

Impunity

Amnesty International: 12 years on victims of Aceh conflict still waiting for truth, justice and full reparation

Amnesty International Public Statement, 15-08-2017

In commemorating the 12th anniversary of the end of the conflict in Aceh on 15 August 2017, Amnesty International reiterates its calls to the Indonesian and Acehnese authorities to fulfill their international obligations to acknowledge the truth and to ensure accountability for victims of serious human rights violations and their families. Human rights organizations and survivors of the conflict have persevered and campaigned for truth, justice and full reparation over the last decade.

On 15 August 2005, the 2005 Helsinki Peace Agreement was signed by the Indonesian government and the armed pro-independence movement, the Free Aceh Movement (Gerakan Aceh Merdeka, GAM) to end the 29 year conflict in Indonesia's most westerly province. Despite the relative stability in Aceh since then, the local and central authorities have failed to establish the truth of what happened during the years of violence which left between 10,000 and 30,000 people dead, many of them civilians. Many of those who had their lives torn apart by the conflict are also still suffering immensely.

Efforts to ensure reparation have so far have mostly involved financial compensation, and have been aimed at the Acehnese population at large instead of individual victims of human rights abuses. There has yet to be a comprehensive reparation programme that, in addition to financial compensation, includes other measures such as a formal apology and commemoration programs for victims and accountability measures to ensure justice to the victims of these crimes. Some groups, like survivors of sexual violence, have been unable to access the existing programs.

After many years of campaigning and advocacy the Aceh Provincial Parliament (DPRA) established an Aceh Truth and Reconciliation Commission (KKR Aceh) in 2013. On July 2016, the Aceh parliament appointed seven Commissioners due to operate between 2016 and 2021. The Commission is mandated to uncover the circumstances that led to abuses

in the past, including to ensure that such crimes will not be committed again and that the shared experiences are acknowledged and preserved. To date, however, the central government has not declared its support of the Commission.

Further in March 2016, the National Human Rights Commission (Komnas HAM) completed its investigations into the human rights violations by security forces in Jambo Keupok village, South Aceh that occurred 2003. The Commission found that there was sufficient evidence to conclude that crimes against humanity occurred, as defined in Law No.26/2000 on Human Rights Courts. The Commission also made similar findings in June 2016 in connection with security force violations that occurred in 1999 in Simpang KKA, Dewantara sub-district, North Aceh. To date, however, no criminal investigations or prosecutions for either case have been initiated by the Attorney General Office leaving the alleged perpetrators at large and the victims without justice.

The failure by the central government to support these efforts to address and acknowledge the truth and prosecute perpetrators highlight the lack of political will by President Joko Widodo and previous governments to address past human rights violations. Instead they have continued to bury their heads in the sand and shirk responsibility –prolonging the suffering of survivors and their families in Aceh.

Indonesia has an obligation under international law to provide justice, truth and reparation to victims and their families. Addressing these past crimes in Aceh would not only contribute to healing the open wounds of the civilian population, it would also help strengthen the rule of law in the country, and help secure the peace process in the long-term.

Amnesty International also calls on EU and ASEAN states, which monitored the peace process, to take responsibility for their failures to ensure full implementation of the peace agreement.

The Aceh conflict between the armed pro-independence movement Free Aceh Movement and the Indonesian government dated back to 1976, and peaked during military operations from 1989 until a peace deal was signed in 2005. It took a devastating toll on the population in Aceh, a region on the northern part of Indonesia's Sumatra Island. The

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2005 Helsinki Peace Agreement called for the establishment of both a Human Rights Court and a Truth and Reconciliation Commission for Aceh.

Amnesty International and other human rights groups have documented a range of crimes committed by members of the security forces and their auxiliaries against the civilian population, including unlawful killings, enforced disappearances and torture. Human rights abuses by GAM included hostage taking and the targeted killings of those suspected of ties to the government. Many of these human rights abuses constitute crimes under international law, including possible crimes against humanity and war crimes. Under international law, Indonesia has an obligation to investigate these crimes, and where sufficient evidence exists, to prosecute suspects in accordance with international fair trial standards.

Many of the violations and abuses committed by both sides in the context of the non-international armed conflict may amount to war crimes. Many of the violations directed by Indonesia's forces and their auxiliaries against civilians as part of the policy of suppressing the independence movement appear to have formed part of a widespread or systematic attack and may amount to crimes against humanity.

To announce a new publication on the 1965 tragedy:

<https://mikecoppin.wordpress.com/2017/08/06/end-of-silence-the-1965-genocide-in-indonesia/>

Police accountability

Amnesty International: At least 60 killed as police shootings of drug suspects skyrocket

Amnesty International Press Release, 16-08-2017

The number of police killings of suspected drug dealers has skyrocketed in Indonesia this year, an alarming rise which signals that authorities could be looking to emulate the murderous "war on drugs" in neighbouring Philippines, Amnesty International said today.

At least 60 suspected drug dealers have been killed by police – some of whom have been seconded to the National Narcotics Agency (BNN) - since 1 January 2017, compared to 18 in all of 2016, according to data gathered by Amnesty International.

"This shocking escalation in unlawful killings by the police sounds serious alarm bells. While Indonesian authorities have a duty to respond to increasing rates of drug use in the country, shooting people on sight is never a solution. Not only is it unlawful, it will also do nothing to address the root causes that lead to drug use in the first place," said Usman Hamid, Director of Amnesty International Indonesia.

"The authorities must remember that everyone, including people suspected of drug offences, have a right to life that must be respected at all times."

A significant number of the killings have taken place around the capital Jakarta or Sumatra, a known hub for drug trafficking.

Six people have been killed already in August 2017. In one of the most recent incidents, police shot dead a 50-year-old man after police alleged he tried to reach for a gun while being arrested in East Java on 12 August.

Police claim that all the killings have been in self-defence or because suspects tried to flee the scene. But as far as Amnesty International is aware, authorities have not conducted independent investigations into any of these incidents.

The stark rise in deaths comes in a year when several high-ranking Indonesian officials have advocated for tougher measures to address drug-related crime, including unrestrained lethal force against suspected traffickers.

In late July, President Joko "Jokowi" Widodo said during a speech in Jakarta: "Be firm, especially to foreign drug dealers who enter the country and resist arrest. Enough, just shoot them. Be merciless." Of those killed in 2017, at least eight have been foreigners, including three Chinese men.

"It is deeply worrying that foreigners appear to be targeted by the authorities. This could point to a deliberate policy by the authorities to scapegoat non-Indonesians," said Usman Hamid.

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The national police chief General Tito Karnavian has this month told police officers “not to hesitate shooting drug dealers who resist arrest”. Gen. Karnavian has also hailed the Philippines’ President Rodrigo Duterte’s “war on drugs” as an example of how to make drug dealers “go away”.

In the Philippines, thousands of people have been killed by or at the behest of the security forces in what may amount to extrajudicial executions since President Duterte announced a “war on drugs” in June 2016. Amnesty International has documented how the police force has come to resemble a criminal enterprise, killing mostly poor people suspected to be drug users or sellers, or paying others to kill them.

“President Duterte should not under any circumstances be considered a role model for Indonesia. Far from making the Philippines safer, his bloody ‘war on drugs’ has led to the deaths of thousands without any form of accountability,” said Usman Hamid.

Under both Indonesian and international law, police are only allowed to use force as a last resort, and even then can only do the bare minimum to prevent further loss of life. “These killings must be promptly investigated by independent and impartial authorities, and any police officer found to have violated human rights should be held responsible,” said Usman Hamid.

“Indonesia has a long and troubling history of failing to bring police officers to justice for abuses, which cannot be allowed to continue. Authorities must reiterate that the unlawful use of force will not be tolerated and reject any ‘shoot to kill’ policy.”

Terrorism and counter-terrorism

Indonesia Police Uncover Alleged Plot to Bomb Presidential Palace

Jakarta Globe, 15-08-2017

Indonesian police on Tuesday (15/08) arrested five suspected Islamist militants and seized chemicals near the capital, Jakarta, that they said were being used to make bombs for attacks on the presidential palace at the end of August. Two of the five, a husband and

wife, had been deported from Hong Kong for allegedly spreading radical ideology and the group had studied bomb-making techniques through a website run by an Indonesian believed to be fighting with Islamic State in Syria, police said.

Indonesia, the world's most populous Muslim-majority nation, has seen a series of small-scale attacks inspired by Islamic State, but most have been amateurishly planned and executed, using basic homemade weapons that have caused few deaths and minimal damage.

Police have been concerned about suspected militants getting more sophisticated after twin pressure cooker bombs killed three police at a Jakarta bus station in May.

"This is perhaps the first time such a method has been used in West Java, involving very dangerous chemicals," said provincial police spokesman Yusri Yunus, adding that several stores had declined to sell the chemicals to the suspects. Yusri did not elaborate on the chemicals or the plan to attack the presidential palace. West Java is just to the east of Jakarta.

Counter-terrorism police who found the chemicals in a raid on a house in Bandung, 120 km southeast of Jakarta, said they experienced a burning sensation and redness on their skin when they entered the house.

Islamist Cleric Arrested for 2016 Sarinah Attack Days Before Prison Release

Jakarta Globe, 18-08-2017

Police announced on Friday (18/08) the arrest of an influential Islamist cleric for his alleged involvement in last year's terrorist attack in Central Jakarta.

Aman Abdurrahman was arrested at Nusakambangan Prison in Cilacap district, Central Java, four days before his early release after having received a sentence remission on the occasion of the 72nd anniversary of Indonesia's independence. He already served seven years of his original nine-year prison term for his involvement in a militant training camp in the jungles of Aceh.

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Police said counterterrorism officers took Aman to the headquarters of the National Police's Mobile Brigade (Brimob) in Depok, West Java, for interrogation.

"We'll see later if he has indeed been directly involved or had provided any support," National Police spokesman Insp. Gen. Setyo Wasisto said, referring to the coordinated attacks near the Sarinah shopping mall on Jalan M. H. Thamrin in downtown Jakarta in January 2016.

Eight people, including the four perpetrators, died and 23 others were injured in the attack – the biggest in the more than 18 preceding months, which were marked by a string of mostly low-level Islamic State-inspired attacks in several parts of Indonesia.

Police have linked some of those attacks to Jemaah Ansharut Daulah, believed to be led by Aman. The organization consists of hundreds of Islamic State sympathizers across the archipelago, operating in small terrorist cells.

Security officials also allege that Aman was widely spreading the practice of takfir, or the excommunication of believers, used by Islamists to falsely accuse others of apostasy to justify violence against them.

Political developments

Indonesian President Calls to Safeguard Pluralism From Extremist Threat

Jakarta Globe, 16-08-2017

Indonesia's president said on Wednesday (16/08) that the world's most populous Muslim-majority country needed to pull together to meet the threat of extremism and safeguard a constitution that enshrines religious freedom and diversity. In an address to parliament ahead of Thursday's independence day, President Joko "Jokowi" Widodo peppered his speech with references to the need to address inequality



Indonesia president Joko "Jokowi" Widodo gestures after delivering a speech in front of parliament members ahead of Thursday's independence day in Jakarta, Indonesia, August 16, 2017. (Reuters Photo/Beawiharta)

in Southeast Asia's biggest economy and tackle the threat of radicalism. Indonesian police on Tuesday arrested five suspected Islamist militants and seized chemicals near the capital, Jakarta, that they said were being used to make bombs for attacks on the presidential palace at the end of August.

Religious tension in Indonesia has soared since late last year after Islamist-led rallies saw Jakarta's then governor, a member of a so-called double minority who is ethnic Chinese and Christian, put on trial during city elections over claims he insulted the Koran.

"We want to work together not only in creating an equitable economy, but also in ideological, political, social and cultural development," said Jokowi. "In the field of ideology, we have to strengthen our national consensus in safeguarding Pancasila, the

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1945 Constitution, the unity of the Republic of Indonesia and “Bhinneka Tunggal Ika” (unity in diversity)," he said.

Pancasila is Indonesia's state ideology, which includes belief in god, the unity of the country, social justice and democracy, and which enshrines religious diversity in an officially secular system.

But there are worries about growing intolerance undermining a tradition of moderate Islam in a country where Muslims form about 85 percent of the population, alongside substantial Buddhist, Christian, Hindu and other minorities.

In April, the then Jakarta governor Basuki "Ahok" Tjahaja Purnama, an ally of Jokowi, lost the bitterly fought city election to a Muslim rival and was later jailed for blasphemy, a sentence rights groups and international bodies condemned as unfair and politicized. "Because the challenges we face now and will face in the future are not easy. We are still confronted with poverty and injustice; we are still facing global economic uncertainty, and we are also facing movements of extremism, radicalism and terrorism," said Jokowi.

The president said the government needed to ensure that all state agencies "gain the highest trust of the people" and noted he had set up a presidential task force to oversee the teaching of the state ideology Pancasila, particularly to the young.

Read the full speech: <http://setkab.go.id/en/address-of-the-president-of-the-republic-of-indonesia-on-the-presentation-of-the-government-statement-on-the-bill-on-the-state-budget-for-the-2018-fiscal-year-and-its-financial-note-before-the-plena/>

Three former presidents join Jokowi to celebrate Independence Day

The Jakarta Post, 17-08-2017

Three former presidents on Thursday joined President Joko "Jokowi" Widodo in celebrating Indonesia's Independence Day at the State Palace.

The country's third president Baharuddin Jusuf Habibie, fifth president Megawati Soekarnoputri and her successor Susilo Bambang Yudhoyono accompanied Jokowi for the

Palace's flag-hoisting ceremony to mark the country's 72nd anniversary. The three former leaders, who wore traditional attire from across the country, also joined him for lunch.

Also present at the celebration were Vice President Jusuf Kalla, former vice president Boediono and wife of the country's fourth president, Sinta Nuriyah Abdurrahman "Gus Dur" Wahid. Gus Dur passed away in December 2009.

It was the first time Yudhoyono joined the celebration at the State Palace after leaving office in 2014. He chose to celebrate Independence Day at his home town of Pacitan, East Java, in the past two years.

Megawati, meanwhile, skipped the event during Yudhoyono's 10-year tenure and only made an appearance at the Palace after Jokowi — who is a member of the Indonesian Democratic Party of Struggle (PDI-P), of which she is chairwoman — was elected president in 2014.

Speaking after the ceremony, Yudhoyono told reporters: "I hope Indonesia will stay united and that we can develop this nation together. God willing in 2045, this country could become strong, prosperous and just."

Put on some weight, says politician to Jokowi in prayer

The Jakarta Post, 16-08-2017

An unusual remark was made about President Joko "Jokowi" Widodo during a prayer from a politician in the opposition camp: to put on weight while facing the daunting tasks of developing the country.

Tifatul Sembiring of the Islamic-based Prosperous Justice Party (PKS) made the remark while leading a prayer in front of hundreds of lawmakers, former presidents, political parties leaders and Jokowi himself, who wore traditional Bugis attire during his annual state of the nation address on Wednesday.

"Please, God, let him [Jokowi] put on weight since he is now getting skinnier while struggling to develop the nation," Tifatul said in the prayer during the event at the House of Representatives compound. Some media have reported that Jokowi weighs around 54

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to 55 kilograms. "The President seems to have a lack of time to rest. Please, God, give him health and strength," Tifatul continued.

Dressed in a red and yellow sarong from Makassar, the hometown of Vice President Jusuf Kalla, Jokowi delivered two of his three speeches in confidence.

Kalla, meanwhile, wore a black Javanese beskap, attire traditional to the region where Jokowi was born.

PKS lawmaker Nasir Djamil shared a different opinion on Jokowi's appearance. "He looks stronger in that attire," Nasir said. "I appreciate Jokowi's initiative that shows that, although we come from different backgrounds and ethnicities, we are one nation, Indonesia."

Constitutional Court must speed up judicial reviews: Setara

The Jakarta Post, 21-08-2017

The Constitutional Court (MK) needs to improve its performance in handling judicial review requests to curb potential misconduct, human rights watchdog Setara Institute has suggested. Ismail Hasani, the watchdog's research director, said the longer it takes for the court to process a request, the greater the opportunity for collusion between plaintiffs and justices. He cited the bribery case of former justice Patrialis Akbar as an example.

"The attempt to influence MK's ruling [through bribery] in Patrialis's case could happen again because the proceeding [to reach the verdict] was too long," Ismail said on Sunday as quoted by kompas.com.

Patrialis was accused of accepting US\$70,000 in bribes from businessman Basuki Hariman and his secretary Ng Fenny in connection with a judicial review request of the 2014 Farming and Animal Husbandry Law.

Setara recorded 38 requests that took more than a year to resolve in the August 2016-2017 period, while 18 requests took around nine to 12 months. Ismail pointed out that in some cases, Constitutional Court justices read out the ruling months after they had actually reached a conclusion in an internal meeting.

The watchdog recommended for the Constitutional Court, along with the House of Representatives and government, to set up a hearing on managing case schedules, which would also help provide legal certainty for plaintiffs.

Papua

Protest in Support of Papuan Independence Ends in Clashes, Arrests

Jakarta Globe, 16-08-2017

A march in support of Papuan independence in Central Jakarta on Tuesday afternoon (15/08) ended with the arrest of several protesters and allegations of police brutality.

"This protest is simultaneously taking place in 11 cities across Indonesia," Papuan Student Alliance (AMP) activist Frans Nawipa told the Jakarta Globe during the event. He alleged that protesters at similar actions in other cities were assaulted by police.



A march in support of Papuan independence in Central Jakarta on Tuesday afternoon (15/08) ended with the arrest of several protesters and allegations of police brutality. (JG Photo/Dames Alexander Sinaga)

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Frans said the 1969 Act of Free Choice (Pepera) was invalid and urged the government to hold a new independence referendum for all Papuans. Pepera refers to a series of eight regional assemblies from July to August 1969, on which the government bases its assertion that the people of Papua decided to relinquish their sovereignty in favor of Indonesian citizenship.

Protesters were planning to march from the busy Hotel Indonesia traffic circle to the State Palace, but police prevented them from doing so.

"We are conducting peaceful resistance; we don't want any violence. We have a permit to hold the protest, why wouldn't you let us through?" one of the protesters told police.

A senior police officer tried to negotiate with the protesters to remain at the starting point, but they refused to comply, resulting in clashes and subsequent arrests.

One protester said police refused to allow them to march to the State Palace because of the preparations currently underway for Independence Day.

The protestors also expressed their dissatisfaction with the Indonesian government over high levels of poverty among the people of Papua, despite the region's abundant natural resources.

Contract to be extended to 2041 as Freeport agrees to divest 51% shares

The Jakarta Post, 16-08-2017

Coordinating Maritime Affairs Minister Luhut Binsar Pandjaitan has said that the contract of gold and copper miner PT Freeport Indonesia will be extended to 2041 as the company agreed to divest 51 percent of its shares to Indonesia's entities.

"Our law says the contract can be extended by 10 years, but because the company has agreed to divest 51 percent of its shares and to construct smelters, a 20-year contract extension is no problem," Luhut said as reported by kontan.co.id on Tuesday.

Representatives of PT Freeport Indonesia, a subsidiary of United States-based mining giant Freeport-McMoRan, have been negotiating with government officials about the conversion of its Contract of Work (CoW), signed in 1991, into a Special Mining License (IUPK).

Without a contract extension, Freeport's contract is set to expire in 2021.

Luhut said the share value of the company would be calculated based on market prices, without taking into consideration the gold and copper reserves in the Papua mining site. "We know how to calculate the value of shares, which is in accordance with the universal standard. We cannot calculate the amounts of reserves, which are still inside the earth," said the minister.