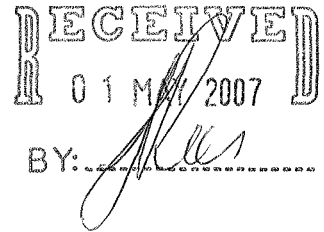


May 1, 2007,

Mr James Rees
Committee Secretary
Joint Standing Committee on Treaties
Department of House of Representatives
PO Box 6021
Parliament House
Canberra ACT 2600



Submission to the Joint Standing Committee on Treaties regarding the Agreement between Australia and the Republic of Indonesia on the Framework for Security Cooperation - the Lombok Treaty

Dear Committee members,

The SEARCH Foundation is a non-profit company incorporated in NSW to promote democracy, social justice and environmental sustainability. Our members have an extensive background in issues related to Indonesia in particular and to genuine development and human rights in the region.

We are very concerned that this proposed Treaty between Indonesia and Australia is helping to restore the New Order regime in Indonesia, in the guise of military cooperation in the 'war on terror', and as part of a 'china containment' policy promoted by the Bush Administration in Washington.

It does not express an independent foreign policy for Australia, and does not promote democracy and peace in our region.

In particular, the proposed Treaty focuses on stopping any support from Australian citizens for the human rights of the people of West Papua, and thus repeats the grave policy errors made by previous Australian governments in relation to East Timor. The motive is the same this time – good relations with the Indonesian military (TNI) at almost any price.

How can the Australian government possibly agree to this Treaty when West Papua is largely closed to journalists and non-governmental organisations, including the International Committee of the Red Cross and human rights NGOs?

Apparently Dept of Foreign Affairs & Trade deputy secretary Gillian Bird says access to Papua is an important issue, but DFAT's efforts have largely failed.

The proposed Treaty also proposes that "human rights training" and instruction of Indonesia's military in international human rights law obligations will be made meaningful by a set of benchmarks and timetables to prove that the training is effective.

Australia has been down this same road with the Indonesian military from 1991 to 1999. We were repeatedly assured that the Australian Defence Force were giving them human rights training, and everything was OK. It wasn't OK, because this phase of extensive Australian training ended in the 1999 bloodbath, massive destruction and huge population deportation in East Timor, directed by several senior Kopassus officers. Nothing that has happened since should lead the Australian government to believe it won't happen again, most likely in West Papua.

The TNI's territorial command structure must be dismantled if there is to be any de-politicisation of the military role in Indonesian society.

The Senate Foreign Affairs and Trade References Committee in its 2000 report *Australian Defence Cooperation with Indonesia* said in paragraphs 8.51 and 8.53 that the dismantling of the territorial command structure should be a pre-condition to defence cooperation. The Committee said that the Territorial structure threatened Indonesia's fragile democracy and that it enabled gross human rights abuses. The Committee said that it would be "anathema" for Australia to support the military or any other element not strengthening democracy. There has been no progress at all towards dismantling the territorial structure, so why is the Australian government even considering the Treaty now before it?

President Yudhoyono's administration in Indonesia has made no impact on the TNI. The Suharto family has evaded significant legal challenge for its manifestly corrupt record in office. The shocking case of assassinated human rights lawyer Munir also demonstrates that the TNI continues to abuse basic human rights in Indonesia with impunity.

This dismal record should make the Committee realise that this proposed Lombok Treaty is not in the interests of the Australian people, the Indonesian people, or the south-east Asia – Pacific region which we all share. Therefore we urge you to recommend that it not be ratified.

Yours sincerely,

Peter Murphy
Secretary

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