

ACTION
SUITE A DONNER

RECEIVED - REÇU

MAR 25 1991

ADA

C O N F I D E N T I A L

FM JKRTA TEAP0260 25MAR91

TO EKTOTT ADA

REF YOURTEL ADA0062 04MAR

FILE

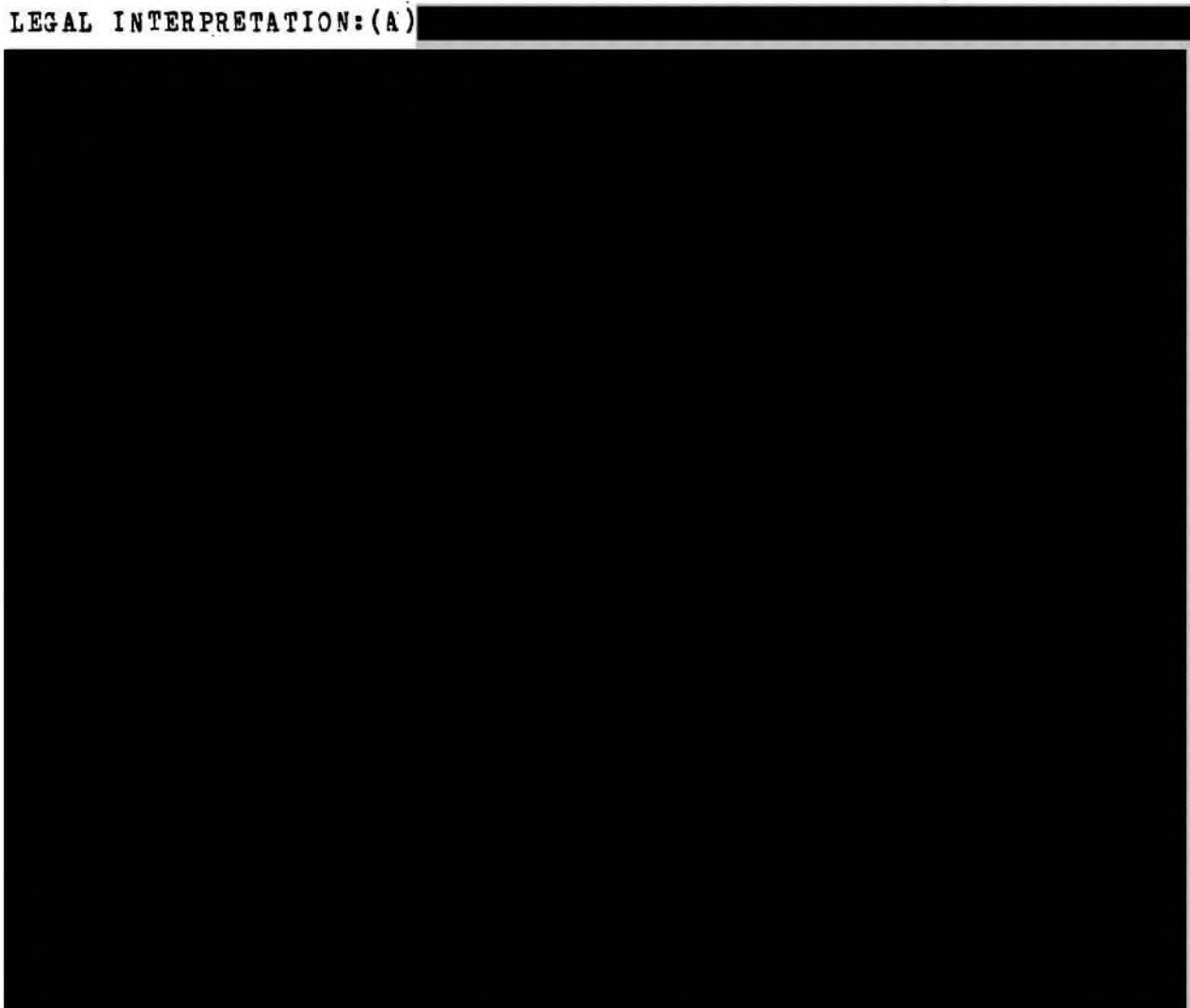
3-1-15

SH

DOSSIER

---ASSIGNMENT OF HOMOSEXUAL EMPLOYEES

IN REPLY TO QUESTIONS RAISED IN YOUR REFTTEL, MISSION CONTRACTED
SERVICES OF MISSION LAWYER TO ASSIST IN PROVIDING THE FOLLOWING
LEGAL INTERPRETATION: (A)

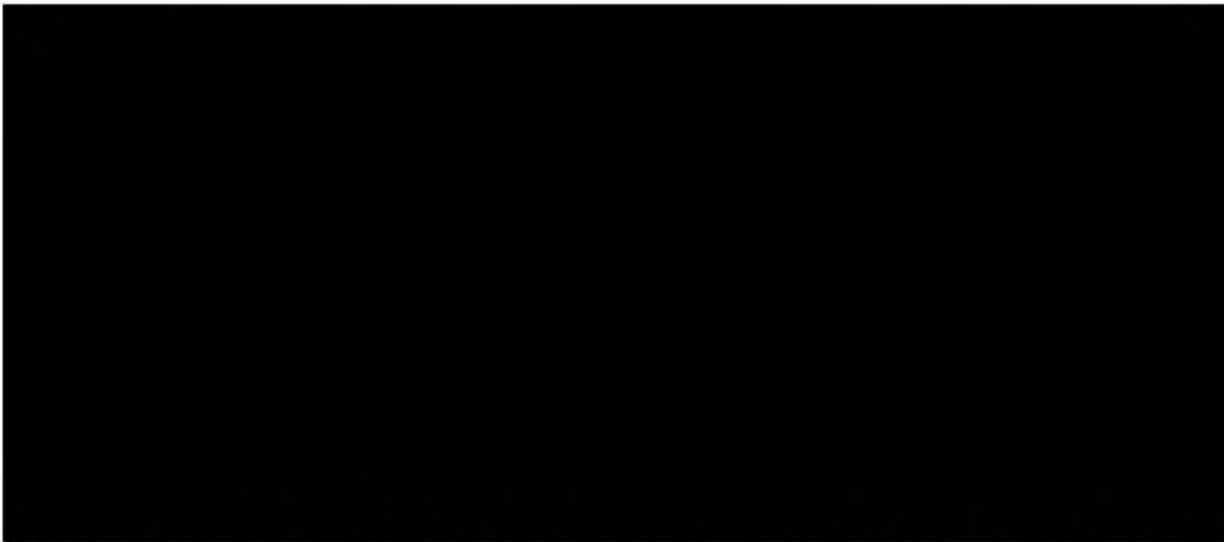


...2

A0050732_1-001464

PAGE TWO KEAP0260 C O N F I D E N T I A L

2.(B)IN OUR OPINION,HOMOSEXUALITY,IF KNOWN,WOULD PROBABLY NOT/NOT HAVE A NEGATIVE IMPACT ON AN EMPLOYEES ABILITY TO EFFECTIVELY PERFORM HIS/HER DUTIES AT THE MISSION.TWO MEMBERS OF THE STAFF AT THE AUSTRALIAN EMBASSY,ONE BEING A SINGLE MALE AND THE OTHER A FEMALE WHO HAS A COMPANION LIVING WITH HER,HAVE BEEN HERE FOR SOME TIME AND ARE PERFORMING THEIR DUTIES WITHOUT DIFFICULTIES.WE ARE NOT/NOT IN A POSITION TO BE ABLE TO CONFIRM WHETHER THE LOCAL COMMUNITY IS AWARE OF THEIR BEING HOMOSEXUALS.THE FEMALE COMPANION IS HERE ON A TOURIST VISA AND IS REQUIRED TO LEAVE THE COUNTRY EVERY TWO MONTHS FOR SPORE WHERE SHE RENEWS HER VISA AT THE INDON EMBASSY.




3.(C)OUR LAWYERS INTERPRETATION OF THIS SECTION IS AS FOLLOWS



...3

PAGE THREE XEAP0260 C O N F I D E N T I A L



4. IN OUR OPINION, THE VIEWS OF OUR LAWYER REPRESENT A PHILOSOPHICAL VIEW OF THE IDEAL INDONESIAN SOCIETY AND DO NOT/NOT TAKE INTO ACCOUNT THE REALITY OF WHAT IS ACTUALLY HAPPENING HERE. WHEREAS HOMOSEXUALITY IS RARELY FLAUNTED, IT DOES EXIST. HOMOSEXUALS MAY ALSO BE LEGALLY MARRIED ON HETEROSEXUAL BASIS.

5. THE BASIC PHILOSOPHY OF PANCASILA INFLUENCES SOCIETY'S MORAL VALUES, YET THE SOCIETY TOLERATES TRANSVESTITES, OR BANCIS AS THEY ARE KNOWN LOCALLY. IN SOME AREAS OF COUNTRY, THEY PLAY KEY PROTOCOL ROLE. MEN

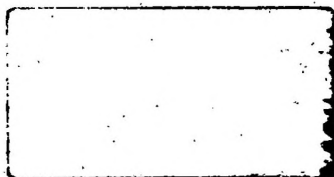
...4

A0050732_3-001466

PAGE FOUR XEAP0260 C O N F I D E N T I A L

MAY DECLARE THEMSELVES TRANSVESTITES TO HIDE THE FACT THAT THEY ARE
HOMOSEXUALS TO CIRCUMVENT THE CRIMINAL CODE AND MORAL ISSUE. THE
PREFERENCE FOR MEN BECOMES SHIELDED IN THE CEREMONIAL ROLES AND
ROLES ASSOCIATED WITH TRANSVESTITES.

CCC/237 250345Z XEAP0260



A0050732_4-001467