

# Indonesia News Digest No 33 - September 1-8, 2006

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## NEWS & ISSUES

### **Local NGOs give cold shoulder to forum**

Jakarta Post - September 7, 2006

Jakarta/Batam — Warned they were unwelcome in Singapore, the site of an upcoming World

Bank/International Monetary Fund annual conference, hundreds of NGO activists from 40 countries chose nearby Batam to host an opposition forum.

But the 700 participants are receiving a similarly frosty reception there as well, with the local authorities rejecting their request to hold the gathering. It was planned for the Haj Dormitory.

Opposition also is coming from an unexpected quarter: their local counterparts and other groups.

The latter, including the Independent Political Watch (IPW), Cinta Anak Negeri, the Marginal People Forum, DPD Formasda, GP 27 Juli, Mapan, BP7KR and youth group Pemuda Pancasila, made their opposition to the event public by jointly placing a half-page, ad in Tribun Batam daily on Monday.

In the ad, they argued a big gathering of NGO activists would undermine the investment climate on the island, which was recently declared a special economic zone, with support from Singapore.

On Tuesday, Riau Islands Police chief Brig. Gen. Sutarman, who has voiced opposition to the gathering, hosted a lunch at the Sanur Batam Center with representatives of about 20 NGOs also opposed to the event.

"I don't know for sure what they were talking about, maybe they discussed their common stance regarding the planned gathering of foreign NGOs in Batam," Riau Islands Police spokesman Sr. Comr. Anggaria Lopis told The Jakarta Post.

Speculation is rife about the reasons for the NGOs' opposition. Some observers claim the NGOs have been paid off to take the authorities' side. They say they saw posters on side streets in Batam, with the message: "We provide people for demonstrations, price negotiable."

The deputy director of the International NGO Forum on Indonesian Development, Dian Kartika Sari, assured local authorities that the gathering would be peaceful and there was no reason to ban it.

"Moreover, we will just have meetings, meetings

and more meetings, with some cultural shows at night. Maybe, there will be some art events, but nothing rowdy, let alone violent."

She warned that barring the holding of the event would diminish Indonesia's international reputation.

(With additional reporting from The Jakarta Post contributor Fadli in Batam)

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### **Foreign, local NGOs firm on Batam protest**

Jakarta Post - September 6, 2006

Fadli, Bintan — Foreign and local nongovernmental organizations (NGOs) insisted Tuesday they would go ahead with plans to hold a protest meeting in Batam called the International People's Forum vs the IMF and World Bank, despite opposition from local police.

Ramches Merdeka, chairperson of the Child Protection Forum, which will act as the meeting's organizing committee, said the 700 participants of 74 NGOs from 40 countries were determined to gather.

"We're still focused on our preparations to hold the meeting in Batam. Sure, it will be in Batam, there is no change. If the police dare to ban it, it means we're entering the Soeharto era again," Ramches said.

The NGO meeting is planned for Sept. 12-18, to coincide with the annual meeting of the boards of governors of the International Monetary Fund and the World Bank Group in Singapore.

Riau Islands Police chief Brig. Gen. Sutarman said the police would not support the group's plan. "We have agreed not to recommend their meeting in Batam. If they insist, we will disperse them by force. We will arrest them if they continue," Sutarman said on the sidelines of President Susilo Bambang Yudhoyono's visit to Bintang.

Sutarman added that businesspeople investing heavily in Batam had sent a letter to the police

to express their objections to the NGOs' plan.

There are at least 60 foreign investment companies operating at the 300-hectare Batamindo Industrial Estate as a result of close cooperation between the Indonesian government and its Singaporean counterpart.

Sutarman argued the police's determination to break up the meeting did not contradict the 1998 law protecting freedom of expression in public.

"Just look for another locale. You can see how Batam is aggressively promoting itself as a major investment destination. If they want to protest a meeting in Singapore, why are they doing it in Batam?" Sutarman asked.

Wawan Irawan of the operations section of the Haj Dormitory in Batam, where the NGOs plan to hold their meeting, said the dormitory had been booked by the International NGO Forum on Indonesian Development (Infid) as a coordinator of the event four months earlier.

"If they go ahead with their plan, it will certainly help the dormitory's coffers," Wawan said, explaining that the dormitory would reap about Rp 100 million (US\$11,000) from the meeting. "However, they do not have a recommendation from the police, which is one of the requirements we asked from them."

Due to the absence of the police recommendation, he said, the dormitory had not given the NGOs final approval. "We have delayed all other bookings from Sept. 12 to Sept. 18. We are turning away other proposals because they would coincide with the NGOs' meeting," he said, adding that his office would wait until this weekend to resolve whether the group could use the dormitory.

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## **Riau Police deny permit for activist gathering**

Jakarta Post - September 1, 2006

Fadli, Batam — Unhappy with the thought that hundreds of activists from 40 countries might

flock Batam Island to attend an international forum has made Riau Islands Police think twice about issuing a permit for the event.

Ramches Merdeka from the NGO Children's Protection Forum said Wednesday that some 700 activists from 74 NGOs had confirmed their participation in the forum, titled International People's Forum against the World Bank and International Monetary Fund (IMF), in Batam's haj dormitory from Sept. 12 to 18.

The forum is set to be held concurrently with the international financial institutions' conference in Singapore, which has banned the activists' planned protests.

Riau Islands Police spokesman Adj. Sr. Comr. Anggaria Lopis told The Jakarta Post on Thursday that the police would not issue a permit for the event to be held on the island.

He said the decision was made following a meeting Monday between his office's directorate of intelligence and security with representatives of the Jakarta-based International NGO Forum on Indonesian Development (Infid), Dian Kartika Sari and Donatus.

"It's not true they are permitted to hold the forum in Batam. The forum is of no benefit to us in Batam," Anggaria said. The police, he said, feared the forum, which will include protests, would disrupt law and order.

"If the foreign NGOs insist on coming to Batam, we'll close the forum," Anggaria said, denying the decision was made based on pressure from the government or Singapore.

The 1998 Law on Freedom of Expression allows people to express themselves through protests, parades, public meetings and speeches in public spaces. Organizers are required to inform the police in writing at least three days before the event.

Ramches he said as one of the local organizers his group would continue preparations, adding that the police had not mentioned anything about prohibiting the forum in the Monday meeting between Infid and the police.



The provincial police, he said, only suggested that Infid coordinate with the National Police Headquarters in Jakarta.

"If they (the police) do it, Indonesia will revert back to the time under former president Soeharto," he said. "Based on information from our colleagues, the National Police Headquarters has given a verbal go-ahead for the forum. And the Foreign Ministry has no objection as long as the protests don't target Singapore."

Singapore expects over 16,000 delegates and officials for the Sept. 11-20 World Bank/IMF meeting but has said outdoor protests are banned.

Antiglobalization activists usually gather at similar international summits but Singapore will make no exceptions to its ban on demonstrations and has said it will arrest lawbreakers and cane vandals.

## ACEH

### **NGOs demand probe into BRR allegations**

Jakarta Post - September 2, 2006

Ridwan Max Sijabat, Jakarta — Anticorruption watchdogs are urging an exhaustive probe of possible irregularities in rebuilding projects at the Aceh and Nias Rehabilitation and Reconstruction Agency (BRR).

The Indonesian Corruption Watch (ICW) and the Aceh Working Group (AWG) said Friday the agency's alleged graft was "systemic", so the investigation must be thorough.

After a meeting Thursday with Vice President Jusuf Kalla in Jakarta, BRR chairman Kuntoro Mangkusubroto said there may have been some violations of official procedure in carrying out Aceh's reconstruction projects, saying they were due to the emergency nature of the work.

Kuntoro thanked the ICW for revealing the violations and vowed to reorganize the agency to prevent the problem from recurring.

An ICW report cited the agency's direct appointment of partner companies in carrying out

five goods and services projects worth some Rp 23.8 billion (US\$2.6 million).

The ICW and the AWG dismissed the argument that emergency reasons prompted the direct appointment of companies to handle such projects as public relations, logistics, publishing books and brochures, destroying unwanted drugs and designing housing development plans.

The law permits the agency to make direct appointments of firms to deal with certain reconstruction projects, such as rebuilding houses for survivors of the devastating tsunami that struck the region in 2004.

ICW coordinator Teten Masduki said the allegations are similar to those faced by General Elections Commission (KPU) members charged with violating regulations in the procurement of election materials. She said the BRR's alleged corruption should be brought to court, as the KPU's has.

KPU chief Nazaruddin Syamsuddin and several other officials have been sent to jail for graft, and some KPU members are still facing charges.

"The Corruption Eradication Commission (KPK) has no reason to pass over the BRR's graft cases, and none of the officials involved have legal impunity," Teten said. The government, he added, should also be held accountable.

The ICW and the AWG said the investigation is crucial to upholding justice and maintaining public trust for the BRR among the Acehnese people and international donors.

Teten said he had received a report from reliable sources in Aceh that the finance minister had fired T. Tyas, head of the treasurer's office in Aceh, for "leaking" information to the public on the disbursement of reconstruction funds.

AWG coordinator Rusdi Marpaung also questioned the BRR's decision to give a portion of the reconstruction funds to the military for security and defense. "The BRR was established not to support the military but to rebuild Aceh, which was ravaged by the earthquake and tsunami," he said.

According to Rusdi, the BRR allocated 7.19 percent of its Rp 3.9 trillion budget in 2005 for security and defense, while the housing and women's affairs sectors received only 8.12 percent and 0.8 percent respectively.

Rafendy Djamin, coordinator of the Human Rights Working Group, said the "systemic" corruption in the BRR allegedly involved cronies of agency officials in Jakarta. Prosecutors have also reportedly launched a graft probe into a BRR book publishing project.

"The investigation should not stop at the book project but must be extended to all other cases. A thorough probe into the cases is a test for Indonesia's credibility in the eyes of international donors," he said.

## WEST PAPUA

### **So close to Australia, so far from hope**

Sydney Morning Herald - September 6, 2006

Hamish McDonald — Political leaders in Canberra and Port Moresby want the voices of a diplomatically awkward rebellion buried in East Awin, Papua New Guinea, a settlement in a vast and sparsely populated landscape of rivers, swamps and forest.

To reach East Awin takes an expensive flight to the little town of Kiunga, a two-hour trip up the Fly River, followed by a three-hour truck ride through axle-deep mud, and finally a 12-kilometre walk when the road becomes impassable for normal vehicles.

Paulus Samkakay's quest for political asylum took him to the fringes of Australia, took the life of his youngest child and ended in bitter disappointment here. Samkakay, 35, was the political refugee from Indonesia's restive West Papua whom the Howard Government turned away earlier this year.

He made it to Australian territory, the Torres Strait island of Boigu, on May 11, only to be held in detention at an out-of-the-way hotel and blocked from journalists and human rights lawyers.

Two months later, he was turned over to Papua New Guinea, under an agreement signed in 2003 that asylum seekers spending more than seven days in transit through PNG are deemed to be Port Moresby's responsibility.

While his application was being studied by Australian authorities, his wife, Yokbet, and three children waited in a tiny village just inside PNG territory, and the youngest, a three-month-old girl, died of an unknown illness.

Reunited in July, the couple and their two remaining children were transferred to East Awin, placed in a small guesthouse and told they had six months before they had to build their own house and find their own source of income. "I came to the land of the kangaroo with big hopes," Samkakay said, his eyes filling with angry tears.

The dockfront activist from Merauke, a port town on the south coast of Papua, is a prime example of the kind of refugee Canberra does not want, if it wants any at all. He embodies the disillusionment of most Papuans with Indonesian rule.

His late father, Boneffasius Samkakay, had been one of 1000 local figures hand-picked by Indonesia to carry out the 1969 act of self-determination after a transition from Dutch rule.

They dutifully delivered a 100 per cent pro-Jakarta vote, and Samkakay carries the certificates of appreciation given to his father from former president Soeharto and the Indonesian army commander at the time, General Sarwo Edhie Wibowo.

But he also carries a carefully folded Morning Star flag, the flag of the Papuan independence movement whose appearance at sneak flag-raising across the border is usually followed by tough crackdowns and long jail terms.

After Soeharto's fall from power in 1998, Samkakay was prominent in the upsurge of open independence activism, becoming a member of a Papuan youth council. He was first arrested in 1988 and has had to lie low on several occasions.

Finally in March, in the tense atmosphere following the crossing of the Torres Strait by 43

Papuans, he says he was summoned to a meeting with local police, and decided to clear out.

The family walked along the coast to the PNG village of Bula, where they stayed for a month. At the beginning of May, Samkakay set off for Boigu, finally making the short canoe crossing, helped by two other Papuans. On arrival, they handed over a letter describing themselves as political asylum seekers. Samkakay was immediately arrested, flown by helicopter to Horn Island and kept in a hotel.

His immigration case officer was in contact with a counterpart in Merauke, named as Ibu (Mrs) Ida, while the Indonesian interpreter employed by Immigration kept telling him not to raise independence issues, saying: "There's no need to talk about things that are already over." In July, just before being sent back to PNG, he was formally notified: "Because of Australian law and where you landed, you are not able to apply for any visa in Australia."

But in East Awin, a string of settlements in country inhabited by cannibals about 40 years ago, the 2500 Papuan settlers are far from reconciled to their fate and precarious subsistence livelihood.

Deliberately chosen for its inaccessibility, East Awin is a gruelling day's journey to the nearest marketplace in Kiunga for its peanuts and other produce, with truck and boat fares chewing up much of the earnings.

"From the beginning it was not logical to build a settlement so far from the river and the road," said Father Jacques Gros, 66, a French-born Catholic priest who lives in the settlement and walks its muddy roads barefoot. "But nothing can be done — we have to make the best of it."

The Papuans are from diverse backgrounds, the majority villagers from directly across the border, some educated people from the cities of Jayapura and Biak on the north coast, some Dani highlanders from the Baliem Valley. Most arrived in the late 1980s after a flare-up of violence.

A further 8000 Papuans are squatting in camps close to the border between the Star Mountains and the Torres Strait, not regarded as refugees.

Many remain in close contact with the rebel Free Papua Organisation, the OPM, which keeps up a political and guerilla struggle against Jakarta rule, and whose operatives such as John Wakom live along the Fly and maintain contact with its armed groups.

Fear of Indonesian spies and informers pervades the community. The murder of a European journalist in Kiunga some years ago, found with his throat cut in his room at a Catholic school, is attributed to an agent.

On an overnight visit to East Awin, this reporter was advised by the PNG Government's camp manager, Jex Punai, to lock all doors and keep a parang, or machete, by his bed: "It's just a precaution. You just never know, there are so many factions here."

After hopes raised by the Indonesian political flux following Soeharto's fall in 1998, the Papuans realise they are facing more difficult times as Jakarta regains some strategic importance for the West.

"We were sold out in the Cold War and now it's happening again in the war against al-Qaeda," says John Ondawame, who runs the Papuan independence movement's sole quasi-diplomatic office in the region, located in Vanuatu.

Ondawame said the OPM's armed resistance was weak, but important, and the Papuan cause was getting more notice internationally. "The situation is the reverse of Aceh," he said, referring to the fierce separatist war at the other end of Indonesia which has ended in an autonomy agreement.

Afonsina Hambring, 49, who spent three years in the jungle with her husband, an OPM commander, before crossing to PNG in 1988, leads the Papuan women's association here. Their main activity is prayer. "Every second we pray that God will start a war to change us," she said. "To make us one. Let's not get to the position of East Timor, fighting against each other."

Paulus Samkakay, sent to East Awin by Australia, is determined not to be silenced as a condition of his "permissive residence". "I am under orders from the PNG Government not to engage in any political activity," he said. "But I will not

agree — it is within my human rights. I am a supporter of independence and will keep saying so. If Australia will not take me, maybe Holland."

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## **Papua: Bows, arrows and a tense gold mine**

Asia Times - September 8, 2006

John McBeth, Timika — For centuries, Papua's warlike mountain tribesmen have used bows and arrows, spears and knives to settle their differences over women and pigs — and not necessarily in that order of priority.

But a recent pitched battle on the outskirts of the lowland boom town of Timika on the south coast of the Indonesian province has underlined what can happen when urban migration and traditional practices collide. The resultant clashes — and an influx of illegal highland miners — represent the latest headache for US mining giant Freeport McMoRan Copper & Gold, far and away Indonesia's largest foreign taxpayer.

The battle stemmed from the drowning of the epileptic seven-year-old son of a Dani tribal headman. Angry that better care had not been taken, the boy's hot-tempered uncle — a member of the closely related Damal tribe — killed one of the headman's brothers and wounded another with a bow and arrow.

In the days that followed, tribesmen from both sides engaged in a week-long series of running skirmishes that left 12 of the combatants dead and another 150 wounded from arrow and spear wounds. Then, true to tradition, the two sides held pig roasts and an arrow-breaking ceremony in a show of reconciliation and agreed to let matters rest.

Three weeks later, fighting erupted again in Kwamki Lama, a largely Dani settlement. Three more tribesmen died and another 80 were hurt before security forces managed to separate the two sides. But with a third tribe, the Ekari, now joining in the clashes, community workers are wondering how to bring an end to the continuing spiral of violence.

This, after all, isn't Papua's rugged mountains, where deep valleys separate tribes and provide the space needed to calm emotions and work out peace deals. In the villages scattered around Timika, a town of 60,000 people, seven different tribal groups — some of them harboring age-old grudges — live in uncommon and uncomfortable proximity.

Once a clapboard settlement serving only ethnic-Javanese transmigrants, Timika owes its lifeblood to the Freeport Indonesia copper and gold mine, which has acted as a magnet for thousands of highland tribesmen and migrants from other parts of Indonesia looking for jobs and economic opportunities unavailable on other more crowded islands. With more than 18,000 workers, Freeport is one of Indonesia's biggest employers.

By the time Freeport's Grasberg operation goes underground, scheduled for 2012-14, Papuans will have become the core of the company's workforce, rather than the minority that they are now. But the recent outbreak in ethnic tensions adds a new complication to the planned changeover.

The attraction Timika holds for the highlanders, in particular, underlines the fact that for all their isolation and ancient customs, they are just as interested in money and an education for their children as anyone else. But it may take more than a generation for them to come to terms with an urban environment where historic grievances have no place.

Money also creates its own problems. "There's a lot of social jealousy," said anthropologist and author Kal Muller, who has spent three decades in Papua. "In many highlands societies the basic ethic has been egalitarian, with respect gained not by accumulating capital, but by distributing capital. Here, a lot of money is spread around and the distribution is very uneven."

#### Tribe on tribe

There has also been a dramatic change in the demographic balance. Mimika, the district surrounding Timika, was once home to only the highland Amungme and the lowland Kamoro tribes, who lived in relative harmony. But Freeport's rich Grasberg mine, into which the company has poured more than US\$12 billion in investment over the



decades, has drawn an increasing number of Dani, the dominant Papuan tribe that now makes up 60% of Timika's highland population.

Dani migration is nothing new. Originally from the Balien Valley, 200 kilometers northeast of Timika, they have been pushing westward for centuries. Indeed, those who have settled on the more fertile northern slopes, well to the north and west of Freeport's high-altitude mine, are now known as the Western Dani, or the Lani as they like to call themselves. Even their language is different in a region with 250 different dialects.

The only reason thousands of Amungme tribesmen ended up where they are now is that the Dani expelled them from their original home before the turn of the 20<sup>th</sup> century. There was no mine then, but since it opened in the early 1970s the Amungme have found themselves under pressure again from the same tribe that pushed them out of the more fertile northern side of the highlands.

In 1997, with over-aggressive Dani settlers intruding on their hillsides and sweet-potato gardens and taking the virginity of young girls whose bridal bounties had already been paid, the Amungme hit back. Eleven people died in the fighting, which ended with authorities relocating most of the more than 3,000 Dani to a new lowland area west of Timika.

Although they continue to populate 17 valleys, the 10,000 Amungme still feel increasingly like strangers in their own land. Those who have settled in the lowlands have been nudged out of Kwamki Lama, and the tribe itself now faces the prospect of losing the privileged position it once enjoyed as the original benefactor of Freeport's largesse.

The Damal may have fared even worse. Enforced inter-marriage with the dominant Western Dani has, over the years, in essence reduced them to little more than a sub-clan — even if the recent clashes suggest that old enmities remain a lot closer to the surface in an urban setting than they do in the highlands.

Added to Timika's melting pot have been settlers from the Nduga, Ekari and Moni, three other highland groups. There are also stragglers from

the Asmat and Senpan tribes who have drifted in from further down the swampy southeast coast, which borders the shallow waters of the Arafura Sea separating Indonesia and Australia.

The town itself has a similar yet different mix. Old-time Javanese migrants mix with tens of thousands of native Buginese — traders from distant South Sulawesi — and lowland Papuan settlers from as far away as Maureke, on the Papua New Guinea border in the east, to the island of Biak and the provincial capital Jayapura on the north coast and the former oil center of Sorong in the west.

With the world gold price rocketing from \$250 to \$650 an ounce in just two years, hundreds more Dani have been trekking south to join an army of illegal gold miners now working in the tailings, or waste rock, flowing downstream from the Freeport mill. The number of gold panners has grown from several hundred to more than 3,000, most of whom sell the gold to military middlemen who then pass it on to dealers in Timika.

There are concerns that with the gold running out in an alluvial deposit near Nabire, on Papua's north coast, more fortune hunters will head across the highlands to Timika, potentially adding more ethnic tension to a problem authorities seem unable or unwilling to solve.

[John McBeth is a former correspondent with the Far Eastern Economic Review. He is currently a Jakarta-based freelance journalist.]

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## **Riot police blamed for killings**

Courier Mail (Australia) - September 6, 2006

Marianne Kearney, Jakarta — Papuans claim that Indonesian riot police have used an ongoing tribal warfare in eastern Papua to kill at least three Papuan villagers.

Two tribes armed with spears, bows and arrows and traditional machetes have been warring since last Thursday in Kwambi Lama, a village close to the

giant Freeport copper mine.

However, a resident of Kwambi Lama claims that the more than 600 riot police and military sent to end the conflict have been shooting indiscriminately into fighting tribesmen.

The villager claims that police shot Eric Murib on Monday, and an evangelical priest, August Wetapo, over the weekend. "They were killed in Kwambi Lama by police," Albert Yikwa said.

He said the police killings were in revenge for a weekend shooting incident at the Freeport mine where anonymous gunmen damaged a Freeport vehicle.

Police deny the accusations, saying the two, plus a third man, were victims of the tribal conflict. "That's a lie. They died because there is a tribal war," a police spokesman said.

He said that about 50 people injured in the fighting were being treated at the nearby Mitra Masyarakat Hospital.

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## **Security car of Freeport mine shot at**

Melbourne Age - September 4, 2006

Timika — An unidentified group of people shot Sunday a security car of PT Freeport Indonesia, the giant gold and copper mine, in the country's easternmost province, a police officer said.

Director of the crime unit of the Papuan Police Sr. Comr. Paulus Waterpauw said that the police had opened an investigation into the incident in which bullets hit the left side of the car and the car's rear window. The incident took place in the wee hours of Sunday morning.

No one was injured in the incident, Waterpauw said, adding that seven bullet casings were found at the scene, along with several footprints. "The motive for the shots remains unknown," Waterpauw said.

The police had questioned a security guard who at the time of the incident was on duty at Terowongan

Post, about 200 meters from the incident site. Waterpauw believed the shooting was intended mainly to destabilize security in the area.

He also denied speculation that the shooting was linked to the attacks Saturday by angry protesters at Mimika Legislative Council building. During Saturday's attacks, protesters demanded that the police settle fresh fighting between two warring tribes in Timika.

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### **Defendants boycott Abepura trial**

Jakarta Post - September 2, 2006

Nethy Dharma Somba, Jayapura — Jayapura District Court had to postpone the Abepura case trial yet again Friday after the prosecution failed to present the remaining seven defendants to be tried for their involvement in the deadly March 16 clash with police.

The seven defendants had refused to appear in the same court Wednesday after one of them was beaten up by a police officer Monday.

Friday's trial, presided over by Moris Ginting, was opened to hear testimonies from witnesses but the prosecutors, Maskel Rambolangi and Dadang Setiawan, requested the judge to postpone the trial until Monday.

"The defendants are still refusing to attend trial since they have not received an official letter guaranteeing their safety from Papua Police chief (Insp. Gen. Tommy Jacobus) and the head of the Jayapura District Office (Djabaik Haro)," Dadang said.

Moris granted the request but warned that the defendants should appear Monday, since the sentence of two of the defendants, Sedrik Jitmau and Muhammad Khaitam, will end on Sept. 18.

When escorting defendants Monday after a trial session at Jayapura District Court, Brig. Novrel beat up Nelson Rumbiak in front of Abepura Penitentiary. The hospital examination showed

Nelson suffered head and chest injuries, indicating he had been hit with a blunt object.

Following the incident, the defendants' lawyer, Aloysius Renwarin, said the defendants would not appear in court until their demands — a public apology from the Papua Police chief and the head of the Jayapura District Office, and an official letter guaranteeing their safety — had been met.

Before Friday's trial, the prosecution had tried to negotiate with the defendants, but Selpius Bobii, who has been convicted in the case, said on behalf of the seven defendants that they insisted on their demands.

The defendants were also requesting less security during the trial. The court proceedings are always heavily guarded by armed police personnel and visitors must pass through tight security before being allowed to follow the proceedings.

Meanwhile, the defendants' relatives objected to a plan to transfer the seven to the Papua Police detention center to allow the prosecution to bring them to stand trial.

"We reject the plan since there's no guarantee that our children will be kindly treated. Even during the questioning at the Papua Police Headquarters we couldn't meet them for three days and when we met, my son's body was bruised after being beaten," asserted C. Berotabui, chief of Papua Injili Christian Church (AM GKI) Synod, referring to his son, defendant Yahya Eko Merano Berotabui.

Meanwhile, Papua Police deputy chief Brig. Gen. Max Donald Aer, as quoted by Cendrawasih Pos daily, said he found the demand for Papua Police chief to apologize in public excessive since the police officer responsible for beating up one of the convicts is facing legal action.

The seven defendants are awaiting verdicts on charges they were responsible for the murder of an Air Force soldier during the clash. So far, 16 people have been convicted over the Abepura clash, which took place in front of Cendrawasih University during a protest against giant mining company PT Freeport Indonesia. Each of them was sentenced to between five and 15 years in prison.

Four police officers and an Air Force personnel died when they were attacked by protesters, who were demanding the government close the Freeport mine because of environmental concerns and the mine's failure to improve the welfare of Papuans.

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## **Indonesian police separate warring Papuan tribes**

Agence France Presse - September 2, 2006

Jakarta — Hundreds of Indonesian police are trying to prevent further fighting between two warring Papuan tribes after three people were killed, and more than a dozen injured in remote Papua, police said.

Villagers from two different tribes began fighting with spears, arrows and traditional machetes early Friday after a woman from the Damal tribe was killed by an arrow, allegedly fired by a neighboring Dani tribesman, said police.

More than 100 riot police, or Brimob, as well as another 120 ordinary police were attempting to enforce a ceasefire between the two warring groups in Kwamki Lama district, Timika, not far from the giant Freeport gold and copper mine, a police spokesman said.

"We have tried to separate them, using Brimob, now we have one company of Brimob, and four (standard) police units on standby there," Kartono Wangsadisastra told AFP.

Police said they hoped to begin peace talks between the two tribes on Saturday. "We are calling in the traditional leaders in an effort to prevent any further conflict," said Wangsadisastra.

Friday's fighting killed three men, including a Papuan priest, and wounded 24 others, many seriously, added Wangsadisastra. "Lots of them (tribesmen) were seriously injured, because they were pierced by arrows," he said, adding they had been taken to Timika hospital.

Friday's battle between Dani and Damal tribesman

was the second in as many months for villagers of Kwamki Lama. The death of a Dani child prompted a tribal war last month which killed nine people.

Papua is home to groups that traditionally engage in elaborate war rituals to solve disputes between clans or tribes. Conflicts can take days to be resolved, with each side taking turns to shoot arrows and throw spears.

According to tradition, a death should be avenged by another death or the killer's tribe must pay a hefty fine of prized pigs and hold a feast to seal the peace.

## **MUNIR ASSASSINATION**

### **Two years after Munir murder police asked to question Muchdi**

Detik.com - September 5, 2006

Veronika Kusuma Wijayanti, Jakarta — In the lead up to the second anniversary since the murder of human rights activist Munir on September 7, police are being called on to question the former deputy head of the State Intelligence Agency Muchdi Purwoprajoyo. They are also being asked not to depend only on information from former Garuda Airlines pilot Pollycarpus Budihari Priyanto.

"We are disappointed by the statement by the national police chief that they are relying on Pollycarpus to follow up the Munir case", said the head of the advocacy division of the Commission for Missing Persons and Victims of Violence (Kontras) Orry Rahman after meeting with public relations officials at the national police headquarters on Jl. Trunojoyo in South Jakarta on Tuesday September 5.

In fact continued Rahman, the police cannot be afraid of summoning any person who can provide information on the case. "In district court's verdict [in Pollycarpus' trial] mentioned several names that should be followed up, including Prandjono and [two] Garuda staff who were already [named as] suspects. This must be followed up", he asserted.

Prandjono he added has already given testimony at

Pollycarpus' trial however there needs to be another investigation. "The police have not yet incorporated the material recommendations of the [Munir] Fact Finding Team. We are asking the police to go to work again", he added.

National police Chief General Sutanto had previously asked Pollycarpus to reveal the Munir's killer saying that the key to the continuation of the investigation into the Munir case lies with Pollycarpus. (ndr)

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## **Two years after Munir's death SBY must reaffirm commitment**

Detik.com - September 6, 2006

Indra Subagja, Jakarta — After two years the Munir case remains unsolved. Only former Garuda Airlines pilot Pollycarpus Priyanto has been convicted for the murder of the former human rights activist. The family and friends of the late Munir say there are strong political reason why the case has not been solved yet.

"The problem is not a technical one, it depends on the [political] will of the president and then the police. But there is a tendency for President SBY (Susilo Bambang Yudhoyono) to vacillate over the impact of the case being solved. SBY tends to try to avoid the political implications", said Commission for Missing Persons and Victims of Violence coordinator Usman Hamid when speaking to Detik.com in Jakarta on Wednesday September 6.

According to Hamid, the key to cracking the case is in the hands of the president. The police only go with the political flow, so the president must restate his desire for the investigation into the case to be completed. "It has been two years already, we hope that the president will reaffirm his commitment by forming a new team or by ordering the police to reinvestigate the case properly", he asserted.

Hamid said that if police insist that the technical obstacle hindering the investigation is Pollycarpus being unwilling to provide information



then there would be no significant progress in the case. "Whereas the police have the authority to question additional witnesses, also to conduct raids and seizures, including asking Telkom for the recording of the conversation [between Pollycarpus and an official at the National Intelligence Agency]", explained Hamid.

In addition to this, Hamid said that the police citing the obstacle of not having investigated the scene of the crime is just a manufactured excuse. "The police's argument has no basis, the Dutch [police] have not conducted an investigation at the scene of the crime, because that comes under Indonesia's authority. I suspect the police are not being serious about completing the investigation into this case", he said.

Hamid also said that the House of Representatives team formed to follow up the case has not worked optimally so it has been difficult to achieve any progress in solving the case. "What has been undertaken has been inadequate and only sought to highlight the obstacles and problems, but it should have been able to uncover everything", he said.

In the lead up to the second anniversary of Munir's murder on September 7, a number of events are planned including a book launch, a night of commemoration and a discussion about human rights defenders. (ndr)

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## **President asked to form new investigation team in Munir case**

Detik.com - September 7, 2006

Muhammad Nur Hayid, Jakarta — Two years after Munir's murder the case remains a mystery but demands for the case to be resolved are continuing to be raised. Munir's wife, Suciwati, is asking President Susilo Bambang Yudhoyono to form a new investigation team.

"The results of the earlier [investigation by the Munir] Fact Finding Team (TPF) were not optimal, because only one suspect was tried. That is why if

the [investigation] is not supervised [the real perpetrators] could get away", Suciwati told Detik.com on Thursday September 7.

According to Suciwati, the new investigation team must be given more powers than the previous one because although there was an instruction from the president to form the TPF, the reality was that it was unable to penetrate the National Intelligence Agency that is believed to have significant information about Munir's death.

"The team must [be formed] on the direct orders of the president, not the House of Representatives or the national police, and be given more powers so that it can question anyone", added the mother of two children.

To commemorate the second anniversary of Munir's death, hundreds of people from Solidarity for Munir will hold an action. They plan to go to the Supreme Court, the Attorney Generals Office and the national police headquarters.

Munir was a human rights activist who had been active in the Commission for Missing Persons and Victims of Violence. He died aboard a Garuda Airlines flight to Amsterdam. Munir's body is buried at the Kota Baru public cemetery. At the time of the autopsy high levels of arsenic were found in his body.

Only former Garuda pilot Pollycarpus Budihari Priyanto was convicted of the murder and two Garuda crew members were named as suspects. It is believed that Munir's death was the result of a conspiracy. (nvt)

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## **500 NGO activists demand police complete Munir investigation**

Detik.com - September 7, 2006

Veronika Kusuma Wijayanti, Jakarta — Around 500 activists from a number of non-government organisations held a demonstration at the national police headquarters on Thursday September 7. They were demanding that police solve the Munir murder

that took place two years ago.

The protesters, most of which were wearing red T-shirts gave speeches on Jl. Trunojoyo resulting in a traffic jam. A number of protesters also wore bamboo hats and brought effigies made of straw.

Also present at the demonstration was Munir's wife Suciwati. "Today we are calling in the [President's] promise. He said the police had given a commitment they would resolve [the case]. We are tired of promises. We are only demanding the fulfillment of one promise, a commitment that must be demonstrated, that is [finding] Munir's killer", she said.

The coordinator of the Commission for Missing Persons and Victims Violence, Usman Hamid meanwhile questioned whether the police were being serious in handling the Munir case. "If [they] are waiting for [information from] Pollycarpus, that is impossible. The President it seems is also not serious about dealing with the case. The president has no [political] will, it is as if there is a fear", he said. (umi/nrl)

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## **500 demand chief of police resign if Munir's murder is not solved**

Tempo Interactive - September 7, 2006

Rudy Prasetyo, Jakarta — Around 500 people from the Solidarity Alliance for Munir demonstrated at the national police headquarters in South Jakarta today. They were demanding that the police quickly solve the Munir case and guarantee protection to all human rights defenders.

"It would be better for Sutanto (the chief of police) to resign if it is not possible to solve the Munir case", said Mugianto from the Indonesian Association of the Families of Missing Persons (Ikohi), which was greeted by cheers from Munir's supporters.

A black colt pickup car complete with a loudspeaker and sound system became the stage for speeches. While listening to the speeches,

demonstrators put up dozens of red banners and cartoons with brightly coloured messages such as "Uncover the mastermind behind Munir's killer", and "Who is Munir's murderer".

They also wore red shirts with the writing "Commemorating two years since the murder of Munir" on the front and "Munir was killed for being right" on the back.

The protesters also shouted and sung songs defending Munir's struggle. "Enough, never again let there be those who disappear and die", sang the protesters like a choir. After the demonstration at police headquarters they moved off to protest at the Supreme Court.

[Translated by James Balowski.]

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## **Call for independent commission to investigate Munir murder**

Detik.com - September 4, 2006

Arfi Bambani Amri, Jakarta — The investigation into the assassination of human rights defender Munir has reached a dead end even though former Garuda Airlines pilot Pollycarpus Budihari Priyanto has been convicted for the murder.

Non-government organisations (NGOs) are therefore calling on the government to form an independent commission to investigate the Munir case. The commission must have broader powers than the Munir Fact Finding Team (TPF) that has already been disbanded.

The call was made by dozens of NGOs including the Commission for Missing Persons and Victims of Violence (Kontras), the Indonesian Environment Forum (Walhi), the Independent Journalist Association (AJI) and the Institute for Public Research and Advocacy (Elsam). The groups said that the investigation was never finished properly and many irregularities need to be straightened out.

"[What is needed is] An independent teams like the

Corruption Eradication Team (Timtas Tipikor)", said Kontras coordinator Usman Hamid at the Kontras offices on Jl. Borobudur, Jakarta, on Monday September 4.

Hamid explained that the independent team that they are proposing would follow up on the findings of the TPF. With broader powers it is hoped that the team will be able to force the police to investigate the Munir assassination in accordance with procedures.

"We want an audit of the police that were involved in the investigation. We suspect that the reassignment of the head of the team investigating the Munir assassination at national police headquarters [Brigadier General Marsudi Hanafi] was an attempt to weaken the investigation of the case", said Hamid.

Pollycarpus

Hamid also raised questions about changes to the charges against Pollycarpus who was sentenced to 14 years for Munir's murder. The changes referred to by Hamid was the charge of premeditated murder by use of falsified documents becoming a charge falsifying documents to commit premeditated murder.

According to Hamid, the change to the charges significantly influenced the follow up investigation into the Munir case. A charge of premeditated murder using falsified documents means there were other people that were responsible for falsifying the documents. A charge of falsifying documents to commit the murder meanwhile means that it was as if the only perpetrator of the crime was Pollycarpus.

"Given the irregularities in the uncovering of the Munir case, there is an obligation to form an independent team", asserted Hamid. (djo)

[Translated by James Balowski.]

## HUMAN RIGHTS/LAW

### **NGO urges city to enact moratorium on evictions**

Jakarta Post - September 7, 2006

Jakarta — International non-governmental organization Human Rights Watch (HRW) on Wednesday urged the city administration to enact a short-term moratorium on all evictions in Jakarta, saying it believed many of them were human rights violations.

The New York-based NGO recommended the administration impose the moratorium until it established a mechanism conforming the eviction process to international standards, in which evictions should never render individuals homeless or vulnerable to human rights abuses.

"Frequently, the eviction is conducted with little notice and inadequate compensation, leaving many poor people to be homeless. Sometimes, it turns in to violence, involving excessive power by the authority," HRW researcher Bede Sheppard said, quoting a one-month report about forced eviction in Jakarta made public at the Jakarta Legal Aid Institute (LBH Jakarta).

HRW's report is based on five months of research, including 30 days of field research, scrutinizing 14 eviction cases that occurred between 2001 and 2006 and interviewing more than 100 people, including, victims, witnesses of forced evictions, government officials, academics, lawyers and local NGOs.

The report concludes that in all cases in four municipalities, — East, West, North, and Central Jakarta — evictions and human rights abuses took place at the same time.

HRW also urged the city administration to hold an independent investigation regarding the allegations of human rights violations. "At times, gangs of private thugs help the government to execute the eviction, making it vulnerable to turning into violence," Sheppard added.

The NGO also suggested that evictions should be carried out in coordination with relevant parties, not only the policy makers but also with the affected community, to ensure that all appropriate measures to ensure adequate alternatives for the community were available.

The administration should also carry out evictions without violence and with the provision of

adequate compensation, the report states. The report says, "Taking land and property without adequate compensation is like the city government stealing from its poorest citizens".

The city administration has conducted many evictions since 1999 to acquire land for infrastructure development, such as monorail, flood canals, low-cost apartments, and turnpikes.

Even though the city administration justified evictions on the grounds that the land was required for infrastructure projects, Sheppard said, it still needed to guarantee that the execution of evictions would not violate human rights.

He said that Indonesia had an obligation under international law to respect individuals' rights to adequate housing and to refrain from forced evictions.

LBH Jakarta representative Taufik Basma said that his institution would urge the authority to heed the recommendations. "We can also use this report, with its sample cases, as a guideline for us to deal with any evictions violating human rights," he said.

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## **Court examines defamation ban**

Jakarta Post - September 5, 2006

Ary Hermawan, Jakarta — The Constitutional Court began reviewing Monday whether articles in the Criminal Code concerning defamation of the President and Vice President are unconstitutional.

The review of Articles 134 and 136 was requested by lawyer and hardline Muslim activist Eggi Sudjana, who is currently on trial for allegedly defaming President Susilo Bambang Yudhoyono.

Eggi demanded the court nullify the articles, arguing they contradicted Articles 27 and 28 of the 1945 Constitution, which guarantee freedom of speech and information.

"The articles on the defamation of the President

have violated my constitutional rights as a citizen," Eggi told a panel of judges at the Constitutional Court.

He said the two articles hindered him from expressing his opinions freely as a political activist: "I can't be critical of the government."

Eggi was charged with reporting entrepreneur Hary Tanoesudibjo to the Corruption Eradication Commission (KPK) in January without offering any evidence. He told KPK chief Taufiqurrahman Ruki that Hary had given four expensive cars to four of the President's closest allies, including his son.

Eggi alleged that the defamation articles protected only the interests of the those in power. "Nobody was arrested and tried for defaming former presidents Abdurrahman Wahid and Habibie. Why is it happening now during the era of the SBY administration?" he asked.

Eggi suggested, however, that a special law be passed against defaming the President. "It should not be incorporated in the Criminal Code because it could be used as a 'rubber article'," he argued.

He added that the defamation articles were adopted when Indonesia was a Dutch colony, to protect the Dutch queens and governors-general. He argued they were no longer relevant in the current democratic era. "Even the Dutch have scrapped such articles," he said.

Eggi also asked the Constitutional Court to temporarily halt his defamation trial at the Central Jakarta District Court.

Eggi's lawyer, Firman Wijaya, argued that the articles on defamation were counterproductive to the antigraft campaign by the KPK. The KPK law encourages people to report graft allegations to the commission.

Muladi, who heads the team assigned to draft the Criminal Code revision, said the passages on defaming the President will be retained. "Every country has that kind of regulation," he said, adding that the draft was finished and would be submitted to the House soon.



Human rights activists and journalists have expressed concerns over the articles' inclusion, saying they would pave the way for the government to jail opponents and journalists.

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## **Youths demand end to death penalty**

Jakarta Post - September 5, 2006

M. Azis Tunny, Ambon — The government should abolish capital punishment and accelerate development in island provinces throughout the country, the 13<sup>th</sup> Catholic Youth National Congress in Ambon says. Delegates at the forum finished their four-day meeting in Ambon on Monday.

They also called for police to question 16 people, who lawyers for three men on death row say were behind sectarian riots in Poso in 2000.

Youth movement chairman MT Natalis Situmorang said in Ambon on Sunday the members "strongly object to the use of the death penalty against any person in this country".

Secretary general Cosmos Refra said the conference was afraid the true perpetrators of the Poso riots would be revealed only after the death-row convicts had been executed.

"We renounce the death penalty because God has given life to humans so that they can live freely, and only God has the right to take (life) back, not fellow humans," Refra said.

The congress' rejection of the death penalty was not motivated by political or sectarian concerns, he said.

"In principle, we reject the use of the death penalty against all people, be they (Fabianus) Tibo and his friends or (the convicted Bali bombers) Amrozi, (Ali Ghufro) and Imam Samudra as well as others sentenced to death," he said.

The three Christian men are due to be executed later this year, after being convicted of inciting a riot in Poso in which 198? people, mostly Muslims, died. They have protested their

innocence, saying 16 other people, including members of the security forces, were behind the riots.

Regarding the economy, the congress asked President Susilo Bambang Yudhoyono and the House of Representatives to immediately accelerate development in seven outlying island provinces in Indonesia, including the Riau Islands, Bangka Islands and North and South Maluku provinces.

Recent development initiatives for the areas were endorsed in the Ambon Declaration on Aug. 10 signed by governors and legislators from the provinces.

The government should support other efforts made by the Inter-Island Province Cooperation Forum led by Ambon Governor Karel Albert Ralahalu, delegates said.

They also urged the government to revise the 2004 National Resources Law, increase investment and improve infrastructure in the nation's outlying islands.

Outlying areas needed sufficient funding from the state budget, Situmorang said. "We only want impartial treatment from the central government."

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### **Constitutional Court's verdicts 'questionable'**

Jakarta Post - September 4, 2006

M. Taufiqurrahman, Jakarta — The Constitutional Court is delivering controversial and questionable verdicts that are only serving to sow further confusion in the country's legal system, two legal experts say.

National Law Commission chairman J.E. Sahetapy and a constitutional law expert from Bandung's Padjajaran University, Sri Soemantri, said judges at the Constitutional Court were living in "isolation" and did not take the public mood into account when making verdicts.

"Those constitutional judges should have been prudent when issuing their verdicts and should not

have made decisions that only give rise to further legal ramifications," Sahetapy told The Jakarta Post over the weekend.

A recent verdict issued by the court this year stripped the Judicial Commission of its oversight powers over Supreme Court and Constitutional Court judges because of a legal technicality.

The court ruled that the 2004 Judicial Commission Law setting up the body was flawed — and therefore unconstitutional — because it did not make a distinction between the “justices” of the Supreme Court and the “judges” of other courts.

However, neither does the nation’s Constitution, which simply states that all conditions for “the appointment and dismissal of a judge shall be laid down by the law”.

That verdict is only the latest in a series of controversial decisions handed down by the court, which observers believe is dealing a blow to government attempts to reform the notoriously corrupt judiciary.

Last month, the court issued a ruling that made it more difficult for the Corruption Eradication Commission (KPK) to round up graft suspects. It ruled that suspects in corruption cases could only be brought to court if there was evidence they were in violation of “formal regulations”.

Sahetapy warned the country was in danger of “constitutional tyranny” from the court because as the sole institution with the right to interpret the Constitution, it could easily abuse such authority.

"There is no institution in the country that can successfully challenge their (judges') authority as any efforts to review Law No. 24/2003 on the Constitutional Court will easily be rejected by (the court)," Sahetapy said.

To create a better decision-making mechanism at the court, Soemantri suggested that there should be an amendment to the law on the court to increase the number of judges.

"With the current arrangement of nine members, including a chairman, it is difficult to expect a

strong dissenting opinion, but with a membership of 15, for instance, a more healthy debate could take place and the verdict could be less controversial," Soemantri told the Post.

Both Soemantri and Sahetapy were involved in the deliberations of the constitutional court law.

The court, however, was not the only institution to blame for some of the controversial rulings, the two experts agreed.

"The House of Representatives should share the blame for producing poor quality laws that can easily become the subjects of judicial reviews filed by those affected by the laws," Soemantri said.

## LABOUR ISSUES

### **Government prepares bill to protect domestic workers**

Jakarta Post - September 7, 2006

The government is drafting a law on domestic workers that is aimed at providing legal protection from widespread exploitation.

The draft, now under discussion with all involved parties before it is brought before national legislators, guarantees the rights of housemaids as informal workers, after many years when their employers could do as they wished.

Their rights will be guaranteed from the moment they are recruited by labor supplying agencies and during their employment. But critics say the bill is deficient in not mandating severe punishment for anyone who exploits or abuses maids.

Housemaids can be recruited by labor suppliers or by their prospective employers, with the main requirement that they are trained in household chores to ensure they meet job requirements before they start. Also included in the category of "housemaids" are babysitters and caregivers for the elderly.

Like those working overseas, the bill mandates that domestic workers would be entitled to a

monthly payment, annual bonus, days off and knowledge enhancement to improve their productivity. It also states they should be able to maintain communication with their family, to unionize, perform their religious obligations and receive labor and health protection.

Working hours are set at eight hours a day, with the right to take a rest period. They also can have one day off a week, and take annual leave of at least 12 days.

Because of different conditions among regions, the minimum wage for domestic workers will be set by local administrations through bylaws.

On their part, housemaids are required to have professional skills, maintain good conduct, protect the employer family's privacy and security, as well as notify their employer and/or recruitment agency at least 15 days before they resign.

The director general for labor inspection at the Manpower and Transmigration Ministry, Maruddin Simanihuruk, said housemaids were treated separately from the formal workforce because their employment was family-based and industrial relations did not apply.

"The bill is a *lex specialis* (special law) because household jobs have their unique characteristics which do not need detailed regulations. They stay with their employers. Living together with them makes them dependent, allowing them to save their monthly salary but simultaneously leaving them prone to abuse."

Despite all the special characteristics, he said, the sector could be regulated to ensure mutual benefits to workers and their employers, and to avoid unwanted incidents.

In cases of exploitation, harassment and disputes, the bill allows domestic workers to report the incidents to their employers' neighborhood chief, or go to court, for settlement.

The housemaids' right to unionize will allow their associations or unions to help provide advocacy for their members, Maruddin said, referring to the Domestic Workers Union in Yogyakarta.

He said the bill carried no physical sanctions against any violation of the agreement between housemaids and their recruiting agencies, or any violation of the labor relationship between workers and their employers because the job was informal.

"To protect housemaids from human trade and abuse, the government has enforced the domestic violence law and will apply the human trafficking bill which is being deliberated by the House of Representatives."

The two laws could be used to prosecute abusive employers for committing crimes in their workplace, he said.

Maruddin hoped the long-awaited bill, which has received support from the National Commission for Protection of Women and Children and women's rights organizations, would soon be submitted to the House, and enacted in 2007. (JP/Ridwan Max Sijabat)

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## **Housemaids still vulnerable to exploitation, abuse**

Jakarta Post - September 7, 2006

Ridwan Max Sijabat, Jakarta — Sutinah's chores start early and end late, day in and day out.

The 18-year-old from the Central Java town of Purwodadi is a housemaid for a working couple with three children aged five, three and one. She wakes at 4 a.m. to prepare breakfast, do the laundry and clean the house. When the children awake, she helps bathe them.

"After preparing breakfast for the children, I carry the youngest around, singing him Javanese lullabies until he sleeps. Then, I help the children's grandmother bathe and prepare her breakfast."

She does ironing while cooking lunch and dinner, and helps out with other household work during the evening.

Sutinah goes to bed at 11 p.m., stealing five

hours of sleep before the next workday. With no holiday, it is the same routine for her every day of the week.

Sutinah has worked for the family for five years, receiving a monthly salary of Rp 300,000 (about US\$33) plus an annual bonus and a trip home for the post-fasting month holiday of Idul Fitri.

Demand for domestic workers in big cities, both at home and overseas, is increasing. Employing household help, long a tradition in Indonesian society, has remained important even with the adoption of modern lifestyles. The number of housemaids in Jakarta increased to several million in 2006 from 860,000 in 2000, NGO Rumpun Gema Perempuan reported.

Most of the workers are low-educated women, including teenagers, from rural areas, who come to Jakarta and other major cities to support their families back home. Their employers, increasingly, are dual career couples needing their help to balance work and family responsibilities.

Despite the growing demand for their services, housemaids have not been classified as a formal sector regulated by the labor and social security laws. There are no clear labor standards, including on minimum wages, fringe benefits, set working hours and social security programs.

Left out of the core labor standards and legal protection, most housemaids work for more than 12 hours a day and are denied their basic human rights.

Isolated from the public eye, they also are acutely vulnerable to exploitation, physical and sexual abuse. But few cases ever make it to court. For one, it's difficult to document the exploitation and abuse, and the police are reluctant to enter into the domestic sphere. Housemaids also are prevented from reporting the abuse to the authorities, or do not know who to turn to.

There have been exceptions, however, when widespread media exposure of horrific abuse cases, including the killing of maids, promoted law enforcers to act.

Women's rights activist Taty Krisnawaty said the 2004 enactment of the domestic violence law helped in preventing housemaids, mostly women, from suffering physical and sexual abuse, but it was not adequate to provide protection for all their needs.

"The absence of labor contract has also allowed employers to treat their maids arbitrarily, such as making them work 12 hours a day or withholding their pay."

Taty said despite its informal status, household employment must be regulated and based on human rights adopted by the Amended 1945 Constitution, with housemaids deserving the legal protection and equal treatment afforded formal workers.

"In line with the increasing demand in the domestic market, household jobs must be regulated under a law as a token of our commitment to human rights."

ILO chief technical adviser Lotte Kejser said the exclusion of housemaids from the labor law and social security programs was actually the worst form of discrimination, and contravened the Constitution and an ILO convention ratified by Indonesia.

A law is urgently needed to improve the status of domestic workers and make household employment a profession for uneducated workers, she said, saying it was regulated as a profession with core labor standards in developed nations.

- Housemaids are mostly women aged between 13 and 25, low-educated, poor and from rural areas
- 87 percent housemaids work 10 to 12 hours a day
- 54 percent of housemaids have annual leave amounting to less than 12 days
- 28 percent are not allowed to take annual leave and communicate with their family
- 68 percent of housemaids experience psychological burdens (frequent reprimanding and verbal abuse)
- 93 percent suffer physical abuse
- A further 42 percent are sexually abused

The Criminal Code has been bound inapplicable for processing violations against housemaids.



### **Sanyo workers stage strike**

Jakarta Post - September 7, 2006

Bekasi — Thousands of workers at Japan-based electronic goods producer PT Sanyo Indonesia went on strike Tuesday following the suspension of the management of their union.

From 7 a.m., the demonstrators staged a sit-in at a factory in the East Jakarta Industrial Park, Bekasi, demanding their three colleagues be reinstated.

"They were suspended because they were involved in the demonstration last April that was staged to demand a raise. The company had agreed that no one would be dismissed or punished over the demonstration," said workers union deputy chairman Zainuddin.

Company management refused to meet with the workers, but a staffer, Fumitosi Izumi, read a statement requesting that they end their strike. "Since the strike is a violation of the Labor Law, the workers can be subject to suspension or even dismissal, while the case can be brought to trial," she said.

The workers said they would continue to strike until their demands were met.

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### **Study says no to labor law changes**

Jakarta Post - September 2, 2006

Jakarta — There is no need to make controversial major changes to the labor law, as proposed by the government, according to a study by a group of state universities assigned to review the regulation.

"Basically there should be a balance. There should

be only necessary changes, but not as drastic as those planned before," Vice President Jusuf Kalla said Friday, quoting the study.

The law was reviewed by five universities: the University of Indonesia, the University of North Sumatra, the Hasanuddin University, the Gadjah Mada University and the Padjajaran University. The government ordered the academic study after its proposed revisions to the law drew fierce opposition from labor unions in May.

"We just need to add details to the law, such as in the articles on dismissal and the relationship between workers and employers. We will first communicate with employers and labor unions on the matter," Kalla was quoted as saying by the Detikcom news portal.

## **POLITICS/POLITICAL PARTIES**

### **Hasyim shuns new NU-backed party**

Jakarta Post - September 4, 2006

Nahdlatul Ulama (NU) leader Hasyim Muzadi said Sunday that the central board of the country's largest Muslim organization would not give its blessings to a new political party that senior clerics wanted to set up.

NU figures who wish to establish a new party to challenge the Abdurrahman "Gus Dur" Wahid-backed National Awakening Party (PKB) should channel their energies into the party's national congress slated for 2009, Hasyim said.

"Just wait until the third congress takes place so that efforts to avenge their defeat can be done in a dignified way," Hasyim said in Malang, East Java.

He called on the splinter group led by Chairul Anam to reconsider their plan to set up a new political party as it would require tremendous manpower and resources.

Hasyim was commenting on a plan by NU clerics opposed to Gus Dur's leadership in the divided PKB to establish a new political party to challenge the government-sanctioned PKB.

After a protracted legal battle, the Supreme Court recently issued a ruling that recognized the Gus Dur-backed PKB, chaired by deputy speaker of House of Representatives, Muhaimin Iskandar.

Responding to the verdict, senior NU clerics who support Anam's faction within the PKB intensified efforts to set up a new political vehicle.

The group is expected to hold its first meeting Wednesday to finalize preparations for the establishment of a new party in Langitan, Tuban, East Java.

The splinter group was confident that a two-year period before the 2009 general elections would be enough to build a mass base for the party.

Gus Dur's opponents also vowed to challenge the Supreme Court's decision.

Hasyim said that as leader of the winning side in the PKB conflict, Muhaimin should make efforts to accommodate the interests of the opposition camp.

"It will create a more conducive situation. As for the losing side I ask them to be patient and wait for the next PKB congress," Hasyim said.  
(JP/Wahyoe Boediwardhana)

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## **Political party flags displayed at site of Jakarta fire**

Detik.com - September 1, 2006

Gagah Wijoseno, Jakarta — A variety of political party flags adorn the site of the fire in the Penjaringan area of North Jakarta. According to Detik's observations on Friday September 1, at least five parties have put flags up including the Justice and Prosperity Party (PKS), the Indonesian Democratic Party of Struggle (PDI-P), the National Awakening Party (PKB), the Democrat Party (PD) and the Patriot Party (PP).

Of the five parties only the PKS, PDI-P and PKB have setup coordination posts while the other have only put up party flags and symbols.

Local residents have reacted differently to the issue. Halimah (30) whose food stall was burnt down has no objections to the party flags and coordination posts. "I'm like just going along with it. It's called being the little people," he said. Despite having no objections, Halimah still hopes to receive assistance in the form of food, clothing and cooking utensils.

A different view was expressed by Hari (30). He objects to the distribution of party symbols and flags. "I strongly object, it is as if they are campaigning at a time people are experiencing difficulties. There is no benefit. The impression is a campaign", he said. Hari added however that he has no objections to the coordination posts as long as their aim is humanitarian and not political.

Suhendro (25) who staffs a PKB coordination post denied that the coordination post was being used as a means to promote the political party. "It is humanitarian. We are helping. There is no relationship to the gubernatorial elections [next year], we are serving [people's] needs. I'm not concerned if it is from another party", he said.

The fire at Penjaringan occurred last Tuesday. At least 310 homes housing some 1,500 people were burnt down. The victims of the fire are still cleaning out the remains of their houses while others are tearing down remains of their homes. Residents have been living in tents since the fire. (nrl)

[Translated by James Balowski.]

## **LAPINDO MUD DISASTER**

### **Government to form national team on mudflow**

Jakarta Post - September 7, 2006

Jakarta/Sidoarjo — The government is organizing a national team to address the hot toxic mud that is flooding Sidoarjo, East Java. The move came as victims continued protesting Wednesday against Lapindo Brantas Inc., which has been blamed for the disaster.

"Vice President Jusuf Kalla is establishing a

national team to take care of this problem. It's a big issue involving many lives, therefore it requires special treatment," the chairman of the Indonesian Muslim Student Movement (PMII), Hery Haryanto Azumi, said Wednesday after meeting with Kalla.

No details were available about the leadership or members of the team or its specific duties. However, the Vice President said the government would prioritize the safety of people and their belongings, as well as the safety of public facilities, Antara quoted Hery as saying.

Hery said the government has not yet directly addressed the impact of the mudflow on local people's lives.

The PMII, which is affiliated with Nahdlatul Ulama, the country's largest Muslim organization, plans to hold a seminar in Jakarta on Sept. 19 to evaluate the government's performance in handling the mudflow case.

The chairman of the Indonesian Christian Student Movement (GMKI), Kenly M. Poluan, who met with Kalla separately Wednesday, said the national team will consist of many parties, including the government and Lapindo itself.

"The Vice President stressed that the government will work hard to overcome this problem. If the mud has to be flown to the sea, then it will be. He also said the problem is an accident faced by the nation and the government is taking it seriously, working with both local and foreign engineers," Kenly said.

The GMKI, he added, saw the case as a corporate crime that should be dealt with firmly.

Earlier, Public Works Minister Djoko Kirmanto said his office had established three teams focused on shutting down the source of the mud, securing infrastructure such as railways and roads, and coping with related social problems, particularly compensation for the victims.

In Sidoarjo, hundreds of mudflow victims from Kedungbendo village continued their protest Wednesday outside the Lapindo Brantas office. The residents demanded a guarantee of compensation for

their land destroyed by the sludge. They also demanded that the company pay their rent.

A resident named Suprpto said if the compensation is not paid soon, thousands of people will blockade the company's heavy-duty vehicles and the equipment it has been using to work in the mudflow area.

Kedungbendo village chief Hasan said he had repeatedly told the victims to be patient and waiting for compensation. "I have told them not to shut down the access, but now I'm angry too because Lapindo hasn't met its promise," said Hasan, who was among the protesters.

Local residents are also worried the coming rainy season will swell the lakes of mud currently held back by embankments, breaking down the retaining walls and causing floods. Surging mud has flooded more than 400 hectares of land, including 1,810 houses, 20 factories, and 18 school buildings.

Lapindo Brantas vice president and public relations head Yuniwati Teryana said her office was still collecting data on the victims' assets, including their land and houses.

"We're facing very complicated problems. We can't just settle everything in such a short time. We have to measure every property carefully because it's related to data accuracy and land certificates," she said.

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## **NGOs warn Lapindo, government**

Jakarta Post - September 6, 2006

Adisti Sukma Sawitri and Indra Harsaputra, Jakarta/Sidoarjo — Legal and environmental activists are threatening to take the government and Lapindo Brantas Inc. to court unless there is quick settlement of compensation for thousands of mudflow victims in Sidoarjo, East Java.

The Foundation of the Indonesian Legal Aid Institute (YLBHI) and Indonesian Forum for the Environment (Walhi) set a week's deadline for them

to provide "concrete action", or they would sue.

The NGOs charge the government and the companies violated the environment law and the Criminal Code in handling the disaster, which began on May 29 and has yet to be brought under control.

It has submerged about 160 hectares of residential areas, factories and farmland in Porong district, displacing about 8,300 people. A study by Greenomics Indonesia estimated last month that the mudflow at the time had caused Rp 33 trillion (US\$3.6 billion) in losses to local people and their environment.

"The government has to make sure that Lapindo as well as its parent companies compensate for the environmental damage and local people's losses, and never get help with the money from state coffers," said lawyer Taufik Basari of YLBHI.

In Padang, West Sumatra, Sonny Keraf, a former environmental minister and now deputy chairman of House Commission VII on mineral resources, demanded Lapindo pay compensation three to four times the nominal value of the damaged property. He also said they should pay nonmaterial losses. "And such losses may not be covered by the government using state money," Keraf told Antara newswire.

Lapindo is owned by PT Medco Indonesia (38 percent) and Santos Brantas Pty (12 percent), with the rest under PT Energi Mega Persada, controlled by the Bakrie Group. Nevertheless, Energi Mega Persada, which claims it has spent US\$20 million to handle the calamity, is planning to sell its shares in Lapindo to an unnamed Bakrie unit.

Taufik also demanded an apology from Lapindo for its negligence in exploring the Banjarpanji-1 gas well. Police last week sealed off the site due to the risk of explosion from underground gases. They have questioned nine suspects, consisting of three Lapindo executives and six field operators, for negligence.

The company's management has been blamed for allegedly failing to install protective casing at the required depth during the drilling process.

Walhi's national coordinator Chalid Muhammad said

that Lapindo and the government also had to improve transparency in handling the mudflow and providing compensation. "They have yet to do their utmost to stop the mudflow," he said.

Chalid said Lapindo, with the government's permission, had chosen to divert the mud to other areas, instead of attempting to permanently close the leak.

Meanwhile, the Sidoarjo administration continued Tuesday with its efforts to direct the mud to Kali Mati, Pasuruan regency. Sidoarjo regent Win Hendarso said it was an alternative strategy to reduce the volume of mud flowing around the gas well.

"We're doing this to prevent floods in the coming rainy season," he said, adding it would be processed into building material. The decision sparked more opposition from increasingly frustrated locals and activists.

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### **Mudflow victims vent their anger**

Jakarta Post - September 5, 2006

Indra Harsaputra and Ridway M. Sijabat, Sidoarjo/Jakarta — Tempers flared again Monday at a rally by hundreds of people from Porong, Sidoarjo, East Java, frustrated by handling of the mudflow disaster.

Two police officers were injured after protesters pelted them with stones outside the local administration office. They demanded that Lapindo Brantas Inc. — the owner of the gas exploration well which ruptured on May 29 and has caused massive damage to its surroundings — provide an assurance that their five villages would not be affected by the mudflow.

Local representatives agreed with their demand, even though sparing their villages of Keboguyang, Permisan, Glagaharum, Plumbon and Sentul would mean others in the area would have to be sacrificed to accommodate the unstoppable mudflow.



"We understand they are stressed due to the mudflow and are demanding certainty about their fate," Sidoarjo Police chief Adj. Sr. Comr. Utomo Heru Cahyono said.

Violence has marred protests by increasingly restless residents in recent weeks, with thousands demanding higher compensation after the torrent of mud engulfed their homes and the shrimp ponds dotting coastal Sidoarjo.

Residents vandalized Lapindo Brantas water pipes last Friday. At a different rally, protesters threw a soldier into one of the ponds allocated to contain the mud. He was not injured. They also have periodically closed the local turnpike, and there have been clashes between neighboring villages over possible inundation.

Residents also have expressed suspicions local officials have been bought off by the company. "I will force myself to defend you until I fall sick. I just ask you to believe me and deputy regent," Sidoarjo Regent Win Hendraso told the protesters Monday.

In a related development, another Lapindo employee died Monday when he was crushed by a bulldozer raising an embankment for mud containment. The man, identified as Hariyanto, died at 8:30 a.m. He was the second victim after Yuli Eko Artanto, the operator of the excavator machine, died Friday from massive injuries suffered in a mudflow site explosion.

In Jakarta, a group of academics warned Monday of the likelihood of greater social conflicts due to the government's slow handling of the problem.

They said the victims had exhausted their patience, especially before the post-fasting month Idul Fitri holiday in October. They said a greater ecological disaster was inevitable because the mudflow was getting worse ahead of the rainy season, due to begin in November.

Hotman Siahaan, representing the Board of Surabaya Academy, said in a meeting with the House leadership that the situation was at a critical point.

"Hot mud spewing out of the company's mining site

will generate a major disaster on the eve of the rainy season; mudflow will swamp all surrounding densely populated areas, including the turnpike network, while the Madurese people are prepared to take up their machetes if the government goes ahead with its decision to dispose the hot mud into the Java Sea," he said.

The Airlangga University sociology professor accompanied Nahdlatul Ulama clerics and councillors from the East Java provincial legislature, who asked the House of Representatives to pressure the government to set up a special body to handle the disaster.

"In this emergency condition, the government has to be tough in taking necessary actions to avoid a major disaster and also must be transparent in giving locals accurate information on the mudflow. It also must provide certainty about compensation for the people in entering the fasting month," he said.

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## **TV station digs a hole for Lapindo**

Jakarta Post - September 3, 2006

Indra Harsaputra, Sidoarjo — In a bizarre twist to the continuing mudflow disaster in Sidoarjo, a local television station claims the company at the center of the mess has agreed to make a TV soap opera to tell its "heroic" side of the story — an assertion the company denies.

East Java station Jawa Post Televisi (JTV) executive producer Awi Setiawan said the company, Lapindo Brantas Inc., had agreed to pay for a 13-episode drama, or sinetron, titled Gali Lubang Tutup Lubang (Digging a Hole, Filling a Hole).

"Production is likely to start in mid-September, while for the screening schedule, we are still waiting for further discussions with Lapindo," Awi told The Jakarta Post. All production costs — Rp 520 million at Rp 40 million (US\$4,347) an episode — would be covered by Lapindo, he said.

Lapindo's image has been in free fall since the

disaster, which began on May 29. The mudflows issuing from Lapindo's well site now cover more than 180 hectares of land in the district and have made about 10,000 residents in the area homeless.

Environmentalists say the hot mud has caused up to US\$3 billion in damages, compensation and clean-up costs, and have urged the government to prosecute Lapindo under the country's environmental laws.

Lapindo is owned by the family of the Coordinating Minister for the People's Welfare Aburizal Bakrie.

Its management are already the subject of a criminal investigation after allegations surfaced that the company failed to put protective casing on its drilling well, a vital safety procedure that is being blamed for the catastrophe.

Responding to JTV's claims, Yuniwati Teryana, Lapindo's vice president and head of public relations, denied the company was producing a television drama to improve its image. She told the Post that Lapindo had no plans to make a TV drama or film about the situation in Sidoarjo.

JTV program director Ali Murtadlo, meanwhile, said the idea for the TV drama first came from JTV and Parfi, who wanted to develop a sinetron idea in Java. "The hot mudflow in Porong, Sidoarjo, is a big tragedy and it is Lapindo's responsibility to take care of the problem. We will highlight stories of Lapindo's heroism in this sinetron," Ali told the Post.

Despite the confusion over Lapindo's involvement in the project, Ali said pre-production was in full swing, with a number of locations decided on, including residential areas inundated by the mudflow. Awi said actors from the East Java branch of the Indonesian Actors Guild (Parfi) would play parts in the series.

Parfi talent manager Audy Utomo said that popular sinetron actors like Rizal Gibran and noted musician Sawung Jabo had expressed interest in playing leading roles. "We're still negotiating contracts with them. But local (East Java) actors are in the preparatory stage after going through a long audition process," he said.

It is not clear who will direct the series but the

production's executive producer, Sonny Bule, suggested filmmaker Garin Nugroho was a frontrunner and would be approached.

Contacted by the Post, Garin said he had not heard of the project. "I've never been personally contacted (by Sonny)," he said by phone from Surakarta, Central Java. "But I've not been in the office lately. I've been busy promoting my film Opera Jawa (the Javanese Opera).

When asked whether he would be willing to make a drama on the mudflows, he said he was not sure. "I don't know the theme or the storyline just yet, so I can't answer that."

Previously, JTV has produced the Julia-Juli and Dollywood dramas based on the lives of commercial sex workers in Dolly, Surabaya's red light district.

[With additional reporting by Stevie Emilia in Jakarta.]

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## **Frustration boils over in East Java**

Jakarta Post - September 2, 2006

Indra Harsaputra, Sidoarjo — Residents of Sidoarjo, East Java, vented their frustration at the handling of the mudflow disaster in a violent protest Friday, but Vice President Jusuf Kalla said areas designated to contain the mud would have to be expanded a further 300 hectares.

Residents of worst-affected Porong district pelted stones and set fire to several facilities belonging to Lapindo Brantas Inc., which owns the gas exploration well that has spewed a torrent of hot, foul-smelling mud since May 29.

Residents also vandalized four water pumps set up to pump water from Porong River. They demanded the company stop dumping mud into the river and that embankments be strengthened to prevent their homes from being inundated.

The protest reportedly started when a team working to stop the mudflow prepared the pumps to siphon

out riverwater.

Keboguyang villager Rahmat said the residents were worried the new work would create more ecological problems. "We've never been told about the pumps. We don't want Porong river being used to dump the mudflow," he told tempointeraktif.com. Dozens of police personnel arrived to disperse the residents.

A Lapindo external relations and security official, Budi Susanto, said he regretted the incident, which he blamed on poor public awareness of the plan.

The protest brought a halt to the ongoing work to stop the mudflow, but did not affect the partial operation of the recently reopened Surabaya-Gempol turnpike.

In Jakarta, Kalla said there was a plan to expand the embankments to some 300 hectares to prevent further spread of the mudflow. The mud now covers 180 hectares in what environmentalists call a manmade ecological disaster that has caused an estimated US\$1 billion in damage to the area.

"Maybe the embankments will cover some 300 hectares more," he told journalists, saying that work would continue to strengthen the existing catchments. He said the government, through the Energy and Mineral Resources Ministry, had also deployed top local and foreign experts to try to end the mudflow problem, and strived to ensure the safety of residents and their property.

Meanwhile, the East Java Police questioned former Lapindo general manager Aswan Siregar for the first time Friday. Questioning reportedly focused on the drawing up of the drilling cooperation program and contract with PT Medici Citra Nusa.

Aswan served as general manager until February 2006 while exploration at the mudflow's source, Banjar Panji-1, began in March 2006. He was replaced by Imam Agustino, who has been named a suspect in the case. Aswan was summoned because Imam could not answer police questions on the drilling plan.

The head of the East Java Police special crime unit, Adj. Sr. Comr. I Nyoman Sukena, said there

were no new suspects in the case.

The police have named nine suspects, including three Lapindo executives and six field operators, for negligence. The company's management has been faulted for allegedly failing to install protective casing at the required depth during the drilling process.

East Java Police chief Insp. Gen. Herman Surjadi Sumawiredja said earlier the police would immediately bring the case to the court, and vowed there would be no bowing to political interests or outside pressure.

"Believe me, we're professional. If the investigation process takes some time, it's because the police is being careful and don't want to rush things up," he said.

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## **Sidoarjo turnpike awash in sludge**

Jakarta Post - September 1, 2006

Indra Harsaputra and ID Nugroho, Sidoarjo — Disruption in service continued on the Surabaya-Gempol turnpike Thursday from a fourth breached embankment from the mudflow disaster in Sidoarjo, East Java.

As the turnpike operator worked to make the road passable, visiting State Minister for the Environment Rachmat Witoelar said a controversial plan to dispose of treated mud would go ahead.

After being closed for two straight days, the turnpike was back in partial operation by 4:50 p.m. Thursday, allowing only the passage of vehicles from Surabaya to Gempol.

The head of the Surabaya-Gempol service subdivision of turnpike operator PT Jasa Marga in Surabaya, Stephanus Prasetyo, said the road was partially opened to ease the backup of vehicles in the area.

He said the mudflow spill started to subside in the morning after work to repair the damaged embankment, which broke early Tuesday.

Embankments, reaching several meters high and built to shield unaffected areas from the mudflow, are made from earth and gravel.

"Although the turnpike is back in operation, we can't be sure whether tomorrow (Friday) it will remain open or it will have to be closed again, because the condition of the embankment is dangerous and prone to damage," Stephanus said.

The massive mudflow from a May 29 leak at Lapindo Brantas Inc.'s gas exploration site has displaced an estimated 10,000 residents in nearby Porong, forced the closure of factories and disrupted the distribution of goods in East Java.

The foul-smelling hot mud now covers 180 hectares; environmentalists, calling it a manmade ecological catastrophe, estimate it has caused US\$1 billion in damage to the area. They say Lapindo should be prosecuted under the country's environmental laws.

The government's proposal to dispose of the mud before the onset of the rainy season has alarmed residents and environmental activists, who deride it as a desperate stopgap measure.

Under the original plan, the mud would be treated, with the water dumped into the sea and the sediment disposed at sand mines in nearby Mojokerto. However, the Mojokerto regency administration has not issued a permit for the disposal.

But Rachmat Witoelar said in Sidoarjo on Thursday that the plan to dump the water into the sea would be realized despite the protests.

He assured that the liquid would be free of any poisonous substances after treatment. "The plan to dump the mudflow's water into the sea will go on after it has been treated and studied by the state minister of environment's office. If we decide to dump the water into the sea, then it means the water has no more poisonous substances." He added: "People who reject the plan aren't clear about what they're rejecting". The disposal might begin in six months' time, he said, after the construction of water treatment facilities and dams around the gas drilling site were completed.

A former chairman of the Indonesian Geologists Association, Andang Bachtiar, said the continuing

uncertainty about solving the problem should partially be blamed on the central government.

He believed it was indirectly responsible for compensation to affected residents based on its legal contract with Lapindo. "If Vice President Jusuf Kalla says that Lapindo will cover everything, it's merely a political excuse," he said, referring to Kalla's earlier pledge while visiting the mudflow victims.

Andang said the US\$70 million spent by Lapindo since May was paltry compared to its income from running the gas wells. "So up to today, Lapindo still can afford paying compensation to residents and its other operational costs," he told The Jakarta Post.

A Lapindo human resources official, Sebastian Jafar, said the company could still afford to cover all operational costs and compensate affected residents. "... but we are conducting a financial efficiency program".

Although he did not elaborate, reports said the company's cost-saving measures including limiting phone use and accommodation expenses for its staff of experts.

## ENVIRONMENT

### **Students call for logging probe**

Jakarta Post - September 5, 2006

Hasrul, Kendari — A group of students protested in front of the Southeast Sulawesi legislative council Sunday, demanding an investigation into illegal logging on Buton Island.

They alleged Buton Regent Sjafei Kahar was involved, which was why no progress had been made in the case. The students had earlier marched to the local police station, but no one there was prepared to meet with them.

"Because we were not received by police, we came here to voice our demands directly," protest coordinator Firmansyah said. "The central government is determined to end illegal logging, but the practice on Buton Island even involves its



regent," Firmansyah said.

The students had launched their own investigation into the case, uncovering a decree signed by the regent. The decree gave illegal loggers the green light but it was cleverly worded, so it made it sound like it was about protecting the environment, he said.

The students informed police of the decree's contents and the head of the Buton forestry office, Abidin Baso, was consequently named a suspect. The students urged Southeast Sulawesi Police to investigate illegal logging in Wahina protected forest, Todanga, Kapontori.

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## **Environmental degradation blamed for extreme heat**

Jakarta Post - September 4, 2006

Adianto P. Simamora, Jakarta — Less trees, polluted, sluggish water and the heat from more vehicles is making the city's temperatures rise to scorching levels in the dry season, not global warming, the Meteorological and Geophysics Agency (BMG) says.

The agency says temperatures for the area in this year's dry season have averaged between 33 and 34 degrees Celsius.

"These are the normal temperatures in the dry season. What causes the city to feel hotter lately is purely environmental degradation," agency spokesman Ahmad Zakir told The Jakarta Post Saturday. "It is all human activities causing the city to become hotter," he said.

Driejana of the Environmental Department at Bandung Institute of Technology said human activities in urban areas had seriously increased heat pollution. "This is a phenomenon, an urban island of heat. It happens... when a city become warmer than its surrounding areas," she told the Post.

Driejana said heat islands were different from global warming, which increased average

temperatures worldwide. Population increases in areas generally cause them to heat up, she said.

"As populations grow, the demand for infrastructure will increase; more open space will be exploited and it will weaken the quality of the environment," she said. "The presence of high-rise buildings in Jakarta blocks air circulation in the area, while the surface of the buildings are heat sources," she said.

The building absorb the sun's heat in daytime and give off heat as they slowly cool down after sunset, preventing a dramatic temperature drop at night. Driejana said that the increase of asphalt and concrete roads also helped trap heat in the city.

"The surface of black-colored asphalt absorbs the sun's heat just like people wearing black clothes. It why some countries have changed the colors of their roads," she said.

Australia, she said had adopted brighter colors on its road surfaces to cool cities down. The Jakarta administration, meanwhile, is building light gray-hued roads on several corridor lanes of its busway.

Driejana said that allocating more green zones in urban areas could significantly reduce radiated heat and help control air pollution. "Trees can insulate us from the sun's heat. They transpire moisture during the daytime making areas fresh," she said.

Jakarta experiences large daily fluxes in population — home to an estimated 10 million people at night, its numbers swell to 12 million in the daytime.

Most of its green zones have been converted to commercial premises or been illegally settled by poor migrants. Of it 60,000 hectares of land Jakarta currently has only 5,911 ha of green areas or 9 percent.

The administration has pledged increase green spaces of 9,156 hectares, or 13.94 percent by 2010. Many trees were recently cut down to make way for the city's busway and monorail projects.

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## **Government to sue firms over forest fires**

Jakarta Post - September 2, 2006

Tb. Arie Rukmantara, Jakarta — The government plans to sue three oil palm plantation firms and one oil palm entrepreneur for allegedly starting fires in their concessions that grew into massive forest fires in Riau province.

The State Ministry for the Environment identified the companies Friday as PT Subur Arum Makmur, PT Riau Andalan Sentosa and PT Agro Sarimas Indonesia. The individual is identified as Deden. "We will file criminal and civil lawsuits. We're compiling their offenses now," said Hoetomo, the state ministry's deputy for environmental law enforcement.

The country's environment, forestry and plantation laws, as well as its criminal code, ban burning land to clear it. The offense carries a maximum penalty of 15 years in prison and billions of rupiah in fines.

The ministry is probing three other companies, including State Plantation V, which manages oil palm, rubber and cacao plantations in Sumatra. It is also investigating two firms in Kalimantan, PT Mitra Aneka Rezeki and PT Wilmar Sambas Plantation, as well as a foreign investment firm referred to only as PT BCP. "As for BCP, we're currently investigating the owner's country of origin," Hoetomo said.

Masnellyarti Hilman, deputy minister for environmental management, said the government decided to sue the companies because fire "hot spots" had been occurring in their concessions since last year and nothing had been done about it.

She said she believed the legal actions would deter other companies. "Satellite images show that most of the fires in Sumatra and Kalimantan occur in concessions belonging to logging and plantation firms," she added.

Ministry data shows that from June to August this year, more than 53 percent of the 6,734 hot spots in Sumatra have occurred on the concessions of logging, industrial timber estate and plantation firms. Hot spots are places that produce enough heat to trigger satellite sensors, but not all of them are fires. More than 65 percent of the 5,705 hot spots in Indonesia's part of Borneo also took place on business properties.

Masnellyarti said the ministry would seek compensation for environmental losses, such as the loss of biodiversity and the degradation of the forests' ability to absorb carbon emissions, which is vital to halting global warming.

Greenomics Indonesia has estimated that forest fires and haze are costing the government, the public and the private sector more than Rp 227 billion (almost US\$25 million) a day in deforestation, damage to health and other effects.

State Minister for the Environment Rachmat Witoelar said the lawsuit would aim to prove that the country's rampant forest fires were intentional rather than natural. "We also want to show that we're not only targeting small-scale farmers or nomadic farmers, but also big players," he said.

The companies' executives could not be reached for comment and are not listed in the country's trade and industry directory, the Sumatra or Borneo yellow pages, or with the province's 108 information operator.

Derom Bangun, the executive chairman of the Indonesian Association of Palm Oil Producers, said these companies might affect the image of the country's oil palm industry, but his organization fully supported the ministry's move to enforce the law.

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## **Firms light forest fires**

Jakarta Post - September 1, 2006

Palembang, South Sumatra — Data collected by an

environmental group here shows that 98 of the 2,047 hot spots on the island of Sumatra were detected in concession areas of private plantation companies in Ogan Komering Ilir, Banyuasin, Musi Rawas and Musi Banyuasin regencies.

"A significant number of the hot spots have been located in private plantations," Muhammad Saleh from the South Sumatra Forest Fire Management Project (SSFFMP) told The Jakarta Post on Thursday.

However, he said law enforcers had not taken stern actions against the oil palm plantations, while several traditional farmers suspected of setting fire to forested areas had been detained.

"Don't slap stiff sanctions only on farmers, but also on plantation companies which have evidently set fire to farmland," said chairman of the South Sumatra chapter of the Indonesian Forum for the Environment (WALHI), Sri Lestari.

The number of hot spots in the province has declined in the past week, but Saleh is not sure whether this is due to increased public awareness or the rain. "The declining number of hot spots is not a sure indication of a trend because the dry season lasts until September," said Saleh.

An official from the South Sumatra Agricultural Office, Dodi Supriadi, said that fires in peatland usually died down on the surface but had the potential of reigniting due to wind or lighted cigarette butts.

## **GENDER ISSUES**

### **Women seek greater political clout to fight fundamentalism**

Jakarta Post - September 5, 2006

Adisti Sukma Sawitri, Jakarta — After wrapping up a national gathering last week, women's rights activists say they are planning to educate themselves politically and seek a bigger role in administrations and local legislative councils.

The activists argue women can no longer stay at home and trust their husbands or male relatives to fight for their rights and welfare, pointing to

the issuance of several sharia-inspired bylaws in various parts of the country as proof.

"We need more women representatives because those gender-biased sharia bylaws are actually the products of male domination in local administrations and councils," women's activist Zohra Andi Baso of Makassar, South Sulawesi, told The Jakarta Post over the weekend.

She noted that in the South Sulawesi regencies of Takalar and Enrekang, which had no women on their legislative councils, the local administrations easily enacted ordinances to regulate what women wear.

Since regional autonomy was put into place in 2001, at least 23 sharia-inspired bylaws have been adopted in five provinces in this predominantly Muslim country. Supporters argue the measures reduce social ills and bolster morality.

The trend has caused alarm among some Muslims and members of other religions, who fear it could increase Islamic fundamentalism.

Some of the bylaws are gender-neutral, such as those requiring schoolchildren to become literate in the Koran. Others focus on women, allowing authorities to arrest them as prostitutes if they are on the street alone after dark, or charge them with indecency if they don't follow a dress code.

"If we can't change the conditions in our areas, I would not be surprised if there were more bylaws like this in the coming years," said activist Surayya Kamaruzzaman of Nanggroe Aceh Darussalam.

She said besides getting more women involved in politics, it is important to educate them in self-advocacy, since most women currently involved in local administrations and councils have rarely spoken out for their rights.

Nursjahbani Katjasungkana, a prominent women activist who is also a House of Representatives legislator with Commission III on law and legislation, said what she called the growing abuse of women in the name of religion shows the failure of Indonesian women's activism.

"The women's movement, made up of legislators,

bureaucrats and activists, is not consistent and is poorly coordinated in fighting for their rights. That's why we fail to counter this kind of fundamentalism," she said.

Nursjahbani said women's activists did not actively participate when the House and the government were deliberating some laws, including the law on Aceh governance.

That measure affirmed Aceh's right to adopt sharia laws. Women there have been detained for failing to wear headscarves and, along with men, have faced caning for such offenses as adultery and gambling.

"Where were they at that time? If they had learned well from their past experiences, they would have started to take more concrete actions, rather than just talking or holding discussions at forums," Nursjahbani said.

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### **'Women's movement needs to get its act together'**

Jakarta Post - September 2, 2006

Women gathered in a national meeting in East Jakarta this week, focusing on how they could better advocate for women's issues. Among them were lecturer of political studies at the University of Indonesia Ani W. Soetjipto, also of the Center for Electoral Reform and writer of *Politik perempuan bukan gerhana* (Women's politics is not an eclipse). She talked to The Jakarta Post's Adisti Sukma Sawitri on her views on the women's movement here. The following are excerpts of the interview:

Question: What is the current situation of the women's movement here?

Answer: The movements are exclusive and there are no main issues uniting them. Women groups are focusing on their respective activities instead of working with other possible allies, like those fighting for human rights, the environment and against corruption.

Instead, these potential allies are using women's issues to support their campaigns.

Women groups are also less coordinated and each of them thinks it represents the best issues. And they all compete to grab public attention. In the end, none of them sound significant.

Inconsistency is another problem for us. If we're professional, of course we have to stick with one issue that we agree on. In fact, we have so many interests. Often we deal with issues, which are global trends and what's catching international donors' attention to fund our activities.

How much chance to women have to make necessary reforms here?

The chances are getting smaller because the country is moving to a consolidated government system after the fall of the New Order.

We lost the momentum a few years ago because we put so much energy into amendments to the Constitution, and setting up regional autonomy and decentralization. These reforms, however, have yet to improve women's welfare. Women are still the victims of every public policy process in our country.

In other countries there were similar transitions, like in Uganda, Rwanda and South Africa. But women activists there were well organized enough that they could bring women issues to the center stage of their governments' policies.

These countries allotted bigger budget allocation for women after governmental transitions. Whenever their people talk about democracy, women's issues are at the center.

Why have reforms so far not involved the women's movement?

Regional autonomy complicates things even further because we have different cultural, local political and social conditions in different regions.

In fairly homogenous regions like Bengkulu, the local movement could easily propose a larger budget allocation for women because things are less complicated.



But in regions like Banyuwangi regency (East Java) where the political temperature is high, it is harder for reforms. And Regent Ratna Ani Lestari faces a hard time because most locals have adopted fundamentalist beliefs that are against women being community leaders.

So what are the main issues that could unite women's groups here?

Globalization and fundamentalism are among our main concerns because they are related to the setback of women's access to education, health, politics and economics.

Globalization, through opening of labor markets, leads to many women becoming the slaves of multinational companies with low salaries so they cannot support their families. These companies trap women in poverty with limiting access to education and health facilities so that they can keep their salaries cheap.

Meanwhile, fundamentalism takes us back to the time of our grandmothers, when women were expected to stay home and take care of their children. They are taught to obey whatever their husband says, even if it endangered their health and lives.

This issue is very difficult, it even divides the women's movement from the level of the state to that of our daily lives. Many women, even activists, still support fundamentalism.

Most women support the pornography bill because they think it's protecting them in terms that they would be safe if they dress properly in public. They don't realize that the drafted bill makes women "bad girls" that need to be controlled by the government. Fundamentalism leads us not only into conflict with government policy, but also those who believe in conservatism, including women themselves.

What should be the strategy to improve the women's movement here?

Go back to the basics. We have to organize better, make good networks, and educate activists and their communities better, as well as empowering ourselves financially. We should not rely so much on donors and we should stick to our concerns. We

could live without this financial support in the past and we certainly should be able to do it now.

That's why we're having this national meeting, to organize and to network. We also hope to talk to the government since they have been neglecting us ever since President Susilo Bambang Yudhoyono came into power.

He probably did not realize that most of his voters in 2004 were women. If he wants to win the next election, he had better help us now.

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## **Women activists urge end to abuse in name of religion**

Jakarta Post - September 1, 2006

Adisti Sukma Sawitri, Jakarta — A national gathering of women activists ended Thursday with a statement that included a demand for firm action against the victimization of women in the name of religion.

Women and fundamentalism was listed among 12 critical issues of the women's movement in the next five years, with activists from across the country urging state and major religious-based organizations to "correct hard-line fundamentalism".

Bylaws based on the sharia have been introduced in several regencies, with restrictions including a public curfew for women and the requirement for them to wear the headscarf in public. A pregnant woman in Tangerang municipality in Banten regency filed a lawsuit against local authorities for wrongful arrest for soliciting.

Activists in Nanggroe Aceh Darussalam province contend that women are targeted under sharia for misdemeanors such as wearing improper attire, while men continue to practice illegal gambling.

The three-day gathering in East Jakarta, attended by women from 28 provinces, was the first for women activists to chart a unified program since the formal end of the New Order regime in 1998.

Organizers included the Indonesian Coalition of Women (KPI), a loose organization of women's groups and organizations.

Issues on fundamentalism were among four major themes of law, poverty and politics.

Activists said they would communicate with other groups, including parties "against" the women's movement, in combating fundamentalism. They also stated they would continue to promote "values of pluralism, equality and justice", and reveal and introduce religious interpretations honoring the position of women.

A movement led by former first lady Sinta Nuriyah Wahid previously sought to change teachings considered misinterpretations of the Koran by clerics of Nahdlatul Ulama, the country's largest Muslim organization which she is affiliated with.

KPI secretary-general Masruchach told the forum that the state must ensure the upholding of human rights, "especially because discrimination against women remains high". Threats against women, she added, "are no longer limited to state policies which are not responsive to women".

The congress also demanded an end to regulations and amendments to the Constitution which violate human rights.

Vice President Jusuf Kalla, who briefly attended the closing ceremony, expressed disagreement with calls to end loan-based development. The women argued the allocation of the budget to serve foreign and domestic loans, which has been projected to reach almost 19 percent of total spending next year, eventually hurts poor women the most, particularly those who are family breadwinners.

"How we can we spend more for education and health if we stop borrowing?" Kalla said, adding that the United States shouldered the largest foreign debt in the world.

Despite reports of widespread gender-based discrimination, Kalla believed the issue was more about individual contributions. "Basically, the role of women and men in this country depends on their competence as human resources," he said.

## HEALTH & EDUCATION

### **Nutrition poor in Aceh, Nias**

Jakarta Post - September 6, 2006

Banda Aceh — A study by the World Food Programme (WFP) has found that primary school children in Nanggroe Aceh Darussalam and Nias suffer from insufficient nutrition, inadequate healthcare and poor hygiene.

The situation could provoke widespread parasitic infections and result in stunted physical growth and retarded intellectual development in the areas, which were severely hit by a 9.6-magnitude earthquake and tsunami in late 2004.

"The findings will help us fine-tune our school feeding program to ensure that children's diets are supplemented with the right nutrients," said WFP area coordinator Charlie Higgins.

Researchers surveyed a total of 1,920 children in 80 schools in Aceh and Nias.

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### **Bird flu public awareness drive takes flight**

Jakarta Post - September 2, 2006

Hera Diani, Jakarta — Amid international criticism that it is not doing enough to contain bird flu, the government launched a public awareness campaign Friday about the deadly virus that has killed more people here than anywhere else in the world.

Titled "Be Aware of Bird Flu", it includes TV public service announcements with prevention messages, such as to never touch dead fowl, for hand-washing after handling fowl or visiting markets, and to report dead poultry to authorities.

As with Jackie Chan's participation in PSAs broadcast in Hong Kong and the Asian region, the national campaign features local celebrities like talk-show host Farhan and doctor-turned-celebrity

Lula Kamal. Other campaign materials include comic book and stickers in public places.

Bayu Krisnamurti, the head of the newly launched Indonesia National Committee for Avian Influenza Control and Pandemic Preparedness (Komnas FBPI), said the campaign also would focus on poultry surveillance and biosecurity, which he admitted were still lacking.

He reiterated the appeal for more international financial support to fight the disease, which has killed 47 Indonesians since June 2005.

"It's not that we're begging for foreign help, but it's a global problem that we should handle together. A campaign for 220 million people requires massive funds. We are inviting all parties who are concerned about the health and safety of many people to be involved."

He refused to disclose details of the campaign's budget, but said the government would need up to US\$260 million annually for the next three years to finance its programs against bird flu.

"We have come up with a detailed financial strategy. It's up to the World Bank to provide whatever contribution they choose to give," he said, referring to the financial institution's recommendation earlier this week that a comprehensive plan and strategy was essential to tackle the outbreak.

Meanwhile, a leading bird flu expert from the University of Hong Kong urged the country to do more in animal surveillance to curb H5N1 and understand how the virus behaves.

"Since 2003, it (Indonesia) has had no new introduction of the H5N1. It has only one strain, but its problem is like China's. It can't clean it up," said Guan Yi, microbiology professor who has studied the virus since 1997.

While Guan thought Indonesia was in as bad a situation as China when it came to controlling the disease in birds, he said what set the two countries apart was the strength of their government.

"Even China is better than Indonesia in some ways.

China's government is at least strong, it can just lock people up. But Indonesia can't do that, it is so dispersed. It has no control," he told Reuters, referring to cases where people suffering from bird flu had simply refused to be treated and left the hospital.

He said Thailand's method in getting villagers to do animal surveillance was effective and the practice can be adopted by other nations. Thailand, however, has seen a reemergence of bird flu, with two fatalities in recent weeks. Guan expressed concern over nations where access to information has yet to be readily available.

"There are countries that are black boxes; Laos, Myanmar, Cambodia. They are forgotten by the world. These are dangerous places," he said.

Meanwhile, Keiji Fukuda of the WHO told Reuters in Geneva on Thursday that there was no evidence so far that the two groups of suspect cases in Indonesia might point to human-to-human transmission of the virus.

"It looks like these are exposures to infected birds," said the coordinator of WHO's global influenza program, on the sidelines of a health forum in the Swiss city.

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## **Elephantiasis found in new areas**

Jakarta Post - September 2, 2006

Multa Fidrus and Theresia Sufa, Tangerang/Bogor — The lymphatic disease elephantiasis is on the rise in Java, with Tangerang and Bogor both recording recent outbreaks.

Tangerang, 40 kilometers west of Jakarta, has declared six new districts to be prone to the disease, bringing the number of districts in the regency where endemic elephantiasis has been discovered in the last seven months to 12. In Bogor, six villagers in the Sukadumi subdistrict have been diagnosed with the disease.

Elephantiasis, which is carried by mosquitoes, has

been found in Cisauk, Curug, Pakuhaji, Pasar Kemis, Cikupa, Teluknaga, Pondok Aren, Sepatan, Balaraja, Tigaraksa, Rajeg and Mauk, the Tangerang Health Agency said.

The agency's communicable disease prevention head Yuliah Iskandar said 13 people in the six new districts had the disease. "We confirmed our findings by testing their blood because they had shown symptoms of the disease," she said.

Yuliah said the 13 infected individuals were considered to be chronic cases. Their legs have already become hugely swollen and they are likely to be permanently disfigured.

She added that the agency planned to hold a door-to-door check in the regency in an effort detect new cases early. "This measure will also serve as a public education (program) on how to avoid contracting this disease, because they can avoid it by living in a healthy environment," she said.

The agency will also hold a treatment clinic for elephantiasis patients from August to September and has started to collect data on residents who have contracted the disease.

"Even though we can kill the parasite, returning their legs to their original size will be very difficult because cosmetic surgery can only mend 30 percent of a leg (damaged by) elephantiasis," Yuliah said.

In Bogor, six Setu Pete villagers, in Sukadamai subdistrict, Tanah Sereal, were also diagnosed with elephantiasis. The two men and four women are aged between 40 and 70 years old.

Sukadami village chief Uay Sutiawan said the disease had first been identified in his village in July, when one of the six visited a public health clinic complaining of a high fever and swollen legs. The clinic reported the case to the Bogor Health Agency, which sent a team to conduct blood tests on 500 people living near the patient's home.

As a result, the other five patients were diagnosed with elephantiasis. The first patient, identified only as Unas, said her legs had felt unusually hot for some time and she noticed she

had been getting sick more easily. Unas said she had kept working, however, despite her deteriorating health.

"We needed to eat and I have seven mouths to feed at home so I had been trying to ignore the pain," Unas said, adding she was eventually forced to stop working after her legs became so disfigured she had difficulty walking.

Both her legs are now bloated, with the swollen veins protruding underneath her skin. Unas' daughter took over her job but she too has recently started to become ill. "She has already thrown up blood. I'm afraid that she's caught my disease," said Unas.

Elephantiasis, or lymphatic filariasis, is a disease caused by microscopic worms. The adult worms live in the human lymph system, which controls the body's fluid balance and fights infections.

The disease is carried by mosquitoes. Multiple bites from infected mosquitoes over several years are required to catch the disease. People living in tropical or sub-tropical areas are at the greatest risk of catching it. Elephantiasis is not life-threatening, but can permanently damage the kidneys or lymph system.

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## **Major obstacles remain in bird flu fight: UNICEF**

Agence France Presse - September 1, 2006

Jakarta — Indonesia faces major obstacles in its fight against bird flu, the UN Children's Fund said as officials reiterated calls for more international financial aid.

The government faces a "huge challenge" to teach the rural population about the danger of the H5N1 virus and to be more health-conscious, due to the country's massive size and diverse ethnicities, said Gianfranco Rotigliano, Indonesia's UNICEF country officer.

"This is the ultimate goal... this is the key for



attacking the issue for getting this country out of that threat," Rotigliano said at the launch of the government's new public awareness campaign.

"There are so many diversities. When you talk to different people, you have to use different languages in terms of the messages you convey," said Rotigliano, adding that officials should be more flexible in spreading the message.

Indonesia, the fourth most populous nation and largest archipelago, has confirmed 60 cases of bird flu with 46 deaths so far, the highest number in the world.

While the H5N1 virus that causes bird flu does not spread easily among people, the chance of a mutation occurring which will allow it to do so is heightened as more humans catch it from infected birds.

Scientists fear that if this occurs, a global flu pandemic with a massive death toll could result.

The government said last month that approximately 30 million homes keep chickens in their backyards and in some instances, many refused to turn in their birds despite offers of compensation.

Bayu Krisnamurthi, head of the national commission on bird flu prevention tasked to run the campaign, refused to reveal costs of the campaign but reiterated Jakarta's calls for more international financial support.

"A campaign for 220 million people requires a very huge fund. We are inviting all parties who are concerned about the health and safety of many people to be involved," Krisnamurthi said without giving further details.

The government, which planned to cut its 2007 bird flu budget to 46.5 million dollars, will need up to 260 million dollars annually for the next three years to finance its anti-bird flu programs, said Krisnamurthi.

"It's up to the World Bank to provide which contribution they choose to give... this is a call to all our key partners," he told reporters in Jakarta.

## AID & DEVELOPMENT

### **Number of poor rises to over 39 million: BPS Jakarta**

Post - September 2, 2006

Urip Hudiono, Jakarta — Recent heated debates about misleading poverty statistics may finally be settled, with the Central Statistics Agency (BPS) reporting that the country's poor population increased to 39.05 million as of March.

The announcement counters the government's profession to have successfully reduced the country's poverty rate, including in President Susilo Bambang Yudhoyono's state-of-the-nation address on Aug. 16.

BPS chief Rusman Heriawan said Friday the poor population — equivalent to earning less than US\$17 a month — increased by 3.95 million people to 39.05 million — or 17.75 percent — of the 222 million population as of March. It was up from 35.1 million (15.97 percent) of the 220 million population in February last year.

The number of rural poor increased by 2.06 million people during the 13-month period, which included last year's months of March and October when the government hiked fuel prices, while urban poor rose 1.89 million. "By percentage, the poor are still mostly found in villages, at 63.41 percent, with the rest being in the cities," Rusman told a media briefing.

Other poverty data revealed 30.29 percent of those categorized in the "near poor" people, 11.82 percent of "almost not poor" people and 2.29 percent of "not poor" people in February 2005, had by March plunged into destitution. Only 6.45 percent of poor people emerged better off to the not poor category over the same period.

The latest poverty figures were derived from the BPS' routine survey of households, combining an annual survey sampling 265,000 households throughout the country, a survey held once every three years on the consumption, education and health expenses trend of 68,000 households and another annual but more detailed consumption survey of 10,000 households.

Households are classified as “poor”, “near poor”, “almost not poor”, and “not poor” according to an expenditure-based “basic poverty line” deduced from the surveys. The “poverty line” was set at Rp 152,847 (US\$16.8) per capita per month for March’s data, and Rp 129,108 for February 2005.

The BPS acknowledged that the rise in the poor population was due to last year’s fuel price hike, as well as the recent rise in the prices of staple foods, particularly rice.

This verifies estimates from analysts and economists that the fuel price hike policy — which had pushed up inflation and interest rates, weakened the public’s purchasing power, and slowed economic growth — must have increased as well the country’s number of poor.

The government has been criticized for not doing enough to prevent the adverse social and economic impacts, and even suffered a new barrage of criticism when Yudhoyono claimed a reduction of the poor and jobless. Critics called the data outdated, but the government argued it was using the most recent figures released by the BPS. Rusman said Friday’s latest poverty figures had been derived accountably and from the same survey methods since 1998.

The government may still claim success from its “direct cash subsidy” program, which it carried out to reduce the impact the fuel price hike, and will continue as a “conditional” one related to education and health services. "Without the (direct cash subsidy) scheme, the number of poor would have been 50.8 million people," Rusman said.

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## **Government unveils plan to empower the poor**

Jakarta Post - September 1, 2006

Urip Hudiono, Jakarta — "Helping those who help themselves" could describe the government’s latest approach to tackling the problems of poverty and unemployment, with community development programs at its core.

Under the National Community Empowerment Program, the government will encourage rural and urban communities to determine by themselves the type of welfare development projects they need. It will then support the projects through funding and guidance on their implementation.

Some Rp 14 trillion (US\$1.5 billion) is allocated in the 2007 budget for the ambitious program, which is expected to improve conditions for the needy in 69,929 villages and subdistricts. The funds are considered sufficient to provide about 5 million jobs a year.

Each village has to submit a project proposal for approval for funds, ranging from Rp 250 million to Rp 1 billion. Infrastructure, health and education-related projects will be encouraged, while those causing environmental degradation and the socially sensitive construction of religious prayer-houses will be denied.

Coordinating Minister for the Economy Boediono said the community-based program was a synergy and enhancement of two similar programs — the "District Development Program" and "Urban Poverty Alleviation Program" — which have been carried out since the financial crisis struck in 1998.

"What we want to do now is bring the program to a wider scale, reaching every community in the country," he said in a media briefing Thursday.

As of 2006, the two programs have reached 39,282 villages and subdistricts in 2,600 districts, or roughly half of the country's total communities.

The government also will continue its rural health insurance, tuition-free basic education and "conditional direct cash subsidy" programs for the poor through related ministries.

The programs are in line with President Susilo Bambang Yudhoyono's recent state-of-the-nation address. However, the speech caused controversy, with the government accused of whitewashing the reality of poverty and unemployment by providing outdated data. The poverty rate was said to be 16 percent, while unemployment reportedly affected 10.4 percent of the 220 million population.

The government targets lowering the poverty rate

to 8.2 percent and its unemployment to 5.1 percent by 2009.

Boediono said the projects could become a development role model, citing an independent audit from Moores Rowland showing that the programs were able to cut costs by half compared to government-run ones. Graft levels also were less than 1 percent.

"The projects will be carried out transparently, accountably, and with full participation of the community, particularly women. Funding will be directly disbursed to the communities, with no project middlemen," Boediono said, mentioning success stories of a community irrigation system in North Sumatra and bridges in Central Sulawesi.

## ISLAM/RELIGION

### **Interfaith peace 'requires action'**

Jakarta Post - September 5, 2006

Ary Hermawan, Jakarta — Ending religious violence and promoting peace will take concrete measures, according to the Indonesian Conference on Religion and Peace (ICRP).

"We require action for this, not just dialog," ICRP chairman Djohan Effendi said here Monday. He was speaking at a news conference promoting the Kyoto Declaration, which was issued during the 8<sup>th</sup> World Conference of Religions for Peace (WCRP) in Kyoto, Japan.

Djohan, a prominent moderate Muslim scholar, was involved in drafting the document.

The declaration says religions must play a greater role in identifying and opposing violence in any form, and that religious communities must prevent the exploitation of religion to justify violence.

It also calls for religions to create local, regional and global networks to invigorate interfaith cooperation among religious institutions.

It urges governments and international bodies to support religious leaders in resolving conflict in

order to achieve the Millennium Development Goals: eradicating poverty, hunger and disease, and establishing sustainable development.

"Young people and women should be a part of carrying out this call," said Djohan.

The WCRP was founded 36 years ago. From its office at United Nations headquarters in New York, it unites religious leaders around the globe to work for world peace using faith-based approaches.

Some 600 leaders of 20 religions from 100 countries attended the five-day conference that ended last Wednesday.

During the conference, the leader of Indonesia's Nahdlatul Ulama, Hasyim Muzadi, was elected one of nine WCRP presidents, while Muhammadiyah chairman Din Syamsuddin was elected honorary chairman.

Hasyim's top position in the WCRP was previously held by former Muhammadiyah chairman Ahmad Syafii Maarif, who took over the post from former president Abdurrahman Wahid.

"The election of Pak Hasyim as one of the presidents means that international communities are putting their trust and hope in Indonesia to foster global peace," Djohan said. Hasyim did not attend Monday's news conference.

NU deputy leader Rozy Munir said poverty is a crucial factor in religious conflicts. "Poverty can make people distressed and therefore they are prone to violence," he said.

The NU, he said, has long embraced pluralist traditions and is always opposed to any form of violence.

"We may disapprove of the teachings of Ahmadiyah and Lia Eden. But we also disapprove of violent acts against them," he said, referring to religious minority groups that are often the targets of attacks by Muslims.

Catholic priest Johannes Hariyanto of the ICRP criticized the media for publicizing acts of religious violence rather than peace. "The media always urges us to promote peace but when we speak about it they don't give us space," he said.

He urged news outlets to reconsider before publishing stories that might provoke the anger of a religious community. "The media should be more pluralist," he said.

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## **NU preaches against radicalism**

Jakarta Post - September 4, 2006

Leaders of the country's largest Muslim organization Nahdlatul Ulama (NU) and other moderate clerics gathered in Jakarta over the weekend to draw up a common strategy to counter growing Islamic radicalism.

The two-day forum at the Haj Dormitory in Pondok Gede, East Jakarta, brought together 150 NU preachers from the Greater Jakarta area; a group that the NU leadership hopes will disseminate a moderate message.

Besides fundamentalism, the clerics were also encouraged to counter Western-style "liberal" ideas seen as incompatible with Islamic values.

Head organizer Samsul Ma'arif said Indonesian Muslims were currently being bombarded by fundamentalist ideas from one side and secular/liberal ideas from the other.

NU is gravely concerned about the rising number of Muslims who are embracing fundamentalism or extreme liberalism and secularism, Samsul said. "There many Islamic organizations which strive to do good deeds but in the wrong way because of a wrong understanding of basic Islamic teachings," he said.

Groups like the Islam Defenders Front have used religious arguments to justify violent attacks on bars and night clubs and religious minorities. The division in Islam between the liberals, the moderates and the radicals has also caused much dissension in religious circles.

In January, a preacher, Josnary Nosra, caused a large commotion in his audience when he attacked former president and NU leader Abdurrahman "Gus

Dur" Wahid in a sermon at the Jakarta City Council. Josnary reportedly said Muslims should not make Gus Dur their role model because many of his views and acts were not Islamic. Gus Dur is known as an advocate of religious tolerance and pluralism.

Preachers at the weekend meeting were provided with standard NU preaching guidelines.

"Radicalism, liberalism and secularism ideas confuse the lay people, which account for majority of Muslims in Indonesia," Samsul said as quoted by Antara.

"We in NU take the middle way, and uphold tawasuth (moderation), i'tidal (consistency), tasamuh (tolerance) and tawazun (balance)," he said. He said the gathering had featured communication experts to train the preachers on how to get their message out through the media.

"We have a lot of preachers, but none have the skill to preach through the media. None of them can appear on TV to voice the moderation that NU very much treasures," he said.

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## **Media asked to promote tolerance**

Jakarta Post - September 3, 2006

Tony Hotland, Nusa Dua, Bali — President Susilo Bambang Yudhoyono called on the international media Saturday to play a mediating role in conflicts rather than fanning animosity.

"You are society's conscience, you are the agents of change and we count on you to help the human race by promoting freedom of speech, spreading tolerance and advancing peace and understanding," he said in his opening remarks at the Global Inter-media Dialog [here](#).

The forum is co-sponsored by the governments of Indonesia and Norway and has brought in around 70 media people from 44 countries. It was organized in response to the controversy over European editorial cartoons satirizing the Prophet Muhammad.



The row over the cartoons prompted media people from around the world to talk about the need for the media to promote peace and tolerance in view of religious and cultural sensitivities.

Yudhoyono said the media had to walk a thin line between supporting free speech and taking part in discrimination.

"Addressing cultural sensitivities does not mean you are compromising free speech," he said, citing the American media in the 1960s, which employed self-censorship in the portrayal of race riots and later race relations. This did not reduce press freedom but did help ease the violence.

Yudhoyono said many Muslims felt they were not being portrayed fairly by the international media and had complained of double standards.

"When non-Muslims are killed in the line of fire, they say, Western news coverage is more significant than when Muslims are killed routinely in Palestine, Iraq and now Lebanon," he said.

As the leader of the world's most populous Muslim nation, Yudhoyono said the Muslim community worldwide was not asking for special treatment but for the respect given to other religious groups.

He said the media should encourage people to move beyond their image of Islam through learning about one another and discussing any differences or similarities.

"In times of hostility, it is always critical to narrow the perception gap, avoid misunderstandings and maintain communication through accurate information. No one can do this better than the media."

Speaking on the same occasion, Norwegian Foreign Minister Jonas Gahr Store said it was important to discuss the extent to which the media should take into account sensitivities that are not protected by the law yet deeply held.

"Freedom of expression can never be exercised in isolation from its context. Awareness of other people's sensitivities and of their right to be treated with respect should be part of all normal, civilized behavior," he said.

Any inter-media dialog, said Store, should provide media practitioners with a broader range of background information, ideas and interpretations to manage fundamental differences.

The international forum, titled "Freedom of Expression and Diversity: The Media in a Multicultural World", is expected to be held on a regular basis. Store said his government would be pleased to host the next one.

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## **Changes needed to Islamic view on homosexuality**

Jakarta Post - September 2, 2006

Farid Muttaqin, Athens, Ohio — It is important to begin any discussion on homosexuality in Islam with a look at how some hegemonic cultures and traditions before Islam influenced Islamic teachings. Greek Hellenism and ancient Arabic society were two important groups that supported a type of Islamic law on homosexuality.

Same-sex relationships have deep roots in the history of humankind. The story of Lot's people in the Koran proves that homosexuality has been a part of human life for a long time. Some famous Greek philosophers such as Aristotle and Plato also experienced same-sex relationships. In ancient societies, homosexuality was considered common behavior. Why do we now view homosexuality as social deviancy? Why is it believed among Muslims that homosexuality is such a terrible sin?

The characteristics of Islamic teaching and its interpretations are possibly colored by the traditions of previous societies. In ancient Greek society homosexuality was a usual sexual behavior. Meanwhile, Islam strongly discourages its believers from mimicking traditions of previous societies. This was significant for early Islamic believers to clearly distinguish themselves from non-Muslims. The Islamic restriction against homosexuality has a correlation to this teaching.

Additionally, the stigma against homosexuality refers to the academic tradition of interpretation within Islamic society, including the subject of

homosexuality. Also, the stigma of homosexuality is related to the political interests of the early formation of Islamic society.

One of the most influential traditions in Islam is the patriarchal view of ancient Arabic society. This society encouraged people to show the power of masculinity. It was a common view within ancient Arabic society that only a man could be a leader. Having a daughter embarrassed parents. Fathers would even kill their daughters in order to save the family from disgrace. Having several wives or concubines was a measure of male power. Ancient Arabic society eradicated feminine values in order to keep their masculine images.

The Prophet Muhammad introduced Islamic teachings in this patriarchal Arabic society. Thus, it is possible that the patriarchal views of Arabic society interfered with the tradition of Islamic interpretation, including on homosexuality. Ancient Arabic society resisted homosexual behavior because homosexuality was considered a feminine value. These stereotyped effeminate males were contrary to tribal interests in conflicts which required masculine values such as bravery, courage, strength, roughness and dominance. Homosexuality could reduce these masculine values and lead to losing tribal wars.

It was also common among the first group of Islamic believers to face socio-political and religious wars with non-Muslim societies. Jihad as a spirit of religious defense was a well-known Islamic dogma to win these wars. As with other dogmas of war, jihad at that time was overwhelmed by "masculine values", and under the patriarchal influences of Arabic society the first group of Muslims restricted homosexuality as an irrelevant value of jihad (Wafer, 1997:92). In addition to this fact, the verses of the Koran on homosexuality describe more male homosexual experiences than female homosexual ones. The patriarchal interests influencing Islamic teachings did not count females as significant members of the society.

In times of peace that required "feminine values" such as beauty, love and compassion, rather than "the spirit of masculine values", it is not difficult to find homosexual experiences in Islamic societies. Some great Islamic scholars

experienced same-sex relationships. Abu Nawas, the greatest Arab poet, was homosexual. It was common among male Sufis to experience homosexuality in correlation with the belief that sexual lust or nafs (desire) toward women would lead them to spiritual decadence (Schimmel, 1979:124). These realities are crucial evidence that in some contexts homosexuality has not been a major problem within Islamic society.

Homosexual experiences have been alive among recent Islamic societies, including Iran, Turkey, Morocco, Syria and Pakistan (Schmitt and Sofer, 1992). Among Muslims in Indonesia, homosexual experiences are common in pesantren, or Islamic boarding schools. However, patriarchal views still dominate Islamic teaching and its interpretations, including on homosexuality. Thus, Islamic societies tend to maintain the construction of a pseudo socio-religious belief that homosexuality is a major sin.

Progressive Islamic groups have to be aware that stereotypes against homosexuals in the name of Islamic teachings encourage discrimination and even violence. An example of this discrimination can be found in the fact that some Muslim countries criminalize homosexuality.

Based on the fact that various stereotypes and discrimination against homosexuals have a correlation with the misinterpretation of Islamic teachings on homosexuality, it is important to create an agenda toward the recognition of homosexual rights by representing a new interpretation of these teachings. In this regard, therefore, the agenda to recognize homosexual rights has a strong relevance to other progressive Islamic agendas, including stopping violence against women.

[The writer graduated from State Islamic University, Jakarta, in Islamic Philosophy and Theology and is a student at Ohio University Athens, the US His research focus is liberal aspects of Islamic feminism. He can be reached at faridmoe yahoo.com.]

## **ARMED FORCES/DEFENSE**

### **Government says TNI trials need time**

Jakarta Post - September 7, 2006

M. Taufiqurrahman, Jakarta — Although the government has agreed that military personnel should be tried for misdemeanors in civilian court, it is not likely to happen anytime soon.

Defense Minister Juwono Sudarsono said Wednesday that due to the complexity of the issue, the government would not be ready to have soldiers stand trial in a civilian court in the next two or three years, as demanded by legislators.

"We do respect the People's Consultative Assembly (MPR) decree and the military law (mandating that soldiers also should be tried in civilian court), but the reality is that the legal infrastructure is not ready for its implementation," Juwono said after a meeting with the House special committee on the amendment of the military tribunal law.

Juwono said the government was studying whether a transitional law would be needed to facilitate the handover of a military tribunal to a civilian court. "Another option is whether we will be given a period of two or three years before the amended law come into effect."

He said the transition period was necessary because civilian courts were unprepared to try military personnel. "The Criminal Code procedure for the military, for instance, has no provisions that would make it possible for prosecution in the civilian court."

Juwono pledged that the government would not continue past practices, with soldiers eluding harsh punishment through sentencing in closed military courts. It bolstered the image of the military as an omnipotent institution beyond the law.

In the past year, the House and the government have discussed the amendment of a 1997 law on military tribunals. The amendment is in line with the 2000 MPR decree which separated the police and the military. Under its terms, soldiers should face trial in a military tribunal for violations

of military regulations, and the civilian court for offenses under the Criminal Code.

Several legislators accused the government of procrastinating on the issue. "Amendment of this law has been proposed by legislators from the previous term, but there still is no significant progress. The government seems to be buying time with its approach," special committee chairman Andreas Parrera of the Indonesian Democratic Party of Struggle told reporters.

But Juwono said that the government would be ready to present its views on the transition issue in the next two weeks. A new meeting is slated for Sept. 20.

Parrera said the amendment must be completed before the lawmakers' terms expired in 2009. "The discussion of the bill will go back to square one if it's given to future lawmakers."

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## **Jakarta's intelligence service hires Washington lobbyists**

ICIJ - September 7, 2006

Andreas Harsono in Jakarta and Nathaniel Heller and Susannah Hamblin in Washington — The Indonesian national intelligence agency used a former Indonesian president's charitable foundation to hire a Washington lobbying firm in 2005 to press the US Congress for a full resumption of controversial military training programs to the country, the Center for Public Integrity's International Consortium of Investigative Journalists (ICIJ) has learned.

The connection between the intelligence agency, Badan Intelijen Negara (BIN), and the charity group, the Gus Dur Foundation, is documented in papers filed by the lobbying firm, Richard L. Collins & Co., in compliance with the Foreign Agents Registration Act (FARA).

BIN has a long history of involvement in human rights abuses and was recently linked to the assassination of a prominent Indonesian human

rights activist. The Gus Dur Foundation was established by former Indonesian President Abdurrahman Wahid, who goes by the nickname of Gus Dur and is known for his moderate politics and support for human rights. Gus Dur and another foundation official denied knowing about the contract between their Jakarta-based charity group and the lobbying firm.

In late 2005 Congress and the State Department fully reinstated military cooperation and aid to Indonesia.

The documents were uncovered as part of a year-long ICIJ investigation into changes in America's post-Sept. 11 foreign military aid and assistance programs and the impact of those changes on human rights. The investigation is focusing on 10 key countries, including Indonesia, and is scheduled for release in early 2007.

In May 2005, the Gus Dur Foundation retained Collins & Co. for \$30,000 a month to lobby Congress and the Bush administration to "remove legislative and policy restrictions on security cooperation with Indonesia," according to a copy of a signed contract.

In Collins & Co.'s statements that accompany the contract, the firm notes that, "For the purposes of this contract, the Gus Dur Foundation's activities are directed and funded by the [BIN]. The nature of the activities carried out under this contract were defined in consultation with representatives from the [BIN] and the [BIN] provides the funding for this contract for the Gus Dur Foundation."

On July 31, 2005, the contract between Collins & Co. and the Gus Dur Foundation was terminated and, effective Sept. 1, a new contract for the same monthly amount was executed directly between Collins & Co. and BIN, the FARA documents show. Records indicate that the second contract ended in November 2005.

Collins & Co. lobbyists did not return repeated calls requesting comment.

Overcoming 'obstacles'

The original contract defines Collins & Co.'s

mission in the context of Indonesia's "obstacles to a more cooperative relationship with the United States, particularly in the area of military cooperation ... the image of Indonesia, especially in the United States Congress, remains highly negative and colored by events in East Timor and other disturbed areas like Papua and Aceh." Those obstacles were indeed substantial.

In response to Indonesian troops opening fire and killing more than 100 demonstrators in East Timor on Nov. 12, 1991, Congress banned Indonesia from receiving funding and training under the International Military Education and Training (IMET) program, which is overseen by the State Department and implemented by the Defense Department to provide military education training to foreign military and civilian officials.

Even under the IMET ban, US Special Operations forces continued to carry out training with their Indonesian counterparts through the Department of Defense's Joint Combined Exchanged Training Program. But after a violent crackdown on anti-government demonstrators in May 1998, the joint training program was severed. President Bill Clinton finally banned the exports of all defense materials and services to Indonesia after Indonesian troops and related militia groups launched attacks in East Timor following the United Nations-administered independence referendum in 1999.

In the US Foreign Operations Appropriations Bill for fiscal 2000, Congress stipulated that neither IMET nor the Foreign Military Financing (FMF) program — which provides US taxpayer financing for foreign militaries' purchases of US military goods, services and training — would be permitted for Indonesia unless there was a legitimate reform of the Indonesian army as well as prosecution of the major human rights offenders.

The FARA filings also reflect the fact that part of Collins & Co.'s charge was to assuage congressional concerns over the assassination of Indonesian human rights campaigner Munir Thalib, whose killing has been linked in Indonesian court proceedings to BIN.

According to Central Jakarta district court documents, Munir was poisoned with arsenic that



was sprayed on his fried noodles during a Garuda Indonesia flight from Jakarta to Amsterdam on Sept. 7, 2004. The court sentenced a Garuda pilot, Pollycarpus Budihari Priyanto, to 14 years imprisonment for poisoning Munir and for carrying forged travel documents.

The court documents describe a sophisticated killing that suggested the involvement of a larger, well-organized group of perpetrators. It also noted that Pollycarpus had no personal motive to kill Munir. The court recommended that the Indonesian police investigate Garuda Indonesia's security officials.

The court proceedings also brought to light 41 telephone conversations that took place between Pollycarpus and a mobile phone number, 0811-900978, before and after Munir's assassination. The mobile phone's owner was Maj. Gen. Muchdi Purwopranjono, a deputy director at BIN. Muchdi was formerly the commander of the Indonesian army's Special Forces Koppasus unit, which was involved in kidnapping student activists during the Suharto era. He was removed from his position just days after Suharto's resignation in 1998 and retired from the military the next year. An investigative commission found that a Koppasus unit was involved in assassinating Papua leader Theys Eluai in November 2001.

In his court testimony, Purwopranjono confirmed that 0811-900978 was his mobile phone number, but he said it was frequently used by his driver and aides. He denied having ever met Pollycarpus. He also denied ordering Munir's assassination.

In Washington, Collins & Co. did its best to convince Congress that the Indonesian military and security apparatus had overcome its checkered history and was ready once again for normal treatment under the IMET and FMF programs. BIN's choice of Collins & Co. was no coincidence: Collins & Co.'s vice president for international business, Eric Newsom, was a former assistant secretary of state for political-military affairs in charge of running the IMET and FMF programs.

He was also a former top aide to Democratic Sen. Patrick Leahy (Vt.), a key figure in the Senate on human rights issues and US-Indonesia policy.

The FARA records show that between June and October of 2005, Collins & Co. lobbyists, sometimes accompanied by BIN officials, met with several key members of Congress and their staffs. Among them were Leahy and Sens. Chuck Hagel, R-Neb., and Lisa Murkowski, R-Alaska, as well Rep. Jesse Jackson Jr. and an aide to Sen. Barack Obama, both Democrats of Illinois. Newsom accompanied BIN deputy head As'ad Said Ali and BIN deputy director Burhan Mohammed to a meeting with Leahy and a key aide just off the Senate floor on July 21, 2005.

According to Tim Reiser, Leahy's top aide on the Senate Appropriations Committee's subcommittee for State, Foreign Operations, and Related Programs (whose annual funding bill finances the IMET and FMF programs), Leahy agreed to take the 15-minute meeting to express his opposition to the resumption of full military assistance to Indonesia. Leahy told As'ad that he didn't think sufficient reform had yet taken place within the Indonesian military.

The Collins & Co. lobbying was certainly not the only reason that military cooperation was eventually reinstated; in fact, some of the key policy changes took place before Collins & Co. signed the initial contract with the Gus Dur Foundation. The push for reinstating IMET and FMF for Indonesia began shortly after the Bush administration took office in 2001. The administration and Republican allies in Congress say the previous policy of punishing Indonesia for human rights violations had not paid dividends and the much-hoped-for reform of the Indonesian military and security apparatus had not taken place.

In a post-Sept. 11 environment when Indonesia suddenly took on greater strategic importance for the US, both the State and Defense departments sought to reinstate IMET and FMF as a demonstration of Washington's gratitude for Indonesian assistance in the global war on terrorism. In February 2005, Secretary of State Condoleezza Rice determined that the Indonesian military had reformed itself sufficiently to merit the resumption of IMET; later in November, the restrictions on FMF and defense exports were lifted.

In an interview with the Inter Press Service news agency, Leahy called the IMET decision "premature and unfortunate," saying that the resumption of a military training program for Jakarta "will be seen by the Indonesian military authorities who have tried to obstruct justice as a friendly pat on the back."

Leahy recently inserted a provision in the Senate version of the fiscal 2007 Foreign Operations Appropriations Bill (not yet passed by Congress) requiring the State Secretary to submit a report to the Committees on Appropriations detailing "the status of the investigation of the murder of Munir Said Thalib, including efforts by the Government of Indonesia to arrest any individuals who ordered or carried out that crime and any other actions taken by the Government of Indonesia (including the Indonesian judiciary, police and the State Intelligence Agency [BIN]), to bring the individuals responsible to justice."

#### The Gus Dur connection

Gus Dur is an internationally known Muslim cleric. He formerly headed the Nahdatul Ulama, Indonesia's largest Muslim organization and is widely recognized as an advocate of moderate Islam. He helped lead the opposition against Suharto in the 1990s, and in 1999, he became the first elected Indonesian president of the post-Suharto dictatorship.

Gus Dur was forced out of office by the Indonesian parliament in July 2000 over his erratic governing style and ceded power to Megawati Sukarnoputri. Megawati was succeeded by the current president, Susilo Bambang Yudhoyono, who was elected in 2004.

When contacted in Jakarta, Gus Dur, who is legally blind, denied any involvement in the contract. "I don't understand. I don't know," he said. "Could you please give me a copy of those documents, just for my own use, so that I could check these people who used my name?" But he added that he has close relations with Syamsir Siregar, the head of BIN, and As'ad Said Ali, BIN's second-in-command.

The Gus Dur Foundation's secretary, Ihksan Abdullah, also denied any knowledge of the foundation's involvement with BIN. "Frankly speaking, I don't know. How could we have this

much money? How could we pay \$30,000 per month?"

According to Abdullah, the foundation was established in January 2005, two weeks after the Asian tsunami hit the Indonesia island of Aceh. He described the foundation's objectives as establishing orphanages, public libraries and schools and holding scientific seminars. The foundation "has nothing to do with the military or international lobbying. We never had a meeting in which we talked about BIN," Abdullah told ICIJ. "Companies worldwide conduct due diligence when signing contracts, especially with foreign firms," said Abdullah, a lawyer with his own firm. "I think this [contract] was signed without Gus Dur's knowledge." The foundation's governing documents show that Gus Dur is its founder. He appointed Abdullah and three other men to sit on its board: Aris Junaidi, the treasurer, and members Salim Muhamad and Sulaiman.

"They're all close associates to Gus Dur. They're mostly political adventurers," said Ahmad Suaedy, executive director of the Wahid Institute, whose office is located at Jl. Taman Amir Hamzah 8 in Jakarta — the same address noted in the Collins & Co. contract as that of the Gus Dur Foundation.

The Wahid Institute is a newly formed research institution whose stated purpose is to promote a "moderate and tolerant view of Islam." Gus Dur, for whom the new organization is named, is the patron of the new institute as well. Suaedy added that the Gus Dur Foundation moved out of the compound in January 2006 following a request from Gus Dur's daughter, Yenny, the director of the Wahid Institute, who dislikes "those political adventurers."

Muhyiddin Arubusman, a close associate of Gus Dur, signed the original Collins & Co. contract on behalf of the Gus Dur Foundation. Arubusman is a member of the Indonesian parliament from the National Awakening Party, whose patron is also Gus Dur. Ikhsan Abdullah, the Gus Dur Foundation secretary, told ICIJ that Arubusman legally had no official position at the foundation, although Arubusman — as well as BIN deputy head As'ad Said Ali — frequently attended foundation meetings between January and May 2005 to talk about fundraising. As'ad is a member of the Nahdatul Ulama.

Arubusman comes from Ende, a small town on Flores Island, which is a predominantly Catholic area.

The Ende airport is named for his father's uncle Hasan Aroeboesman. Earlier this year, Muhyiddin Arubusman edited and published a book on terrorism, "Terorisme di Tengah Arus Global Demokrasi" ("Terrorism in the Global Democratic Current"), in which both BIN's As'ad Said Ali and Gus Dur wrote chapters.

In telling ICIJ that he had signed the contract with Collins & Co., Arubusman said, "Our concern was then Aceh and Papua's separatism. BIN asked assistance from the Gus Dur Foundation to influence the US Congress. The Collins & Co. came to Jakarta. BIN organized everything. I just signed the contract. I share similar concerns over Aceh and Papua separating from Indonesia."

The Free Aceh Movement declared independence in December 1976, arguing that the Acehnese were being colonized by Indonesia. The movement claims that "Indonesia" is a name foisted on minority ethnic groups by the Javanese, the main ethnic group in Indonesia, indigenous to its most populous island.

The Free Papua Movement began in 1965 when the Dutch, who formerly ruled the Indonesian islands as colonies, were still supporting Papua's push to be an independent state. Indonesia invaded Papua and manipulated a UN independence referendum there in 1969. Proponents of a unified Indonesia argued that the country should comprise all of the former Dutch colonies, including Papua. Both islands have a troubled history of violence with the Indonesian central government.

Arubusman gave a mixed answer when asked whether he was authorized to sign the contract on behalf of the Gus Dur Foundation or whether Gus Dur himself knew about the contract. "I can't discuss more. I have to bear in mind Gus Dur's good name. He didn't know," Arubusman said.

Legislator Muhammad A.S. Hikam, whose office is next to Arubusman's, was dubious that Arubusman has the savvy to understand Washington's political corridors or to hire a firm such as Collins & Co. "He even doesn't speak English very well," Hikam said.

When Arubusman signed that first contract with Collins & Co. in May 2005, President Yudhoyono's

fact-finding team on the Munir killing was about to recommend that the police investigate BIN's involvement in the assassination.

Yudhoyono also ordered Lt. Gen. Syamsir Siregar, who had taken over the job of heading BIN from Lt. Gen. A.M. Hendroprijono, to open up his institution to public scrutiny. But BIN dragged its feet and continues to refuse to cooperate with the police investigation, citing its need to protect state secrets. BIN did not respond when contacted several times to comment on this story.

A group of 68 members of the US Congress sent a letter to President Yudhoyono on Oct. 27, 2005, urging his government to implement the investigative team's suggestions on the Munir killing. "We understand the [reports] suggests that the government should create a new commission with a strong mandate to explore the evidence wherever it may lead, including enforcement of full cooperation of all state agencies, including [BIN]."

The bipartisan letter, co-sponsored by Reps. Mark Kirk, R-Ill., and Jim McDermott, D-Wash., closes by noting: "Munir devoted his life to finding the truth, and in the end he gave his life for that cause. Now his own death is the subject of an unprecedented fact-finding report. We strongly urge your government to fulfill Indonesia's promise as an open and democratic society by publicly releasing the report and acting on its recommendations."

Gus Dur himself called on the Indonesian government to hold BIN accountable. He held a press conference with Suciwati, Munir's widow, one day after Polycarpus' verdict was read, declaring that Munir was a hero and that Muchdi should be questioned. The former president told the media that he was committed to finding Munir's murderer; he privately told Suciwati that As'ad was "clear."

Ikhsan Abdullah, the Gus Dur Foundation's secretary, wondered aloud how Munir's friends and widow would respond if they knew that the Gus Dur Foundation was involved in lobbying the US Congress to resume full military cooperation with Indonesia.

"Gus Dur is known as a human rights campaigner. He

has big influence and a global reputation. What will the people of Papua think of Gus Dur if these documents are published?"

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## **TNI won't name arms suspects**

Jakarta Post - September 2, 2006

Ary Hermawan, Jakarta — Military Police chief Maj. Gen. Hendarji Soepandji said Friday he would not give lawmakers the names of people probed in connection with an illegal arms stash.

"We will not reveal their names. I will protect the witnesses," he told reporters after a ceremony honoring the transfer of the position of Army Special Forces commander from Maj. Gen. Syaiful Rizal to Maj. Gen. Rashid Qurnuen Aquary, in Cijantung, East Jakarta.

The House of Representatives' Commission I on defense and foreign affairs is scheduled to meet with Hendarji, Defense Minister Juwono Sudarsono and Indonesian Military (TNI) commander Air Chief Marshall Djoko Suyanto on Sept. 8.

Hendarji said he would provide all the information gathered in the investigation, however, and try to answer all the questions posed by legislators.

A number of legislators have called for an official report from the military about the probe into the case of the arms stash found at the house of the late Brig. Gen. Koesmayadi. They have threatened to launch a House inquiry into the scandal, should the report fail to reflect a thorough and transparent investigation.

The military announced its findings on Aug. 9, saying 11 people, including Koesmayadi and his son-in-law, were possible suspects.

Army chief Gen. Djoko Santoso similarly refused to divulge the names of the remaining nine possible suspects. The total of eleven possible suspects consists of eight servicemen and three civilians. They were among 129 people questioned about the

stash.

TNI commander Air Chief Marshall Djoko Suyanto reported the results of the investigation to Commission I in an informal meeting in Cilangkap on Aug. 14. Some legislators criticized the informal meeting, saying it did not involve all commission members.

Commission members I Dedy Djamiludin Malik and Ade Daud Nasution said the military must clearly inform the public about those involved in the case and the motives behind the illegal stash. Dedy and Ade accused the military's investigation of being merely superficial, saying it was biased toward blaming only Koemayadi and his subordinates.

The investigation found the arms illegally stockpiled by Koesmayadi were for his personal collection and did not have any political significance. The deceased Army officer had an obsession with establishing an arms museum, investigators said.

The added that 43 of the 185 arms stashed at Koesmayadi's home were found and purchased at his own initiative and that the procurements did not follow standard procedures.

## **ECONOMY & INVESTMENT**

### **World Bank: Indonesia losing appeal as investment destination**

Dow Jones News - September 6, 2006

Jakarta — Indonesia's attractiveness as an investment destination is slipping compared with its more competitive regional rivals, according to a report released Wednesday by the World Bank's investment arm, International Finance Corp.

The report, titled Doing Business 2007, ranked Indonesia 135 out of 175 economies surveyed for their business environments. That marks a decline from 131 in 2006.

The survey, conducted from January 2005 to January 2006, rates Indonesia one of Asia's least business-friendly economies, ahead of only Cambodia, Laos and East Timor.



"(The lower ranking) isn't because of any negative reforms, in fact we've documented improvements," Caralee McLiesh, program manager and cofounder of the Doing Business Project, told reporters in a video conference. "The lesson is that (the rest of) the world is doing better... and it's not enough to just reform a bit."

The report noted that Indonesia had made significant progress in reducing the number of days required to start a new business to 97 from a previous 151. But while that is an improvement, "compare that with 33 days in Thailand and two days in Australia," McLiesh said. "Areas that need improvement are contract enforcement, trading across borders and registering property, which all remain at the same level and continue to lag compared to its regional competitors," said Chris Richards, IFC general manager for technical assistance work in Indonesia.

The report's findings are bad news for the government of President Susilo Bambang Yudhoyono, which won a landslide election victory in October 2004 on a platform of improving the investment environment to boost economic growth.

The government has set a target of 6.6% annual economic growth from 2005 to 2009 in order to halve poverty and unemployment rates. But the economy expanded only 4.97% on year in the first half of 2006, suggesting that the official forecast of 6.2% for 2006 will be hard to meet.

Also Wednesday, the Asian Development Bank warned that its projection of 6.0% gross domestic product growth for Indonesia in 2007 hinges on the government's ability to attract investors to its infrastructure upgrade program.

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## **IMF urges government action on economy**

Jakarta Post - September 1, 2006

Andi Haswidi, Jakarta — The estimated drop in global economic growth within the next two years could pose serious setbacks to developing countries like Indonesia if governments failed to

act properly, the International Monetary Fund warned Thursday.

Speaking at a seminar held by Standard Chartered Bank in Jakarta, IMF's senior resident representative Stephen Schwartz said the global economy was likely to slow down in the coming years, with an estimated decline in the GDP growth of the world's major players — China, the United States and Japan.

It was vital for developing countries to pursue sound and stable policies to ensure the unfavorable global situation would not seriously impact their economies, he said.

Schwartz noted Indonesia was trying to make its investment climate more inviting by reforming its tax, investment and labor laws. However, important legislation in these areas was still being created, and investors were not sure whether it would be implemented next year as promised, he said.

One example was the employment bill's deliberation in the House of Representatives, which had stalled after vigorous protests from workers, he said. "Economic growth and investment in Indonesia has been lower than its potential. Indonesia has to improve its investment climate," Schwartz said.

Standard Chartered Bank chief regional economist Nicholas Kwan said Indonesia and other Asian countries had to improve its rate of investment if it was to survive the fiercer competition that would come from the decline in the global demand within the next two years.

"One key point in the region as a whole is that we invested too little, especially after the crisis. We would like to see the region invest more," Nicholas said.

The bank forecasts that in the next two years, US economic growth is projected to fall from 3.3 percent in 2006 to 2.8 percent in 2007 and down to 2.5 percent in 2008, while Japan's and China's growth rates will also decrease slowly.

For Indonesia, the SCB forecasts the economy will grow at an average of 6 percent in 2007 — 0.3 percent lower than the government's estimate —

and increase at the same rate in 2008.

"Clearly the government has been doing a good job on the macro economic management side... but the real challenge we believe is to improve the investment climate," Schwartz said.

Schwartz said the government was aware of the need to improve legal certainty and tax administration through better enforcement. "We know what the problems are, and they have been there for a long time. What we need to question is the implementation," he said.

SCB senior vice president Fauzi Ichsan criticized the government's inability to meet its targets. He said the government had failed to efficiently use its 2006 budget, worth US\$150 billion, with almost 80 percent of it still unspent.

"The government is currently sitting on huge amount of cash that should have been used for building infrastructure that could have supported the investment climate in Indonesia in terms of the distribution of goods and other supporting services," Ichsan said.

Trade Minister Mari Pangestu, who arrived at the end of the seminar, said she was aware of the issues discussed by the analysts.

"We were late in a comeback from the crisis. Perhaps we were one of the laggards, but I think it was sort of a worthwhile wait because the reason we were late was because we were the only country in the region that went through a total transformation, economically, politically and so on," she said.

About the economic reform packages, Mari said that talks between the government and legislators about the tax and investment bills would soon be finalized and hopefully they would be approved by the end of the year.

Mari said the government was working to improving the macroeconomy by reforming institutions like the customs and tax offices. "Between the finance and the trade ministries, we are going to create a single national (office) for processing exports and imports," she said.

Other short-term measures to boost growth would be the establishment of special economic areas, she said.

## **OPINION & ANALYSIS**

### **Indonesia winning plaudits in post-9/11 terrorism battle**

Agence France Presse - September 7, 2006

Samantha Brown, Jakarta — The Bali bombings brought the horror of September 11 to Asia, but Indonesia took a different approach to the United States in tackling the Al-Qaeda threat which has met with considerable success.

The 2002 blasts on Indonesia's palm-fringed island of Bali claimed the lives of 202 people, mostly western holidaymakers, in the bloodiest attack to follow the September 11, 2001 atrocities in the United States.

It opened a Southeast Asian front in the so-called "war on terror" by the United States and its allies, and put the spotlight on the world's most populous Muslim nation, where politicians had denied a terror threat existed.

Indonesia surprised many observers by swiftly tracking down the main militants and putting them on trial.

In contrast, the United States has secured only one conviction over the September 11 bombings and has instead chosen to hold hundreds of terrorism suspects indefinitely without trial in Afghanistan, Guantanamo Bay, and other unknown locations.

In total, Indonesia has arrested and tried more than 30 militants from the Al-Qaeda-linked Jemaah Islamiyah regional network. Three key bombers are on death row awaiting execution.

It was largely pressure from a sceptical public that forced Indonesia — then just emerging as a democracy in the wake of former dictator Suharto's long rule — to use its justice system to pursue those responsible, analysts said.

"There was an awful lot of pressure from politicians. I don't think they could have taken a harder line upfront," Jakarta-based security analyst Ken Conboy said.

The police had to convince a public — inclined to believe the attacks were the plot of anti-Islamic foreign governments, or that Indonesians were incapable of launching such a well-planned operation on their own — that the threat was real.

To do so, they allowed Amrozi, one of the key bombers, to speak to the media while in custody. His laughter and carefree demeanour outraged many relatives of the victims.

"They had a purpose: to show they hadn't coerced a confession out of him. He willingly spoke and that changed a lot of minds in the country," Conboy told AFP. "The way police handled the original arrests helped people realise that there was a terrorist network. They overcame their collective denial."

Working with counterparts from around the world, the government campaign erased the top layers of the organisation, leaving only lower level, ad hoc cells operational, Conboy said.

"You could basically count on one hand the real dangerous aggressor JI figures," he said, adding that these would include Malaysian fugitive Noordin Mohammad Top and Zulkaernan, both among Asia's most wanted men.

Indonesian police also took a unique approach in dealing with terrorists after their arrests, said Sarlito Wirawan, a senior psychologist from the Universitas Indonesia who has worked with police on cases.

"After they are in detention, they are treated very humanely. Police chat with them, pray with them... They are not pressured under a barrage of questioning," he said. "This approach has helped several of the suspects, if not change their views radically, at least make them more cooperative."

And due to tight family and friendship ties, just a few helpful suspects have been significant, he said. "This has made it easy for the police. Once

a suspect is caught it is relatively easy to follow the thread and catch the others," he added.

The Southeast Asia director for the International Crisis Group Sidney Jones outlined the distinct approach Indonesia employed to deal with the overall terror threat compared to the United States.

"I think the difference is that the Indonesians have been scrupulous about abiding by the rule of law," she said. "That is, not engaging in wider spread arbitrary arrests, not holding people for long periods without charge, abiding by existing criminal procedural standards, bringing people to trial in trials fully open to the public and letting them go when they have served their sentences."

Indonesia largely did so unexpectedly, she said, after it was accused of not taking terrorism seriously.

"I think the way that Indonesia has handled terrorism after the first Bali bombing has pretty much silenced that criticism," she said, noting that the country was also only a young democracy.

"I don't think anybody would have expected a country that had as bad a human rights record under Suharto and a problematic legal system would have done as well with handling terrorism cases." But despite the successes, the threat of small-scale attacks persists in Indonesia, analysts warn.

"I think there probably will be another terrorist bombing, probably in the next couple of months, simply because some of these guys like Noordin Top, that's all they do," Conboy predicted. "Unless you catch them, that's what they're working towards. He's not going to hang up his explosives vest and say he quits."

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## **Forgotten Munir**

Jakarta Post Editorial - September 7, 2006

For Suciwati, Sultana Alif Allende and Diva Suukyi Larasati, the widow and children of the late Munir

Said Thalib, today (Thursday) is a time of sorrow and remembrance. As it should be for all Indonesians, who owe Munir so much for his tireless struggle in the name of human rights.

On Sept. 7, 2004, people who could no longer tolerate Munir's courageous efforts to secure justice for the victims of rights abuses poisoned him aboard a Garuda flight from Jakarta to Amsterdam, where he was traveling to continue his studies at Utrecht University.

An autopsy performed at the Dutch Forensic Institute found that Munir died from arsenic poisoning.

There has been a lot of speculation that Munir was murdered by people in positions of power, or formerly in power, angry at his work to find those responsible for the abductions, killings and torture of Indonesian citizens.

These people who think they are above the law (sadly it seems they are, having remained untouched by the authorities) assassinated Munir just 13 days before voters directly elected their new president.

About two months later, President Susilo Bambang Yudhoyono, in an emotional meeting with Suciwati, promised her it was only a matter of time before those responsible for her husband's death were brought to justice. He was firm in his promise and an investigative team was set up.

The result? The goddess of justice apparently was only able to ensnare Garuda pilot Pollycarpus Budihari Priyanto. In December last year, the Central Jakarta District Court sentenced him to 14 years in jail for his role in the murder. Very few people believe that Pollycarpus acted alone. This was also the conclusion of a government-sanctioned fact-finding in its report.

For the President, the Munir case apparently is just one of thousands of problems and state duties with which he must cope. Which may explain the seeming lack of urgency of bringing to justice those involved in the murder. There has also been speculation that Yudhoyono's government could be destabilized by those who insisted Munir had to die, and that he has been pressured to drop the

matter.

However, on the second anniversary of Munir's death it is important to remember that his killing hurt not only his family and friends, but the entire nation. This was a premeditated murder perpetrated by criminals who want to keep the nation ignorant of their past brutalities. It is our hope the President will keep his promise and do everything necessary to find those responsible for Munir's death.

Today we remember Munir and call on our leaders to look into their consciences and uphold justice. How long must we wait?

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### **Munir inspires us to continue his struggle**

Jakarta Post - September 7, 2006

Aleksius Jemadu, Bandung — How many innocent people have been killed during Indonesia's delicate transition to democracy? There have been many. Some people suggest Indonesia has been hit by various kinds of natural disasters because some of its leaders still have the blood of the innocent people on their hands.

The unsolved murder of Indonesia's well-known human rights activist, Munir, on Sept. 7, 2004 stands out as an extraordinary case for a number of reasons.

First, Munir was assassinated because of his ceaseless struggle in defending the basic rights of his fellow countrymen from the time of the Soeharto era. Munir's assassination was driven by a deep-rooted revenge in the hearts of those who committed gross human rights violations but were afraid of being brought to justice.

Second, the fact that the trial over Munir's death has failed to identify and punish the real mastermind behind the tragedy is an indication of the fragility of the prospect of human rights protection in this country. Indonesian democracy seems to be characterized by contradictions.



On the one hand, the rhetoric of human rights is always on the lips of its leaders but on the other hand they remain indifferent about so many unresolved human rights violations inherited by the previous regime.

Third, the Indonesia judicial system has lost its independence and credibility due to the fact that it is still subject to manipulation and tacit conspiracy by the ruling elite who are still under pressure to protect the violators of human rights no matter how substantive the evidence is of their crimes against humanity.

Unfortunately, President Susilo Bambang Yudhoyono does not have the courage to take an initiative to resolve human rights cases once and for all for the sake of the rule of law in this country. Sometimes it is too easy for the executive to argue that the president cannot interfere in the affairs of the judiciary bodies. However, Indonesia really needs a commitment at the top of the government that all kinds of human rights violations will be brought to justice.

Lack of commitment at the top is not the only problem Indonesia has to face regarding the promotion of human rights. During the Munir murder trial people's attention was focused on the role of the National Intelligence Agency (BIN). Human rights groups believe that Munir's death was the result of a very sophisticated conspiracy led by some intelligence officials who were professional in conducting various kinds of aggressive intelligence while at the same time capable of orchestrating some sort of disclaimer or alibi.

We should note that one of the institutions in the security sector that has not been touched by reform is the intelligence service. Thus, it is still characterized by an old mind-set and tradition which do not fit into the basic requirements of a democratic state. In March 2006 the government proposed a draft of an intelligence law in which we can find controversial articles with tremendous consequences for the protection of human rights and civil liberties.

We are particularly concerned over article 12 of the draft which stipulates that BIN is authorized to detain and interrogate people in order to gain information. On top of that, BIN also has the

authority to intercept and monitor communications among people whose activities are deemed a threat to national security and the safety of the people.

The government is probably inspired by the experience of other countries especially the United States where the war on terrorism has been used as a justification for sacrificing civil liberties.

The draft is suspiciously silent about the right of the detainees to demand responsibility from the intelligence officials if they violate human rights during the period of detention. In article 14, reference to the principles of human rights and democracy is made but only in very general terms and it is flexible enough to create room for loose interpretations. Human rights activists who still believe that a balance between national security and human rights is still possible in a democratic state have expressed their concern over this draft and asked the government to abandon any article that may lead to the violation of human rights.

Apparently two years after Munir's tragic death Indonesia has not made any significant progress in the field of human rights. The culture of impunity in Indonesia has taken root in the minds of its military and civilian leaders. As long as they are still in power, Munir's innocent blood will continue to cry out to our conscience from his grave that we should never give up in our struggle to promote human rights in this country.

[The writer is head of the department of international relations and head of the MA study program in international relations at Parahyangan University, Bandung. He is currently a member of the Indonesian Working Group for Intelligence Reform. He can be reached at [aljemadu@yahoo.co.uk](mailto:aljemadu@yahoo.co.uk).]

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## **Seeking Aceh's new leaders**

Jakarta Post Editorial - September 6, 2006

Putting decades of armed conflict and the

devastating tsunami behind them, the people of Nanggroe Aceh Darussalam are now preparing to hold landmark elections on Dec. 11.

For the first time ever in the province's history, voters will be able to vote for governor and other local positions.

It is certainly a privilege for the Acehnese to hold such an election, in which independent candidates are permitted to run. For the sake of peace, democracy and prosperity in the westernmost province, the nation's full support for just, transparent and fair elections is essential.

People across Indonesia and the globe are anxiously awaiting the elections, which could indicate whether democracy and peace in Aceh will stand the test of time. The westernmost province has suffered nightmarish human tragedies resulting from rights abuses when it fell under a military operation between 1989 and 1998 and the colossal disaster when tsunami waves routed its coast in 2004 claiming over 150,000 lives.

If successful, the Aceh elections will set a good precedent for the rest of the country in recognizing the right of aspirants who do not have access to, let alone support from, political parties. Disappointment with the failure of political parties to deliver pre-election promises in the country's numerous other provinces had sparked public demand for a decent opportunity for alternative candidates to vie for legislative and executive posts, but to no avail, particularly due to stiff opposition from elite political groups.

The nation will learn from Aceh as to how true democracy, which means equal opportunities for everybody to run for office and choose their leaders, works.

It is encouraging to see former rebel group Free Aceh Movement (GAM) being represented in the race, although the GAM figures will run in their capacity as individuals. The participation of the ex-rebels simply marks their acceptance of a legitimate way of political struggle. But more importantly, elections will further boost reconciliation in the province, a prerequisite for recovery and the building of a brand new Aceh.

Direct elections are an integral part of the peace agreement signed by the Indonesian government and GAM on Aug. 15, thus the 2.5 million eligible voters in Aceh should be encouraged to exercise their political rights and choose leaders they can trust.

It is always difficult to select the best candidates, even in advanced democracies, therefore the role of the Independent Elections Commission (KIP), which was given the mandate to administer the polls, and non-governmental organizations is crucial to provide political education to the voters.

Pressed for time, the KIP has been busying itself with administrative work, ranging from voter registration to the screening of eligible candidates. NGOs could play a bigger part in guiding voters to use their wisdom, common sense and independence. Past experience has shown some candidates make empty promise and even buy votes. Voters were sold on a candidate's physical appearance or primordial ties, without perusing their track records. With sharia already in place in Aceh, it would not be surprising if candidates exploited Islamic symbols to secure votes. The practice is commonplace even outside Aceh, at the expense of the people's growth to political maturity.

Security will raise another cause for concern, particularly because under the peace agreement the number of police cannot exceed 9,100 personnel in Aceh, which seems too few, considering 10,000 polling stations are to be built across the province. A quick solution to the matter is imperative, knowing that an adequate number of police will be crucial when it comes to vote counting.

Time constraints should not be an excuse for chaotic or fraud-ridden elections in Aceh, thanks to assistance and monitoring from domestic and foreign institutions. The role of foreign parties, both governmental and non-governmental, has been pivotal in rebuilding Aceh and restoring peace.

It will be a major loss — and an unforgiven historical sin — if we cannot maintain the golden momentum for the Acehnese to build their futures anew.

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## **Poverty increases 11 percent**

Jakarta Post Editorial - September 4, 2006

A higher level of poverty in the country was expected after the 126 percent hikes in fuel prices last October and the inflationary pressures they generated in other sectors.

However, the 11.25 percent or 3.95 million increase in the poverty head count between February 2005 and March 2006 to 39.05 million people, or 17.75 percent of the total population, still came as a surprise. This poverty incidence, although lower than that between 1998 and 2002, was the highest since 2003.

The nearly \$1.5 billion the government has given in unconditional cash transfers to more than 19 million poor and low-income households (76 million people) during the past 10 months seemed inadequate to cushion the impact of the tremendous inflationary pressures on these people.

Through the transfers — Rp 100,000 a household a month — the government estimated that those who received the grants would end up with enough additional income to cope with the short-term negative impact of the price hikes. Several analysts, including those of the World Bank, projected early this year that without the transfers, real poverty would increase to 22 percent of the total population or almost 50 million.

This further validates the estimates made by national and international studies last year that more than 50 percent of the total population or 115 million hovered on the brink of the national poverty line, defined as the monthly per capita spending (for food and non-food needs) of Rp 152,847 (\$16.50). This, meanwhile, is only half as high as the \$1/day (\$30/month) per capita spending used by international aid agencies to indicate absolute poverty.

This means more than 110 million people are highly vulnerable to changes in the economic climate.

Even the slightest worsening of the economy will push many of them into poverty.

The latest poverty figures, based on the annual socio-economic survey conducted by the Central Statistics Agency in March 2006, did confirm that 19.8 million or 50 percent of the 39.05 million poor people as of March, were chronically poor or those who had been below the poverty line even before the fuel price hike.

The other 19.2 million poor people consist of what is defined as the transient poor (those who are on the brink of poverty) who fell into absolute poverty after the fuel price hikes.

Most important now is how the government incorporates the findings of the survey into its poverty-reduction programs. Without sound data, advice sounds rhetorical, and policy prescriptions ideological. What counts most is to know how to treat the numbers, and to develop the knowledge we need to act on them.

It is encouraging to note that the Cabinet seemed to have advanced copies of the survey reports a few days before the latest poverty profile was disclosed to the public because the salient findings of the survey had been included in the new poverty-alleviation strategy.

The coordinating ministers for the economy and people's welfare announced last Thursday a new strategy, which integrates the Kecamatan (sub-district) development project (KDP) and the Urban Poverty Alleviation Project (UPAP) into a national Community Empowerment Program.

The two projects, which are designed to empower the chronic poor and transient poor to lift themselves out of poverty, are quite different from the unconditional cash transfers and other social-safety net programs, which are meant only for consumption (to meet people's daily needs) and not for investments.

Both the KDP and UPAP projects, which were launched in 1998/1999 with a budget of over \$1.5 billion in foreign loans and grants and government funds for 10 years, have so far been the most democratic, bottom-up development programs applied here to specifically reduce poverty. Yet more

impressive is that independent auditors Moores Rowland found a low rate of corruption in these projects.

Both projects promote the empowerment and involvement of poor people through a participatory process in conceiving programs, teaches transparent budgeting and procedures, good governance and increased accountability. These community-based poverty reduction projects provide block grants of Rp 500 million to Rp 1.5 billion to sub-districts, which then channel the funds through sound competition to villages.

Villagers are encouraged to take an active part in the participatory planning and decision-making process to allocate the funds for their self-defined development needs and priorities in any activities such as infrastructures, health, water, education and farm businesses, except those that may damage the environments.

The experiences with the two projects so far show that the participatory process ensures that the programs selected for poverty reduction address the most pressing needs of large numbers of people, thereby making them effective and efficient as well as politically sustainable. The rationale is that when people have more access to information about government activities, they are empowered to play a more informed role in the development process.

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### **No going back on regional autonomy: Analysts**

Jakarta Post - September 1, 2006

M. Taufiqurrahman, Jakarta — Despite its adverse impact in stoking tribalism, regional autonomy is an irreversible process and the central government must not attempt to abrogate it, analysts say.

Gadjah Mada University senior lecturer on regional autonomy Pratikno and executive director of the Center for Electoral Reform (Cetro) Hadar Nafiz Gumay said Thursday that regional autonomy promised better governance for regions in the sprawling archipelago.

"Indonesia is too big a country to be ruled by a centralistic method, and regional autonomy is one among many methods that can produce effective governance," Pratikno told The Jakarta Post. Hadar said efforts to reverse decentralization would spur opposition from those who reaped its benefits.

The analysts commented on the findings of a survey by the Civil Society Alliance for Democracy (Yapikka), which found implementation of regional autonomy had given rise to heightened ethnocentrism and tribalism.

The survey recommended the revival of the oversight role once performed by the provincial government to mitigate the negative ramifications of ceding more power to regencies.

But such recommendations inevitably lead to fears of a return to the centralized government of the New Order from 1966-98, when provincial governments acted as political surrogates to control the people.

However, the analysts believed that returning the oversight role to the provincial government would not imperil decentralization.

"Who said that the central government had no control over local governments in the regional autonomy era? The power is still there for the central government to ensure that public services are being delivered," Pratikno said, adding that regional autonomy was not synonymous with federalism, which was tantamount to giving free reign to local governments.

He added that because the central government would likely have problems supervising all regencies, it could seek help from provincial administrations.

"A regency should not be left by itself in implementing the regional autonomy because then it would only strive for its individual interests," Pratikno said.

Commenting on resurgent tribalism, Hadar termed it a "bitter pill" experienced on the path to a mature democracy. "We are still in that stage now, and we have to face the reality that ethnicity, religions and territorial attachment are the



common denominator that easily bonds our people," Hadar told the Post.

He said that despite the objectionable nature of ethnocentrism, the government should not make stringent regulations that would curb expressions of ethnicity. "It will be harmful for the democracy in the long run," he said.