

The Senate

Committee of Privileges

Persons referred to in the Senate

Mr Chalid Muhammad and Mr Nurkholis
on behalf of staff of the Indonesian Forum
for Environment (WALHI)

132nd Report

September 2007

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Report

1. On 20 August 2007 the President of the Senate, Senator the Hon. Alan Ferguson, received a submission from Mr Chalid Muhammad, Executive Director, and Mr Nurkholis, National Board, on behalf of staff of the Indonesian Forum for Environment (WALHI), seeking redress under the resolution of the Senate of 25 February 1988 relating to the protection of persons referred to in the Senate (Privilege Resolution 5).

2. The submission referred to comments made by Senator Ian Macdonald in the Senate on 9 August 2007 during general business. The President, having accepted the submission as a submission for the purposes of the resolution, referred it to the Committee of Privileges on 10 September 2007.

3. The committee met in private session on 13 September 2007 and, pursuant to paragraph (3) of Privilege Resolution 5, decided to consider the submission. The response, which the committee now recommends for incorporation in *Hansard*, has been agreed to by Mr Muhammad and the committee in accordance with Resolution 5(7)(b).

4. The committee draws attention to paragraph 5(6) of the resolution which requires that, in considering a submission under this resolution and reporting to the Senate, the committee shall not consider or judge the truth of any statements made in the Senate or of the submission.

5. The committee **recommends:**

That a response by Mr Chalid Muhammad and Mr Nurkholis, on behalf of staff of the Indonesian Forum for Environment (WALHI), in the terms specified at Appendix One, be incorporated in *Hansard*.

John Faulkner
Chair

Appendix One

Response by Mr Chalid Muhammad and Mr Nurkholis, on behalf of staff of the Indonesian Forum for Environment (WALHI) Pursuant to Resolution 5(7)(b) of the Senate of 25 February 1988

The Indonesian Forum for Environment (WALHI), its National Director Chalid Muhammad and its staff, both Indonesian and Australian citizens, would like to request that an appropriate response be incorporated into the Parliamentary record according to Australian Parliamentary Privilege rules, to correct erroneous and seriously damaging statements made by Senator Ian Macdonald in the Senate on 9 August 2007. Chalid Muhammad and other WALHI staff can be readily identified by virtue of their publicly listed positions within the organisation, and Senator Ian Macdonald's allegations of connections to terrorism are especially damaging to their reputations and associations with others given the *Anti-Terrorism Act 2005* and the current climate of fear in Australia. Besides setting the record straight in the Parliamentary record, we would also like to request an apology from the Senator.

The Indonesia Forum for Environment (WALHI) is the largest forum of non-government and community-based organisations in Indonesia. It is 27 years old, is represented in 25 provinces and is comprised of 438 member organisations. WALHI is a respected community organisation in Indonesia, and counts many key Indonesian public figures including past and present ministers and members of parliament among its supporters. Ms Erna Witolear, former Indonesian Minister of Human Settlements and Regional Development and current UN Special Ambassador for MDGs in the Asia Pacific is a founding member and continuing supporter of WALHI. So too is Mr Emil Salim, former Indonesian State Minister for Population and Environment, UN Eminent Person and member of the UN High Level Advisory Board on Sustainable Development.

WALHI's staff are frequently called upon to provide expert advice to the Indonesian House of Representatives on policy matters such as climate change, forests and energy. One of WALHI's deputy directors and two members of its national council have recently been elected members of the National Commission on Human Rights for the period 2007–2012. WALHI's staff and network of volunteers were among the first organisations to respond with coordinated emergency assistance to the survivors of the 2004 Asian Tsunami and the 2006 Java earthquake.

WALHI's agenda of work and executive leadership is democratically chosen at a periodical direct meeting of hundred of representatives of its member community organisations. WALHI's membership and philosophy is pluralistic and embraces all of Indonesia's hundreds of ethnic groups and many religious beliefs.

Neither WALHI nor its national director is or has ever been a member of any other mass organisations, religious or otherwise, including Hizbut-Tahrir. WALHI engages in public awareness raising on environmental issues with religious figures from all major Indonesian faiths including Christians and Muslims but certainly does not associate with any radical religious movements, especially those that advocate violence.

In the photo cited by Senator Macdonald, the religious figures he mentions are demonstrating in support of their court case alleging human rights abuses by a branch of the Indonesian police. Their court case was being heard on the same day and in the same court as a public interest environmental law civil action brought by WALHI, leading the religious figures to unilaterally link their protest to WALHI's. The poster depicted in the photo was produced by the Forum Umat Islam and mentions WALHI's name without permission. WALHI has requested the organisation cease from doing so in future.

Furthermore, the head of WALHI did not take part in a violent demonstration outside the US embassy as alleged by Senator Macdonald. Senator Macdonald's comment about the head of WALHI wearing "full Islamic robes" at a demonstration is not only false, but raises concerns of religious bias and deserves an apology.

WALHI notes that, according to its records, no attempt was made to contact WALHI to confirm any of the facts or assertions in Senator Macdonald's speech.

False claims of links to terrorism represent a serious escalation of the systematic attacks on civil society groups that dare to criticize the human rights and environmental performance of government and multinational corporations both in Australia and Indonesia. Claims of an "apparent alliance between radical Islamists and the Friends of the Earth" represent an attempt to discredit an organization and the individuals who are a part of it, who work towards protecting people's rights to their natural resources and in saving the environment for future generations to come.

Jakarta, August 20, 2007

Chalid Muhammad
Executive Director of WALHI

Nurkholis
National Board of WALHI