

Singapore witnesses bolster flagging Jakarta terrorist trial

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Three witnesses being held in custody in Singapore testified via video link in the Jakarta trial of Islamic fundamentalist cleric Abu Bakar Bashir on June 26. For the first time since the proceedings began on April 23, the three men gave evidence linking Bashir to the Jemaah Islamiah (JI) network, to terrorist bombings of churches in Indonesia in 2000 and to an alleged plot to kill Indonesian President Megawati Sukarnoputri.

The testimony was politically convenient for the Indonesian administration, which has been facing domestic criticism over the political character of the trial, and for a number of foreign governments—the US, Australia and Singapore—that have been demanding a crackdown on JI and Bashir.

The Singapore witnesses provided a much-needed boost to what was a flagging prosecution case. Previous witnesses, including four of those facing trial over the Bali bombing, had failed to definitively link Bashir to specific terrorist acts. But the conditions under which the three Singapore prisoners are being held raises doubts, to say the least, about the veracity of their statements.

The 64-year-old Bashir was first detained last October on the basis of draconian anti-terrorist laws rushed into effect by Megawati after the Bali bombing. Despite the lack of any evidence, Jakarta was under intense international pressure to act against Bashir. In the end, however, he was not charged over the Bali blasts but over other terrorist attacks. Bashir has denied all charges, and that the JI even exists as an organisation.

Singaporean authorities tightly controlled the testimony of the three prisoners. They gave evidence from a special studio in an empty government building in Singapore and technicians were sent to Jakarta to set up the equipment in the court.

Bashir's team of defence lawyers walked out of the courtroom in protest. They insisted that Indonesian law did not allow testimony from witnesses not present in

court and that it was questionable whether the three could testify “without fear and intimidation”. Denied permission to leave the court, Bashir read a book and refused to answer any of the judges' questions.

The main witness was Malaysian national Faiz bin Abu Bakar Bafana, who claimed to be the treasurer for the JI group responsible for Singapore and Malaysia. Like the other two witnesses, Bafana has been held without trial with 12 others under Singapore's notorious Internal Security Act (ISA) since his arrest in December 2001. Their appearance was the first time any of the three had been seen in public since their arrest.

Bafana claimed that he had often met Bashir and that Bashir had been present at his swearing into JI in 1986. He claimed that Bashir had been involved in discussions on terrorist attacks and in the organisation of JI during four meetings in Central Java between 1999 and 2001.

Asked if Bashir had specifically approved bomb operations, Bafana answered: “Yes, twice, the Christmas bombings and the Atrium (a Jakarta plaza) bomb.” He added: “But the preacher did not ask us to do it, he only suggested the targets were in line with the objectives, not ordinary people.”

Bafana also claimed that Bashir had been present at a meeting where the assassination of Megawati was discussed and that he had been involved in sending militia to take part in communal fighting in the Maluku.

The two other witnesses, Hashim bin Abas and Jaafar Mistuki, both Singapore nationals, gave briefer testimony and were less specific about particular activities. Both claimed that Bashir was the head of JI and called on him to admit his involvement.

Mistuki outlined his role in a bombing attack in Batam in December 2000, allegedly organised by JI's supposed head of operations, Hambali. He insisted that it would be “impossible” for Bashir not to have known about the mission. In similar vein, Abas said all decisions made in

JI required the approval of its leader, “just like in the military”.

No credible explanation was provided as to why the three had decided to give evidence against the man they claim to have been their former leader. It certainly cannot be excluded that they were subject to intense interrogation, even torture, or a variety of threats against themselves and their family and friends. Nor can it be ruled out that they struck a deal with Singaporean authorities in return for an end to their indefinite detention without trial.

The abject apologies offered by the three tend to undermine claims that their testimony was uncoerced. Abas concluded his testimony by declaring: “I want to apologise to the government of Indonesia for all the misdeeds of the JI... I also want the government to stop the activities of JI so that there will be no more victims. That is my request. Thank you.”

Bafana urged JI members to give themselves up and praised his treatment in Singapore. “I am sure the authorities will treat them in a dignified way, as I have been treated. I was actually surprised at the treatment I received. They respect me and they want to solve the problems,” he said.

If this testimony was not coerced, then the obvious question remains: why weren’t the prisoners transported to Jakarta to give their evidence in open court?

According to the Singapore police, Bafana confessed last September, nine months after his arrest. However, even prior to this confession, Singapore was putting pressure on Jakarta to arrest Bashir, claiming that the 13 men held for their alleged involvement in terrorist plots had already implicated him. Indonesian police, who went to Singapore and interviewed the men, insisted that there was not sufficient evidence to arrest Bashir.

It is not surprising that the international media outlets seized on Bafana’s testimony as a long-awaited “breakthrough” in the Bashir trial. Bafana’s statements mesh neatly with the claims of Washington and Canberra that Bashir heads JI and that JI is a tightly controlled terrorist network throughout South East Asia with links to Al Qaeda. Both the Bush administration and the Howard government have used these unsubstantiated allegations to justify the “global war on terrorism,” which has included the invasions of Afghanistan and Iraq.

Moreover, the trials of Bashir and those accused of the Bali bombing have coincided with the Australian government’s passing of legislation providing the domestic spy agency, the Australian Security Intelligence

Organisation, with unprecedented police state powers of detention and interrogation without trial.

The latest testimony has proven a boon to the Indonesian government, which has been under pressure from Muslim organisations over the trial. Hasyim Muzadi, the leader of Indonesia’s largest Muslim body Nahdlatul Ulama, told the press that the new evidence undermined Bashir’s claim to innocence. A cleric connected to the second largest organisation, Muhammadiyah, is quoted as saying that Bashir “does not have a strong case”.

Some political analysts have raised doubts about the worth of the Singapore witnesses. In an interview with Radio Singapore International, Areif Budiman, head of Indonesian Studies at the University of Melbourne, said he did not think the new testimony strengthened the case against Bashir. He described JI as a “loose movement rather than an organisation,” adding “that it’s difficult to say that Abu Bakar Bashir was the chairperson of JI, or was elected or was appointed by somebody. That kind of thing doesn’t exist, I think.”

Last December the Brussels-based International Crisis Group (ICG) issued a “backgrounder” on JI which also noted the rather loose character of the organisation. It found that a deep rift existed between Bashir and JI members in Malaysia who considered he was not radical enough. The ICG concluded that Bashir may be lying about any involvement in JI, but “he is unlikely to have been the mastermind of JI attacks.” The report also pointed to an apparent Indonesian military link to Acehnese involved in the Medan bombing in Christmas 2000 and called for it to be investigated.

The exact role of Bashir and the character of JI are yet to be determined. But the police, the prosecution and the courts are making sure that the investigation and trial remain as narrowly focused as possible. Broader questions about links to other organisations and bodies, including the Indonesian military and police, which have a proven track record of state-orchestrated terrorism, remain strictly off limits. All of this underscores the highly political character of the trial in which Jakarta, as well as the US, Australia and Singapore governments, have a major political stake.



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