Freeport murders hamper US plans for ties with the Indonesian military

John Roberts
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An ambush in West Papua on August 31, 2002, that resulted in the deaths of three teachers, including two Americans, employed at the US-operated Freeport gold mine has become a significant obstacle to the attempts of the Bush administration to reforge links with the Indonesian armed forces (TNI). Largely as a result of the determined efforts of the families of the victims, the US Congress has felt obliged, for the time being, to impede funding for the Indonesian military which has been implicated in the attack.

The TNI insisted that the atrocity was the work of separatist fighters from one of the factions of the Free Papua Movement (OPM). But right from the outset, there were signs that it was the handwork of the TNI and its notorious Kopassus special forces. It was carried out in broad daylight and involved the use of automatic weapons. The OPM has no record of killing foreigners and its fighters are usually armed with old rifles or bows and arrows.

An initial police investigation pointed to the involvement of the military. The TNI at first claimed to have shot dead a Papuan, Danianus Waker, who, it said, was involved in the ambush. But an autopsy showed that Waker had died 24 hours prior to the attack and had a medical condition that would have prevented him from walking to the area.

The police also interviewed another Papuan, who had been a member of the Kopassus-operated Tenagu Bantuan Operasi militia. He explained that he had accompanied nine Kopassus soldiers to an area near the ambush on the day that it took place. He remained behind with four of them but later heard shooting over a mobile phone and was convinced the others had been involved in the attack. In their report, police accused the military of hampering their inquiries by threatening investigators and refusing to allow them to interview soldiers.

The military launched its own investigation which, according to TNI chief General Endriartono Sutarto, “found no evidence of military involvement”. Last November, however, reports in the *Washington Post* and *Sydney Morning Herald* based on different intelligence sources alleged there had been top-level communication between the military in Jakarta and Papua over an operation at the Freeport mine before the attack took place. Sutarto, who was named in the reports, vehemently denied the claims and took legal action against the *Washington Post*.

The incident could have been completely buried if it had not been for a campaign waged by one of the survivors, Patsy Spier. Her husband Rick was one of the three people killed . She was seriously wounded along with 11 others. Together with the sons of Ted Burgon, the Freeport school principal who was also killed, she began to lobby senators and congressmen to oppose plans by the Bush administration to restart the International Military Education and Training (IMET) program for the Indonesian military.

Speaking to the *Dateline* program on Australian SBS television last week, Spier explained she had been incensed by the official Indonesian response. She said that it described the attack as “an unfortunate incident and noone planned or organised it. Obviously they don’t realise that the ambush lasted 45 minutes on a mining road. There’s only one road for thousands of miles and that’s it and they had—those shooters had to be brought up through checkpoints, with hundreds of rounds of ammunition and guns, dropped off there and there had to be communication.”

The Freeport employees were travelling in a convoy of vehicles which was hit by sustained automatic fire. According to the police, at least 134 shots were fired. Another of the survivors, Steve Emma, told SBS that the military closely monitored all movements on the road. He explained the procedure at the checkpoints: “I actually watched Rick [Spiers] fill out about five or six different columns of people’s names—I think their ID number, where they were going, time, and when they would return and watched him sign it.”

As the lobbying efforts began to have effect, Bush phoned Indonesian President Megawati Sukarnoputri in December to insist on a joint investigation into the incident. The purpose of the call was to defuse opposition in US Congress to a proposal for $400,000 in IMET funding for the Indonesian military. Two FBI agents began conducting

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interviews in Papua in January—the same month that the IMET issue was debated.

Although the amount of money was small, the Bush administration regarded the measure as crucial to the resumption of broader ties with the TNI. IMET funding to Indonesia had been cut off in 1999 following violent attacks on pro-independence supporters in East Timor by TNI-organised militia. In January, Wisconsin Senator Russell Feingold attempted to amend the appropriations bill to hold back the IMET funds until a full investigation of the Freeport murders had been completed, but the move was defeated.

A spokesman for Republican Senator Kit Bond, a close Bush supporter, commented on Spier's campaign in the *Hill*, a Washington-based publication: "Senator Bond believes Indonesia is critical in the war against terror. It would send the wrong message to (cut off the IMET funds). It would be a slap in their face. Her tragedy is heartbreaking... but foreign policy is based on many considerations."

In other words, the Bush administration has absolutely no compunction about reestablishing relations with the TNI, even if it had organised the murder of two of its own citizens. The token character of the FBI investigation is highlighted by the fact that only three visits to Papua have taken place and the TNI has been present during all interviews.

Spier has continued her campaign. In March, she met for 20 minutes with Deputy Defence Secretary Paul Wolfowitz, who she said "did not tell me anything and made no promises." She also went to the Australian Embassy in Washington to ask the Howard government to turn over all the information it had but was fobbed off. Her lobbying was, however, a thorn in the side for the Bush administration, which has indicated that it would not release the $400,000 until progress has been made in the Freeport investigation.

Further information emerged in March about one of the possible motivations for TNI involvement in the ambush—to pressure the company to keep up "protection" payments to the military. A leaked report prepared for Freeport shareholders revealed that the company paid over $US11 million to the army over the last two years as part of this extortion racket. Previously the company had admitted to making a one-off payment of $37 million to establish a military base camp but denied making regular payments. Sutarto angrily denied any knowledge by the TNI top brass of the money.

US legislators are obviously concerned about being seen to be completely indifferent to the possible murder of two US citizens. On July 16, the House of Representatives amended the Foreign Relations Authorisation Act for 2004-2005 to bar IMET funding for Indonesia until Bush certified that Indonesia was "taking effective measures" to investigate and prosecute those responsible for the Freeport murders. On July 23, it voted to cut $600,000 from the Foreign Operations appropriation bill for the 2004 fiscal year in a bid to stop funds to the Indonesian military.

Neither the House nor the Senate has taken any measures over any of the other past or present atrocities of the Indonesian military. Feingold emphasised in an article in the *Washington Post* on July 28 that he had no principled objection to the closest collaboration with the TNI. "Because I appreciate the complexity of our bilateral relationship, I took care to ensure that nothing in the amendment would restrict ongoing counterterrorism training or any other element of our extensive training and military contacts with the Indonesian armed forces." The US Congress has already approved $US4 million for the TNI for counterterrorist training late last year.

Both Washington and Jakarta would like to bury the issue as quickly as possible. TNI spokesman General Ryamizard Ryacudu recently protested: "This is a criminal issue. Don't politicise it and don't link it to political matters because you don't like the Indonesian armed forces." During a visit this month to Australia, the US Deputy Secretary of State Richard Armitage fully supported the Australian government's decision to reestablish ties with Indonesia's notorious Kopassus special forces and expressed Washington's desire to do the same.

But as Armitage explained, the Freeport attack makes relations with Kopassus "premature". It is too brazen, at this stage at least, for the Bush administration to embrace the Indonesian military, in the name of fighting terrorism, when two US citizens are dead and all the evidence points to the involvement of the military's thugs.

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