

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

Impunity

Invitation International Peoples Tribunal

On 20 July, 09 hrs a.m.. there will be an event in Amsterdam on the verdict of the International Peoples Tribunal Indonesia 1965.

The organizers of the IPT have the judgement streamed during a public event at the Law Faculty of the University of Amsterdam at that day and time. They invite those involved in the tribunal, the Indonesian network, media and experts. The idea is that they listen to the judgement and sit around the table to discuss the contents of the decision.

Could you let the organizers know whether you would be interested to be present at such a gathering? Please send a mail to f.devlaming@uva.nl.

The venue is:

Juridische Faculteit UvA
Oudemanhuispoort 4-6
Amsterdam

Freedom of Religion

Indonesians Dismiss Terror Threat to Celebrate Idul Fitri in Peace

The Jakarta Globe, 07-07-2016

Indonesians celebrated Idul Fitri across the archipelago without any incidents on Wednesday (06/07), largely ignoring a potential terrorist threat after a failed suicide bomb attack in Central Java a day earlier.

People turned out in large numbers to observe morning prayers at mosques and public places before spending the day feasting on traditional rice cake, rendang and chicken stew with family and friends.



During the feast, conversations mainly revolved around traffic congestion during the holiday exodus, children's schools, as well as the slightly more private but common questions from nosy relatives to those still single about when they plan to get married.

Topics involving bombs and radicals were merely an afterthought.

"Why should we be talking about that? Today is about celebrating with family," Dewi Endah, a mother of one, said while visiting friends in Jakarta.

"What were those people [terrorists] thinking? They just try to ruin people's lives and they will win if we let them dominate our thoughts," she added.

Most Indonesians practice a moderate form of Islam, but in past decades, the country has seen a rising number of preachers spreading a more literal interpretation of the faith. More intolerant acts toward other religions also emerged along with fundamentalist attacks on foreigners or government targets.

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On Tuesday morning, Nur Rohman, an alleged member of the Islamic State-linked Laskar Hizbah terrorist group, blew himself up outside the police headquarters in Solo, Central Java, in an apparent effort to mimic the terrorist group's attacks in Istanbul (Turkey), Dhaka (Bangladesh), Baghdad (Iraq) and Madinah (Saudi Arabia).

However, National Police chief Gen. Badrodin Haiti said the bomb used in Solo was a rudimentary, low-explosive device, implying a minimal threat of any large-scale attacks.

Andrian Maulana, who works as a security guard at a housing complex in Tangerang, Banten, laughed when asked whether he was concerned about the possibility of terrorists living in the neighborhood.

"I am more concerned about thieves now," he said, noting that half of the houses under his supervision are currently empty as their occupants have traveled to their respective hometowns for the holidays.

The National Police and the Indonesian Military (TNI) have stepped up security at key points such as airports, seaports, police stations and other public areas in an effort to deter potential attackers.

President Joko "Jokowi" Widodo has meanwhile called for unity, peace and hospitality during the holiday season, while reminding Indonesians to remain vigilant. "I only see the kindness of people on this day," the president said after the Idul Fitri prayers in Padang, West Sumatra, which is a conservative stronghold where he was soundly defeated in the last election. "This day is about getting together with family, with neighbors and with society in general," Jokowi said.

Religious conflict and heritage management in Banten Lama

Inside Indonesia, 04-07-2016

Anyone interested in the spread of Islamic civilization in Indonesia must visit Banten Lama (Old Banten). It is located within Banten city, the capital of Banten Province, on the north coast of Java. In the 16th century, Banten Lama was home to an Islamic sultanate that vanquished the region's Hindu rulers. Banten Lama was an important Islamic centre until the nineteenth century. Islam spread from there to many parts of Indonesia. Today,

divisions within the Islamic community over the management of an iconic mosque are the main cause of a number of heritage issues in Banten Lama.

Read the full article and other articles in this Inside Indonesia Special on Cultural Heritage (e.g. Borobudur and Trowulan):

<http://www.insideindonesia.org>

Police accountability

Indonesian lawmakers push for tougher anti-terror laws after Solo suicide bombing

The Straits Times, 07-07-2016

Lawmakers in Indonesia are pushing for a draft Bill which expands police powers in counter-terrorism to be passed following Tuesday's suicide bombing in Solo, Central Java.

Law and Human Rights Minister Yasonna Laoly said revisions to the Anti-Terrorism Bill of 2003, still being deliberated by Parliament, must be prioritised to prevent further attacks.

"The incident in Solo makes us realise again that the threat of terrorism is real," Mr Yasonna said on the sidelines of an Idul Fitri event on Wednesday (July 6) night. "It's a global phenomenon... and it will continue."

House Speaker Ade Komarudin and his counterpart in the People's Consultative Assembly, Mr Zulkifli Hasan, in a rare unified voice, echoed the call to pass the tougher anti-terror laws which have been in deliberation for months.

Mr Ade said on Wednesday in Tempo news that the latest incident is a new impetus for the draft Bill, first tabled by the government after the Jan 14 terror attack in Jakarta. He said proposed changes to the law must be able to counter terrorism "structurally and intellectually", and that "people would not blow themselves up" if they had not been wrongly indoctrinated. "Terrorism covers things such as ideology, education, and religion," said the head of Indonesia's House of Representatives. "And education is important to prevent terrorism."

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Mr Zulkifli on Wednesday also called for unity in the fight against terrorism, calling it a violation of human rights". He told Antara news that he hoped that the revisions of the anti-terror Bill will be completed this year. "The faster it is completed, the better it will be," he added.

Their comments came a day after a suicide bomber, a local man named Nur Rohman who was on a terrorist wanted list, blew himself up outside a police station in the hometown of President Joko Widodo. An officer who intercepted the attacker before he got near the station was wounded.

Nur Rohman was a member of a domestic terror cell that had ties to Bahrun Naim, an Indonesian militant now fighting for the Islamic State in Iraq and Syria (ISIS). The Solo bombing was just one of several attacks that security analysts say may be coordinated strikes around the world by militants loyal to the militant group during the holy month of Ramadan.

Indonesia's Anti-Terrorism Bill, first enacted the year after the 2002 Bali bombings that killed 202 people, makes it illegal for anyone who runs a terrorist cell. However, it falls short of extending punishment to anyone pledging support to or joining groups such as ISIS, for instance.

This has been a bugbear for the police, often hampering their ability to put terrorists behind bars or prevent terror suspects from carrying out attacks.

Hundreds of Indonesians have travelled to the Middle East to support or fight for ISIS since 2013. Security chiefs have lamented that the lack of tougher anti-terror laws enables such people to return to Indonesia without the risk of prosecution.

Many terrorist suspects arrested in connection with the Jakarta attack earlier this year had to be released because current laws prevent them from being held for extended periods unless the police have sufficient evidence.

Once the proposed changes to the anti-terror Bill are passed, the police will be able to hold people suspected of terror attack plots for up to six months.

The revised law will also make it illegal for Indonesians to join militant groups like ISIS overseas, while providing a clearer definition of terrorism.

Other changes being discussed by lawmakers include revoking the citizenship and barring the return of Indonesians who engage in terrorism activities overseas.

Weak accountability systems and lack of respect for rights hampering police reform

Amnesty International Public Statement, 01-07-2016

With 1 July 2016, marking the 70th anniversary of the National Police Day (Hari Bhayangkara) in Indonesia, Amnesty International renews calls to the authorities to improve police accountability mechanisms and respect for human rights by the police force. The organization calls for the establishment of an independent, effective, and impartial police complaints mechanism which can deal with public complaints about police misconduct, including criminal offences involving human rights violations.

Since 2002 the Indonesian authorities have taken significant steps to reform the Indonesian National Police, in particular with the introduction of internal regulations to ensure that international human rights law and standards are upheld during policing operations, especially on the use of force and firearms. However, existing bodies such as the Indonesian National Human Rights Commission (Komnas HAM) and the National Police Commission (Kompolnas), while able to receive and investigate complaints from the public, are still not empowered to refer these cases directly to the Public Prosecutor's Office or to the police's internal disciplinary body. Amnesty International continues to document human rights violations by the police, including unlawful killings, torture and other ill-treatment and the unnecessary and excessive use of force, with little accountability.

In March 2016, Komnas HAM reported that at least 121 individuals detained during counter-terror operations have died in custody since 2007. In one illustrative case, Siyono, an alleged terrorism suspect died while in the custody of the elite police counter-terrorism unit Detachment 88 (Densus 88) on 11 March 2016. In a rare admission, General Badrodin Haiti, the then Chief of Indonesian National Police, confirmed that members of the Detachment 88 unit kicked Siyono in the chest, breaking his ribs, and causing his heart to fail. Nevertheless two members of Detachment 88 were only handed administrative penalties for their actions, demoted and transferred to another police unit by an internal police mechanism. No criminal investigations were undertaken highlighting the climate of

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impunity. Amnesty International calls for prompt, impartial independent and efficient criminal investigations into all reports of human rights violations involving criminal offences, including torture, allegedly perpetrated by the police, including Detachment 88.

Read the full statement: <https://www.amnesty.org/en/documents/asa21/4390/2016/en/>

Death penalty

Indonesia to Execute at Least Two Convicts, Including Foreigners This Year: Attorney General

The Jakarta Globe, Reuters, 11-07-2016

Jakarta. Indonesia will execute at least two convicts, including foreigners, this year, the attorney general said on Monday (11/7). HM Prasetyo said the prisoners would be executed by firing squad soon, but did not elaborate upon the crimes of which they were convicted. "The implementation of the executions will be carried out after the (Idul Fitri) holiday period that has just ended," Prasetyo told reporters.

"There are more than two people, and there are foreigners. There are protests but we will still carry out the executions," he added.

Indonesia last year executed 14 people, mostly foreign drug traffickers, and has vowed to ramp up that number despite international condemnation.

Prasetyo previously said at least 16 prisoners would be executed this year and more than double that number next year.

Political developments

Presidential Guards Embroiled in Illegal Firearms Trade

The Jakarta Globe, 10-07-2016

A US court has found a soldier participated in a scheme to purchase guns and send them to members of the Indonesian presidential security detail, an explosive report reveals.

Indonesian descendent, Audi Sumilat, of El Paso, Texas, pleaded guilty in federal court on Wednesday (06/07) to one count of conspiracy to make false statements in connection with the acquisition of firearms, according to the U.S. Attorney's Office. In his testimony, Audi said he purchased firearms for his personal use, but later prosecutors proved he had distributed the weaponry to members of the Indonesian Presidential Guard, known as Paspampres.

Assistant US Attorney Bill Morse said there have been cases in New Hampshire and other states involving international firearms trafficking to countries including Ghana, Canada and Mexico. "But this is the first case that I'm aware of in which the intended beneficiaries of the trafficking were representatives of a foreign government," Morse said as reported by Armytimes and various media outlets.

US authorities said Audi had joined a conspiracy to purchase guns in Texas and New Hampshire for members of Paspampres — tasked with providing security to the president and vice president — who can not lawfully buy the weapons themselves.

Eight Paspampres members, who are under the supervision of Indonesian National Defense (TNI), were allegedly involved these case.

During the court trial, Audi confessed he and three Paspampres members hatched the plan in 2014 when they were stationed together for training in Fort Benning, Georgia. To have legally exported the guns, Audi was required to get an exporter's license and a license covering the specific guns exported. No licenses were issued.

Audi's partner sent the weapons to Paspampres members when they visited Washington DC and the UN General Assembly in New York, from which the firearms were taken overseas.

The US Attorney in New Hampshire, Emily Gray Rice, said the consequences of international gun trafficking can be grave. "Firearms exported overseas illegally can easily end up in the wrong hands," she said in a statement. "International gun trafficking will be prosecuted to the fullest extent possible to protect innocent individuals, both American and foreign, from the criminal use of US weapons abroad."

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The 36-year-old will be sentenced in October and faces a maximum sentence of five years in prison and a fine of \$250,000. A co-conspirator has also been charged and is scheduled to be tried on July 19.

Meanwhile, the head of information center at the TNI, Maj. Gen. Tatang Sulaiman, said the purchase of firearms by the Paspampres in the US is "legal." "It happened last year but only recently he was sentenced. Our members have bought the firearms legally," Tatang said, as reported by Tempo.

Based on the Indonesian military police's investigation, the members of Paspampres bought the firearms legally but have yet to meet administrative requirements. "Once the administrative requirements are completed, it will not be a problem," Tatang added.

Despite the denial, the House of Representatives called on the military to explain the details of the acquisition. Deputy chairman of the House Commission I — which oversees military and foreign affairs — Tubagus Hasanuddin said neither the Paspampres or TNI requested a budget to buy the firearms, as it was never listed in the 2015 state budget.

According to Indonesian law, TNI must request an approval from the House to buy new weaponry, including firearms. "We [the House Commission I] are afraid this illegal trade was made by Paspampres members individually," Tubagus told the Jakarta Globe in a statement. Weaponry trade has to be done by procedure through a contract submitted by the military command base, Tubagus added. The former presidential military secretary urged TNI to clarify the issue. "If there is any individual members of the Paspampres proven to be involved in this case, he should be sentenced according to law," Tubagus said.

Jokowi appoints new special staff members to his administration

The Jakarta Post, 11-07-2016

President Joko "Jokowi" Widodo has appointed two new presidential special staff in his administration, a Presidential spokesman confirmed on Monday.

Gories Mere and Diaz Hendropriyono have been appointed as special staff, Presidential spokesman Johan Budi said as reported by tribunews.com.

Johan did not provide specific details regarding the positions of the two additional special staff but, according to tribunews.com reports, retired police general Gories is likely to take on a role as a special staff member for intelligence as he is former head of the National Narcotics Agency (BNN) and former chief of the National Police's anti terror unit Densus 88. Diaz Hendropriyono, the son of AM Hendropriyono, the former chief of the State Intelligence Agency, who was also involved in Jokowi's presidential campaign, is likely to be a special staff member for social affairs.

With the additional members, Jokowi has six special staff. The other four staff members are Johan Budi, Ari Dwipayana, Lenis Kogoya and Sukardi Rinakit.

Former antigraft czar looks forward to life after prison

The Jakarta Post, 10-07-2016

This year marks the seventh Idul Fitri that the country's former antigraft commission head celebrated behind bars. Ahead of his upcoming release, Antasari Azhar looks at the positives of being looked up at the Tangerang penitentiary.

"There are lots of lessons I learned here, particularly after I became a mentor to other inmates," said Antasari, who several times was assigned by penitentiary officials to hold seminars for other inmates.

"I now can sincerely accept everything that happened in my life," he told The Jakarta Post at the Tangerang penitentiary on the first day of Idul Fitri.

Antasari was sentenced by the South Jakarta District Court to 18 years in prison in 2010 for masterminding the murder of business executive Nasrudin Zulkarnaen. Nasrudin, a director of state-owned pharmaceutical company PT Putra Rajawali Banjaran, was killed in a drive-by shooting in Tangerang, Banten, on March 14, 2009.

Many suspect that Antasari was set up in a plot to prosecute him while he chaired the Corruption Eradication Commission (KPK). Under his leadership, the KPK made a bold move to prosecute former deputy governor of Bank Indonesia Aulia Pohan, the in-law of then-President Susilo Bambang Yudhoyono, in a bribery case.

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Repeatedly maintaining his innocence and having exhausted all legal avenues of challenging the verdict, Antasari agreed to ask for clemency from President Joko "Jokowi" Widodo. However, the president was reluctant to grant him a pardon, as Antasari was no longer eligible to apply for the clemency.

Antasari received Idul Fitri remission on Wednesday, paving the way for him to be freed in September. After all of his efforts to defend himself in the case, he said he had come to terms with his fate. "I won't continue my case. I have accepted it." "However, many parties are still determined to reveal the truth. I cannot stop them," he said.

Antasari expressed his desire to teach at several universities after his release to "share knowledge and experiences". But the main thing he looked forward to, he said, was to take care of his grandchildren, whom he had barely met during his time in prison.

"I just found that having grandchildren is more exciting than having children," he said with a laugh after Idul Fitri prayer at the prison. (rin)

Papua

Wave of arrests in Papua

The International Coalition on Papua, July 2016

The number of arrests made in connection with peaceful demonstrations held in several cities in West Papua and in other parts of Indonesia has risen to an alarming, record-breaking high of more than 4000 Papuans detained between April and June 2016. We are very concerned about this grave violation of the freedom of assembly and freedom of opinion and expression as well as reports of violence and torture exercised by security forces.

Lembaga Bantuan Hukum Jakarta (LBH, Jakarta Legal Aid Institute) has released a report based on testimonies collected on location by members of the West Papua National Committee (KNPB) and Papuan Students Alliance (AMP). The information has been verified by the Jakarta Legal Aid Institute (LBH Jakarta). The number of people arrested is consistent with local media reports.

On 15 June 2016, thousands of West Papuans conducted peaceful demonstrations simultaneously in Jayapura, Sentani, Wamena, Manokwari, Merauke, Sorong, Fakfak, Yalimo, Paniai, Nabire, Yahukimo and Malang. The demonstrations were held in support of the ULMWP to be recognized as a full member of the Melanesian Spearhead Group (MSG) and to reject the human rights investigation team formed by Indonesian state which they deem not impartial.

<http://us5.campaign-archive1.com/?u=e9aacf53193e3e7e43248d15e&id=e4fbfb18ea&e=fdc8f843da>

