

Source: www.laborrights.org

EXXON MOBIL SUED IN U.S. COURT FOR HUMAN RIGHTS ABUSES IN INDONESIA

Paid Brutal Army Unit in Aceh to Protect Wells and Production Facilities

Oil Company Directed and Supplied Security Forces that Committed Atrocities

The International Labor Rights Fund sued Exxon Mobil Corporation in US District Court for the District of Columbia, yesterday, on behalf of seven men and four women from Aceh, Indonesia. The eleven villagers accuse the oil giant of paying and directing Indonesian government security forces who committed atrocities including “murder, torture, crimes against humanity, sexual violence, and kidnapping,” in the course of protecting the liquefied natural gas facilities of the company’s joint venture with Indonesia’s state-owned oil and gas company, Pertamina.

“Exxon Mobil understood from the day it decided to begin its project in Aceh that the army units, Tentara Nasional Indonesia (TNI), assigned to protect company wells were notoriously brutal in their treatment of Indonesia’s ethnic minorities” said Terry Collingsworth, general counsel of the DC-based International Labor Rights Fund, who represents the plaintiffs. Prior to its merger with Exxon, Mobil Oil obtained exclusive rights for its Indonesian affiliate to explore for and produce natural gas in the Arun area of Aceh in exchange for providing the family of Indonesian President Suharto with shares of the affiliate’s stock.

In 1989, then-president Suharto declared Aceh a “military operational area,” known by the Indonesian acronym DOM, and sent in 30,000 troops to occupy the province and defeat the growing separatist movement. As in East Timor, the Indonesian military slaughtered, tortured, maimed, raped, and “disappeared” thousands of villagers. The DOM period ended only when General Suharto was ousted in mid-1998. During the months following Suharto’s departure, a national human rights commission investigated the military’s operations in Aceh and unearthed numerous human rights abuses, including mass graves containing the bodies of Acehnese villagers.

Throughout the DOM period, Mobil Oil provided logistical and material support to the Indonesian troops, including:

Construction and provision of buildings and supplies for two military barracks located on or next to the Mobil natural gas extraction operations and its Indonesian partners liquefaction

plant, commonly referred to as “Post 13” and “Rinchong Camp.” These facilities were used by Indonesian “Kopassus” (special forces) units to interrogate, torture and murder Acehese civilians suspected of engaging in separatist activities; Provision of heavy equipment such as excavators so that the Indonesian military could dig mass graves to bury their Acehese victims; Use of roads constructed by Mobil or their contractors to transport the military’s Acehese victims to mass graves located near the company’s natural gas facilities.

ExxonMobil shut down most of its Aceh operations in March, 2001 because the Indonesian army could no longer guarantee the security of the facilities. On Friday, June 15, however, Dow Jones Newswires quoted a report by the Antara news agency in Aceh that ExxonMobil will restart operations July 4 at its facilities in Aceh. ExxonMobil Oil Indonesia Corporation will begin sending gas from the Aceh fields to its liquefied natural gas processing plant, according to Arifin Takhyan, a director of the state-owned oil company, Pertamina quoted by Antara. Dow Jones reported, “Officials from ExxonMobil in Jakarta declined to comment on the news but confirmed the company has begun maintenance work on its facilities in Aceh.”

The villagers sued Exxon Mobil under the Alien Tort Claims Act (ATCA), a law passed by Congress in 1789 aimed at protecting the new nation’s international reputation by enabling non-citizens to use federal courts to hold Americans accountable for violations of international law. The statute was originally interpreted as applying only to individuals who broke the law. In the 1990’s, however, Federal courts have accepted suits filed against corporations. A variety of human rights and environmental organizations have begun to use the ATCA as a tool to rein in abuses by American corporations abroad.