

Weekly Update Human Rights in Indonesia – 07-11-2016

Freedom of Religion

Tension in Jakarta

The Jakarta Post, 03-11-2016

Jakarta has been on high alert since information began circulating online and offline suggesting that hard-liners from all over the country would flock to the city to demand that authorities prosecute incumbent Jakarta Governor Basuki "Ahok" Tjahaja Purnama for religious defamation.

Organizers have announced that 35,000 to 50,000 people would join the demonstration. Political figures as high as President Joko "Jokowi" Widodo, Gerindra Party chairman Prabowo Subianto, and former president Susilo Bambang Yudhoyono (SBY) have all commented on the demonstration - signifying the gravity of the issue.

With his double-minority status as a Christian of Chinese descent, Ahok is no stranger to SARA [ethnicity, religion and race] issues. When taking office as governor, Ahok also faced similar demonstrations. Widespread SARA sentiment leaves Indonesia's young and fragile democracy vulnerable to identity politics, which were exploited in the 2012 Jakarta election and the 2014 presidential election.

Read the full opinion article: <http://www.thejakartapost.com/academia/2016/11/03/ga-is-indonesia-at-stake-in-nov-4-anti-ahok-rally.html>

C. Jakarta Returns to Normal Saturday Morning After Chaotic Late-Night Demo

The Jakarta Globe, 05-11-2016

Jakarta. Normal weekend activities have resumed around the National Monument area in Central Jakarta Saturday morning (05/11) following a violent rally against Governor Basuki "Ahok" Tjahaja Purnama on Friday.

Traffic surrounding the monument has resumed following the total shut down of Jalan Medan Merdeka all day Friday, while weekenders took to exercising around the area with many joggers and cyclists flocking to the area.



At Merdeka Palace, the hub of the clash which broke out between authorities and protesters Friday evening, is still surrounded by barbed wire, as it Jalan Veteran towards Jalan Medan Merdeka Utara. Barbed wire barricades had been destroyed in the clash.

Friday's day-long protest had been peaceful until 6.00 p.m., when clashes between protesters and authorities erupted after refusing to disperse past the legal protest deadline. Several as yet unidentified groups also rioted in the northern parts of the capital, including Luar Batang and Pluit areas.

There have been reports of participants attacking passing vehicles and sweeping residential complexes known to be occupied by ethnic Chinese Jakartans.

Weekly Update Human Rights in Indonesia – 07-11-2016

Police Name 13 Suspects, 16 at Large, Following Anti-Ahok Rioting

The Jakarta Globe, 06-11-2016

Jakarta. Police have named 13 suspects following Friday night (04/11) rioting in Penjaringan, North Jakarta, after a massive protest against Jakarta Governor Basuki "Ahok" Tjahaja Purnama.

Jakarta Police spokesman Sr. Comr. Awi Setiyono told reporters on Sunday (06/11) that 13 among 16 people who were arrested on Friday have been named suspects for various crimes.

Four were named suspects for robbery at a minimarket. meanwhile eight others were accused of attacking police officers. A man was also charged after burning a motorcycle during the riot. Three others were released without charge.

However, police are still pursuing 16 others who allegedly committed crimes during the riots which rattled the city's ethnic Chinese community.

Rioting kicked off after police dispersed a massive rally which saw thousands descend on the streets of Central Jakarta.

Buni Yani could be named suspect: Police

The Jakarta Post, 06-11-2016

Buni Yani, the man who uploaded part of a speech Jakarta Governor "Ahok" Tjahaja Purnama made in which he mentions a verse from the Quran, could be named a suspect, National Police spokesman Insp. Gen. Boy Rafli Amar said on Saturday.

He said Buni had been accused of editing footage of Ahok's speech made during a visit to the Thousand Islands regency in late September.

"[The footage] was uploaded onto his Facebook page, then it went viral and sparked public outrage," Boy said as reported by kompas.com.

Buni, however, denies the allegation, saying that he only deleted some of the footage before uploading it. However, he admits to making errors in transcribing the speech.

In his speech, Ahok said, "In your inner hearts, Bapak/Ibu may not vote for me, because [you have been] lied to by [using] Surah al-Maidah, Verse 51, etc. [...] So, if you cannot vote for me because you are afraid of being condemned to hell you do not need to feel uneasy as you are being fooled. It is alright."

Buni, who was reported to the police by supporters of Ahok, said he only failed to include the word "using" in the speech text. Boy said the police would question Buni and other witnesses. "We only want to see if there is a criminal element in the case," he added.

Read an impression from the streets:

<http://www.thejakartapost.com/academia/2016/11/05/ga-how-did-the-anti-ahok-rally-turn-chaotic.html>

Jokowi: Political manipulation behind demonstration?

Kompas, 06-11-2016

President Jokowi has suggested that political factors have been active behind last Friday's demonstration in Central Jakarta. He did not elaborate. The Chief of Staff of the TNI has confirmed that the President said this based on intelligence data compiled by the BIN. The Muslim Ulama organizers denied any political interference. Riots broke out when the demonstration was about to be dispersed, just before the evening prayers.

[Later denials (Jakarta Globe) suggest that former president Susilo Bambang Yudhoyono, whose son is also running for governor, would have funded the rally of last Friday. His wife, Ibu Ani, denied this suggestion via Instagram,]

Weekly Update Human Rights in Indonesia – 07-11-2016

Police question MUI leader over Ahok's alleged defamation case

The Jakarta Post, 07-11-2016

The National Police are set to question Indonesian Ulema Council (MUI) leader Ma'ruf Amin as an expert witness in their investigation into religious blasphemy allegedly committed by Jakarta Governor Basuki "Ahok" Tjahaja Purnama.

"We are scheduled to question the MUI chairman today [Monday]," National Police spokesperson Brig. Gen. Agus Rianto said at the Criminal Investigation Department (Bareskrim) office in the police's headquarters in South Jakarta. He said Ma'ruf would be questioned at the MUI office in Menteng, Central Jakarta.

On Oct.11, the MUI concluded that Ahok had insulted both the Quran and ulemas in his statement, in which he cited Al Maidah verse 51, during a visit to Thousand Islands regency on Sept.27. This act had legal consequences, the council said.

The police questioned Islam Defenders Front (FPI) leader Habib Rizieq as an expert witness in Ahok's blasphemy case on Thursday. As of Monday, the police had summoned 12 expert witnesses comprising religion, language and criminal law experts, in their investigation into the case.

The police have also questioned 13 witnesses, including Ahok, Thousand Islands residents, and people who have reported the governor to the police.

As of Monday afternoon, Ahok was still undergoing questioning at the Bareskrim office. Ahok voluntarily went to Bareskrim to clarify blasphemy accusations against him on Oct.28. Agus said Ahok's questioning on Monday was to complete the information related to his case

Freedom of Expression

AJI expresses concern over violence against journalists at Jakarta rally

The Jakarta Post, 06-11-2016

The Independent Journalists Association (AJI) has called on the police to investigate violence against journalists during the mass rally on Friday but at the same time urged journalists to respect codes of ethics. "All parties have to understand the way how journalists work. Journalists' work is protected by law," AJI chairman Suwarjono said in a statement issued on Sunday.

The AJI recorded numerous instances of violence against journalists – both physical and non-physical– during the rally, including a TV crew being expelled from Istiqlal Mosque in Jakarta because the television station was accused of biased reporting.

Suwarjono also expressed concern over provocations against journalists that spread on the internet in the days leading up to the event. "That means a situation of hatred had been developed from the beginning. That is a bad precedent for freedom of the press," he said.

However, AJI head of advocacy Iman D. Nugroho also stressed the need for journalists and media companies to carry out introspection on whether they had carried out their tasks based on journalistic ethic codes. "The mass media should be independent and work based on facts. They are not allowed to mix facts and opinions in their journalistic work," said Imam, adding that the presumption of innocence should also be respected.

Land Rights

Ministry seeks to accelerate land certification

The Jakarta Post, 05-11-2016

The Environment and Forestry Ministry hopes to accelerate the land redistribution and legalization program amid protest from farmers and activists over the slow progress of the agenda.

Weekly Update Human Rights in Indonesia – 07-11-2016

The ministry's secretary general, Bambang Hendroyono, said on Friday that the government would address the issue of land legalization, part of President Joko "Jokowi" Widodo's agrarian reform program, at the 6th Forestry Congress held from Nov. 29 to Dec. 2 in Jakarta.

The program comprises, among other elements, the certification of 9 million hectares of land for farmers.

"The land [legalization] program is ongoing now. However, we can push for the acceleration by involving stakeholders, farmers, activists and analysts in the congress," Bambang said.

The participants of the congress will also discuss national forestry issues primarily in Sumatra, Sulawesi, Kalimantan and Papua.

The agrarian reform agenda was included in Jokowi's multifaceted Nawacita development program, but some analysts say the program has not shown encouraging progress.

The government's lack of will to make its commitments a reality during the last two years has sparked conflicts between farmers and corporates. In the first half of 2016, the Agrarian Reform Consortium (KPA), an NGO that campaigns for the creation of a fair agrarian system, recorded 270 agrarian conflicts across the country.

Death Penalty

Indonesia's president Joko Widodo hints at abolishing death penalty

The Guardian, 05-11-2016

Indonesia's president Joko Widodo has indicated his country wants to move towards abolishing the death penalty. Speaking ahead of a three-day visit to Australia [later Jokowi postponed his visit to Australia because of the rally last Friday], Widodo told the ABC he thinks Indonesians will change their minds on execution laws as citizens in Europe had

done in the past. "We are very open to options," he said. "I don't know when but we want to move towards that direction."

The execution in Indonesia last year of Australian drug traffickers Andrew Chan and Myuran Sukumaran strained relations between the two countries. Widodo's trip to Australia will be his first bilateral visit since Canberra withdrew its ambassador to Indonesia in protest against the executions.

"Indonesia has regulations, Indonesia has its own law, which still allows execution. That's what I complied to," the president told the ABC. "We also listened to what other countries had to say. But again, I have to follow the provisions of the law applicable in Indonesia."

But Widodo, who's also known as Jokowi, also stressed the importance of rebuilding trust between Australia and Indonesia. "The most important thing is definitely to have trust in between the country leaders, and then the relationship between the citizens," he said.

Widodo also stressed the importance of the two nations working together to address the thousands of asylum seekers believed to be stranded in Indonesia.

Papua

Authorities must investigate use of lethal force by police in Manokwari

Amnesty International Public Statement, 02-11-2016

Amnesty International calls for a prompt, independent, impartial and effective investigation by Indonesian authorities into allegations of the use of arbitrary and lethal force by police that led to the death of one man and injured at least six other men in Manokwari, West Papua province. The findings must be made public and those suspected of criminal responsibility, including those with command responsibility, must be brought to justice and victims granted adequate reparations.

On 26 October around 11pm local time, unrest broke out in Sanggeng, West Manokwari, apparently triggered after a young Papuan man was stabbed by a man from another

Weekly Update Human Rights in Indonesia – 07-11-2016

ethnic group in a food stall in Sanggeng for not paying for his meal. Hundreds of Papuans then put up road blocks and were also allegedly involved in attacking a military officer, burning six motorcycles belonging to the police and attempting to destroy a police post.

In response, police personnel from the Manokwari Police Station arbitrarily opened fire indiscriminately into the crowd, hitting Onesimus Rumayom and at least six other men who suffered gunshot wounds. They were immediately brought to a Navy hospital but Onesimus died on the way there.

The Regional Chief of Police for West Papua (Kapolda), Brigadier General Royke Lumowa, issued a statement that the use of force complied with the police's protocols for responding to mass unrest. According to him, the police were ordered to shoot only at the legs and said that police firearms were loaded with rubber bullets. He also denied that Onesimus Rumayom, who had been wounded in the thigh, died as a result of the shooting and said he had ordered an autopsy to be carried out. Onesimus was buried on 29 October and to date, no autopsy has been performed to establish the cause of the death.

Amnesty International acknowledges the complex and dangerous environments police officers and other law enforcement officials often find themselves in when carrying out their duty to protect the safety of the public. This role, however, must be carried out in a way that ensures full respect for the right to life, liberty and security of all persons, including those suspected of crime. The use of force is subject to strict human rights safeguards as set out in the UN Code of Conduct for Law Enforcement Officials (1979) and the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (1990). The use of force by law enforcement officials in Indonesia is further regulated by the Indonesian Chief of Police Regulation on the Use of Force in Police Action (No. 1/2009).

Police accountability in Indonesia has been hampered by the lack of an independent, effective, and impartial oversight mechanism to investigate human rights violations committed by the security forces and to take forward its findings for prosecution. Criminal investigations into human rights violations by the police are rare in Indonesia and attempts to hold those responsible to account, mostly through internal disciplinary mechanisms, leave many victims without access to justice and reparation.

Amnesty International believes that the Manokwari case is not an isolated incident but speaks to a culture of impunity that continues to exist in the Papua region. In many previous investigations into human rights violations committed by the security forces in Papua and West Papua provinces, including unlawful killings, the use of unnecessary and excessive force, and torture and other ill-treatment, have been unduly delayed, dropped, or their findings buried, leaving victims and their families without access to truth, justice and reparations.

In almost all cases that have been taken forward, members of the police forces in Papua and West Papua provinces do not face prosecution or are just given disciplinary sanctions when found to have committed human rights violations. There is still a lack of accountability for numerous cases that have occurred in the Papua region over the last few years.

Under international law and standards, law enforcement officials may use force only when strictly necessary and to the extent required to carry out a legitimate law enforcement objective; they must not use firearms except in defence against an imminent threat of death or serious injury. Allegations of arbitrary or abusive use of force by police or other security forces carrying out law enforcement duties must be fully investigated through an independent and impartial mechanism. The authorities must also ensure that victims of such violations and their families receive full and effective reparations, including compensation.