

# REFUGE

Jesuit Refugee Service Indonesia

Accompany, serve and advocate the cause of forcibly displaced people



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# Displacement from East Timor: Has it Finished or Not?

By: Taka Gani



One of the badly constructed houses in Raknamo Village, Kupang Timur Sub-district, Kupang District, East Nusa Tenggara (Photo: Taka)

“The local residents own land but we, the new residents, have no land. We are called new residents, citizens of the Republic of Indonesia, Indonesians. But under the current circumstances we are forced to the conclusion, we have to go back. The central government granted this land to the provincial government to be given to the new residents, former displaced people from East Timor, but the status of the land is unclear. Once, we went to the provincial authorities but we were just sent here and there. We are afraid one day we will be evicted. If we are forced to leave again then where can we go?”

These are the words of Agus, one of the ‘new residents’ the former displaced people from East Timor, who was resettled on land of the Social Department in Naibonat, Kupang, West Timor, speaking about his reasons for wanting to return to Timor Leste.

He is not the only one. During JRS Indonesia’s visit to the displacement camp which still exists in Tuapukan-Kupang, as well as to various resettlement sites in Kupang, Atambua and Betun, land ownership was an issue that was brought up regularly in conversations. Farmland is the biggest concern as the majority of people who fled from East Timor to Indonesia in 1999 are farmers. The difficulties in finding farmland have increased over the last few years.

Local residents, who in the past lent their land to be worked by displaced people from East Timor using a harvest sharing system, are now increasingly reluctant to lend their land as they want to use it themselves or sell it.

Based on our conversations with Nato, a staff member from the Centre for IDP Services in West Timor, an organization accompanying the new residents, it seems that difficulties concerning farmland are encountered in nearly all of the settlement sites.

Resettlement and transmigration were the alternatives given in 2002, two years later when the Indonesian government decided the problem of displaced people from East Timor was solved. In reality “resettlement” in itself brought new challenges.

One resident of the Raknamo settlement in Kupang explained that they had to buy the land themselves and then the house would be built by the Indonesian military. He said the land is mutually owned by local residents and ‘new residents’.

New residents have paid a deposit but have not been able to pay the balance as they are waiting for their living allowance (*jadup/jaminan hidup*) which the government promised would be handed out in 2002, but which until now has still not been received. In his opinion, if the land is not paid off this might cause conflicts between local residents and new residents.

The majority of the resettlement sites in Belu district, West Timor are located far from main roads and access to drinking water, adding to a challenging situation for the new residents who chose, or in some cases were forced, to move to these settlements.

Another complaint was that the government’s decision to move them to settlements was made without consulting

the community. They felt “herded like water buffalo”, and access to farmland was not considered by the government when choosing a settlement site.

The condition of the houses in the settlements, which were built through collaboration between the social department and the Indonesian military, is in itself a cause for concern. Many residents feel unsafe living in them and so return to the camps.

The temporary shelters in the camps, made from *bebak* (woven palm leaves) are already falling apart but they feel safer there. At least near the camp farmland is easier to access and drinking water is provided.

So it is no wonder that more and more people want to return to Timor Leste. In 2010 about 119 people returned to Timor Leste.

According to Sister Sesilia Ketut, SSPS from the Caring about Women and Children Forum (Forum Peduli Perempuan dan Anak) who is assisting the return process, by 31 January 2011 already 71 people had returned to Timor Leste. Sister Sesilia predicts that during 2011 this number will rise.

A visit to Cornelis in Sukabitete, Atambua supported Sister Sesilia’s prediction. Cornelis said confidently, “In July I will go back home. When my first child finishes her school, I will tell her to go directly back to Timor Leste.”

It seems the “new residents” formerly displaced from East Timor and the Indonesian government have very different perspectives. Mr Jon from the social department’s settlement in Naibonat, Kupang, West Timor put it like this, “It is said that we no longer have the status of ‘*pengungs*’ (displaced person) but if we look at the reality on the



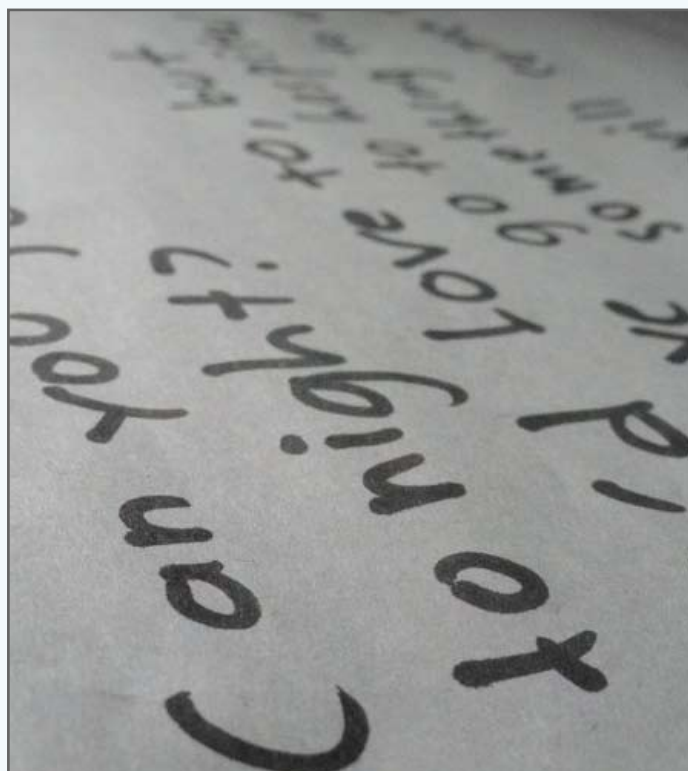
Mr Agustinus Pinto at Settlement Bartekuk 2, Atambua (Photo: Taka)

ground there are many people still living in displacement camps. People say the government of Timor Leste, the Indonesian government and the UN have stated that the problem of displacement is solved. This is political engineering. Please look at what the situation is really like. If it is solved, say it’s solved, if not, then say it’s not.”

This last request is a challenge to all parties involved or concerned in this issue. The answer is only one word, “solved” or “not”, but it requires opening your heart to answer honestly, and being ready to take responsibility for whatever follows your answer.

## Approaching English

By: Melani W. Wulandari



“A”, “B”, “C”, “D”, “F”, “G”... Muharam Ahmadi haltingly speaks the letters in English. “That’s enough for now, I can’t study too much all at once, sorry Rosi,” Muharam Ahmadi (56) says to Roswita in Persian. They are sitting in the home of Mahmud another asylum seeker JRS accompanies. Mahmud has been living in Cisarua, Bogor for nearly 9 months while waiting for the outcome of his asylum claim.

“What is this?” asks Roswita while pointing to a picture of a fruit. She is now in the family home of Ramiyeh (28), a young widow and mother of two children who fled from Iran and is being assisted by JRS. Azma (8) smiles, “This... this is orange,” she answers slowly. Hearing Azma’s answer, her brother Vozam (12) and Roswita laugh and clap their hands. Ramiyeh, Azma’s mother, also laughs happily; her daughter can answer the question correctly.

Over a period of one month, Rosi, as Roswita is usually called, helped JRS Bogor by voluntarily providing English lessons to four asylum seeker families. Rosi is a 5th semester student from Airlangga University Surabaya, who joined JRS for an internship as part of her studies. Accompanied by JRS staff, for 5 days each week Rosi traveled around to asylum seekers’ houses to teach English.



Roswita teaching children how to state the time in English (Photo: Melani)

“I enjoyed being an English teacher, because they treated me not as a teacher but as their family.”

These English lessons have been well received by the families. But don't imagine that a formal study atmosphere is created in these classes. JRS teaches the asylum seekers in their homes for 90 minutes. Sometimes the lessons go smoothly, other times they are interspersed with eating and joking with the students.

Rosi, reflecting on her experience with asylum seekers says, “Looking back at my internship, it did not feel like a job but a way to be there for someone who needed it. I also learned to use my heart rather than my head in professional and personal life. I feel more comfortable now meeting someone new, being able to break the ice. Their hospitality made me learn how to treat someone new. Seeing people not as an object but as a human being. I enjoyed being an English teacher, because they treated me not as a teacher but as their family. Thus, their hospitality will always be in my heart.”

## One Step Forward in Disaster Preparedness

By: Daryadi Achmadi

“The implementation of *Qanun* (regional regulation) of South Aceh Region No. 08 Year 2010 (Qanun Kabupaten Aceh Selatan) on the Organizational Structure and Working System of the Regional Disaster Response Authority (BPBK) of South Aceh has shown progress, particularly in changes to the disaster response mindset,” claimed Eny Supartini, head of the Public Participation Sub-Directorate of BNPB (National Agency for Disaster Management) during the Disaster Response *Qanun* Legal Drafting training. “South Aceh is classified as one of a number of disaster prone areas in Aceh Province,” added Daska Azis, deputy head of South Aceh, who also participated in this training session.

Unfortunately South Aceh has not been equipped with any comprehensive operational procedures for disaster response, because no strategic umbrella, such as the Disaster Response Plan or the *Qanun* on Disaster Response itself has been put in place yet. That's why JRS, in cooperation with the Indonesian Disaster Response Community or *Masyarakat Penanggulangan Bencana Indonesia* (MPBI) is initiating a training course on the composition of *Qanun* on Disaster Response for all related executives, DPRK (House of Representatives District) as well as NGOs (Non Government Organization). The course was held in Parapat, North Sumatera, 8-11 February 2011.



Deni Irmansyah, member of South Aceh DPRK, explained the draft of *Qanun* on Disaster Response (Photo: Enggal)



Discussion between participants during the training (Photo:Enggal)

The participants, despite having had to travel for about 12 hours to reach the venue, demonstrated their determination from the very first session; a discussion about national policies on disaster response and their administrative institutions conducted by Enny Supartini from BNPB and Awan Yanuarko from the Interior Ministry.

In her presentation, Mrs Enny Supartini spoke about the execution of disaster response (PB) in the region, the types of disasters threatening the region, historical patterns of disasters and the national disaster response system. She also spoke about funding for disaster response including funds from the national and regional budgeting schemes (APBN/ APBD), contingency funds, 'on call' allocated funds to be used for humanitarian relief during a disaster and social funds raised from grants and other financial sources from the public. Awan Yanuarko from the directorate of disaster response of the Interior Ministry spoke about institutional policy on disaster response as stipulated in the Disaster Response Law No. 46 Year 2007 and Regulation of the Ministry of Interior No. 46 Year 2008 on the Guidelines for Organization and Administration of the Regional Disaster Management Agency.

During this discussion Baiman Fadhly from Yapala NGO, Tapaktuan brought up the long standing issue of the difference between the disaster response mindset of the government and that of ordinary people. In response to this, Mrs Enny Supartini said that all efforts to set up rules and laws should start from strong planning, and the national disaster response authority (BNPB) is committed to improving the regional administrations' capacity by, among other things, supporting the continuing steps the South Aceh BPBK will take. Aside from this, Yanuarko added

that institutionally there are two things that may hinder the process of human resource capacity improvement in the bureaucracy, namely, poor human resource abilities and high turnover of staff.

#### Problem Identification

The next session was facilitated by Ivan V. Ageung from MPBI and Nurul Firmansyah from *Perkumpulan Qbar Padang*. A presentation on the philosophy and history of rule formation came first in this session, followed by the identification of problems and a methodology of problem solving. The participants were introduced to the ROCCIPI method. Using this method a problem is analyzed according to regulation or Rule, Opportunity, Capacity, Communication, Interest, Process and Ideology. This method helped the participants in identifying problems while considering whether a problem needs to be tackled with regulations or not. Working in groups, participants identified a number of problems in South Aceh related to disasters, - a) lack of public participation in disaster response readiness; b) poor public knowledge on disaster response procedures; c) weak regulation and coordination in disaster response; and d) the intensity of conflicts between human beings and wild animals.

Zulhelmi, head of the legal section of South Aceh administration, told us that this training course had helped him in drafting the *Qanun*, particularly with the addition of the problems and detailed solutions reached through the ROCCIPI method. "The system and its stages can help the legal section of my office in analyzing the substance and logic of a legal product waiting to be put into effect," he said.



Ivan V. Ageung addresses the participants of the training (Photo:Enggal)

### Academic Draft and Qanun Planning

An Academic Draft plays an important role (although it is not compulsory for Regional Regulation/ Qanun) in supporting accountability and arguments for a particular regulation. In drafting the *Qanun* under the jurisdiction of Aceh province the authorities have particularly stressed the importance of an academic draft as stipulated in the Aceh *Qanun* No. 3 Year 2007 on the Procedures of *Qanun* Legal Drafting. It states that the academic draft should at least contain the Islamic, philosophical, juridical and sociological bases of the regulation as well as the main point and other related things which are to be regulated in the *Qanun*. The South Aceh administration admits that until now, no *Qanun* has been made using an academic draft as a start. They have always been composed by simply copying and pasting material from other regional regulations.

After the academic draft analysis had been completed, the session continued with composing a draft of the *Qanun* in accordance with the earlier discussion on problem and solution identification. The participants worked hard until midnight to finish the main body of the draft *Qanun* on Disaster Response. Although the draft *Qanun* was not yet complete, the participants at least had an understanding of the process of *Qanun* making, particularly in regards to disaster response, not just 'copying and pasting from other regions'.

There was some criticism from Daska Azis that the analysis coming out of the course was not implementative enough. It was more of a university analysis, lacking in technical aspects. It's hoped that the *Qanun* to be produced will give clearer guidelines on what is to be regulated and possible sanctions. The implementation of the *Qanun* should not need any other regulations, such as Bupati (sub-regency head) Decree/SK. It is expected that the disaster response *Qanun* to be put into effect will be better than the ones produced by other regions.

### INTERNATIONAL DAYS

#### April

- 4 April International Day for Mine Awareness and Assistance in Mine Action
- 7 April World Health Day

#### May

- 21 May World Day for Cultural Diversity for Dialogue and Development

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