds to pay debts or support their families, and three-quarters lacked housing more than six months after a peace deal was signed, a World Bank study found.

The peace pact, signed in August, aims to end almost three decades of violence involving Free Aceh Movement (GAM) guerrillas and Indonesian troops and police.

Almost 80 percent of the 1,682 political prisoners, many of whom suffered harsh treatment during their imprisonment, suffered wounds or were disabled, said Patrick Barron, the study's author.

But unemployment among the former guerillas was the biggest threat to the peace deal, he said.

"There are risks of extortion and pressure on local communities in the longer run. There is a need to get people working," he said.

The government has allocated 200 billion rupiah (22.9 million dollars) to assist former combatants, political prisoners and victims of the violence, including one million rupiah for each combatant.

Under the peace pact, GAM agreed to drop its demand for independence in return for — among other concessions — the right to form local political parties, which are banned elsewhere in Indonesia to discourage separatism.

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## **House factions oppose tribunal for past abuses in Aceh**

Jakarta Post - May 18, 2006

M. Taufiqurrahman, Jakarta — The two biggest factions in the House of Representatives have balked at applying a retroactive principle for a human rights tribunal for Nanggroe Aceh Darussalam, which would effectively bar it from trying members of the military.

The Golkar Party and the Indonesian Democratic Party of Struggle (PDI-P) opposed Wednesday the provision to invest the tribunal with the

authority to try past human rights abuses, which would have included alleged violations committed when the province was under military control in the 1990s.

Lawmaker Marzuki Darusman of the Golkar faction said the court should only hear cases of violations committed after the law came into effect.

"The retroactive principle should not be applicable for the rights tribunal in Aceh," said Marzuki, who was attorney general during the administration of Abdurrahman "Gus Dur" Wahid.

He recommended that a new political consensus should be reached on the handling of rights abuses or crimes against humanity that took place in the past 10 years.

Sutradara Gintings from the PDI-P faction said the rights tribunal in Aceh could not hear cases of rights abuses allegedly committed by members of the Indonesian Military (TNI).

He demanded TNI personnel should be entitled to the same exemption from prosecution provided to Free Aceh Movement (GAM) members following the signing of the Helsinki peace accord last August that ended almost 30 years of strife.

"Equality must prevail for both sides. If GAM members could walk free from their crimes because of the mass amnesty, why shouldn't TNI members be given a break from the human rights tribunal?" Sutradara also said the rights tribunal should be limited to six months in duration.

The PDI-P faction has from the outset expressed reservations about the bill's contents, claiming it panders to the demands of the former rebels. The bill only mandates the establishment of a rights tribunal and truth and reconciliation commission. It also has been debated if the court's structure would follow that of ones established in Jakarta, Makassar, Medan and Surabaya.

Although deliberation of the bill is nearing completion, with 90 percent of its content discussed by a special committee, more time will be needed to perfect the legal draft.

Communications and Information Minister Sofyan A. Djalil, the government's representative at the deliberations, said the rights tribunal in Aceh would be an effective deterrent.

"It will serve more as a human rights watchdog in Aceh," Sofyan said.

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## **Commission accuses media of objectifying women in Aceh**

Jakarta Post - May 17, 2006

Jakarta — Research by the Aceh Working group of the National Commission on Violence Against Women shows women are still objectified by the print media.

The group studied two nationally distributed daily newspapers, Kompas and The Jakarta Post, to see how they covered female Aceh refugees after the tsunami, including during the reconstruction and rehabilitation process, the disbursement of humanitarian aid, the peace building process between the Indonesian government and the Free Aceh Movement, as well as the implementation of sharia law in Aceh.

The research was conducted to determine whether women were being treated as subjects, meaning they were interviewed directly and allowed to make their own statement, or as objects, meaning that their situation was reported, but they had no direct voice in the coverage.

The group chose the topic because the situation in Aceh was sensitive and needed special attention. The women in Aceh were under a great deal of pressure, living in a disaster zone with limited facilities in the shelters provided.

The two newspapers were selected because The Jakarta Post readers were among those working for International Non-Governmental Organizations in Aceh, while Kompas was selected because of its influence on public policy.

The group studied 24 articles clipped from the two



newspapers between January 2005 and December 2005 using a critical approach and methodology that interpreted the reportage article by article. The results showed that only 18.30 percent of The Jakarta Post's represented the voice of women, while just 8.9 percent of the reportage in Kompas accommodated women's points of view.

A researcher, Dewi Yuri, said mass media as a tool for building public opinion still depicted women as victims and dependent human beings. "In one article from The Jakarta Post, about a woman who had to give birth in a shelter, the husband gave the statement representing the wife," she said.

She added that a direct quote was very important in order to give women the opportunity to represent themselves in newspapers so that there would not be a bias in the news. "When women's statements are less important than men's, the newspaper shows that men have a higher social status than women," she said.

She said the two newspapers still objectified women and depicted them as victims. "In human interest stories, women as victims can attract more readers because readers are more interested in reading how women could have survived the tsunami," she said.

Dewi said the problem could not be separated from economic and political interests in newspaper circulation. "Newspaper companies have to survive by competing. That fact makes journalists in newspapers sometimes neglect second-class citizens such as women," she said.

She said after studying the two newspapers researchers had found women were not presented as policy makers, but only as victims. "The two newspapers had little coverage about women in political matters," she said.

Dewi said the smaller number of women than men representing themselves in newspapers showed women had limited access to the public arena. "The print media have a very important role in influencing public policies and, therefore, journalists must be sensitive to gender issues," said Dewi.

She said the government should formulate a law that obliged mass media companies to be more

socially responsible. "The press must work freely and also be responsible as a voice on human rights issues."

## WEST PAPUA

### **New rule aims to develop Papua**

Jakarta Post - May 20, 2006

Tony Hotland, Jakarta — The government plans to issue a new regulation to ensure the trillions of rupiah entering Papua under special autonomy is being spent properly, the President says.

In the form of a presidential instruction, the regulation will target the development of infrastructure, poverty relief, health care and education in the resource-rich but underdeveloped province.

The planned law is seen as a move to appease native Papuans, who are angry at years of neglect from the central government and Jakarta's inability to properly establish special autonomy in the region.

Speaking after meeting Papuan leaders, President Susilo Bambang Yudhoyono said the implementation of special autonomy had faltered in Papua because of some "key problems".

Without going into detail about the instruction, Yudhoyono said the decree would ensure the Rp 12 trillion (US\$1.37 billion) of public money now being spent annually in the province to set up special autonomy was being properly accounted for.

Under the status, the province gets an larger share of revenues generated from lucrative, internationally owned mining and oil and gas concerns in the region — all money that used to go to central government.

"We need to ensure that the money, allotted in the state and the regional budgets, is distributed for its proper uses," he said.

Yudhoyono said the instruction would aim to speed up the implementation of poverty relief, infrastructure, education, health care programs in

the province, and create a mechanism to better measure the region's progress.

In the long term, Yudhoyono said Papuans' standard of living should increase to at least the national average, they should suffer less from preventable diseases such as HIV/AIDS and malaria and have better access to education and jobs.

"We need to ensure that Papua has a sustainable source of food. In infrastructure, Papua must at least have basic facilities, like irrigation and roads, in the coming years," he said.

The President also promised the administration would ensure native Papuans held more positions in regional and central government and other public institutions.

"We need to empower more local people. This will require affirmative action so that (Papuan) youngsters can take positions in the civil service, military or police. There will always be a place for representatives from Papua," he said.

The government would also consult more local experts when it created policy or attempted to solve long-standing problems the region faced, he said.

It would continue to communicate with local institutions like the Papuan People's Council and would properly integrate the council's powers into the national system, he said.

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## **Two people die in clash with Papua police**

Jakarta Post - May 16, 2006

Jakarta — Two supporters of a former Jayawijaya regent died following a clash with the police in Papua on Monday, after they tried to prevent the police from picking him up to appear in court on charges of misappropriating the administration's budget.

The clash took place when the police came to former regent David Hubi's house to assist Wamena District Court staff to bring him to trial as

ordered by the court. The crowd acted brutally, forcing the police to fire warning shots to disperse them.

"The police had to shoot David Hubi's supporters as they shot the officers with arrows. The shooting was done in self defense," Jayawijaya Police Chief, Adj. Sr. Comr. Robert Djoenso, was quoted by Antara as saying. Two supporters were injured in the incident and taken to Wamena Hospital for treatment but later died in the hospital.

Robert said the situation in Wamena and the surrounding area had returned to normal while some 200 of David's supporters were taken in for questioning.

"Based on a preliminary intelligence report, David Hubi's supporters were provoked by certain people who had been promised a promotion by the former regent. They're afraid of losing the promised position and provoked the supporters to attack the police," he said.

Jayawijaya Police, he said, had requested Papua Police Chief Insp. Gen. Tommy Jacobus to deploy more police personnel, acknowledging that he did not want a repeat of the Abepura incident in March where five security personnel were killed in a clash.

Papua Police Chief Insp. Gen Tommy Jacobus said David had failed to show up at the previous trials, when the court was examining the witnesses and evidence. The Wamena District Court subpoenaed him after he refused to answer the summons.

He called on David's supporters to use peaceful measures to defend the former regent instead of resorting to violence or attacking security personnel. He also urged Jayawijaya residents and community leaders to help calm David's supporters.

"We're concerned that there is a certain group trying to provoke people to stage protests. Let the people work in their fields or earn a living for their families instead of involving them in the conflict," he told Antara without identifying the group.

Despite the clash, Monday's trial proceeded as

scheduled with David Hubi attending the trial. After the trial, he was sent to Wamena penitentiary.

Prosecutor Andi Kurniawan said his office decided to forcibly pick up the former regent for the trial. The former regent is accused of embezzling at least Rp 12 billion of the administration's 2003-2004 budget.

"He had to be picked up since he had ignored two summons to attend the trial at Wamena District Court. When the prosecutor's staff and the police arrived at David's house, the crowd had gathered there and when we entered the house, we found so many weapons, like bows, spears and blades," he told Antara.

## **POPULAR RESISTANCE**

### **Lombok teachers to boycott test**

Jakarta Post - May 22, 2006

Mataram, Lombok — Some 350 teachers in East Lombok staged a protest Saturday, threatening to boycott Monday's national final test in junior high schools if the administration failed to return money cut from their salary for the past 26 months.

The protest's coordinator, Maksin, said the teachers, who flocked outside the office of East Lombok regent, returned to the street since Regent Ali bin Dahlan failed to meet his promise. They were not able to meet the regent.

For over a year, the teachers' salaries were cut by 2.5 percent for professional donations. The administration also cut the pay of all civil servants.

The regent in February agreed to stop the cut and promised to return some Rp 10 billion (US\$1.1 million) collected from around 5,000 people.

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### **Lombok residents free criminal suspect**

Jakarta Post - May 19, 2006

Mataram — A crowd of people stormed Sambelia Police station Wednesday to free a man detained for his alleged involvement in illegal logging in East Lombok district. No one was injured in the incident.

West Nusa Tenggara Police spokesman Comr. Tribudi Pangastuti said Thursday the incident occurred several hours after police seized a vehicle carrying nine logs as part of an illegal logging operation.

After determining the logs were undocumented, police seized the vehicle and detained the driver, Nasir, 30, a resident of Paok Montong, East Lombok. The logs are thought to have been illegally cut from the protected forest around Mt. Rinjani.

"But at around 6 p.m. about 250 people arrived to protest the arrest," Tribudi said.

The crowd demanded police free the man and the seized logs, which they said were not illegal and were to be used to build a mosque. The crowd eventually stormed the station and released Nasir.

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## **Villagers go bananas over bumpy road**

Jakarta Post - May 17, 2006

Sidoarjo — Residents of Sidoarjo have begun planting banana trees in the numerous large potholes that dot the village's main road, Antara news agency reported Tuesday.

They say the trees are being planted in a show of anger with the local government's failure to fix the road, and as a safety measure. The trees will warn motorcyclists of the presence of a pothole, helping to prevent accidents.

Residents have repeatedly asked the local government to repair the 500-meter-long Jl. Masangan Wetan, but have received only unfulfilled promises.

They say the road punishes cars and motorcycles

and increases the likelihood of accidents, particularly when it rains and the potholes are hidden under water.

## **PORNOGRAPHY & MORALITY**

### **Porn bill backers come out in force**

Jakarta Post - May 22, 2006

Jakarta — Supporters of the much-debated porn bill came out en masse in a number of cities Sunday, urging lawmakers to immediately pass it into law to improve the country's morals.

The demonstrations, with the Jakarta rally's estimated attendance reaching tens of thousands, brought together several Muslim organizations, including Hizbut Tahrir, Muhammadiyah, Nahdlatul Ulama (NU), the Prosperous Justice Party and others from Jakarta, Banten and West Java.

In Jakarta, demonstrators packed streets around the House of Representatives complex, forcing the closure of streets leading to the toll road entrance in front of the House building.

Religious leaders including the NU's Hasyim Muzadi, Muhammadiyah's Din Syamsuddin, Husein Umar and Cholil Ridwan were on hand, Antara newswire reported. Celebrities such as dangdut music legend Rhoma Irama, an advocate of cleaning up the entertainment industry, also took part.

Opponents argue the bill does not address the distribution of pornographic materials but instead is an assault on people's personal freedoms, especially of women, because it defines a range of acceptable public behavior. Strong opposition to the bill has been expressed by the artistic community as well as several ethnic groups which decry what they consider an attempt to create a monotheistic society.

The heated, emotionally charged debate about the bill has exposed a cultural divide, and many protesters Sunday carried banners denouncing secularism.

A leader of the Indonesian Ulema Council (MUI), Ma'ruf Amin, said the bill was essential as the

basis to eradicate pornography. He criticized those in the media industry and entertainment businesses who oppose the bill.

House Speaker Agung Laksono, who met with representatives of the demonstrators, said the legislature would remain neutral by accommodating different opinions on the bill.

Muslim groups also rallied Sunday in West Sumatra's capital of Padang, Surabaya, East Java, Semarang, Central Java, Mataram, West Nusa Tenggara, Banjarmasin, South Kalimantan, and Palangkaraya, Central Kalimantan.

In a discussion Saturday, participants expressed concerns that one law cannot be used as a vehicle to arbitrate religious and social norms.

University of Indonesia legal expert Maria Farida questioned if the bill could enhance public morality.

Mubarik Ahmad of the Ahmadiyah religious group said at least 18 regions were poised to issue sharia-based bylaws, such as a much criticized one against soliciting in Tangerang, if the bill came into law.

House working committee deputy Chairun Nisa said the bill failed to regulate pornography, and would not work in controlling how people behaved, "... because it's impossible to tell how people to dress or the way their cultures are".

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## **Activists seek review of shariah**

Jakarta Post - May 22, 2006

Jakarta — Reports that more regencies and cities around Indonesia are adopting shariah-style bylaws have caused grave concern among women activists, who worry that the trend will threaten not only their rights but also the nation's integrity.

A group of women's rights activists in Jakarta is drumming up support for a plan to file a request for a Supreme Court review of 26 shariah-inspired ordinances which have been adopted in various



regencies and municipalities.

They argue the ordinances on sex and morality violate the 1945 Constitution, which guarantees equal rights for men and women. They say local administrations are taking advantage of the central government's lax supervision of local legislations in the name of autonomy.

Among those which have adopted the controversial ordinances are the predominantly Muslim municipality of Tangerang, and several regencies in South Sulawesi, South Sumatra, West Java, West Sumatra and West Nusa Tenggara. Aceh province was legally granted the right to adopt shariah in 2002 with the hope that it would help end the secessionist rebellion there.

The head of the Jakarta chapter of the Legal Aid Foundation for Women (LBH-APIK), Ratna Batara Munti, is calling for a nationwide movement to stop bylaws that discriminate against women.

In Tangerang, women are subject to arrest as suspected prostitutes if they venture out without a male companion at night.

Recently, the Coalition to Oppose Discriminatory Local Ordinances filed a request for judicial review of the Tangerang prostitution bylaw at the Supreme Court. They believe the bylaw violates the Constitution and the Criminal Code as well as the International Declaration of Human Rights. "In Palembang city (in South Sumatra), being a homosexual is punishable by jail terms and hefty fines," she said.

The ordinances appear to clearly violate international conventions that the Indonesian government has ratified, such as the 2005 law on civil and political rights and the 1984 law on women.

The International Convention on Civil and Political Rights obliges signatories to repeal policies that are incompatible with the principles of human rights. "It is the right of every person to determine his or her sexual orientation," Ratna says.

Ratna points out that many of the shariah bylaws discriminate against women, depriving them of

their basic rights, such as the right to dress as they choose and act as they choose.

The General Secretary of the Indonesian Women's Coalition for Justice and Democracy, Masruchah, illustrates how such bylaws discriminate against women.

"In some regencies in South Sulawesi province, the bylaws require women to wear Muslim clothes but they do not prescribe the same thing for men," said Masruchah, who wears a headscarf. "The bylaws curtail women's rights to move and act. In the West Java regency of Cianjur, women are seen as 'good women' only if they wear Muslim clothes," she said.

According to activists, local administrations have adopted the shariah ordinances without properly consulting the people, let alone listening to objections from critics, particularly those of different religious faiths.

Masruchah says the end goal of the shariah ordinances spearheaded by fundamentalist groups is to turn Indonesia into a theocratic state.

"This is wrong. Islam teaches tolerance for people of other faiths, so they are violating this principle," she said. "I believe that many people do not feel comfortable with the bylaws, and therefore, we have to form an organized movement," she said.

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## **Thousands back anti-porn bill in Indonesia**

Associated Press - May 21, 2006

Niniek Karmini, Jakarta — Tens of thousands of conservative Muslims rallied in the Indonesian capital Sunday in support of a proposed anti-pornography bill that critics say would chip away at the country's secular traditions.

The protesters, who arrived in buses organized by mosques and conservative Islamic groups, urged parliament to immediately pass the bill, which in its current form would ban kissing in public — as well as erotic poetry, dancing, drawing, writing,

photos and film.

Organizers said 1 million people would attend the demonstration. Turnout appeared far less than that, perhaps 100,000, but it was still one of the largest shows of force by conservative Islam in recent years.

The protest shut down main roads in the capital for several hours as the demonstrators made their way to the parliament building, which was guarded by hundreds of police officers, some in riot gear. Some demonstrators carried banners calling for the imposition of Islamic law in the country, which is home to some 190 million Muslims — more than any other country in the world — but also has significant Christian, Hindu and Buddhist minorities.

“Ban pornography and stop the sex industry,” they shouted. “Down with liberalism and secularism,” read one banner in support of the bill, which has become a rallying call for the country’s growing hardline fringe.

The bill, which was originally drafted in 1999 following the downfall of ex-dictator Suharto, is facing opposition from nationalist lawmakers, who form a majority in the house, and is unlikely to pass as in its current form.

Those opposed to the bill include the country’s minority faiths, liberal Muslim groups, artists and several outlying regions which fear their traditional dances and culture may be criminalized.

They note the country already has laws banning pornography, and say that the police, long accused of taking bribes from criminals trying to avoid arrest, should simply enforce them better.

Indonesian Muslims follow a moderate form of the faith, but many believe that the state should crack down on the sale of pornographic VCDs and magazines, which are readily available for sale throughout country.

## **HUMAN RIGHTS/LAW**

### **Lawmakers back move to protect officials**

Jakarta Post - May 23, 2006

M. Taufiqurrahman, Jakarta — Legislators have given qualified support to the government's plan to issue a regulation that would protect officials from prosecution for erroneous policies, after many nervous civil servants refused to make decisions.

Members of House Commission III on law and human rights Taufiqurrachman Saleh of the National Awakening Party (PKB) and Panda Nababan of the Indonesian Democratic Party of Struggle (PDI-P) said the policy would only be plausible if it was aimed at boosting the officials' performance instead of protecting corrupt practices.

"We realize that the anti-corruption drive by the law enforcers has most of the time gone too far so that it discourages government officials from executing their policies," Taufiqurrachman told The Jakarta Post on Monday.

He said there were numerous cases in which regents complained about anxiety at using the budget from the central government due to fears of being accused of corruption.

Panda said the regulation would only be effective if the government consulted law enforcers, especially the Attorney General's Office, before it took effect.

"But I doubt if the Vice President has consulted the AGO," Panda said, referring to Jusuf Kalla who first floated the controversial idea.

Addressing a Golkar Party function on Sunday, Kalla said that the government was preparing a regulation that would protect government officials, including governors, regents and local councillors, against prosecution for implementing their policies.

Kalla said that if government officials made a wrong policy, they could only be tried by the state administrative court.

"We want to differentiate what is policy and what is crime. If the policy is wrong then its maker should be subject to state administrative court and not criminal court," Kalla said.

Kalla said the legislation was planned because under the existing laws, state officials are highly susceptible to legal action for any action they took. Consequently, few officials will accept development projects and development has come to a standstill due to the official inertia in many areas.

He said once the new policy takes effect, it would be more difficult for state officials to be arrested for policy-related offenses. Kalla said the new regulation would only need formal approval from President Susilo Bambang Yudhoyono to take effect.

Some have said the regulation would protect the bulk of Golkar Party members who elected for office.

Following an intensified anti-corruption drive by the Yudhoyono administration, increasing numbers of government officials have been arrested and put on trial.

Since 2004, Yudhoyono has allowed seven governors and 60 regents/mayors to be investigated for corruption cases. Prosecutors throughout the country have also launched investigations into 735 members of city councils and 327 provincial councillors.

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## **Bemused Bagir tries to dodge media ambush**

Jakarta Post - May 19, 2006

On a day when he should have been celebrating, a flustered Supreme Court Chief Justice Bagir Manan was instead doing his best to escape a media ambush Thursday.

He was bombarded with questions about the trial of Harini Wiyoso — a lawyer who claims to have bribed Bagir on behalf of her client, tycoon Probosutedjo — after his swearing-in ceremony for a second term at the State Palace.

His face reddened as journalists hounded him about the stalemate in Harini's trial, where three

judges staged a walkout early this month to protest the presiding judge's refusal to call the chief justice to testify about her claims.

Ironically, the request came from prosecutors of the Corruption Eradication Commission (KPK), but Bagir received warm congratulations from KPK chief Taufiequrrahman Ruki.

"Let the judges solve the problem themselves. Give them a chance. The Supreme Court doesn't want to meddle in the problem because it is still at the court level," Bagir told journalists.

He also was evasive when asked if he would testify if summoned by the court.

"That's another problem," he said as he tried to walk and push journalists aside to elude further questions about the case.

Bagir tried to pick up the pace a bit to lose the pack of journalists, impatiently flicking away a tape recorder put close to his face.

He was elected to a second term in office on May 2 when he received 44 of the 47 valid votes cast by the Supreme Court justices. Critics derided the show of support for the controversial Bagir as a new low in the country's checkered judicial history.

Elected chief justice in 2001, Bagir's term was due to expire Thursday when he reached the mandatory retirement age of 65 for justices, but last July he extended the age to 67.

He presided over the controversial acquittal of former House speaker Akbar Tandjung in a graft case, despite his conviction by two lower courts, and also cut the prison term of former president Soeharto's youngest son Hutomo "Tommy" Mandala Putra, who was convicted of ordering the murder of a judge. — JP/Tony Hotland

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## **Information bill shouldn't cover state firms: Government**

Jakarta Post - May 16, 2006

M. Taufiqurrahman, Jakarta — The House of Representatives and the government began deliberating the long-overdue Freedom of Information Bill on Monday, with the government already showing signs it wants to water down the legislation.

On day one of the deliberations, the government, represented by Communication and Information Minister Sofyan Djalil, proposed that the hundreds of state- and city-owned companies covered by the bill should be exempted from disclosing financial information to the public.

A House-sanctioned draft of the legislation proposes that the three branches of the government along with state- and city-owned enterprises, political parties, charitable foundations and non-governmental organizations (NGO) disclose their finances to the public.

"What's good about opening (public) access to the business plans or the corporate strategies of state-owned companies. It will only give advantages to rival companies," Sofyan told the House Commission I on defense and foreign affairs.

Sofyan said people could already scrutinize the finances of state-owned companies through the internal audits of the Supreme Audit Agency (BPK).

Sofyan said it was more important for NGOs and political parties to disclose their financial information. "Especially the NGOs that receive money from overseas. Who knows how they try to undermine our country's interests," he said.

Sofyan's remarks were met with a chorus of disapproval from House members. Representatives from all factions on the commission took turns rejecting the government's proposal.

The lawmakers said by stopping people from obtaining information from state companies, the government was attempting to maintain the culture of corruption in the institutions. "We all know that state-owned enterprises have become the most corrupt institutions in the country. They control the bulk of state assets but yield only minimum profits," lawmaker Ade Daud Nasution of the Reform Star Party faction said.

Lawmaker Hajriyanto Tohari of the Golkar Party said it was clear state companies should be the prime targets of the legislation because they used taxpayers' money, unlike "political parties and not-for-profit foundations, which collect funds from members and charitable individuals." The Freedom of Information bill was first proposed in November 2001 but was not revived for deliberation until last July, before it was again abandoned.

Observers say the bill is a vital tool for fighting corruption and promoting good governance. Also present at the hearing was Justice and Human Rights Minister Hamid Awaluddin.

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### **Rich convicts tell of first-class prison stay**

Jakarta Post - May 16, 2006

Jakarta — For many well-heeled Indonesians in jail for graft or other crimes, penitentiaries are not so different from hotels.

Both places have rooms — at different prices depending on how much one pays — daily meals, and some even come with televisions and Internet connections.

Both also have uniformed receptionists — in prisons they are called guards — who may treat visitors with courtesy or with impertinence, depending on how much one tips.

John, not his real name, has spent years in one of the country's most remote penitentiaries, Nusakambangan prison off the coast of Java. Classified as a high-profile offender, John misappropriated billions of rupiah in state funds during his tenure at a state financial management firm.

With these kind of credentials, in the penitentiary, John is entitled to "contribute" Rp 6 million (US\$689) a month to the prison administrators. By paying that much, John gets a prison room to himself, clean sheets and catered meals. He also gets a cleaning service provided by other inmates. For that he is charged extra.



Just like any other convict with money in the state facility, John can buy almost anything he needs, as long as the guards are willing to let him have it. For his favorite item, a newspaper, he has to pay twice the price of what it is on the market.

"Things get better as time passes. These days we don't have to pay as much. I guess the prison guards become more lenient to those who have spent a relatively long period in the prison," John's brother told The Jakarta Post. John's brother said that John had spent his first months of detention in the Cipinang State Penitentiary, Jakarta. In Cipinang, he spent Rp 15 million a month for a room separate from the poorer inmates.

A visit by family or friends is the moment most awaited by most inmates. For this too, there is a charge. "I had friends who visited me several times at the prison but they were turned away by the guards because they couldn't pay," said a former inmate who was imprisoned in Krobokan State Penitentiary, Bali, for the possession of an illegal drug. "The price for visiting is relative. Back in my day, it was around Rp 20,000 per person," he said.

According to the former inmate, a guards and prisoners had a symbiotic relationship. "The guards sold what the inmates wanted. Some of them even sold drugs to the inmates. Drugs are aplenty in prison. I took them every day just to help me get through the day, to make it go faster. If you know what I mean," the inmate said. "The are of course guards who oppose such a thing. They were the clean ones. But they also sold stuff. Stuff like phone cards, foods, cigarettes. All kinds of things," he said. "When I was first imprisoned, I was placed in Section E. That was where the poor inmates were supposed to be. The condition of the prison was terrible. Plus, the kind of people who were in that section, I couldn't really converse with them," he said. "And so I requested for a transfer. For that I had to bribe one of the guards. It wasn't too costly, only Rp 70,000. That was the only money I had. He understood that I couldn't quite fit in there," the former inmate said.

Responding to public concerns about bribery in jails, the chief of security and order at the Directorate General of State Correctional Facilities, Djoko Mardjo, told the Post that his

office had taken extra measures to prevent corruption and bribery from occurring.

"In the case of charges for visits, that is strictly prohibited. We have placed signs in prisons stating that there is no charge for visits," Djoko said. "Apart from that, the Directorate General has instructed all heads of divisions in every province to keep tight control on the guards. They (the heads) have to conduct inspections of all prisons under them," he said.

Djoko said how guards behaved in jail very much depended on their pay and conditions. "Our system is excellent, but it depends on the personnel in the field. Alhamdulillah (praise be to God), the House of Representatives has passed a draft granting a significant increase in financial benefits for our personnel this year," Djoko said.

## **RECONCILIATION & JUSTICE**

### **Don't count on a Suharto accounting**

Asia Times - May 23, 2006

Bill Guerin, Jakarta — Indonesian President Susilo Bambang Yudhoyono had successfully distanced himself from his past association with former strongman Suharto's corrupt government. Now, he faces a historic decision that could make or break his administration's corruption-busting credibility with the masses who voted him into office on a reform platform.

Sections of Jakarta's political and bureaucratic elite are eagerly pressing to dissolve the corruption charges leveled against former president Suharto, 84, who was forced from power after violent popular protests in May 1998. Yudhoyono is under mounting political pressure to draw a line through the dark days of Suharto's 32-year tenure and grant the medically ailing former leader he once served as a cabinet minister amnesty on humanitarian grounds.

The end of Suharto's so-called "New Order" regime in 1998 was marked by massive rioting and the deaths of hundreds of pro-democracy protesters. It also heralded the beginning of Indonesia's tumultuous and fractious democratic era. The

doomsday scenarios of disintegration, social chaos, civil war or even a military coup predicted after Suharto's unceremonious fall from grace have all notably failed to materialize.

At the same time, neither have the robust economic growth levels hoped for from Indonesia's new, and in many other ways flourishing, democracy. Corruption, collusion and nepotism have all continued apace under Suharto's successors; the verdict is still out on Yudhoyono's young administration, and political analysts say his decision on whether to grant Suharto amnesty will send a strong signal about his willingness to tackle endemic corruption issues.

Suharto's legacy is steeped in controversy. Under his leadership, Indonesia's economy rose steadily, with as much as 60% of the population lifted out of some of Asia's most abject poverty. His authoritarian tenure was also attended by boom times for his family, his cronies and the conglomerates they ran, often under special government privileges. Those now bidding to rehabilitate his image have focused brightly on Suharto's many economic accomplishments.

By the 1990s, Suharto's family members had cornered various sectors of the local economy. Only after Suharto's fall did the colossal wealth of his family and close business associates come to be known. Suharto has stood accused in court of embezzling some US\$600 million from state coffers. That may be the tip of the iceberg: independent watchdog groups estimate he and his cronies may have spirited away billions of dollars. And there are still many unanswered questions about the dozens of lending institutions that went bankrupt in the wake of the regional financial crisis, many of which were owned by Suharto's associates.

A 1998 decree by the People's Consultative Assembly, the highest legislative authority in the country, commanded the government of president B J Habibie to eradicate and investigate corruption by "former state officials, their families or cronies and private businesses as well as conglomerates, including former president Suharto". Since 2000, however, the ex-strongman has successfully evaded prosecution over the course of three different administrations for the reason that he was medically unfit for trial. He recently underwent

colon surgery and has suffered from a series of strokes.

### *Untried crimes*

The pending \$600 million embezzlement case is one of many crimes for which the former president stands formally and informally accused. For instance, the Commission for Missing Persons and Victims of Violence (Kontras) claims that Suharto should also be held accountable for alleged crimes against humanity.

Kontras accuses Suharto of massive human-rights abuses that resulted in the deaths of more than 500,000 people during the communist purge in 1966 after the abortive coup against former president Sukarno, and Kontras coordinator Usman Hamid contends that those crimes will never be solved if, somewhat ironically, Suharto is pardoned on humanitarian grounds.

Suharto's political legitimacy relied heavily on his regime's ability to provide stability and economic development. Within months of taking power, he started a sweeping program of economic reforms to stabilize prices, boost the agriculture sector, open up the economy and lure in foreign investment. His New Order regime spent vast sums on new primary schools, health clinics and improving rural infrastructure.

Manufacturing accounted for less than 10% of gross domestic product in 1966; by 1996, that figure had exceeded 25%. The average annual GDP growth rate was about 7% between 1966 and 1996 — without doubt an amazing policy achievement. By 1996, poverty rates had dropped dramatically to 11% from more than 60% when he first took power, while national life expectancy had increased by some 20 years. The global spike in oil prices in the 1970s helped more than treble per capita income.

Conversely, the seven years of democratic rule that began in 1999 have failed to provide a significant economic boost. Instead, the new reform era has been continually dogged by rising unemployment. Lagging exports and investment have been intensified by arbitrary regulatory and compromised legal situations that democratic politicians, for whatever reasons, have largely failed to tackle.

In the post-Suharto vacuum, party politics reigned supreme, where loyalty among politicians was not with the voters, nor the president, but rather in assuring the survival of the wealthy and powerful elite. The direct presidential polls in 2004 saw Yudhoyono's landslide win over these more established and gradually discredited political parties, including Suharto's former party, military-backed Golkar.

Significantly, a June 2004 survey by the International Foundation for Election Systems found that in choosing candidates, voters were concerned about keeping prices low (31%), controlling corruption (29%) and creating jobs (19%). Since taking office, Yudhoyono has tried to answer those voter concerns by focusing on improving the economy and administrative and regulatory reform — albeit to varying degrees of success.

Moreover, Yudhoyono moved to distance himself from the New Order regime, which he served for decades both as a senior military official and as a politician. He has rarely commented on the previous government's transgressions or the Suharto corruption trial — even though such groups as Transparency International have ranked the former president as one of the most corrupt politicians on the planet.

Under parliamentary pressure, indications are that Yudhoyono is now poised to allow Suharto's bygones to be bygones. His attorney general has in recent months stopped his previous periodic sparring matches with Suharto's lawyers. Some question now whether those argumentative bouts were mere political showmanship.

Vice President Jusuf Kalla said last week that the government "understands" Suharto's situation. "I think we should no longer speak so much about [the corruption trial]. We should respect him." For that to transpire, Yudhoyono and parliament would need to issue a formal decree abolishing the legal process now in motion against Suharto — potentially a politically explosive move.

If that happens, some political analysts believe there could be renewed bouts of social unrest, only this time targeting Yudhoyono's government for participating in a perceived whitewash of

Suharto's alleged economic crimes.

### *Peeved public perceptions*

It's still unclear exactly how a formal pardon by Yudhoyono would go down with the broad population. The politically charged issue notably arises at a time the economy is stuttering, and Yudhoyono's popularity is clearly on the wane.

A poll published last week by the usually reliable Indonesian Survey Institute showed that Yudhoyono's approval rating is now at an all-time low, mainly due to concerns about his administration's handling of the economy. Of 700 people surveyed in nationwide face-to-face interviews late last month, only 37.9% were satisfied with the government's performance, compared with 64.7% a year ago. More than 72% of those polled said they were unsatisfied with Yudhoyono's overall economic performance.

The Suharto case deepens his dilemma. Yudhoyono's early success and credibility in fighting corruption would be dealt a severe blow by declaring an amnesty that failed to require that Suharto's family return their allegedly huge ill-gotten gains to state coffers. Amid continued frustrations with the slow pace of reforms, such a move could mobilize the many well-organized social movements and also turn the newly emboldened local press, which to date has been mainly generous in its news coverage, against Yudhoyono's government.

After Suharto underwent extensive colon surgery on May 10, the attorney general in effect announced that Suharto was a free man and that charges would be dropped because of his deteriorating health. The next day, when it was clear Suharto would survive the procedure, Yudhoyono opted to move the issue to the back burner. He cited waves of opposing and supporting voices that "are getting higher and that could lead to conflict" and said he would not make a decision on the issue "until the right time".

So long as Suharto remains alive and under threat of prosecution, those who grew rich with his help and who today remain entrenched in government, big business and high society know that their interests are still vulnerable. Indonesia's vast wealth was pillaged during the Suharto years, a

fact that many reform advocates are not willing to forget.

Suharto, once popularly known as Indonesia's "father of development", was able politically to justify his family's growing riches by his government's ability to deliver rising living standards and relatively broad-based economic growth. Still smarting from the 1997-98 Asian financial crisis, the gap between Indonesia's politically connected rich and unemployed poor is now very much widening again.

A political compromise that allows Suharto, his family and former cronies to keep the estimated billions of dollars they pilfered during his reign is clearly unacceptable among the small, but vocal, politically active sections of the population. Yudhoyono faces a decision that will clearly make or break his government's credibility among the masses who just two years ago so enthusiastically voted him into office in the name of reform.

[Bill Guerin, a Jakarta correspondent for Asia Times Online since 2000, has worked in Indonesia for 20 years, mostly in journalism and editorial positions. He has been published by the BBC on East Timor and specializes in business/economic and political analysis related to Indonesia. He can be reached at [softsell@prima.net.id](mailto:softsell@prima.net.id).]

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## **AGO to try Soeharto under civil law**

Jakarta Post - May 23, 2006

M. Taufiqurrahman, Jakarta — After dropping its indictment of former president Soeharto on criminal charges, the Attorney General's Office decided on Monday to build a series of civil cases against the former strongman.

Attorney General Abdul Rahman Saleh told a House of Representatives (DPR) session the AGO was drawing up civil cases against Soeharto to hold him accountable for past policies that had caused the states to lose trillions of rupiah.

"We have prepared civil charges against him (former president Soeharto)," Abdul Rahman told members of the House Commission III on legal affairs and human rights.

He said the cases would focus on the abuse of Soeharto's numerous cash-rich government foundations.

The AGO's decision was made only days after it dropped all criminal graft charges against Soeharto because it said the former president was too ill to stand trial.

Eight NGOs, including the Indonesian Legal Aid Institute Foundation (YLBHI), the Indonesian Corruption Watch (ICW) and the Commission for Missing Persons and Victims of Violence (Kontras) have challenged the decision by filing a suit against the Attorney General at the South Jakarta District Court.

Abdul Rahman's latest decision to take civil action against the former president also drew criticism from legislators. A number of Commission III members said that the move would only confound efforts to prosecute Soeharto.

House member Gayus Lumbuun of the Indonesian Democratic Party of Struggle said any civil cases brought against the leader could easily be challenged by Soeharto's many highly paid defense lawyers.

"The bulk of Soeharto's policies that were biased toward his family and cronies were made when he was a state official and he, therefore, could be subject to corruption charges. "(This means) they will be beyond the jurisdiction of the civil courts," Gayus told the hearing.

During his final decade in power, Soeharto created several policies that ended up directly enriching his children and business friends.

Soeharto's favorite son, Hutomo "Tommy" Mandala Putra was given a license to import thousands of duty- and tax-free South Korean-manufactured cars under the guise of a national car policy. Tommy was also given monopoly rights in the clove trade, a decision which caused considerable damage to the sector.



Lawmaker Bambang Sadono of the Golkar Party suggested the AGO go after those high-profile policies rather than alleged irregularities involving Soeharto's foundations.

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## **Eight years on, the May 1988 grief lingers**

Jakarta Post - May 22, 2006

Annisa S. Febrina and Nichola Sarvangga Valero, Jakarta — This May, clothes fly from the shelves of a department store in Slipi, West Jakarta, as spring sale posters draw customers.

Eight years ago this month, clothes flew from the shelves as the mall was emptied by looters, before dozens of them were trapped and burned to death in the 1998 riot.

Life has to go on, but it has not been the same for those affected by the allegedly orchestrated chaos that killed more than 1,000 people and left mental scars on thousands others.

A group of youngsters in Bekasi has to live with the guilt of not being able to save a Chinese woman gang-raped before their eyes.

"We cannot erase the memory and it has been haunting us," they testified, as cited by human rights activist Esther Junus, who interviewed them in an effort to compile facts on the incident.

Meanwhile, a group of Chinese women have had to rely on each other to share the burden of the horrible experiences of gang-rape they went through eight years ago.

Mothers of those who have not returned home since May 15, 1998, have sought help to share the emotional burden of losing their sons and daughters.

Volunteer psychologist Dameria, working with a woman who lost her son during the riot, said the mother is now frequently a patient in a mental hospital. "She has her ups and down, and as May comes, her depression becomes unbearable," Dameria said.

Sumarsih, mother of Bernardinus Realino Norma Irmawan, or Wawan, a Trisakti University student shot to death on May 12, 1998, said her heart would always be grieving.

All of them have lost something. Sons, daughters, the sense of physical safety, sanity. It's been eight years since their lives were ruined in various ways, but many questions about what really happened are still unanswered.

The burned malls and ruined shops have been rebuilt but the perpetrators of the riot remain untouched.

Investigations by the non-governmental organization Solidaritas Nusa Bangsa, led by Esther Junus, have uncovered strong evidence that there were groups of stern-looking, well-built men going from one riot point to another to provoke the masses.

They allegedly provoked them to steal, burn, rape and create a havoc seemingly justified by the pressures people felt from the economic crisis that had hit a year before.

It is all part of the picture: the economic shakeup, political upheaval, anarchy, military violence, the downfall of a tyrant.

But, none of it matters for the victims and their families. All they know is that their lives will never be the same. And justice has not been brought about by the current government.

"These eight years have been used by Soeharto's associates to consolidate through the use of state institutions and other legal organizations, leaving the case unresolved," Sumarsih said.

She added that the government, for the past eight years, has emphasized horizontal issues to change the people-versus-government struggle into group-to-group conflicts.

Humanitarian Volunteers Network founder and coordinator Sandyawan Sumardi told The Jakarta Post everything that happened was just part of the long process of democracy. "I consider all of this to be part of the process of transition towards reform and finally democracy," said the Jesuit

priest.

Sandyawan acknowledged that there was a significant change in freedom of expression and the ability to establish organizations. "Before we were not even able to discuss things publicly.

"The civil society movement should have been reinvigorated and strengthened since the fall of Soeharto, but it turns out to be the opposite with the government now stronger than ever," he added.

But, he said, "people will always find a way out when they are oppressed." Sandyawan explained that the increased presence and aggression of militant groups calling themselves defenders of religion or ethnicity are merely part of a larger context.

"I do not believe that this is a sporadic movement; they are well-organized political and economic tools," said Sandyawan.

Some who are fortunate enough not to have experienced any of these horrible events might say they are bored listening to the same stories over and over again.

They will have to listen. And their children's children will, too. Time quickly wipes the country's short memory span clean. Time may heal the wounds, but the scars will remain.

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## **Indonesia remembers downfall of Suharto**

Associated Press - May 21, 2006

Chris Brummitt, Jakarta — Protesters wearing Suharto masks demanded the ailing former dictator face trial Sunday, the eighth anniversary of the massive pro-democracy demonstrations that ousted him.

Suharto, 84, remained in the hospital following colon surgery two weeks ago to stem intestinal bleeding. Doctors said Sunday that the former strongman, who has been weakened by several strokes, was recovering, but remained seriously ill.

Indonesia's attorney general last week dropped long-standing corruption charges against Suharto because of his health, angering rights activists but gratifying his supporters, many of whom became rich during his 32-year rule and remain in powerful positions within the bureaucracy.

"The country is split," said Erry Harjapamengkas, deputy head of Indonesia's anti-corruption agency. "Some groups want him to be forgiven, while the younger generation wants to see him in court."

In Jakarta, around 200 protesters rallied outside the presidential palace carrying a man wearing a Suharto mask in a bamboo cage, one of several demonstrations in the country calling for the former army general to be punished.

"(President Susilo Bambang) Yudhoyono has to take a clear step on Suharto by putting him on trial and then returning the stolen money to the state," said Purnomo, a protester in the central Javanese city of Yogyakarta. Like many Indonesians, Purnomo goes by a single name.

The country has had four presidents since Suharto's ouster on May 21, 1998, after months of nationwide pro-democracy protests and rioting, but none have been able to decide on what to do with the former dictator and his wealthy children.

Yudhoyono, himself an ex-army general who rose swiftly through the ranks during the Suharto years, has refused to take sides in the debate, saying Saturday that the decision was purely up to law enforcement agencies.

Marzuki Darusman, who was attorney general when the original corruption charges were laid against Suharto in 2000, said that case was just the tip of the iceberg, but predicted powerful forces would likely prevent any more legal moves against him.

"There are forces of resistance within the bureaucracy, really the armed forces, which think this is as far as things should go," he said.

Suharto, who denies stealing any money from the country, has been hospitalized at least four times since his ouster, and doctors say the strokes have permanently affected his memory and speech.

Critics say he should be tried in absentia if he is too ill to come to court.

Human rights activists say Suharto should also be charged in connection with at least 500,000 political killings during his regime, as well the deaths of tens of thousands of people at the hands of security forces in the separatist regions of Papua, Aceh and East Timor, now an independent country.

But Indonesia's school history books largely gloss over the atrocities, and many Indonesians remember his rule for rapid economic growth, stability and cheap rice and feel he should be allowed to live out the remainder of his life without disturbance.

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### **News Focus: Soeharto's health and legal case**

Antara News - May 20, 2006

Andi Abdussalam, Jakarta — While former president Soeharto is still going through a critical stage in his treatment at Pertamina hospital, a public controversy is raging outside the hospital about his fate as a leader accused of massive corruption.

The former Indonesian strongman who was facing critical political stage these weeks eight years ago is struggling for his life at the hospital. Outside the hospital, those discontented with the handling of his legal case are calling for his trial in absentia.

Calls for his trial in absentia were among others made by former president Abdurrahman Wahid and former chairman of the People's Consultative Assembly (MPR) Amin Rais. The same call was also made by the ranks of law enforcers and other quarters.

On the opposite side, there are also suggestions that Soeharto be given amnesty, pardon or clemency. Soeharto's case should well be closed.

Abdurrahman Wahid and Megawati Soekarnoputri, two most harmed parties when Soeharto was in power did

nothing to settle Soeharto's legal status when they were president.

This means that Soeharto's case can basically be closed," Jimly Asshidiqie, chairman of the Constitutional Court, said.

In the meantime, Attorney General Abdul Rahman Saleh, who vowed to reopen Soeharto's case last month, earlier this week issued a stop-investigation letter, dropping his office's charges against the former Indonesian leader because he was seriously ill.

President Susilo Bambang Yudhoyono called his ministers on Friday to discuss the recent health development of Soeharto who underwent a second operation to remove a blood clot inside his abdomen. Two weeks earlier, doctors had to cut off 40 cm of his colon to stop intestinal bleeding.

The ailing former president, who turns 85 on June 8, 2006, is charged with graft and gross human rights violations during his 32 years in power. He was accused of unlawfully collecting Rp1.3 trillion and US\$419 million through seven foundations he had led while he was president.

Efforts to take Soeharto to court were made a year after his downfall from power. He stepped down when a reform movement, socio-political chaos, mass demonstrations and students shooting engulfed Indonesia in May 1998.

But efforts to prosecute him always failed as the octogenarian's health was not good for trial. He has suffered several strokes. Now he also has heart and kidney problems.

### *Health and legal case*

He made headlines when he had a mild stroke and was rushed to Pertamina hospital on July 20, 1999. He was hospitalized for ten days. He returned to the same hospital for six-days on August 14, 1999 because of digestive bleeding.

Soeharto underwent medical tests at the Gatot Subroto hospital in August 1994 where it was discovered he had kidney stones. He also underwent a three-day medical checkup at a cardiac hospital in the German spa town of Bad Oeyhausen in July

1996 and in December 1997 suffered from exhaustion and was forced to cancel his planned overseas trips.

On October 11, 1999, Attorney General Ismudjoko, due to lack of evidence, issued an order to stop his office's inquiry into alleged acts of corruption, particularly in Soeharto's past position as head of a number of charity foundations.

Ismudjoko's successor, Marzuki Darussman, revoked his predecessor's 'stop-investigation' order and reopened Soeharto's alleged case.

On February 10, 2000, Darusman named Soeharto a suspect in a widening corruption and power abuse probe, and summoned him for questioning on February 14, 1999 but the former general failed to show up due to ill health.

Soeharto had several times defied attorney general's office summonses citing health reasons. His medical team said the former president was unfit for investigation. This prompted the attorney general's office to request a team of doctors from the Cipto Mangunkusumo hospital to examine his health.

The team said that Soeharto was fit for investigation but underlined that it could not guarantee that he was verbally able to speak.

Thus, on April 3, 2000, a team of investigators from the attorney general's office questioned Soeharto in his Cendana residence but the team had to stop its questioning as Soeharto's blood pressure was increasing.

The attorney general's office team of prosecutors also backed down on April 10, 2000 when it came to Soeharto's home to question him as the medical team said Soeharto's blood pressure had gone up to 180/90-95.

On April 13, 2000, President Abdurrahman Wahid who was on a visit in Cuba to attend a G-77 meeting asked Attorney General Marzuki Darusman to put Soeharto under house arrest if he refused to be examined.

The attorney general's office had earlier in the

day put him under city arrest for a period of 20 days and on the previous day it imposed a travel ban, preventing him from leaving overseas for one year.

Darusman's office's efforts to question Soeharto had always faced difficulties for his health reason. In the second week of June, 2000, a team of investigators of the AGO posed 32 questions to Soeharto at his Cendana residence but the former president answered most of the questions with " I do not remember it." He was then sent to the "Yayasan Harapan Kita" cardiac hospital to have his brain checked in case he was suffering from brain disorder or to assure that he was not pretending to be unable to answer a question.

Meanwhile, Soeharto's team of lawyers had requested the UN's High Commissioner on Human Rights to check whether Soeharto's investigation and house arrest by the attorney general's office had violated his human rights.

Three weeks later, Soeharto's lawyer Juan Filix Tampubolon said the medical tests of his team of 24 personal doctors indicated he had suffered brain damage. His brain power was recorded at 15, lower than the normal figure of 36.

He could not associate one matter with another and could not answer complicated questions.

In the face of public pressure to bring the former ruler to court, the government on August 3, 2000 formally charged him with graft, having him sign a document acknowledging his case was now in the hands of prosecutors.

The decision was taken only four days before MPR opens its annual session to hear President Abdurrahman Wahid's progress report in August 2000.

His first trial was held by the South Jakarta district court at the auditorium of the Ministry of Agriculture on August 31, 2000. But he failed to show up at the court proceedings for health reason.

The court proceedings were held three times on August 31, Sept 14 and Sept 28. The Attorney General's Office team of doctors even told the



Sept 28 court session that Soeharto was physically and mentally unfit to stand trial.

He was also declared to suffer permanent brain damage. Thus, the court decided to halt the trial and return the dossiers to the prosecutors office. It also freed the former strongman from city arrest.

### *Several years later*

After several years, Soeharto began to appear in public and looked physically healthy. The most recent appearances included his attendance at the marriage of one of his grand-daughters and a meeting with his long-time friend, former Malaysian prime minister Mahathir Mohamad last month. In February, Soeharto also met with former Singapore prime minister Lee Kuan Yew.

While calls for his prosecution surfaced once again, Attorney General Abdul Rahman Saleh said last month he would reopen Soeharto's case and recheck his health. The attorney general said he would think of other legal avenue to arraign the former president in court if the health check found him unfit for trial.

However, the attorney general had to wait once again because about two weeks after he made the statement, Soeharto was rushed again to the hospital for intestinal bleeding. This time, his digestive problem was serious. He was forced to undergo intestinal surgery and to have 40 cm of his colon cut off to stop the bleeding.

Soeharto is now lying in hospital while his legal case is still in limbo. Over a half decade has passed without a consensus on his definitive status. This is because the problem belongs to all. The problem clearly speaks volumes of his case having become a "political commodity". If all remain unwise and continue to "squabble", then this problem will continue to hang over as well.

"I have chosen to put this issue on hold until a truly appropriate time has come. I call on society to be calm again so that we can think together later on how to settle this matter correctly, justly and wisely," President Susilo Bambang Yudhoyono said last week.

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## **Indonesia president will not press Suharto graft case**

Agence France Presse - May 20, 2006

Jakarta — Indonesian President Susilo Bambang Yudhoyono has said he will not intervene after prosecutors decided to drop corruption charges against ailing former dictator Suharto.

Yudhoyono's remarks came as hundreds of students held a protests in Indonesia's second-largest city Surabaya to demand Suharto be tried for corruption during his 32 years of autocratic rule.

"I respect the supremacy of law and therefore I will not interfere in the case of former president Suharto," Yudhoyono was quoted by the state news agency Antara as saying. "I must not step into (the case) because I could be wrong," he said.

Yudhoyono won Indonesia's first direct presidential election in 2004 on pledges to root out endemic corruption and uphold the rule of law.

Prosecutors had accused Suharto of misusing 419 million dollars, as well as another 1.3 trillion rupiah (worth 144 million dollars today) from seven charitable foundations he established during his rule. The attorney general's office this month dropped the charges, citing Suharto's deteriorating health.

One of Suharto's daughters, Titik Hediati, on Saturday apologised to the nation on behalf of her family during a visit to a camp sheltering refugees fleeing the rumbling Mount Merapi volcano in Central Java.

"On this occasion I would like to say that (Suharto) is only human, with all his strengths and weaknesses, and we sincerely apologise for any mistakes he made during his 32-year rule," Hediati said on a broadcast on Metro TV. "He is far from perfect and perfection belongs only to Allah," she added.

Lawyers and rights activists said they would file

a class-action lawsuit on Monday against the attorney general's office to demand judges overturn the decision to abandon the Suharto case. Activists have also demanded Suharto, who stepped down amid mounting unrest in 1998, be tried for rights abuses during his military-backed rule.

Suharto did not attend any of three sessions of his corruption trial in 2000, pleading ill health.

On Friday the former autocrat underwent his third operation since he was admitted to Jakarta's Pertamina hospital in May 4 for intestinal bleeding. Doctors said Saturday his condition had improved but he was still in critical condition.

Yudhoyono called on Suharto at the hospital on Friday and described his condition as "serious".

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## **Protesters want charges against Soeharto reinstated**

Jakarta Post - May 18, 2006

Jakarta (Agencies) — Protesters in Indonesia's capital demanded Thursday that prosecutors reinstate criminal charges against former president Soeharto, still hospitalized after colon surgery earlier this month.

Soeharto was ousted after 32 years in power in 1998 amid student protests and nationwide riots. In 2000, he was indicted on allegations of embezzling US\$600 million, but has never been tried because his lawyers say he is too ill after suffering a series of strokes.

Thursday's protest in front of the State Palace was one of several anti-Soeharto gatherings since Attorney General Abdul Rahman Saleh announced nearly a week ago that charges against Soeharto were being dropped.

Presidential spokesman Andi Mallarangeng received 20 representatives of the protesters and promised that he would convey the demand of the protesters to President Susilo Bambang Yudhoyono.

At the same time dozens of human rights activists,

students and family members of victims of the former regime rallied outside the House of Representatives, waving banners that said: "No mercy for Soeharto," and "Soeharto must be dragged to court." Among the protesters was former journalist Syamsu Bachri, 72, who said he was held for 14.5 years as a political prisoner in the infamous Buru Island jail.

He called Soeharto's years in power "a massacre" that left hundreds of thousands dead, including civilians and military personnel.

Meanwhile, Soeharto, 84, had a CT scan Thursday after being operated on to halt intestinal bleeding — the fourth time in two years he received treatment for that problem.

His doctors said the scan revealed two new blockages in the brain, but did not say anything about his general condition or when the blockages occurred.

Pertamina Hospital Director Adji Suprajitno said they decided to perform additional tests because he remains drowsy nearly two weeks after surgery. He is receiving medication and was said to have difficulty swallowing.

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## **Activists demand Soeharto prosecution**

Jakarta Post - May 17, 2006

Tiarma Siboro, Jakarta — Leading human rights, democracy and antigraft activists, political analysts and lawyers joined forces Tuesday to condemn moves to clear former president Soeharto's name without due process of law.

In a joint press conference held Monday, they unveiled a plan to file a class action suit against the Attorney General's Office for its decision not to prosecute Soeharto because the former strongman is too weak to stand trial.

Prominent critics included human rights campaigners Asmara Nababan, Albert Hasibuan and MM Billah; pro-reform activists Teten Masduki,

Fajroel Rahman and Ray Rangkuti; political analysts Mochtar Pabottingi and Indra Jaya Piliang; and legal practitioners Todung Mulya Lubis and Chairul Imam who is a former director for corruption at the Attorney General's Office.

"The AGO (Attorney General's Office) has erroneously executed what it considers its right to issue this policy because the Criminal Procedures Code stipulates that prosecutors can drop charges against a person only if the suspect dies, or if the case has expired, or if it is considered *ne bis in idem* (the principle under which a suspect cannot be tried twice for the same case).

"So what is the basis used by the AGO to drop the planned prosecution of Soeharto? He (Soeharto) has not died and neither have the corruption charges against him expired, nor is the case considered *ne bis in idem*," said Chairul who oversaw Soeharto's prosecution in 2000.

Chairul said the decision would have several legal repercussions, the main one being that the state would have to drop its plan to confiscate the huge assets Soeharto had amassed through corruption during his 32-year rule.

The state would also have to hand over case files and all related documents to Soeharto, he added. "If this happens, it will close the chance to reopen the case". "Law enforcers should push for having Soeharto tried in absentia because he is still alive," Chairul said. Todung shared Chairul's view, saying, "Soeharto and his lawyer may already consider the case closed".

Mochtar Pabottingi appealed to President Susilo Bambang Yudhoyono and Vice President Jusuf Kalla to ensure that Soeharto and his cronies are taken to court, saying it would be the only correct move. "Sure, there are certain groups that may stand behind Soeharto. They could be politicians from Golkar Party or the military. But the government should side with the people's interests," he said.

The leading activists also urged the government to immediately seize all assets belonging to Soeharto and his cronies believed to have been amassed illegally while the ailing New Order ruler was in

power.

"We ask all Indonesian people to be ready to take the necessary moves to put Soeharto's case back on legal track," said their joint statement read out during the press conference by Usman Hamid, coordinator of the National Commission for Missing People and Victims of Violence (Kontras).

Soeharto is alleged to have embezzled some US\$419 million and Rp 1.3 trillion (US\$150 million) in public money during his leadership.

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### **Victims of Soeharto regime demand justice**

Jakarta Post - May 17, 2006

Tb. Arie Rukmantara, Jakarta — Concealing your identity for more than 30 years is an arduous task. It forces you to be suspicious of everyone you meet in your entire life, says Harsutejo, a former political prisoner during Soeharto's authoritarian regime.

"I couldn't even mention the year that I was born," the 70-year-old told The Jakarta Post on Tuesday.

Due to a speech he made that cited Sukarno's teachings on nationalism, religion and communism on Oct. 1, 1965, he had to serve six months in prison for allegedly leading an organization affiliated to the now defunct Indonesian Communist Party (PKI).

Soon after Soeharto took over the presidency in 1966, the PKI was banned and blamed for having masterminded the abortive coup d'état on Sept. 30, 1965, leading to arrests and brutal killings of millions of PKI members and its sympathizers.

Harsutejo said that soon after his release, he went into hiding for fear of angry mobs and to avoid troops who were hunting down PKI members. During this time he threw away his identity card and bribed officials to make scores of bogus documents, from birth certificate to ID card in order to take on a new identity.

"I was forced to live a new life and left the life that I loved," said the man, whose original name was Harsono Sutedjo.

Not as lucky as Harsutejo, Djoko Sri Mulyono, 60, was sent into exile for 13 years and two months in a penal colony on Buru Island because he joined a labor union accused of links with the PKI.

"I lost my career and my life. I had to start all over again after I was released in 1978," said the former member of the Trikora Steel Labor Union of Cilegon, Banten.

The two men said the only compensation they wanted for all the sufferings they went through was to try Soeharto.

"Soeharto is the one who instructed all the arrests and killings. He must take responsibility," said Harsutejo, adding that according to some documents, the anti-PKI raids claimed the lives of about three million people.

Djoko and Harsutejo, along with hundreds of other former political prisoners, are opposed to the government's moves to clear Soeharto's name.

The Attorney General's Office announced Saturday that it would not prosecute Soeharto, citing his poor health as the reason. Now, President Susilo Bambang Yudhoyono is considering forgiving Soeharto, his former military boss.

"Soeharto is the architect of my suffering," said Murad Aidit, 85, who also lived on Buru for 14 years. He was released from the island only after the United States pressured Soeharto to close the penal colony.

"The move to drop the charges against him really hurts us," he told AP. "But he will be tried by history." Soeharto's opponents say embezzlement is not the worst of the former strongman's crimes. They say Soeharto, one of the world's longest-ruling dictators, should be charged in connection with the political killings of people, mostly of communists and left-wing government opponents.

Also angered by the decision of the Attorney General's Office are the victims of the 1984 Tanjung Priok tragedy, in which some 200 people

were killed and dozens others imprisoned.

They say President Yudhoyono must consider the feelings of human rights victims under the Soeharto regime.

"It is unfair to us if the President orders charges against Soeharto dropped and forgives him. This means the government has forgotten what had happened to us," said a Tanjung Priok victim.

Many antigraft and human rights activists as well as legal experts and academics also condemned the decision, saying the ailing former president could still be tried in absentia.

"There must be a verdict so the court can make a final decision on his legal status. After that, it's up to the government whether to pardon him or not," said Djoko.

Harsutejo and Djoko believe that Soeharto's crimes against humanity should be recorded in the country's history. "Should the government choose to clear his name, it would mean 'falsifying' our history," said Djoko.

A senior researcher from the Indonesian Institute of Sciences, Asvi Warman Adam said rehabilitating Soeharto's name should only be done after clearing the names of Sukarno and all former PKI prisoners.

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## **Students want Soeharto tried**

Jakarta Post - May 16, 2006

Bandung — Dozens of students went on a march in Bandung on Monday, urging the government to not to drop its graft case against former president Soeharto.

The students from the West Java branch of the Indonesian Law Students Association, demanded the government and the House of Representatives continue to investigate Soeharto and prosecute him in absentia if he was too frail to attend his trial. They also called on the government to suspend Attorney General Abdul Rahman Saleh from active duty.



"Soeharto is a human being like us, so why he is treated differently?" protest coordinator Cecep Agam said in a speech at the demonstration. "This is betraying the government's commitment to implement reforms as promised during (its election) campaign." The students marched down the city's busy main roads to the province's High Court buildings and the governor's office. Many carried pictures of the former leader and banners reading: "Soeharto, we wish you speedy recovery, for a speedy trial".

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### **Blame game continues over May 1998 shootings**

Jakarta Post - May 16, 2006

Tiarma Siboro, Jakarta — Two years after an official report on the May 1998 riots was submitted to the Attorney General's Office implicating top members of the security forces in wrongdoing, no one has been prosecuted by the state. Meanwhile, the AGO and the body that investigated the riots continue to blame each other for the halt to the investigations.

Attorney General's Office spokesman Wayan Pasek Swarta claimed prosecutors could not investigate the riots because the National Human Rights Commission (Komnas HAM) "has failed to provide additional data in their report." "As soon as we received the report two years ago, we told Komnas HAM's investigators to provide more data in relation to the riots. As of today, the investigators have failed to do so," Pasek Swarta told The Jakarta Post over the weekend.

About 1,000 people are believed to have died in the riots from May 13-15, according to a joint fact-finding team set up by the government and the national rights body, which first investigated the incident in 1999. Many of those who died in the chaos were trapped in buildings, which were set on fire by unknown perpetrators, the team said.

The riots, which preceded former president Soeharto's resignation, were sparked after four university students were shot dead during protests against the New Order regime on May 12. Only

lower-ranking police officers were convicted for the shootings, while no one has been arrested and prosecuted for inciting the riots. The initial team's report also said 52 women, mostly Chinese Indonesians, were gang raped or sexually assaulted in the riots.

However, it was not until the 2003 that the group's preliminary report on the riots was submitted to Komnas HAM, which then took over the investigations. After making revisions, another team set up to reinvestigate the riots, submitted its report to the AGO in 2004.

A former member of the first fact-finding team, Asmara Nababan, said the AGO "has refused to follow up (both) the reports, claiming that Komnas HAM members had not taken the necessary oaths, entitling them to conduct an investigation." Asmara said the AGO was conveniently ignoring the law setting up the national rights body, which gave Komnas HAM members the authority to investigate all human rights cases.

Asmara said the absence of progress in the case showed the government and lawmakers lacked the political will to proceed. "I can't blame the AGO because it is part of the executive, and what it does is certainly based on the orders of the top authority in the executive," Asmara said, referring to President Susilo Bambang Yudhoyono.

The official report on the riots names several top-ranking officers, who it said should be held accountable for maintaining security at the time of the violence, including former military chief Gen. (ret) Wiranto.

"As Wiranto outranked Susilo when they were both active military officers, I am pessimistic that the current administration will be willing to deal with the May riots," Asmara said. "But I do not think that we should stop filing appeals to the government to prosecute the alleged orchestrators of the riots," Asmara told the Post.

Aqil Mochtar, the deputy chairman of the House of Representatives Commission III on legal and human rights affairs, said lawmakers would have the chance to ask Attorney General Abdul Rahman Saleh about the May riots in a scheduled hearing later this month.

Aqil said lawmakers could also question Abdul Rahman about other outstanding human rights issues. "The Constitution grants us the right to supervise the executive, and we will execute these rights during the planned hearing," he said.

## **LABOUR ISSUES**

### **Employers relaxing the pressure for revision of labor law**

Jakarta Post - May 20, 2006

Jakarta — The Indonesian Employers Association (Apindo) appears to be backing off on the proposed amendments to the 2003 Labor Law, saying that there are other more urgent ways in which the business climate can be improved.

Chairman Sofyan Wanandi told The Jakarta Post on Friday that the association's priority at the moment was to encourage an overhaul of the taxation, customs and excise, and investment legislation.

"To improve the existing investment climate, new legislation in these sectors needs to be finalized as quickly as possible. As for the labor legislation, it'll be OK if it is revised later on," Sofyan said.

He said that while the amendment of the labor legislation was important to improving the investment climate, it was not the only factor.

"We need one big package that includes laws on taxation, customs and excise, and investment, as well as improved infrastructure and a revision of the labor legislation," he said.

A spate of labor unrest followed proposals to amend the 2003 Labor Law so as to allow greater freedom to employ part-time workers and outsource work, limit severance and service payments to dismissed workers earning monthly salaries of Rp 1.1 million (US\$100) or less, and greater freedom to employ expatriates.

Workers staged two rallies to protest against the proposed changes on May 1 and May 3. The latter protest turned violent, with demonstrators

knocking down part of the fence around the House of Representatives complex, prompting police to arrest eight union members.

The employer's association said that the May 1 rally alone, which had disrupted production in many factories, had caused losses of Rp 850 billion.

Since then, representatives of the employers and labor unions have agreed to seek solutions by holding a bipartite meeting in June.

Sofyan said that the outcome of the meeting between the employers and workers would be presented to the government at a tripartite meeting. "Hopefully, we can bring the results to the tripartite meeting in July so that they can be brought before the House in August".

Sofyan said that he hoped all the new legislation to improve the business climate would be finalized by the end of the year.

He said that due to poor regulation and the effects of the high cost economy, foreign investors were shunning Indonesia, and putting their money in other countries.

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## **Police disperse striking workers**

Jakarta Post - May 19, 2006

Malang — Hundreds of Malang Police officers moved in Thursday to break up a strike by workers at an auto body manufacturing plant in East Java.

Police detained 130 workers and named 28 as criminal suspects. The strikers had earlier sealed off the entrance to PT Adi Putro's factory.

"The 28 were named suspects to try and intimidate us...," said Indonesian Workers Struggle Union (SPBI) secretary-general Andi Irfan, who was among those detained by the police.

Malang Police chief Adj. Sr. Comr. Ismail Isja said the police took action against the strikers only after allowing their action to go on for a

month.

He said the police had received a recommendation from the Malang Manpower Office to break up the strike. The company, which had no comment on Thursday's events, earlier ordered the strikers back to work.

The head of the Malang chapter of the SPBI, Lutfi Chafid, said he regretted the incident and criticized the police for interfering in a dispute between workers and their employer.

"This is a crime against workers. We are only fighting for our rights," Lutfi said.

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### **Most labor supply firms illegal**

Jakarta Post - May 17, 2006

Jakarta — Most of the labor supply companies operating in Jakarta, Bogor, Tangerang and Bekasi (Jabotabek) are illegal, an association says.

The Association of Labor Supply Companies (APJTKSI) said Tuesday that of 400 labor supply firms, only 147 were listed with the Manpower and Transmigration Ministry. Labor supply companies usually match skilled workers with jobs in big companies.

"They don't usually register their workers in the social security program (Jamsostek)," the association's secretary-general Parsaulian said Tuesday. The association, which was set up last year with 57 members, will submit its findings to the ministry.

Labor supply companies are regulated under a 2005 ministerial decree and the 2003 Labor Law.

## **REGIONAL ELECTIONS**

### **Peaceful Ambon election brings praise**

Jakarta Post - May 22, 2006

M. Azis Tunny, Ambon — Despite its image as a

conflict-torn city, Ambon's peaceful first direct election of its mayor last Monday suggests that its residents are politically mature.

With only small technical problems and protests by those claiming to represent losing candidates, provisional vote counting at the Ambon General Elections Commission (KPUD) suggests the incumbent mayor, MJ Papilaja, and his running mate, businesswoman Olivia Latuconsina, may have won the city's top job.

Candidates Made Rachman Marasabessy and Jhon Malaiholo, who were running behind, said separately they were ready to face losing as part of the democratic process. They asked others to accept the results without disturbing the city's peace.

The first direct election to choose regional leaders kicked off last year with the election of Kutai Kartanegara as regent in East Kalimantan.

Marasabessy, who ranked fourth in the provisional vote count, asked his own supporters as well as other candidates not to react violently to the election for their own personal interests, keeping in mind that the city is just recovering from conflict.

"All (losing) candidates should support the winner. It means they should work together to build Ambon and safeguard peace. I think losing is part of democracy," the lawyer, who once joined the Muslim Legal Team, told The Jakarta Post.

He denied his supporters were involved in Wednesday's protest at KPUD, claiming he was ready to win or lose when he first decided to compete in the election.

"I came in fourth because that's the support I got from the people. We have to appreciate the support without working against the democratic process. There's no need to stir people up because they might become the victims of politics, not the candidates," said the man, who was endorsed by the Prosperous Justice Party (PKS) and 13 other small parties.

Jhon Malaiholo, who ranked fifth in the election, hoped there would be moral support that would not

tarnish the democratic process.

"We have to appreciate the democratic process, and candidates running in the election should be ready to face the facts if they don't win. Political maturity is needed to ensure stability in the city, especially as all candidates contesting the election have signed a declaration that we're ready to win or lose," he said.

Responding to the protesters' claims that the election was unfair, Maluku Governor Karel Albert Ralahalu told people to restrain themselves to prevent fresh conflicts. "If there's a problem, there's a rule to deal with it. Please take the matter to court," he told journalists.

Amboina diocese Bishop PC Mandagi said despite the protest, the election had taken place peacefully, showing that Ambon residents prioritize peace, brotherhood and security over the election.

"The goal in life is not election but peace, brotherhood and security. Direct election is one of many ways to build justice, peace, brotherhood and security. And I see that Ambon residents are mature in exercising democracy," Mandagi said.

He said if there were certain groups of people claiming the election was unfair, those views should be appreciated. The claims, however, should be accompanied by solid evidence.

He said if they have strong evidence that there were election violations, they should take the matter to court to prove it.

"Don't only yell out loud in protest, or even threaten to commit violence or damage the KPUD office. If there's no evidence, those who accuse people of election violations are provocateurs. They deserve to be arrested and tried for harming peace, brotherhood and security in Ambon," he said.

He said Ambon's peaceful election could serve as a model for elections in other regions. "As we can see, Ambon residents can participate in the democratic process peacefully," he said.

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## **Ambon residents protest election**

Jakarta Post - May 18, 2006

M. Azis Tunny, Ambon — Hundreds of angry supporters of losing candidates in Ambon city's first direct election staged a protest Wednesday at the Ambon General Elections Commission (KPUD) office, accusing that Monday's election results were invalid.

Carrying banners which condemned the incumbent mayor MJ Papilaja, who gained the most votes in the provisional vote tally at the KPUD, the protesters accused the mayor of smeared campaigns that encouraged conflict among Muslims and Christians.

"Papilaja has stirred up Muslims and Christians in Ambon by distributing illegal fliers to win the election... We want security and peace, don't trick us into creating conflict. We'll take his campaign team to court," charged Yusril Mahedal, one of the protesters, in his speech.

The protesters claimed to be the supporters of candidates Richard Louhenapessy-Syarif Hadler, Made Rachman Marasabessy-Aloysius Leisubun and Hendrik Hattu-Iskandar Walla.

Yusril asserted that the election was marred by violations and the results should be ignored.

The protesters also condemned the quick count result which was conducted by the Indonesia Survey Circle (LSI) which also showed Papilaja as the probable winner in the election.

"We want KPUD to kick LSI out of Ambon because its vote counting result has upset the people. Their announcement was a public lie, we aren't buying it," Yusril said.

KPUD chief P.P. Tabalessy said the election was conducted according to procedure and told dissatisfied candidates to take the matter to court.

Despite the protest, provisional vote counting at



KPUD on Wednesday still showed Papilaja had gained 44,900 votes of the overall 130,352 votes being counted.

This was followed by running mates Louhenapessy-Hadler with 36,718 votes, Hattu-Walla with 19,952 votes, Marasabessy-Leisubun with 17,955 votes and Jhon Malaiholo-Irma Betaubun with 10,827 votes.

## **GOVERNMENT/CIVIL SERVICE**

### **BPK reveals raft of budget irregularities**

Jakarta Post - May 17, 2006

Urip Hudiono, Jakarta — The Supreme Audit Agency (BPK) has issued yet another damning report on the management of the state finances, revealing 5,377 cases of irregularities worth nearly Rp 48 trillion (US\$5.3 billion) in the spending of public funds during last year's second semester.

The BPK's latest audit report is particularly alarming given that the number of cases and the sums involved represent a significant increase on the 2,128 cases worth Rp 7.12 trillion reported by the agency for the same period in 2004.

Among the financial improprieties that BPK chief Anwar Nasution reported Tuesday to a House of Representatives's plenary session was a finding that Rp 2 trillion and \$27.58 million in tax and non-tax revenues from 11 ministries had not been reported to the Finance Ministry's treasury unit.

"We have also reported two cases that appear to involve corruption to the Attorney General's Office for further investigation," Anwar said. "These cases consisted of a Health Ministry project that potentially caused losses to the taxpayer of Rp 1.75 billion, and the State Secretariat's management of Rp 199.75 billion-worth of state assets at the Gelora Bung Karno sports stadium and the Kemayoran complex." Other significant findings include inefficiencies and losses of up to Rp 253.75 billion in various government procurement projects, and Rp 1.5 trillion in questionable debt reductions and bad loans involving a number of dissolved banks that had to be guaranteed by the government.

The audit was conducted from July to December 2005

and involved 534 audit items worth Rp 402.13 trillion, and \$643.84 million in funds covered by the year's state budget, local government, state-owned enterprise (SOEs) and regional enterprise accounts.

The BPK's SOE audit revealed inefficiencies and losses of up to Rp 6 trillion and \$573.83 million in government investment funds managed by the SOEs.

Its audit on the regions, meanwhile, uncovered Rp 423 billion in unreported tax revenues and Rp 646.74 billion in procurement project inefficiencies and losses.

Anwar lambasted the fact that the government has been inordinately slow in following up on the BPK's findings, having only taken action in respect of less than half of the 16,433 cases of irregularities, worth more than Rp 132.49 trillion, that the BPK has reported since 2003.

"This shows a lack of seriousness on the part of the government in establishing good governance in the state finances," he said.

Anwar further said that the BPK hoped to complete its full audit on the government's 2005 state budget accounts this July.

In the four years since 2001, the BPK has given a disclaimer opinion on the government's annual accounts — refusing to approve them due to the persistence of irregularities despite the coming into force of the new State Finance Law and Treasury Law.

President Susilo Bambang Yudhoyono's administration, elected in 2004, has said that combating graft and establishing good governance are its top priorities. The 2005 state budget was the first budget to be drafted and administered by the Yudhoyono government.

Separately, Finance Minister Sri Mulyani Indrawati was quoted by Antara as saying that the government would soon issue a regulation to help SOEs recover their claims and settle debts, without affecting the BPK's constitutional right to audit them. A number of state banks plagued by rising non-performing loan levels have requested more

flexibility from the government in dealing with their financial problems.

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## **New poll shows approval for SBY plummets**

Radio Australia - May 19, 2006

Just eighteen months in office and Indonesian President Susilo Bambang Yudhoyono's approval rating has hit an all time low. A new survey released in Jakarta shows just 37 percent of the public is happy with the president's performance. The public's major concerns are the economy, unemployment, the rise in fuel and electricity prices and planned changes to the labor laws.

Presenter/Interviewer: Linda LoPresti

Speakers: Ed Aspinall, Indonesian political analyst at the Australian National University

Aspinall: I don't think those results are particularly surprising, it's not simply that the honeymoon period is over, but there's a sort of a fundamental contradiction in Indonesian politics which has applied not only for SBY but also to his predecessors, namely that there's a continuing atmosphere of very high expectations in the populace about, firstly about restoring economic growth and welfare to pre-crisis levels, but secondly about pushing through political reforms. But on the other hand, the other side of that contradiction is that many of the reforms or the steps which are now required to set Indonesia on its feet as it were are really very deep, systemic changes which are required. It's not simply a matter now of getting the institutional architecture or the grand design right, but there's a need to thoroughly purge elements of government like the judiciary of corruption, and that's the kind of process which is going to take years rather than months.

LoPresti: Are people perhaps not being quite realistic in judging his performance, because since taking office there's been a number of tragedies, the tsunami disaster and more terrorist attacks in Bali, and there's also the problems

leftover from the previous administration?

Aspinall: Well whether they're realistic or not I mean this decline certainly mirrors earlier declines we saw with previous presidents, although it also should be pointed out that when we compare where he stands in the polls compared to where his predecessors, Megawati Sukarnoputri and previously Abdurrahman Wahid stood in the polls at similar periods in their own presidency, he's still doing much better than his predecessors, and I think that's partly because his response to some of those tragedies you've mentioned have generally been considered satisfactory by the population.

Lopresti: Now the poor state of the economy was one of the major concerns raised by those polled. Now this is despite the new economic team that he assembled late last year, a team that clearly hasn't impressed the people. Has he surrounded himself do you think with the wrong people making the wrong policy decisions?

Aspinall: That's probably part of it, but I mean again he faces a very difficult context on the international scene as it were he's got competition in those areas which used to really drive forward the Indonesian economy like manufacturing and so on, competition from places like Vietnam and China. And on the other hand also harming the investment climate, you still get this very strong perception among foreign investors in particular but also domestic ones, that there are remaining serious problems of corruption, lack of predictability in the business climate, high cost economy and so on. These problems which again aren't really amenable to any kind of a quick fix.

Lopresti: Is he still in a position despite what appears to be his continuously declining popularity, is he still in a position to press ahead with his agenda? Can he gain wide support for his policies in the future?

Aspinall: One thing although his popularity has now dropped below 50 per cent, we've got to remember that this is in a context where he doesn't really face a very credible opposition. So when we compare his popularity rating to that of potential contenders, he's still much, much higher. So in that sense he still does face a fairly open political terrain with the capacity to

take some fairly bold steps if he so desired. And this is the second problem really that it's been a hallmark of SBY's presidency that he really is a political leader who doesn't just think once or twice before making a costly decision, he really thinks twenty times. And he's been widely criticised as being too hesitant by many commentators and members of the public in Indonesia.

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## **SBY's job approval rating hits all-time low**

Jakarta Post - May 17, 2006

M. Taufiqurrahman, Jakarta — Just 37 percent of the public approves of President Susilo Bambang Yudhoyono's job performance, the lowest rating he has registered in his 18 months in office, a poll has revealed.

The survey, conducted by the Indonesian Survey Circle (LSI), discovered a number of unpopular decisions made by the Yudhoyono administration, such as raising fuel prices and electricity rates and a planned amendment of the labor law, had stirred a fast-growing resentment among the public.

Of 700 respondents surveyed between April 23 and April 27, only 37.9 percent said they were satisfied with the overall performance, a nose dive from 79.7 percent 18 months ago, when Yudhoyono first assumed office. The survey's margin of error is 3.8 percent.

The economy is the public's greatest concern, with 73.9 percent saying they believed the Yudhoyono administration had failed to tackle the chronic problem of unemployment.

The poll also found 70.4 percent of respondents felt there had been no improvement in their household incomes. Over 60 percent of respondents said they had experienced a drop in their purchasing power.

The poor state of the economy was attributed to the lackluster performance of the President's new

economic team, assembled by Yudhoyono late last year. 72.2 percent of the respondents said they were not impressed by the work of the economic team.

LSI executive director Denny Januar Ali said that with his continuously declining popularity, it would be difficult for Yudhoyono to press ahead with his agenda. "The implication is that Yudhoyono will have problems gaining a wide support for future substantial policies," Denny said.

Denny recommended Yudhoyono not make new policies that would only to the people's problems. He also said Yudhoyono should reinforce his alliance with political parties, especially the Vice President Jusuf Kalla-led Golkar Party or he would be left with a fragile government.

In spite of the growing resentment, however, Denny thought it unlikely that there would a movement to overthrow the President. "In spite of the poor state of the economy and the cropping up of opposition figures who seek to capitalize on that failure, Yudhoyono's position is safe as people still believe in him as a respectable and clean figure," Denny said.

There are also other reasons for Yudhoyono to draw a sigh of relief. The LSI survey revealed 59 percent believed the administration had done well in tackling rampant corruption, far better than its predecessors.

The peaceful resolution of the Aceh conflict has also become a hallmark of the Yudhoyono administration, as indicated by 56 percent of respondents praising his handling of Aceh.

Lawmaker Didiek J. Rachbini of the National Mandate Party said the first thing Yudhoyono needed to do to rejuvenate the country's economy was court as many investors as possible to invest here. "If need be Yudhoyono must come to them one by one and spread a red carpet for them," Didiek said.

## ENVIRONMENT

**Indonesian villagers planning to sue Newcrest**

Australian Associated Press - May 17, 2006

Villagers in eastern Indonesia plan to sue Australian gold producer Newcrest Mining, accusing the company of environmental vandalism and failing to deliver on promises to improve their welfare.

Newcrest operates two controversial gold mines on remote Halmahera island, in the Molucca chain, and has clashed with local people and environmental groups amid accusations of heavy-handed security tactics.

In 2004, one protester was shot and killed near the gates of the \$US100 million (\$A130 million) Toguraci mine during a demonstration over operations in protected forest areas. Kao villagers said they now planned to sue Newcrest.

They claim the company had violated an agreement struck in 1997 with local people and joint-venture partner Pt Nusa Halmahera Minerals, which owns a small share in the mine.

"We have many times warned them to do what's been agreed with Kao traditional society, but they never pay attention," local elder Ahmad Arifin told Waspada online from the North Maluku capital Ternate. "They are ignorant."

In Melbourne, a spokesman for Newcrest said the company and senior mine managers on Halmahera were unaware of the looming legal case.

Newcrest was plagued by intermittent protests at the Toguraci site, with local people variously occupying the mine for five weeks in 2003 and staging blockades in 2004.

Villagers accused the mine of operating illegally in a protected forest area until the former government of then President Megawati Sukarnoputri changed the law in 2004.

Activists have previously demanded Newcrest distribute Rp500 billion (\$A83 million) in profits from its nearby Gosowong mine, while spending 10 per cent of future profits from Toguraci site on local community projects.

Arifin said the legal case against Newcrest was still being prepared and refused to divulge the details of claims.

He denied the villagers were against development, but said international investors should lead to an improvement in the lives of local people. "If their presence only brings problems, then we will refuse it," he said.

Newcrest recently announced Rio Tinto executive Ian Smith would take over the helm of the company in August, promising he would improve the operations side of the business. Higher-than-expected arsenic levels and lower gold grades have caused problems gold and copper mine sites in Western Australia.

The company has advised its net profit for 2005/06 would range between \$US125 million (\$A163.3 million) and \$US135 million (\$A176 million), after posting a first half profit \$US74.2 million (\$A96.94 million).

A legal case in Indonesia could add to Smith's challenges US-based Newmont Mining Corporation, has been fighting a long-running legal battle in Indonesia after local people claimed tailings from its Minahasa Raya mine polluted Buyat Bay in the North Sulawesi, causing nearby villagers to become seriously ill.

In February, the Indonesian government said it would settle a civil suit with Newmont for \$US30 million (\$A39 million), including increased scientific monitoring and more community development.

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## **Bandung begins digging out from beneath the trash**

Jakarta Post - May 20, 2006

Yuli Tri Suwarni, Bandung — The foul smell emanating from rotting garbage piled up along Bandung's roadsides started to diminish Friday but it was still there.

Bandung has turned into a city of garbage in the past month, an image it is working hard to change with President Susilo Bambang Yudhoyono set to arrive there Saturday on an official visit to observe National Awakening Day.



But the cleanup pledged by Bandung Mayor Dada Rosada that started to intensify this week, was mostly conducted on special routes where the President is planning to pass.

Some of the garbage on the city's roadsides, reaching as high as five meters in some areas, has started to be taken to a temporary dumping site in Pasirluyu area.

But much of it has been left to rot as the temporary dumping site can only accommodate 1,200 cubic meters of garbage, while the Bandung City Sanitation Office estimates there is up to 200,000 cubic meters on the roadsides.

"When we're hosting a guest, we have to cleanup, it's the same in Tegalliga...", Dada said, playing down suspicions the cleanup was only conducted to please the President.

The city's real problem in finding a final dumping site has not been resolved. An "emergency" meeting was held Friday and attended by West Java Governor Danny Setiawan, Dada Rosada and Cimahi Mayor Itoc Tochija to find a long-term solution to the problem.

The provincial administration also invited officials from Bandung regency, Garut and Sumedang to assist in finding land for a final dumping site, which has been nonexistent following the closure of Leuwigajah dump in South Cimahi. The dump was closed after the collapse of a mound of garbage in 2005 that killed more than 100 people.

The governor gave the mayor three months to find the city a permanent dumping site.

Dada said starting Saturday, the waste would be dumped at a temporary site in Pasirbajing, Garut. A resident there, he said, has agreed to rent 12 hectares of land to accommodate garbage sent from Bandung city at the cost of Rp 550 million (US\$60,349) for three months. "We've requested security from Bandung and Garut Military commands," Dada told the governor.

He said the security personnel were necessary since many Pasirbajing residents were opposed to the idea of their area being turned into a dumping site. The Leuwigajah tragedy is still fresh in

their minds and they were concerned over possible air and water pollution.

Yoseph Sumarno, the commissioner of PT Brill which is assigned by the mayor to take care of Bandung's garbage problem, complained that they had been rejected in many locations earlier selected as dumping sites. "Since September 2005 we've been left hanging. We can't start managing the waste since it is hard to find a dumping site," Yoseph said.

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### **Bandung becomes a city of trash**

Jakarta Post - May 17, 2006

Bandung — The West Java capital city, Bandung, is in the midst of a serious garbage crisis, with 200,000 cubic meters of trashed piled along its streets.

The problem, blamed on a lack of final dumping sites, has been going on for the past month. Residents living around the city's two temporary dumping sites in Cicabe and Pasir Impun are now rejecting incoming garbage.

The old sites have been reused due to the lack of alternative final dumping sites after Leuwigajah dumping site was closed following a garbage slide which killed more than 100 people in 2004.

In Cihargeulis market, for example, the mound of rubbish is now over two meters high and fills a third of the market area. Bandung produces 7,500 cubic meters of garbage a day.

"The garbage has not been disposed of for the past month. We're worried it might cause diseases," said a trader, Ucu.

But cleanliness will return soon, albeit temporarily. Bandung Mayor Dada Rosada has instructed a clean up campaign ahead of President Susilo Bambang Yudhoyono's visit to observe National Awakening Day on May 20 and National Family Day at the end of June.

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## **Palm oil industry killing orangutans**

Jakarta Post - May 17, 2006

Femke van den Bos, Jakarta — It will only take up to two or three years of rain forest destruction if the current rate continues to determine the fate of the orangutan. The populations of orangutans that will still exist in 2008 will not be viable anymore and the damage done will be irreversible. The genetic pool of the orangutan will be too small to ensure the survival of the species.

Palm oil is a widely used vegetable oil that you can find in many products, like soap, chocolate, toothpaste, chips and even biofuel. It is an important export product for Indonesia, with China, India and the European Union being the biggest consumers.

Originally, oil palms came from West Africa, but they can flourish wherever heat and rainfall are abundant. Nowadays, Indonesia and Malaysia are the largest producers of palm oil in the world, with Sumatra and Borneo being the main producing islands.

Unfortunately, these islands are also home to the orangutans (which aren't found elsewhere on the planet) and thousands of other animal and plant species. Recently, a whole new range of species was discovered by scientists in Kalimantan, all of which are also now threatened with extinction.

Indonesia is facing the highest rate of tropical rain forest loss in the world: Borneo, which is divided between Malaysia and Indonesia, has lost half its forest cover, while Sumatra has lost 70 percent. Of the original orangutan habitat 90 percent has disappeared.

In the last decade, the deforestation rate has accelerated to two million hectares of forest each year. According to a World Bank report, oil palm plantations are the major cause of this acceleration.

There are millions of hectares of already degraded land available and perfectly suitable for oil palm plantations in Indonesia. But instead of using these areas, companies prefer to cut down rain forests and earn quick money selling the wood.

A common phenomenon is for companies to apply for permits to cut forests for the establishment of economically feasible plantations (the sole reason they receive the permit). These firms then disappear after the land has been cleared. The land is left behind has no use at all, and the firms move on to cut new forest for "new oil palm plantations".

After cutting the forests, palm oil companies use uncontrolled burning to clear the land. In 1997-1998, a devastating fire killed one third of Borneo's orangutan population, and destroyed five million hectares of forest. As their habitat shrinks, orangutans are forced out of the forests onto the plantations in search of food.

Plantation workers often see them as pests and abuse or kill them. Many of them are shot, beaten, cut with machetes, burned or even buried alive. The orangutan rescue centers are overcrowded with displaced and abused orangutans.

The government was planning to grant concessions for a huge deforestation project involving 1.8 million hectares on the border between Malaysian and Indonesian Borneo.

The cleared land was supposed to be used for palm oil plantations, but research showed that only 10 percent is suitable for oil palms; the rest of the land was either too high or too steep to grow the palms.

The minister of agriculture, Anton Apriyantono, announced on May 7<sup>th</sup> that the government would go ahead with the mega-plantation project, but only on 180,000 hectares. The Heart of Borneo (a 22 million hectare joint conservation project involving Malaysia, Brunei and Indonesia) would be left undisturbed. This is a small victory for environmentalists! But the clearing of 180,000 hectares of primary forest and other future projects involving the clearing of forests will still have a disastrous impact not only on orangutans and other wildlife, but also the

indigenous people.

The land for plantations is often forcibly taken from the people who traditionally owned it and violent conflicts are not uncommon in the palm oil industry.

In many plantations, employees have to contend with low wages and appalling living conditions. The palm oil industry may create jobs and generate export revenue; it can also trap entire communities in poverty.

Boycotting palm oil is not the answer, but demanding that it is sourced from sustainable plantations is. This means no more high value conservation areas will be cleaned, traditional land rights of local communities will be respected, fire won't be used to clear land, no bonuses will be offered for the killing of orangutans, and corridors will be retained to connect remaining forests to allow free movement of animals.

Please help us persuade the Indonesian government to stop all further forest conversion and respect the customary rights of the local people. Hopefully we will be able to change the future.

[The writer is a veterinary curator with Proanimalia at Tegal Alur wildlife rescue center.]

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## **Illegal logging 'costing US\$5 billion a year'**

Jakarta Post - May 16, 2006

Ambon — The country is losing around Rp 45 trillion (about US\$5 billion) a year because of widespread illegal logging, Forestry Minister MS Kaban says.

Kaban reiterated his pledge that the government aimed to stop all illegal logging activity in the country by end of the year.

"Our forests are in a critical condition, it's like a late stage cancer... caused by big illegal timber bosses," Kaban said Monday. "If we managed our forest products well, our rich forest

resources would create jobs for the people," Kaban said.

Many industrialized countries could maintain forest areas, he said. "Korea, for instance, has regreened 70 percent of its forests, while European countries can maintain their green areas." Kaban said officials would step up their efforts to hunt down and apprehend illegal loggers, with surveillance conducted by land and air.

## **ARMED FORCES/DEFENSE**

### **US lawmakers propose dropping restrictions on military aid**

Associated Press - May 20, 2006

Washington — A congressional panel that funds foreign operations has proposed dropping restrictions on aid to Indonesia's military, with the panel's Republican leader saying it was time to recognize the country's dramatic democratic turnaround.

A Democratic lawmaker, however, expressed disappointment that the House appropriations subcommittee on foreign operations would lift restrictions.

Under current law, the US Secretary of State must certify that the Indonesian government has addressed US worry about human rights abuse in the military and other concerns before aid is granted.

Last year, US officials waived the restrictions, citing a part of the law that allowed a waiver for national security reasons. The subcommittee has proposed providing US\$2 million less than the \$6.5 million President George W. Bush had requested to help Indonesia's military with transportation, counter-terrorism and maritime security; lawmakers proposed \$1.28 million in funds for military training.

The request is an early stage in a lengthy legislative process. An overall bill must eventually be approved by both chambers of Congress and signed by Bush. The Indonesia proposal is part of a \$21.3 billion measure that

would pay for foreign assistance programs for the budget year that begins Oct. 1. Overall, the measure is \$2.4 billion less than the \$23.7 billion the administration wanted.

The United States cut all military ties with Indonesia, the world's most populous Muslim nation, in 1999 to protest alleged human rights abuses by Indonesian troops in East Timor. The ban was lifted in November by the Bush administration, which views the Indonesian government as a bulwark against Islamic militancy.

"The Congress needs to understand that things change," Rep. Jim Kolbe, chairman of the subcommittee, said Friday. "And there are few countries in the world where things have changed as much as Indonesia in the last five, six, seven years."

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### **Local products to meet 16% of military needs**

Jakarta Post - May 18, 2006

Abdul Khalik, Jakarta — To reduce its arms imports, Indonesia plans to increase the production of its various military equipment to at least 16 percent of its total defense needs.

Research and Technology Minister Kusmayanto Kadiman said Wednesday the Defense Ministry has agreed to increase its domestic purchase of military equipment from 6 percent to 16 percent within two years.

"Both the President and the Vice President have said we must not import any equipment that we can produce domestically. We should not be afraid as we have the capability to fulfill various military needs," Kusmayanto told The Jakarta Post after speaking at a business forum in Jakarta.

He said that with the 10 percent increase in domestic expenses Indonesia would save much money, as the country's total military expenses for equipment were worth Rp 23 trillion per year.

"Police and military have begun placing many

orders to our local companies. The prices of these local products are 50 percent lower than those of imported products with almost similar quality," he said.

For naval needs, Kusmayanto said, PT PAL in the East Java capital of Surabaya could produce all armed or unarmed patrol boats as well as warships with or without radar systems.

Fast patrol boats could have a range of sizes, from 14 meters to 58 meters, he added.

For the Air Force, PT Dirgantara Indonesia in Bandung, West Java, have managed to produce various kinds of airplanes, with or without radar systems, as well as personnel and logistic carriers, and war planes, Kusmayanto said.

"PT Pindad in Bandung can produce bullets, machine guns, pistols, grenades, transport vehicles, and ground battle vehicles. So, we actually can supply our military with some part of its needs," he said. Indonesia has been facing difficulties in getting its defense equipment intact after the United States imposed restrictions on military sales over concerns about human rights abuses, blamed on the Indonesian Military (TNI) in East Timor in 1991. The US Congress has imposed various restrictions since 1992.

The ban forced Indonesia to look for new arms suppliers, including Russia. Alleged purchases from "grey markets" were also an option as the 14-year arms embargo left the TNI badly in need of new equipment.

However, considering Indonesia a strategic partner in fighting terrorism, last November the U.S issued a waiver removing all remaining congressional restrictions on its military assistance to Indonesia.

In February, the Bush administration proposed a six and a half fold increase in foreign military financing for Indonesia.

But some military analysts here say the Americans are clearly not moving quickly enough.

On April 9, a group of arms dealers for TNI, including two Indonesian Air Force officers, was



arrested by the American Federal Bureau of Investigation for allegedly attempting to make an illegal US\$40 million purchase from an unnamed US company.

Subsequent indictments revealed that they went to Honolulu to buy 245 air-to-air Sidewinder missiles, 882 Heckler & Koch MP5 guns, 880 HK 9mm handguns, 16 HK sniper rifles, 5000 rounds of ammunition and an aviation radar system.

"We have now the political will to produce our own military equipment. Many, however, see the imports as an opportunity for corruption. We must eradicate such practices immediately," Kusmayanto said.

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### **Hassan to US to assure supply of military equipment**

Jakarta Post - May 17, 2006

Abdul Khalik, Ottawa/Jakarta — Foreign Minister Hassan Wirayuda will visit the United States this week, where he is expected to talk up Indonesia's improved human rights record and seek assurances on the supply of military equipment from the US, a senior official at the Foreign Ministry said Tuesday.

The director for North and Central American affairs at the Foreign Ministry, Harri Purwanto, said the visit was part of efforts to boost Indonesia's military capability by capitalizing on Jakarta's improved military ties with the US

"Pak Hassan will hold official talks with US Secretary of State Condoleezza Rice during his visit. We hope Indonesia will benefit from improved relations and can improve its military capacity building and supply of military equipment from the US," he told The Jakarta Post from Ottawa, Canada, on Tuesday.

He said the visit also would strengthen the strategic partnership between Indonesia and the US by defining common interests and working toward them.

The United States imposed restrictions on military sales and cooperation with Indonesia over concerns about rights abuses committed by the Indonesian armed forces in Timor Leste (formerly East Timor) in 1991. The US Congress imposed various restrictions on military ties with Indonesia since 1992.

The ban forced Indonesia to look for new arms suppliers and the country purchased four Sukhoi jets from Russia last year, and also has bought military equipment from “gray markets”.

However, considering Indonesia is a strategic partner in the war against terrorism, last November the US State Department issued a waiver removing all remaining congressional restrictions on US military assistance to Indonesia.

In February, the Bush administration proposed an increase in foreign military financing for Indonesia.

Two months ago, Rice said during a visit to Jakarta that Indonesia had made progress in combating military corruption. As part of these closer ties, a senior Indonesian Military delegation was dispatched to Washington to discuss defense and security.

Also, Indonesia was recently voted onto the newly established UN Human Rights Council, with the country claiming its membership was proof the international community recognized its progress in protecting human rights.

But for some in Indonesia, the Americans are not moving quickly enough. On April 9, known arms suppliers for the Indonesian Military and two Indonesian Air Force officers were arrested by the FBI when they allegedly tried to make an illegal US\$40 million arms purchase from an unnamed US company.

The subsequent indictment said the group went to Honolulu to buy 245 air-to-air Sidewinder missiles, 882 Heckler & Koch MP5 guns, 880 HK 9mm handguns, 16 HK sniper rifles, 5,000 rounds of ammunition and an aviation radar system.

Harri said that besides bilateral issues, such as trade and cooperation in fighting terrorism,

Hassan and Rice also would discuss global and regional issues, including the US role in Asia and the Pacific.

Hassan is scheduled to visit Canada, the US and Qatar during his trip from May 16-25. He will arrive in Ottawa on May 17 before leaving for Washington the following day.

In Canada, Hassan will meet with his Canadian counterpart Peter Mackay, as well as leaders of the Canadian senate and parliament, to discuss bilateral trade and political ties between the two countries.

## FOREIGN AFFAIRS

### **Bush, Howard stress Indonesia's role in terrorism battle**

Agence France Presse - May 17, 2006

Laurent Lozano, Washington — "We did have an opportunity to talk extensively about some of the challenges in our immediate region," Howard said after the talks, adding that he highlighted the importance of Indonesia, the world's most populous Muslim nation, in counter-terrorism.

"I spoke about the... importance of the role of Indonesia, the symbolism and also the tactical consequence of Indonesia being the largest Islamic country in the world," Howard told reporters, with Bush by his side, at the White House.

Howard said "the success and prosperity" of democratically-elected Indonesian President Susilo Bambang Yudhoyono's "moderate Islamic leadership" was itself "a very important factor in the long term success of the fight against terrorism.

"Because the fight against terrorism is not only a military and physical one; it is also an intellectual one. And it's a question of providing within the Islamic world a successful democratic model as an alternative to the fanaticism of those who would obscenely invoke the sanction of Islam to justify what they seek to do," the Australian leader said.

Indonesia has been the epicentre of terrorist

attacks in the Asian region, with more than 240 people dying over the past four years in operations blamed on the regional extremist network Jemaah Islamiyah (JI) and its affiliates. A second Bali bombing in October last year killed 20 people on the popular tourist island.

Bush said "we've got to be steadfast and firm if we intend to succeed in defeating the terrorists." The US president praised Australia as one of the closest US allies, particularly in promoting peace, fighting terrorism and ending the proliferation of weapons of mass destruction.

Aside from terrorism, the two leaders discussed the Iranian and North Korean nuclear crises, the situation in Iraq and Afghanistan, the recent violence in East Timor as well as issues such as energy and trade.

Howard, whose meeting with Bush is the seventh since the US leader was first elected to office in 2000, had provided staunch support for the US-led invasion of Iraq three years ago. Of the world leaders who backed the war, Howard may be the only one who remains popular at home.

Asked about the chemistry behind their close personal relationship, Bush said "the interesting thing talking to John Howard is that you can trust the man.

"And that's what is a necessary ingredient to be working together for the common good. And I also appreciate a person who is capable of standing by a decision," said Bush, whose popularity at home has plunged due largely to the unending Iraq conflict.

At a lavish White House ceremony ahead of their summit, Howard praised Bush for his leadership of the war on terror.

"The world needs a president of the United States who has a clear-eyed view of the dangers of terrorism and the courage and the determination — however difficult the path may be — to see the task through to its conclusion.

"And in you, sir, the American people and the world have found such a leader and such an individual," Howard told Bush.

Amid Australian media speculation that Howard, serving his fourth term as Prime Minister, would bow out before his term ends in 2007, Bush said the Australian leader would remain in office much longer.

"I suspect he's going to outlast me, so that is a moot point," Bush said, when asked if he could work effectively with a future Australian leader.

Bush feted the Australian leader at a formal White House dinner Tuesday, attended by their wives, Janette Howard and Laura Bush.

The guests attending the black-tie affair included Australian-born Rupert Murdoch and his wife, Wendi Deng, Chevron Corp. chairman David O'Reilly, IBM Corp. chairman Samuel Palmisano and Morgan Stanley President James Gorman.

American country music singer Kenny Chesney, whose hits include "Me and You" and "She Thinks my Tractor's Sexy," was the featured entertainer for the formal White House dinner. Chesney, wearing a broad-brimmed black cowboy hat and an open dark, blue shirt, made headlines in gossip magazines last year when his marriage to Hollywood star Renee Zellweger ended in divorce after four months.

The dinner menu included summer squash soup, house-cured duck prosciutto and a main course of fish — pan-roasted barramundi — accompanied by lemon risotto with asparagus tips. A chardonnay and pinot noir were served and desert was a nougat glace with fresh oranges. In his toast to Howard, Bush called the partnership between the two countries "broad" and "deep."

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## **Indonesia declares issue of 42 Papuans solved**

Sydney Morning Herald - May 16, 2006

Mark Forbes, Jakarta — Indonesia has praised Australia's new stance against Papuan asylum seekers, indicating a thaw in the diplomatic freeze imposed by President Susilo Bambang Yudhoyono after a boatload of 42 Papuans were

granted asylum.

Ahead of a planned meeting with the Foreign Minister, Alexander Downer, in Singapore last night, his Indonesian counterpart, Hassan Wirajuda, said Australia had responded positively to the crisis by introducing a new "Pacific Solution".

Mr Wirajuda said Indonesia had dropped demands for the return of the 42 Papuans and that Australia had shown "goodwill" in its attempt to resolve the stand-off, in a marked change of tone. Both nations benefited from a strong bilateral relationship and the issue of the 42 was "solved", he said.

The meeting is expected to pave the way to restoring relations, which had sunk to their lowest ebb since East Timor's bloody independence struggle. Dr Yudhoyono had ordered a review of all co-operation with Australia and had recalled his ambassador from Canberra, claiming Australia was undermining Indonesia's sovereignty. The results of the meeting will be referred back to Dr Yudhoyono and the Prime Minister, John Howard, who are planning a face-to-face meeting to mark the resolution of the issue.

Mr Wirajuda indicated the ambassador could be returned, although it could take some time and further negotiations.

Privately, both sides are hopeful the crisis will be resolved within the next few weeks, before a planned Australia-Indonesia forum to be attended by government leaders in Jakarta around the end of June.

Mr Wirajuda said Australia had committed to processing any future asylum seekers in the Pacific and "even if they would be classified as refugees they would not be accepted in Australia. This is positive for us for the future".

The new policy would help persuade would-be refugees from Papua to abandon plans to seek asylum in Australia, he said.

Although there was a need for further discussion on the policy, Australia's response to finding three Papuans on a Torres Strait island last week

demonstrated its effectiveness, Mr Wirajuda said.  
"Australia did not allow them to land and to be processed but were returned to the country where they departed from, namely to Papua New Guinea.

"This is also positive. There is policy that we give positive appreciation to and there is implementation of the policy that we respect and we think it is goodwill on Australia's part to respond to our message and position."

Indonesia realised it was unrealistic to demand the removal of the visas already granted to the 42 Papuans, Mr Wirajuda said.

## **BUSINESS & INVESTMENT**

### **Extra mile needed to attract investments: Kadin**

Jakarta Post - May 20, 2006

Benget Simbolon Tnb., Jakarta — The Indonesian Chamber of Commerce and Industry (Kadin) has warned the government that enacting a new investment law and improving the macro economy would not be enough to generate sustained investment inflows.

Kadin chairman M.S. Hidayat said that Indonesia's competitors, such as China, Vietnam and Thailand, also had competitive packages to attract foreign investment.

"So, if we don't make it (the investment law) more competitive or at least similar to theirs, then it won't be successful in attracting new foreign investment," Hidayat said during a discussion on the new investment bill, which will soon be deliberated by the House of Representatives.

The discussion, which was also attended by Trade Minister Mari E. Pangestu and Investment Coordinating Board (BKPM) chairman M. Lutfi, mostly focused on what was claimed to be the government's excessive focus on the macro economy and insufficient attention to the real issues facing businesses on the ground, such as hidden costs, lack of incentives, too many disincentives, high taxes and tariffs, and bureaucratic and time consuming licensing processes.

Hidayat said that the government should not be satisfied with only restoring the macro economy to health.

"The improvements in the economic fundamentals, such as a stronger rupiah, are not enough to attract investors," he said. "The most important thing is how to make investing in Indonesia less costly," he added.

The government, he said, should also pay more attention to the urgent issues, such as hidden costs, high taxes and burdensome regulations, that had long been complained of by business.

The chairman of East Java's Kadin branch, Airlangga Satriagung, noted during the discussion that one of the main issues facing firms was the hidden costs in doing business in Indonesia.

"If you want, for example, to secure your license faster, you have to pay more," he said, adding that such costs were unpredictable.

Other Kadin members complained that the government often acted contrary to its own promises. "While promising to provide incentives to improve the investment climate, it instead issues regulations that only serve to hamper business," he said. "When one product or sector starts performing well, then the government will slap new taxes on them," he added.

Mari said that the government would heed the suggestions made by Kadin. She also said that the government would reduce taxes to make Indonesia more competitive than its competitors.

But she added that it was highly unlikely that the government would give tax holidays to investors, even though other countries continued to do so.

However, Lutfi said that the BKPM was urging the government to introduce other forms of tax relief that would achieve the same objectives as a tax holiday.

"We won't use the term 'tax holiday', which currently meets strong resistance from government officials. Instead, we could call it a kind of deferment tax," he said.

He noted that an automotive company from the United States was currently building a new plant



in Greater Jakarta, while a number of shoes firms from South Korea would relocate their plants from China to Indonesia.

"Together, they will employ tens of thousands of workers here," he said, adding that the relocations were due to the European Union's imposition of antidumping duties on China.

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## **IMF revises up Indonesia's 2006 GDP growth**

Jakarta Post - May 20, 2006

Endy M. Bayuni, Jakarta — The International Monetary Fund has revised upwards its forecast for Indonesia's gross domestic product (GDP) growth to 5.2 percent for 2006 in another sign of growing international confidence about the direction of the government's policies.

The endorsement comes as Indonesia grapples with volatility in the financial markets that has seen the rupiah and stock prices seesawing in the past week.

The latest forecast was announced at the conclusion of a two-week IMF mission in Indonesia, led by Milan Zavadjil, to conduct its annual consultations with Indonesian officials. A report from the mission is expected to be published in August.

The IMF predicts an economic recovery in the second half of the year as interest rates fall and the economy fully adjusts to higher domestic fuel prices, which were raised at the end of 2005, according to a statement attributed to IMF senior resident representative Stephen Schwartz.

GDP growth slowed to 4.6 percent on-year in the first quarter of 2006 because of the impact of the fuel price hikes.

Previously, the IMF had predicted growth "in the 5 percent range" for all of 2006.

This is the third upward revision of the 2006 GDP growth forecast made in light of improvements in some of the economic fundamentals, Zavadjil told a

media briefing.

He pointed to the slowdown in inflation, which, while still in double digits, is heading towards the 7-9 percent targeted by the government by the end of the year.

The IMF also endorsed the government's efforts to sustain growth momentum through increased budgetary spending, and raising its deficit targets.

It also referred to the recent decision by Bank Indonesia to ease interest rates. The IMF fully supported the central bank's cautious approach in setting interest rates, bearing in mind that its priority should continue to be reducing the inflation rate.

On the volatile rupiah and stock prices, Zavadjil said this was more a reflection of external forces rather than changes in the fundamentals of the Indonesian economy, but this was all the more reason why the central bank must move with caution.

Indonesia's \$43 billion international reserves could help to cushion exchange-rate volatility, he said.

"The anticipated recovery is dependent on a continuation of a favorable external environment," according to the statement by Schwartz. "Nevertheless, there are important risks to the outlook stemming from further increases in international oil prices, a tightening of global financial conditions, and slower than projected government spending." The IMF supported the government's economic reform programs which it said would allow Indonesia to realize its potential growth rate of between 6 and 7 percent in the coming years.

## **OPINION & ANALYSIS**

### **Pramoedya and the rebirth of national culture**

Jakarta Post - May 20, 2006

Max Lane, Jakarta — It was an amazing experience to translate the works of Pramoedya Ananta Toer, to have had to think deeply about what he wrote,

to discuss with him the situation in Indonesia. I translated *This Earth of Mankind*, *Child of All Nations*, *Footsteps and House of Glass* in the 1980s. Recently I have just finished translating his *The Chinese in Indonesia* and *Arok Dedes*, both of which will be published this year. I am in the process of completing my own book, *People Power, the Fall of Suharto and Indonesian History* which is partly inspired by his analysis of Indonesian history.

Pramoedya's contribution to Indonesian literature, historical analysis and political thinking has been great indeed. In this respect, I very much disagree with the perspective put forward by Andre Vitchek in his article *With Pram died Indonesian culture* in *The Jakarta Post*. Vitchek's article underrates the struggle by many Indonesians to revive culture, science and democratic life in Indonesia and in so doing also negates the real impact of Pramoedya's own writing and ideas.

Of course, it is true that the coming to power of the New Order in 1965 did end an era. It represented the suppression and the failure of the first great wave of the Indonesian revolution, a wave that lasted from the beginning of the 20<sup>th</sup> century until 1965.

The movement to finish the national revolution failed. The New Order was a counter-revolutionary government, not simply because it suppressed those political forces calling for a social revolution — the Left, but also because it suppressed the national revolution itself. The cultural life that was painfully emerging out of the national revolution was suppressed.

It was represented in the ideas of Sukarno, which Pramoedya supported until the end of his life in all the literary works of the early national revolution and then those which came out of LEKRA and the LKN in the 1950s and 1960s.

But most significantly, the New Order bureaucracy, military and conglomerates, alongside the business power of the West and Japan, took over the country. Culture became a commodity in their market place.

This is all true and it makes Pramoedya the last great voice of the first wave of the Indonesian

national revolution, and its accompanying social revolution as well. But it would be wrong to not see the beginnings of the second wave of the revolution beginning to sprout a long time ago.

Yes, its true this new wave is at its beginning. But we should have learned from reading *This Earth of Mankind* and its sequels that these great revolutionary processes also have their own grueling, and sometimes painfully slow, gestation periods.

The national awakening described by Pramoedya begins with Kartini in the 1890s. The rise and fall of Tirta Adhisuryo and Sarekat Islam plays out over another twenty years — the time period of the *Buru Quartet* books. The Youth Oath, which in Pramoedya's eyes was the beginning of the idea of Indonesia was not until 1928. Independence was in 1945; the escalation of the struggle to "finish the revolution", not until 1969.

The first wave of national revolution failed. This was a generational failure, so total was the suppression. New generations take up the struggle. There may be no new Pramoedyas yet, but there are plenty of new Minkes, not to mention Marcos and Haji Misbachs. Moreover, there also those whose writings and ideas have provided the bridge from one generation to the next. W.S. Rendra's plays and poems, such as *The Poet's Pamphlets* and *The Struggle of the Naga Tribe* are just one example of works that played that role.

All those that threw themselves into that first wave of national revolution, failed and saw the revolution blocked by oppression and the country stagnate, will be disappointed, frustrated, and even lonely. They are separated from the Indonesia they helped create, as a new process and new generation start again. Pramoedya also felt that deeply.

But the current and next generations do not start from scratch. Suharto may have destroyed much of the political and cultural heritage of 60 years of revolutionary struggle, but not everything. In fact, Pramoedya's works themselves are part of what is not destroyed.

To proclaim that Indonesian culture has died with Pram is to negate Pram while praising him. The

whole generation of activists through the 1980s and 1990s built upon Pramoedya. The student activists and leaders; Wiji Thukul; a revival in pride among all generations — all this is not dead.

But yes, today they swim against the current. This is not the first half of the century which was marked by the struggles against colonialism around the world and then the civil rights and anti-war movements in the West. The ideals of social justice and radicalism are swimming against the current almost everywhere.

If Pramoedya is not widely read in Indonesia, neither is Howard Fast in the US. He is virtually out-of-print, and is Steinbeck still a symbol of mainstream American culture? No, this is a problem we all face: Everywhere. Frankly, I think the effervescence among young people in Indonesia is more exciting than that in my own country, Australia.

So the need is not to proclaim the death of Indonesian culture, nor to issue general appeals for people in Indonesia to read Pram. The question now is how to push forward the processes that have re-started since the 1970s, accelerated again in the 1990s and now await the next stage forward.

In terms of people reading Pramoedya in Indonesia, this must be also treated concretely and not through abstract appeals. A wider reading of Pramoedya will flow as the next wave of the national revolution starts to build up. But there are some concrete things that could be raised.

What needs to be done to get Pramoedya's writings and other major works into the high schools and universities? What can be done to make libraries more resourced places? How can initiatives like the Bandung based Pramoedya Institute be supported and expanded? Reading *This Earth of Mankind*, *Child of All Nations*, *Footsteps* and *House of Glass* teaches us how grueling, how complex and how richly liberating the process was of preparing the way for the Indonesian national revolution to get underway.

With the failure of that first wave, its crushing, we should learn from Pramoedya's writing to expect no less a grueling, complex and richly liberating

prelude to the next wave. One of Pramoedya's greatest contributions has been to help that process get under way.

[The writer is lecturer in Indonesian Studies, University of Sydney.]

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## **Eight years ahead**

Jakarta Post Editorial - May 22, 2006

Patience is thin, and memory short. Year in and year out, these factors have served very well for those who resist any attempts at change since Soeharto quit the presidency eight years ago on May 21.

Many an Indonesian has expressed frustration that life has not been getting any easier since 1998. As despair sets in, along with references to "the good old days," it has been easy to forget the three minimum demands for reform raised by demonstrating students back then: an end to authoritarianism, corruption and the abuse of human rights.

Without all three, Indonesia would be a much more beautiful place to live. Of course this dream is still far away, as those coming into power pounce on every chance to seize anything of value while they can — the downside of what has otherwise been progress in terms of weakening the grip of centralized power.

"Notoriously resistant" was how a scholar once described corrupt behavior in the public sector.

We do have hopeful signs, now that the corruption law can and has been used to convict greedy heads of state-owned firms who are charged with corruption, such as in the cases of the social security fund and state electricity companies.

Our patience will no doubt be further tested as we find out whether the convictions have a major impact on the lower ranks of the public sector, the "mission impossible" zone of the corruption battle.

"Notoriously resistant" also aptly describes the habitual human rights abusers among us. They mock all of those who can only raise a cry of protest, to the point of the issue often being rendered irrelevant, an unnecessary stumbling block on the way to progress. The result: a dauntingly long list of unresolved abuses in which few have been made accountable.

With such a difficult legacy so far from any form of closure, how should one respond to the appeals for forgiveness made by the family of ailing former president Soeharto? "As a normal human being pak Soeharto has his strengths and weaknesses," said daughter Siti Hedyati during a weekend visit to refugees from Mount Merapi. Therefore, she added, "for the 30 years that he led this nation, we apologize for anything that might not have been carried out well and for any shortcomings that he might have had."

The appeal was more or less a repeat of her father's contrite words on May 21, 1998: "I apologize for my mistakes and shortcomings, and I hope that Indonesia will remain strong," he uttered in his usual flat tone.

It is, however, too similar to the caveat the speaker gives at the end of the average seminar: "We beg your pardon for any unintended shortcomings in the way this event was organized."

But neither should one expect Siti to plead her father's case with a long list of his misdemeanors in hand: imbuing the country with a culture of corruption; overlooking, or perhaps being in some way responsible for rights abuses; allowing political henchmen to build up power in exchange for their loyalty, etc.

The only legal case against Soeharto is on charges of embezzling some US\$415 million and Rp 1.3 trillion (about \$150 million) in public money. How magnanimous of him and of his family to ask for forgiveness; after all, even these charges have been dropped!

What now? Soeharto has reportedly smiled with gratitude from his sickbed on hearing that the case against him will be dropped. Discounting stubborn activists, people may shrug and concede what may be a dying request for forgiveness, from

a man who also managed to lift millions out of poverty and win praise for the country's strong economic growth.

We've argued here before that regardless of the legal limbo, our highest representative body, the People's Consultative Assembly, needs to issue a decree defining Soeharto's place in this nation's history — be he evil or benevolent.

Regardless of what the government's response may be, it would serve the need to recognize one source of our ills. We could then move on to the next eight, ten or 50 years. For we need Davids on all fronts to face up to the Goliaths — the persistent mindsets of the generations that lived under the New Order regime. The mindsets and habits which allow corruption, ignore human rights and favor an authoritarian hand in government, are the Goliaths that will stick with us if a quick fix is all we seek.

This is not to say that the need for patience means tolerating a plodding pace of reform. A public opinion poll conducted between 1998 and 2006, released last week by the Indonesian Research Institute (LSI), showed that while a fairly high 72 percent of 1,400 respondents now say they believe in democracy over other political systems, their anger over the economy threatens to erode this trust.

In 1999, 13 percent of respondents supported the military's role in politics, which has gradually increased to a much higher 36 percent today.

People weary of price hikes and the squabbling among the elite may indeed have short memories of the impact of overt military power in this country. The wise and powerful among us might take a hint from those figures, and use the trust of that 72 percent to the best possible effect.

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## **Another 'windu' of opportunity lost for Indonesia**

Jakarta Post - May 16, 2006

Endy M. Bayuni, Jakarta — You have to be either



Javanese or a really desperate person, or both, to believe that this year's eighth anniversary of the downfall of Soeharto and his regime is worth commemorating differently from previous years.

This Sunday, the nation marks the first windu (eight years) since that fateful day when Indonesia's long-time strongman finally buckled under pressure in the face of a massive student-led people's power movement. His decision to call it a day, after more than 32 years in power, paved the way for democratic reforms that would supposedly bring this nation greater prosperity and peace.

Fast-forward eight years, and we are a long way from either state, although we can boast that we have had a series of democratic, free and fair elections.

Windu is an Indonesian word originating from Javanese. It denotes a period of eight years, as opposed to dasa of Sanskrit origin, meaning a decade. Why we have this term in our daily lexicon is no mystery at all. The Javanese believe — or live — in eight-year cycles. They have a name for each year in the cycle, in the same way that an animal has been assigned to each year of the 12-year Chinese calendar. Therefore, this year's eighth anniversary to mark the beginning of a new phase in Indonesia's history is being popularly touted by the Indonesian-language media as "Sewindu Reformasi", literally the first eight years of the reform movement. This is, after all, a nation dominated by the Javanese and their culture, and the editors of this English-language newspaper have had a hard time explaining to our non-Indonesian readers why this year should be different from any other.

But do Indonesians really believe that 2006 is different from previous years? Are we celebrating Sewindu because we truly believe in this eight-year cycle, or simply because we have a word for it? If you are not Javanese, and have followed Indonesia's progress over the past windu you are likely to be perplexed by arguments that this year is somehow different from the others. Especially, when it seems little has progressed since the dawn of reformasi — and there is a good argument that says things have gotten worse.

Each year, around this time, when we mark one of the major turning points in our national history, we ask the same questions, and every time, without failing, we get the same unsatisfactory answers.

- What happened to the perpetrators of all the human rights violations during that 32 years? Will they ever be tried?
- What happened to the perpetrators of corruption? Will they ever go to jail? Will they ever return the trillions they looted?
- Who killed the Trisakti University students in May 1998? Who were behind the massive riots in Jakarta that same month, and the anti-Chinese attacks and rapes that followed?

These and many other questions about the evil deeds committed during Soeharto's 32-year rule, as well as the more specific questions about the tragic events of May 1998, have never been dealt with satisfactorily. This raises serious questions about justice in this country and, therefore, the direction of the reforms.

That we have not been able to answer these questions satisfactorily is making a mockery of our status as an emerging democracy. What is the point of having free and fair elections when the state still cannot dispense justice? Rubbing salt on this unhealed wound, the government last week dropped US\$550 million worth of corruption charges against Soeharto. That low figure in itself is laughable, but the timing of the government's decision could not have been worse.

If anybody is really celebrating "Sewindu Reformasi" this week, it will probably be Soeharto (a man steeped in Javanese tradition), his corrupt children and his cronies. They are now officially off the hook.

For what it is worth, we should still commemorate the event although not necessarily in a way any different from past years. It should at least remind us that we have a long way to go to attain the ideals of the reform movement, a movement for which many of our young people gave their blood, sweat and tears. Let's bow our heads to them.

## BOOK/FILM REVIEWS

### **Revealing truth behind 'history' of PKI**

Jakarta Post - May 21, 2006

[Yang Berlawan: Membongkar Tabir Pemalsuan Sejarah PKI (Those Who Fought: Lifting curtain on falsified history of the PKI) Imam Soedjono Resist Book, Yogyakarta, January 2006 469 pp.]

Endrizal, Yogyakarta — Modern Indonesian history was laid out during the authoritarian rule of the Soeharto regime. With the progress of time, this written history of the Indonesian people has become accepted by both laymen and academics.

Unfortunately, this history has been tainted and manipulated by the government elite so that it is laden with vested group interest. Facts are twisted and made up.

The overall impression is that Indonesia's modern history has been written by historians in a manner that is subjective in approach and in conformity with the wishes of the ruler.

Writers of history have deliberately painted black a number of events in modern Indonesian history. It is saddening to realize that, during Soeharto's New Order regime, the only correct version of history was that which was compiled by the government or by those backing that authoritarian.

A close analysis of this situation will reveal why that government was keen to blacken specific historical events or to forge their own version of events. We will also get an impression that the New Order was carrying out a major, hidden agenda. Indirectly, history was turned upside-down. The government removed any political foes that they determined were not in line with its own beliefs and interests. It is this twisting of history that has happened to the Indonesian Communist Party (PKI) and Indonesia's founding president, Sukarno.

The New Order regime deliberately twisted history to preserve their power. This falsification of history has led to the formation of an erroneous public opinion that the PKI was a cruel party, and a party that the people must take as their arch-enemy because it did not reflect the country's

five-point principle of Pancasila.

This manipulated public opinion has served to engender the people with hatred for the PKI without first making an objective assessment of the party and its activities. It goes without saying that only the government, which sought its revenge upon the PKI, could benefit from this situation because they could retain power.

To legalize the repression of political foes, the New Order twisted, turned inside-out and engineered many historical accounts.

One obvious example is Soeharto's accusation that the PKI was the mastermind of the Sept. 30, 1965 abortive coup. This was clearly a trick that Soeharto employed to eradicate the PKI, because the party was then considered to be a very dangerous political foe, standing in the way of Soeharto's ambition to claim state power.

We must not allow this kind of historical engineering to go on. It is time for us to objectively assess our own history. If we allow our history to be manipulated simply to satisfy the wishes of one particular group, this is tantamount to allowing the younger generation to remain in the dark, ignorant and fooled.

As a result, it becomes impossible for us to assess historical events objectively and expose historical truths.

As noted historian Prof. Sartono has put it: "The present can be understood well only if we have good knowledge about the past." Yang Berlawan: Membongkar Tabir Pemalsuan Sejarah PKI (Those Who Fought: Lifting curtain on falsified history of the PKI) by Imam Soedjono tries, freely and daringly, to expose the past and straighten out our twisted history. He believes that without a good understanding of the past and without reviewing it with as objective an approach as possible, it will not possible for us to move forward correctly in future (p. vii).

Imam has tried his best to get rid of his subjectiveness and also of any accounts based on historical fabrication and falsification committed during the New Order regime.

At the same time, he has tried to introduce a history that has virtually never been explored in official versions of Indonesian history, such as on the repatriation of Muso and on the leftist movement that attempted to implement experimental social reform, particularly in rural areas.

Yang Berlawan claims that, although the PKI has written some black pages in Indonesia's history, the party also played a major role in the national struggle to win independence from the hands of the colonialists.

From 1916-1917, the Indonesian people suffered a major crisis under the Dutch colonial regime: Acute starvation swept through almost all parts of Java. In particular Wonogiri, an area of chronic poverty, was hit by high prices and incessant security disturbances, as well as an increase in its beggar population. (p. 23).

The Dutch imposed forced labor on the Indonesian people, growing sugarcane for the colonialists' sugar factories. In this increasingly worsening situation, new organizations such as the Islam Abangan sprang up.

The Islam Abangan, which claimed to champion popular interests, demanded that the government accord it official recognition. This demand was refused, as this organization both defied the government and agitated the people to rise against the Dutch government. The movement spearheaded by this organization ended with the arrest of its leader, Haji Misbach.

In mid-1922 Misbach was released from prison, and this event marked the emergence of Indonesian communists and a communist party movement in Surakarta. The cadres of this party were characterized by their perseverance in combining Marxist ideologies with Islam. This was quite a natural approach, because Islam held great sway in those days, so a religious leader had a dominant role in mobilizing his followers.

Indirectly, the PKI was a pioneer of the peasant rebellion in Indonesia. Agricultural laborers could no longer put up with the high taxes imposed by colonial rulers and capitalists; neither could they stand the arbitrary treatment to which they had long been subjected.

The people reacted strongly against the colonial rulers and the capitalists, resulting in the Bedewang affair, followed later by a peasant rebellion in Nias. Then the farm laborers in Karanggak rose up, along with members of the PKI and the Serikat Rakyat, or People's Union, and lay down their lives against the oppression.

Regrettably, during the New Order regime, these PKI-led events were cut from the nation's official history.

Although the PKI played a significant role in determining the course of Indonesia's independence, the party was instead accused of trying to bring down the national government in masterminding the Sept. 30 coup.

In Yang Berlawan, Imam counters any and all unfounded suspicions harbored against the PKI. This book is an excellent resource for those readers who seek historical truth.

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### **Shedding light on dark history**

Jakarta Post - May 21, 2006

[Soeharto File: Sisi Gelap Sejarah Indonesia (Soeharto File: The dark side of Indonesia's history) Asvi Warman Adam Ombak, Yogyakarta, March 2006 245 pp.]

Zamaahsari A. Ramzah, Yogyakarta — Asvi Warman Adam's Soeharto File: Sisi Gelap Sejarah Indonesia (Soeharto File: The dark side of Indonesia's history) is meant neither to benefit from the success gleaned by Antonie C.A. Dake's Sukarno File: Kronologi Suatu Keruntuhan (Sukarno File: Chronology of a fall) or to counter Dake's book, which contains much controversy in accusing Sukarno of being involved in the bloody incident known as the September 30, 1965 Movement, or G30S.

Asvi's book is meant to reveal the involvement of another actor behind this incident, which has claimed the greatest number of lives in Indonesia's history of political violence.

The writer does not deny the involvement of a foreign party — the US's Central Intelligence Agency — nor of the Indonesian military as a result of the rivalry within the armed forces. This latter element also includes the involvement of Sukarno, as many observers and historians have long believed.

The “other actor”, according to Asvi, is Soeharto. To prove the correctness of his analysis, the writer views this matter by approaching it via the transition of power from Sukarno to Soeharto, which he believes was not a natural succession.

First, this transition began with the attempted G30S coup d'état and second, it ended with the issuance in 1966 of the March 11 Presidential Executive Order, which is better known as its Bahasa Indonesia acronym of Supersemar.

Y. Pohan (1988) has summed up the events that occurred between Oct. 1, 1965 and March 11, 1966 as a “crawling coup”, while Saskia Eleonora Wieringa (1999) refers to the Oct. 1, 1965 incident as the “first coup” and the March 11, 1966 event as the second coup.

On the other hand, Peter Dale-Scott views this event as a three-stage coup: First came the September 30 Movement, a “false coup”; second, the revenge, which took the form of the massacre of members of the Indonesian Communist Party (PKI) and third, the eradication of the remnants of Sukarno's power.

Asvi is highly convinced that Soeharto was involved in the first two major events, namely the G30S coup in 1965 and the Supersemar coup in 1966.

It was very clear that Soeharto was involved in the second “coup”. Although Soeharto argued that he had not forced Sukarno's hand, in actuality his lieutenants and three generals made Sukarno issue the Supersemar at gunpoint. Aside from this, on the morning of March 11, 1965, unidentified troops were found deployed around the presidential palace so that Sukarno decided to leave for Bogor.

Perhaps Soeharto was not the one who conceived the idea for the first coup, but he at least had some preliminary knowledge about the plan, as well as about the existence of the Council of Generals.

The greatest benefit from this failed "coup attempt" went to General Soeharto.

Sukarno was most disadvantaged by this coup, because he fell short of condemning the PKI and so left an impression that he was implicated in this incident. Furthermore, the cabinet Sukarno formed following the Oct. 1, 1965 incident still accommodated some representatives from the PKI (p. 80).

While Soeharto is an excellent strategist, Asvi believes he is not a grand master that can devise his moves far in advance. In most cases, Soeharto was lucky in that he was able to capitalize on an opportunity.

In short, it was a play without a theatrical director or a well-written script. Soeharto was not the puppeteer; instead, he was an actor skilled at improvisation (p. 18).

Tornquist (1984) and Saskia (1999) have said exactly the same things about Soeharto.

Tornquist believes it was very likely that Soeharto was watching the events unfolding before him, waiting for the right moment to overtake both Sukarno and Gen. Nasution. Meanwhile, Saskia believes that when Soeharto eventually moved to act, he did so firmly and swiftly, implementing his scheme to depose Sukarno while making his way up to the top seat of the country.

As for Soeharto's involvement in the first coup, this became increasingly obvious a few days after the incident. Aside from controlling the state radio station, Radio Republik Indonesia (RRI), Soeharto and his army officers controlled the mass media. Prominent pro-Sukarno newspapers like *Warta Bhakti*, which they believed would oppose them, was banned.

Then the army launched its propaganda through the military press, such as *Angkatan Bersenjata* and *Berita Yudha*, to sow enmity against the PKI. They reported, for example, that the seven G30S victims dumped into a well at Lubang Buaya had been mutilated. They said the bodies of the six generals and one lieutenant had been cut open by hundreds of razors, that their genitals had been cut off and their eyes cut out.



This report later turned out to be untrue. A forensic report drawn up by a doctor who had conducted a post-mortem on the victims' bodies showed he did not find any evidence of mutilation (p. 54).

Aside from uncovering Soeharto's involvement in the G30S and Supersemar incidents, Soeharto File also exposes the political sins and gross human rights violations committed during Soeharto's New Order era.

Among these are: the banishment of political detainees to Buru Island (1969-1979); killings in Irian Jaya, East Timor, Nanggroe Aceh Darussalam, Lampung and Jakarta's Tanjung Priok; the July 27, 1996 attack on the headquarters of PDI-P and the Trisakti incident and Semanggi affair of 1998.

Regarding Soeharto's alleged practices of corruption, collusion and nepotism (KKN), Asvi proposes moving Soeharto abroad in order to make it easier to investigate into the wealth he collected and the crimes he committed when he was in power — Soeharto can be tried in absentia. A similar method has been adopted by many other countries: in the Philippines against Ferdinand Marcos; in Iran against Shah Reza Pahlevi; in Haiti against Duvalier; in Nicaragua against Somoza and in Congo against Mobutu.

Asvi even lists 10 reasons why Soeharto must be tried in a court of law. In addition, according to Ben Anderson, Soeharto had caused the Unnatural deaths of over 800,000 Indonesians during his rule.

Regardless of the "merit" that Soeharto recorded when he was in power, he indeed deserves to be tried for various gross violations of human rights.

[The writer is a student of the School of Social and Political Sciences at Muhammadiyah University, Yogyakarta.]