

Weekly Update Human Rights in Indonesia – 12-12-2016

Impunity

Commemoration of Munir on-line

A global coalition of human rights NGOs, led by Frontline International, have launched an online Human Rights Defender memorial website to commemorate all the HRDs who have been killed since the UN Declaration on HRDs came into effect in 1998. The project was launched by Irish President Michael Higgins on 23 November.

From Indonesia we remember Munir, a human rights defender, lawyer and co-founder of the Commission for Disappearances and Victims of Violence (KontraS) who was assassinated on 7 September 2004 on a flight from Jakarta to the Netherlands.

The link to Munir's page is: <https://hrdmemorial.org/hrdrecord/munir-said-thalib/>

Commemoration of Munir at the Munirpad, The Hague

Facebook, 08-12-2016,
<https://www.facebook.com/yasmine.soraya.7/posts/10154417287093705>



Dutch investigation into 1945-49

See and listen in Dutch to the response by lawyer Prof. Liesbeth Zegveld: <http://www.nporadio1.nl/buitenland/2352-liesbeth-zegveld>

Indonesia's human rights record still poor: Imparsial

The Jakarta Post, 10-12-2016

The government is still failing to protect and uphold human rights in the country despite a number of laws guaranteeing the rights of all citizens, which according to Jakarta-based human rights watchdog Imparsial is rooted in a lack of focus and commitment.

Imparsial executive director Al Araf said the absence of human rights in the priority programs of President Joko "Jokowi" Widodo had added to the already long list of challenges to the poor performance in the country's efforts to equally protect the rights of all people. "It's really important for the government to politically commit to making human rights a priority program otherwise we will not see any changes in the future," Al Araf said in a discussion on Friday.

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He said such a lack of political commitment had posed challenges, including political transactions that consequently put aside human rights, a toothless national rights body, which was supposedly a front-line protector of human rights in the country, and unfinished legal reform.

"Jokowi's administration is no different to those of his predecessors, which failed to prioritize actions to uphold human rights," Al Araf said, citing current rampant religious intolerance, criminalization of activists, the ongoing use of the death penalty as well as impunity as examples that showed Jokowi was not committed to human rights.

Freedom of Religion

Rights Group Questions Prosecutors' Integrity in Ahok Blasphemy Case

The Jakarta Globe, 05-12-2016

A pro-democracy group has lashed out against what it called "unprofessional conduct" by prosecutors in the blasphemy case against Jakarta Governor Basuki "Ahok" Tjahaja Purnama.

Prosecutors announced that they have completed a study of the case dossier just three days after receiving it from police investigators, and handed over the files to the court only a few hours later.

Ahok's trial will commence on Dec. 13.

According to the Setara Institute, a Jakarta-based nongovernmental organization that conducts research and advocacy on democracy, human rights and political freedom, the speed at which prosecutors completed the 826-page dossier shows that they were not serious in examining it.

"Prosecutors did not play their role as supervisors; they merely delivered the dossier to court," Setara Institute chairman Hendaridi said on Tuesday (06/12).

"There should have been a thorough examination to identify potential errors. It is apparent that both the professionalism and impartiality of prosecutors are questionable," he added.

A doctored video of a speech Ahok made on Pramuka Island in Jakarta's Thousand Islands district in September went viral and prompted several Muslim groups to report him to the police for blasphemy.

Police named the governor a blasphemy suspect last month amid mounting pressure from hardline Muslim groups and a series of mass protests demanding his immediate arrest.

"If public pressure can influence law enforcement, the justice system is in peril," Hendaridi said.

AGO prepares interfaith prosecuting team for Ahok's trial

The Jakarta Post, 06-12-2016

The Attorney General's Office (AGO) said Tuesday it had prepared a team of 13 state prosecutors from different backgrounds of faith to prepare for the indictment in the blasphemy case implicating non-active Jakarta Governor Basuki "Ahok" Tjahaja Purnama.

AGO junior prosecutor for general crimes Noor Rachmad said the team would include Christian prosecutors in an effort to avoid biased judgments during the trial slated to take place on Dec. 13.

"Three of the prosecutors are Christians," Noor told reporters on the sidelines of a hearing at the House of Representatives' Commission III overseeing law and human rights affairs.

He added that the prosecutors would be in charge of various assignments, from preparing for administrative works to handling technicalities regarding the trial.

Ahok was charged for allegedly violating articles 156 and 156a of the Criminal Code on blasphemy. He was named a suspect by the National Police on Nov. 16 after his controversial remarks in which he cited a Quranic verse. Recordings of the remarks went viral, instigating two massive anti-Ahok demonstrations.

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AGO announced that the trial will take place at the Central Jakarta District Court.

TNI warns against ‘foreign interference’ dividing Indonesia

The Jakarta Post, 11-12-2016

Indonesian Military (TNI) commander Gen. Gatot Nurmantyo reiterated on Saturday that the country must close ranks to maintain unity because there were indications that external parties were attempting to divide the nation.

“We have to be aware of ‘invincible hands’ that are designing efforts to weaken our nation,” he said at the ‘Indonesianisme Summit’ discussion held in Jakarta.

Providing an example, Gatot said there were some people who currently wanted to exploit Muslim groups’ anger against Jakarta Governor Basuki “Ahok” Tjahaja Purnama, who was named a blasphemy suspect last month, to overthrow President Joko “Jokowi” Widodo.

On Nov. 20, fake news spread on the internet claiming that Islam Defenders Front (FPI) leader Rizieq Shihab had been hospitalized after being beaten by a member of the Army Strategic Reserves Command (Kostrad). The FPI jointly organized two massive rallies in Jakarta on Nov. 4 and Dec. 2 to push for the prosecution of Ahok, a Christian of Chinese descent, who allegedly made a blasphemous comment about a Quranic verse during a visit to Thousand Islands regency in late September.

Investigations by law-enforcement agencies, however, found that the sources of the fake news were internet portals in Australia and the United States, Gatot said.

Cases like this, he said, had to be dealt with in the spirit of unity, by upholding the national philosophy of Bhinneka Tunggal Ika – Unity in Diversity.

“If there is no Islam, it is not Indonesia; if there is no Christianity, it is not Indonesia; if there is no Hinduism, it is not Indonesia; if there is no Buddhism; it is not Indonesia,” he said.

Catholic university refuses to remove billboards with hijab-clad student

The Jakarta Post, 08-12-2016



Sanata Dharma Catholic University in Yogyakarta would refuse to take down billboards depicting a female student wearing a hijab if the Muslim People’s Forum (FUI) asked it to, an official said on Thursday.

“If they [the FUI] come, we will not take down [the billboards] immediately,” university lecturer Father G. Budi Subanar told The Jakarta Post.

Speculation emerged on the issue after the FUI recently forced Duta Wacana Christian University to take down its billboards, which also depicted a female student wearing a hijab.

“The university leadership has said that any objections should be based on the existing regulations and conveyed through formal channels, through the local [Sleman regency] administration, which permitted the billboards. It could become a lesson for all of us,” Budi said. Besides the one on the campus, he said the university had also installed

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billboards with the same image on Jl. Magelang and Jl. Urip Sumohardjo, two main roads that lead toward the campus.

“The one [billboard] within the campus, it’s like inside a house, it cannot be taken down,” Budi said.

He said the 61-year-old university taught students without discrimination. “Sanata Dharma accepts students with diverse ethnicities and religions. We have students from 33 provinces,” he added.

Separately, Sanata Dharma student Ardiya Dewi Nurahma, who wears a hijab, said she had not experienced discrimination on the campus, adding that the university provided a prayer room for Muslim students. “It’s not true that there is Christianization at the university,” Ardiya said.

Freedom of Expression

Gerindra Lawmaker Says Proposed Revision on Mass Organization Law a Threat to Free Speech

The Jakarta Globe, 06-12-2016

A Gerindra Party lawmaker said proposals to revise the current law on mass organization should be aimed at revitalizing these groups, not muzzling them.

Ahmad Riza Patria, the House of Representatives’ Commission II deputy chairman, said he is suspicious that the current draft revision is actually intended to shut down mass organizations that have been causing the government headache. “The government should straighten them up, not shut them down. This is the reform era, not the New Order regime,” Riza said on Tuesday (06/12).

The lawmaker said he would support the revision if it strengthens these mass organizations. “But if it is designed to make it easier for the government to disband them, we won’t buy it. You just can’t do that now,” he said.

Riza said he also has his doubts on the actual number of mass organizations in Indonesia, which the government claimed to have exceeded 250,000.

The government has been planning to to revise its Law No. 17/2013 on mass organizations for a while.

Home Affairs Minister Tjahjo Kumolo said the government has made it easier to establish a mass organization, as the permit is now fully available online.

But Tjahjo claimed many of these organizations are against the state ideology Pancasila, which violates the regulation.

The government claimed there is a total of 254,633 mass organizations in Indonesia, 287 of them registered with the Home Affairs Ministry, 2,477 with provincial administrations, 1,807 with district and city administrations, 62 with the Foreign Ministry and 250,000 with the Justice Ministry.

Terrorism and counter-terrorism

Suspects in plot to bomb State Palace part of IS-affiliated network: Police

The Jakarta Post, 11-12-2016

The police say that a group of people arrested in Bekasi, West Java, for allegedly plotting a bomb attack on the State Palace is part of a terrorist network controlled by a terrorist convict who allegedly masterminded a deadly terrorist attack in Central Jakarta earlier this year.

National Police spokesman Sr. Comr. Awi Setiyono said the police had uncovered links between the three people who were arrested on Saturday and Muhammad Bahrn Naim Anggih Tamtomo, aka Bahrn Naim, a leader of the Katibah Nusantara militant group, a regional affiliate of the Islamic State (IS) movement. “Those arrested [in Bekasi] are part of Bahrn Naim’s IS-affiliated network,” Awi said on Saturday, adding that the police had conducted a surveillance operation before finally arresting them on Saturday.

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The National Police's Densus 88 counterterrorism squad arrested on Saturday two men and a woman in Bekasi, West Java, for allegedly plotting a bomb attack at the State Palace in Central Jakarta.

The first two suspects, identified only as NS and AS, were arrested at around 3:40 p.m. on Saturday on the Kalimalang overpass, while the other suspect, a 27-year-old woman identified only as DYN, was arrested 10 minutes later in a rented house in Bintara Jaya subdistrict.

In the house, the police found a high-explosive bomb weighing around 3 kilograms packed into a pressure cooker.

Bahrn Naim himself is well known to the police. In November 2010, Densus 88 arrested him and seized hundreds of rounds of ammunition from his house in Surakarta, Central Java. The Surakarta District Court sentenced him in June 2011 to two-and-a-half years in prison for violating Emergency Law No. 12/1951 on illegal firearms possession.

Although his whereabouts remain unknown, Bahrn's crucial role in leading Indonesian terrorist cells became public after the police identified him as the mastermind behind a terrorist attack on Jl. MH Thamrin, Central Jakarta, on Jan. 14, which led to the deaths of four terrorists and four civilians.

As of Sunday morning, police personnel were still combing the house where the bomb was found searching for more evidence.

Political developments

Anti-terrorism Law criticized by Amnesty International

Amnesty International, 05-12-2016

To the Chairperson of the Special Committee on the Revision of the Anti-Terrorism Law of the House of Representatives of the Republic of Indonesia (DPR- RI)

OPEN LETTER TO THE CHAIRPERSON OF THE HOUSE OF REPRESENTATIVES OF THE REPUBLIC OF INDONESIA ON THE NEW PROPOSAL ON COUNTER-TERRORISM LAW REVISION

Dear Chairperson,

Amnesty International and the Institute for Criminal Justice Reform (ICJR) are writing to express our deep concerns about proposed amendments to the Law on Counter-Terrorism (No. 15/2003). The announcement of the proposal to amend the existing counter-terrorism law was made soon after the violent attack on Central Jakarta's business district in January in which at least four members of the general population were killed and around 20 others injured.

Our organizations recognize that the Indonesian authorities have a duty to protect the population from such attacks, and to carry out investigations with a view to bringing the perpetrators to justice in fair trials without recourse to the death penalty. However, in doing so they must abide by Indonesia's obligations under international law and human rights standards. In our view, the proposed amendments to the law are highly flawed, in particular because they undermine safeguards against arbitrary detention, fail to safeguard against torture and other ill-treatment, expand the scope of application of the death penalty, and undermine the right not to be arbitrarily deprived of nationality. We urge you to fundamentally revise the proposed amendments as your office proceeds to approve the final text in the coming months.

See the whole document:

<https://www.amnesty.org/en/documents/asa21/5273/2016/en/>

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Universal Periodic Review (UPR) of the Republic of Indonesia

Joint Stakeholders' Submission by:

Watch Indonesia! e.V.

West Papua Network (WPN)

World Organisation against Torture (OMCT)

10-12-2016

1. This stakeholder report is a joint submission by the West Papua Network (WPN), Watch Indonesia! and the World Organisation against Torture (OMCT). The report highlights key concerns, trends and significant developments in the human rights situation in Indonesia including a particular focus on the region West Papua between January 2012 and July 2016 in the following areas: torture and maltreatment; extra-judicial and arbitrary executions; violence against land rights activists; freedom of expression and freedom of peaceful assembly; death penalty; discrimination on the basis of religious belief and sexual orientation; truth finding and dealing with the past, the role of the military; human rights defenders; and indigenous peoples. This report will conclude with a set of recommendations.

2. The WPN is monitoring and documenting the human rights and conflict situation, the legal and institutional framework in Indonesia and supports a peaceful solution to the long lasting conflict in West Papua for more than 20 years. It operates jointly with other organizations in the International Coalition for Papua (ICP).

3. Watch Indonesia! is a Berlin based human rights NGO working since 1991 to address the human rights, democracy and environmental issues in Indonesia and East Timor. It has been actively engaged in doing lobby and advocacy work in Germany, at the EU and the UN level together with its local, national and international partners.

4. Created in 1985, the World Organisation Against Torture (OMCT) is today the main coalition of international non-governmental organizations (NGO) fighting against torture, summary executions, enforced disappearances and all other cruel, inhuman or degrading treatment. With 311 affiliated organizations in its SOS-Torture Network and many tens of thousands correspondents in every country, OMCT is the most important network of non-governmental organizations working for the protection and the promotion of human rights in the world.

read the complete submission at: http://www.watchindonesia.org/wp-content/uploads/UPR_Submission_Indonesia_2017_WI_WPN_OMCT.pdf

George Aditjondro dies at 70

George Junus Aditjondro, activist and prominent critic of the Indonesian government, passed away at the age of 70 on Saturday morning (10/12).

George's friend, senior journalist and Human Rights Watch researcher Andreas Harsono told Antara news agency that he succumbed to illness and died at a hospital in Palu, Central Sulawesi.

Andreas said the departure of George, former investigative journalist at Tempo magazine, surprised him as they were still in touch on Friday. "Yesterday, he already spoke with difficulty and asked me through his assistant to come to Palu on Dec. 19," Andreas said. "He was a diligent scholar and writer. As an activist he founded more than 20 organizations across Indonesia."

George was the author of "Membongkar Gurita Cikeas" ("Unraveling the Cikeas Octopus"), a controversial book about the involvement of former President Susilo Bambang Yudhoyono and his family in the Bank Century bailout scandal.

As a foremost critic of Suharto's New Order regime, he was forced into exile and lived in Australia from 1995 to 2002.

See also: <http://www.thejakartapost.com/news/2010/01/03/george-junus-aditjondro-watchdogs-and-octopi.html>