

Impunity

LPSK: Witnesses' and Victims' Protection

Kompas, 31-12-2015

At the year-end of 2015, the majority of requests for protection of witnesses and victims refers to serious human rights violations. The Vice-chair of the Lembaga Perlindungan Saksi dan Korban (LPSK), Edwin Partogi Pasaribu explained that of 1100 requests those related to serious human rights violations (the terminology of the National Human Rights Commission Komnas HAM) amounted to over 800, whereas the others were related to corruption, trafficking of human beings, sexual violence etcetera. (...)

The granting of the requests for support, medical help, rehabilitation and psychological counselling is not depending on the government's acknowledgement of the crime as a serious human rights violation. According to the Law 26/2000 on Human Rights Tribunals, the definition is derived from the international context and does not have to be mentioned in the Indonesian Criminal Code. (...)

Thus far the requests stem from the past violations in the New Order Era until the start of the reformasi period (1998), such as the incidents of 1965, the Malari affair (1974), the May riots of 1998, the kidnapping of activists (1997-98) and the Trisakti shootings (1998). [This listing here is as mentioned in Kompas. The official list of unsolved serious human rights violations of the past is longer, but still limited].

The researcher of the Institute for Criminal Justice Reform, Anggara, said that there will be heavy consequences when the country is ready to tackle the serious human rights violations. "For the victims of those human rights violations the

state has to bear the expenses of reimbursement of the damage that up till now has been carried by the victims themselves", he said.

Police Accountability

Densus 88 castigated for wrongful arrests, torture

The Jakarta Post, 02-01-2016

The antiterror squad arrested seven men suspected of planning Christmas or New Year's attacks in the world's most populous Muslim nation, police said Sunday. (AP)

A member of the House of Representatives has criticized the National Police's counterterrorism squad, Densus 88, which on Friday wrongly arrested two men on suspicion of terrorism in Surakarta, Central Java. The men were physically and psychologically tortured before they were released.

"It is a matter of deep regret that these men, these innocent men, were tortured," said Saleh Partaonan Daulay, a member of House Commission III overseeing legal affairs, in Jakarta on Saturday, as reported by tribunenews.com.

Densus 88 officers, Saleh said, needed to prepare for operations with utmost thoroughness, to avoid charges of unprofessionalism.

"The two men were arrested on their way to the mosque. Over the course of their interrogation, the police realized that they were not terrorists," said the National Mandate Party (PAN) lawmaker in his written statement.

According to Saleh, Densus 88 has made similar mistakes on numerous occasions, but has never issued a public apology.

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Saleh noted that in May 2014, counterterrorism officers wrongly arrested Kadir, a resident of Banyu Harjo in Surakarta. In July 2013, two Muhammadiyah members – Sapari and Mugi Hartanto – were also wrongly arrested. In December 2012, a further 12 Surakartans were wrongly detained by the counterterrorism force. “There have certainly been many other incidents that have not come to light,” he added.

The lawmaker demanded that the National Police publicly apologize to the families of those wrongly arrested, stressing that accusations of terrorism, especially public accusations, were a serious matter. The National Police also needed to overhaul the procedures used in arresting suspected terrorists to avoid a repetition of such mistakes, he went on. “Terrorism is undoubtedly a grave threat to the nation. But arrests must be carried out properly,” Saleh concluded.

Aceh

Six people caned in Aceh for indecency, gambling

The Jakarta Post, 28-12-2015

Banda Aceh administration held a public caning on Monday, punishing six people for indecency and gambling, activities prohibited by Aceh's Islamic bylaws, locally known as qanun. Antara news agency reported that two university students from Sieule regency, Wahyudi Saputra, 23, and Nur Elita, 20, were caned for committing khalwat (affectionate contact by an unmarried couple). Meanwhile, four men were convicted of violating a 2003 qanun that prohibits gambling. The residents of Meuraxa subdistrict of Banda Aceh were Asrul bin M Daud, 52, Khaidir bin Daud, 50, Yoserizal bin Dahyuzar, 45, and Mukhlis bin Ramli, 43. The punishments were executed in the front yard of the Baiturrahim Mosque in Banda Aceh, witnessed by hundreds of people including Banda Aceh Deputy Mayor Zainal Arifin. Each of the convicts received five strokes for their violations.

The first to be punished was Nur Elita, who had to be carried to an ambulance by officials following her punishment. The crowd was heard cheering as each of the convicted walked on stage to be caned.



Deputy Mayor Zainal explained to the crowd that these punishments were not merely for show but were to be taken as a lesson by everyone. “Take these punishments as a lesson. What has been done by these convicts should not be taken as an example. And I hope their canings in Meuraxa district today will be the last ever,” he said as quoted by Antara. Zainal urged the community to look out for themselves and their families to prevent any violations of sharia. He also reminded the public to guard those in their surroundings from misconduct. “And to the public, I ask that you do not isolate those who have been punished here today. Also, the convicted are reminded not to repeat their mistakes,” he said.

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Aceh is the only province in Indonesia to implement the sharia-based system, which was first implemented in 2003 following the province's awarding of special autonomy.

Issue of the day: Banda Aceh bans New Year celebrations

The Jakarta Post, Readers Forum | Thu, December 31 2015, 8:05 AM

The Banda Aceh administration has banned its residents from celebrating New Year's Eve, claiming that such celebrations were haram, an official said on Monday.

Banda Aceh deputy mayor Zainal Arifin said that celebrating New Year's Eve was not a part of Islamic culture, while the majority of Banda Aceh citizens were Muslims. He added that the administration in cooperation with the local consultative forum (Muspida) had issued a regulation banning New Year's Eve celebrations this Thursday.

"It is haram for Muslims to celebrate New Year, so the administration has banned everyone from celebrating it," he said as quoted by Antara news agency on Monday.

The Banda Aceh administration also prohibited Muslims from joining Christmas celebrations last week.

"The city administration will continue to urge Banda Aceh citizens, who are mostly Muslim, to not celebrate Christmas and the New Year as it is haram," he said.

Your comments:

The Aceh nightmare, over and over, is an ongoing advertisement against Islam. Shame on them and shame on the Indonesian government that allows it. Will President Joko "Jokowi" Widodo celebrate Idul Fitri in Aceh next year, as he did this year?

The government needs to do something about Aceh; this is not in accordance with the national ideology of Pancasila. Civil liberties like freedom of religion and equality before the law for all are principles we must guard.

When the government insists that Aceh remains an integral part of Indonesia, it also has the responsibility to ensure those principles are implemented across this nation — without exception, everywhere!

And yet the government gave them the right to moderate all matters of religion with the law on governing Aceh, which you can read publicly online. Was it wise to do so? No, not really... but then again...

Pancasila itself is problematic, what with its requirement to believe in only one God. This is a legal framework by which blasphemy laws remain in place not only in Aceh, but all of Indonesia.

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Don't pat yourself on the back too much; this problem goes well beyond Aceh. I think Indonesia should look inwardly first. The Alexander Aan case demonstrates clearly that there's no freedom from religion or equality before the law.

Aceh should be a separate country. For the Acehnese this won't make much difference; independence would be a lateral move, but it would be a move that would please them. It would also have a negligible effect on Indonesia's bottom line, but it would certainly encourage all the other separatist movements out there.

Indonesia keeps Aceh around because it fears a chain reaction.

The only reason they can do this is because they got so much money from tsunami aid. I hope that everyone who put money toward the aid effort realizes what their money has been used for.

I agree 100 percent that Aceh should be annexed from Indonesia.

That would be somewhat difficult at this stage, as due to abject poverty and further indoctrination by radical Islam what will eventuate is a stronger, more violent Free Aceh Movement (GAM). The best moment to bring that area back to Indonesia with no sharia would have been after the tsunami.

Going to Aceh, all you see are government officials in Range Rovers, while they tell ex GAM fighters and people to pray harder for food on their tables.

I don't think bombing is effective as it just further gives incentives to radicals to employ orphans or innocents who have lost someone and the radicals can say, "See, the West is evil, they don't care about you, they want me but blow you up."

A door-to-door sweep by armed forces to root out radicals and their supporters would be much more effective, followed by an immediate rebuilding program to provide employment opportunities to non-radicals and reparation such as education programs and medical facilities.

Couple this with a financial chokehold on all corrupt officials where all funds coming in and out of that area are being regulated heavily, and the publication of all ex-GAM "generals" amassed wealth after the tsunami to lower loyalty, and you might have a better chance. Besides, I don't think America cares all that much about Indonesia and its homegrown radical terrorists.

As for the ban, is there anything in Islam that says non-Islamic events (an event in this case that doesn't even have a tinge of religious affiliation) cannot be celebrated?

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Maybe there is, but I wish these fine scholars would refer to the specific surah or hadith when making such pronouncements so that people could look at it themselves and decide if it was a fair interpretation.

Furthermore, on Banda Aceh's logic, recognizing a sport team's victory, a birthday, or commemorations of the Boxing Day tsunami should all be equally haram.

If their version of Islam is so great, they wouldn't need to force people to obey on pain of violence.

Underneath it all is the fear that if given the choice, many would abandon Islam altogether.

Is this the future of Indonesia? Again, I say, throw this province out of the country and let them live or die on their own.

They are a disgrace to Indonesia as a whole.

Govt to grant amnesty to Aceh rebels

The Jakarta Post, 02-01-2016

The government will respond to a proposal for amnesty requested by former Free Aceh Movement (GAM) combatant Nurdin bin Ismail, popularly known as Din Minimi, following his recent surrender. President Joko "Jokowi" Widodo said on Thursday that the government applauded the surrender of Din and other members of his group. "We will grant it, but there is a process to follow," Jokowi said as quoted on the Cabinet Secretariat website, setkab.go.id, on Thursday.

Jokowi said the government had long urged members of the group hiding in the forests of Aceh to lay down their weapons and join government efforts to develop the province. When asked whether Din and his 120 followers would undergo a legal process or automatically be granted an amnesty, Jokowi said he would find the best solution. "The group has long wanted to surrender," Jokowi said on the sidelines of his visit to Papua.

Din had been a major target of security operations before he and his group surrendered to the government during a ceremony presided over by National Intelligence Agency (BIN) chief Sutiyoso on Tuesday. The group agreed to surrender after being promised an amnesty for any crimes committed by its 120 members who have left their hiding places and for 30 members apprehended by Aceh Police. During the ceremony, the group handed over dozens of guns and hundreds of rounds of ammunition. Din's group was blamed for several attacks over the past three years, including the killing of two soldiers and several kidnappings in the country's westernmost province.

The Institute for Policy Analysis of Conflict's (IPAC) latest report titled "Din Minimi: The Strange Story of an Armed Group in Aceh" contends that Din had been falsely portrayed by various parties opposed to the current Aceh government, which is led by former GAM members, as a Robin Hood "who

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abducts corruptors and drug dealers and uses the ransom money to assist orphans and widows neglected by the GAM leaders now in power". The report further says Din had drawn the attention of parties who would like to see Aceh Party, the political party led by former GAM members, discredited. These parties, according to the report, include political rivals, intelligence personnel and extremists.

"Din Minimi is a criminal, whose activities only underscore how much violence lurks below the surface in Aceh after the 2005 peace agreement," IPAC director Sidney Jones said. "No matter how poorly [the Aceh Party] has governed, there is no excuse for turning an armed thug into a hero. "Sutiyoso said one of Din's demands was that the government improve the lives of widows and fatherless children as well as former GAM combatants. Sutiyoso said only local administrations in Aceh could respond to the demand. Meanwhile, the central government would follow up on Din's request for an amnesty for his men.

Vice President Jusuf Kalla said on Friday that the government would follow up on the request as soon as possible. "Yes, just like Pak Sutiyoso said, we will consider all of these. [The request] will be responded to immediately," he said. Responding to Din's demand to improve the lives of former GAM members and affiliates, Kalla said the government had been doing that job ever since it facilitated the reconciliation process in Aceh in 2009. "There are already a lot [of programs], [amounting to] trillions [of rupiah]. Maybe there's a lack of information on that," said Kalla.

Indonesian Democratic Party of Struggle (PDI-P) lawmaker Effendi Simbolon slammed the government's plan to grant an amnesty to Din's group, saying it was wrong for the government to make a deal with insurgents.

Papua

Plenty of Bullets Seized, but No Arrests Yet in Papua Shooting

The Jakarta Globe, 02-01-2016

Police say they have identified two suspected members of the group that attacked a police station in Papua's Puncak district on Dec. 27, killing three officers and wounding one.

Gen. Badrodin Haiti, the National Police chief, named the suspects as Kalenak Murib and Iris Murib. It is not clear whether the individuals are related; Murib is a common clan name in Puncak district.

Badrodin told the Jakarta Globe on Saturday that a joint team of police and military personnel had raided the two men's homes in Sinak subdistrict and seized a large stash of ammunition, some of it stolen from the Sinak police station that was attacked last Sunday.

The haul included 150 rounds of ammunition for an AK-47 assault rifle; 239 rounds for a Pindad SS1, the standard Indonesian police and military issue assault rifle; and 82 rounds for an M14 rifle. Police also seized seven firearms, but Badrodin did not say what kind they were. It is believed the houses' occupants had fled prior to the raids.

Puncak and the neighboring district of Puncak Jaya in the Papuan hinterland are hotbeds of the province's long-running separatist insurgency, with police identifying six clan-based groups as being responsible for much of the armed attacks against security forces in the two districts.

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In Puncak, they include the Murib Military, based in Sinak and Gomeh subdistricts, as well as a group led by Titus Murib in Kepala Air subdistrict and a third led by Peni Murib in Muara subdistrict.

A fourth group, the one alleged to be responsible for the attack on the Sinak police station, is led by Kalenak Murib and Alex Gagak Murib, and based out of Ilaga, the Puncak district seat, according to district chief Puncak Willem Wandik.

The group has also been blamed for a similar attack on a group police Mobile Brigade (Brimob) personnel in December 2014. The weapons seized by the perpetrators in that earlier incident are believed to have been used in the recent attack, authorities say.

Police allege that the groups are all affiliated to varying degrees with the Free Papua Organization, or OPM, which has for decades waged a low-level war for independence from Indonesian rule.

Construction on Long-Delayed Papua Railway to Start This Year: Joko

The Jakarta Globe, 02-01-2016

The Indonesian government is set to start a 400-kilometer railway project connecting the West Papua cities of Sorong and Manokwari by end of this year, as part of its wider effort to link the underdeveloped province's districts with roads and railway by 2018.

Speaking at a meeting with residents of Kais district in West Papua on Friday, President Joko Widodo revealed: "We just started construction on a railway network in Sulawesi. This year, it's Papua's turn."

"I ask for your blessing so [the central government] can start drawing up plans for the railway [connecting Sorong and Manokwari] as soon as possible," Joko said as quoted by Antaranews.com.

Joko remarks could mean mounting pressure on Transport Minister Ignatius Jonan, who said in September that Papua's railway tracks would start construction in 2017 at the soonest.

The project, which is estimated to cost Rp 10 trillion (\$722 million), will be financed through the state budget.

The government initially planned to start the project in 2015, but more time was needed to complete the feasibility study, Joko said.

The president spent four days in Indonesia's easternmost province over the New Year holiday with the aim of listening to its people's aspirations and observing first-hand Papua's development amid security risks from separatists.