

Impunity

Omah Munir's human rights module for schools

The Jakarta Post, 21-02-2016

Munir Said Thalib's struggle to uncover rights violation cases, from the murder of labor activist Marsinah in 1994 to the disappearance of 24 students in Jakarta in the early reform period, is perpetuated at the Omah Munir museum in Batu, his hometown.

The museum, established on Dec. 8, 2013, aims to provide audiovisual information about the late Munir, a distinguished rights activist, and his battle to uphold human rights in Indonesia. Omah Munir recently developed a new learning module to educate the younger generation on rights.

Bearing a picture of Munir on the cover, the module has been designed to further enrich the subject of Pancasila State Ideology and Civics Education (PPKn) for junior high school students. This module went through a trial in August 2015 at four schools: East Java's State Junior High School (SMPN) 1 in Batu, Madrasah Tsanawiyah (Islamic junior high school) Surya Buana in Malang as well as SMPN 2 and 3 in Bogor, West Java.

"It's both absorbing and interesting," said Kautsar L. Ramadan, 13, a student at Surya Buana, at the end of January. His schoolmate Yusuf Alimada, 14, said that had began to better understand human rights. "I was once a bullying victim and a harasser myself," he admitted.

Azfar Arfakh, who also discovered the module through Surya Buana, described the module learning method, combining each subject with an art, such as drama, as both fun and suitable. This format made it easier for Azfar to have discussions

with his peers and teachers. "I became aware of human rights as related to the status of citizens," he said.

See more at: <http://www.thejakartapost.com/news/2016/02/21/omah-munir-s-human-rights-module-schools.html#sthash.pHkq85NB.dpuf>

LGBT Rights

Indonesian clerics declare LGBT groups haram

The Jakarta Post, 17-02-2016

The Indonesian Ulema Council (MUI) announced on Wednesday that it considered individuals identifying as lesbian, gay, bisexual and transgender (LGBT) to be haram, in the wake of recent controversy surrounding LGBT communities across the country. The MUI, along with several other Islamic organizations, declared that the existence of LGBT communities was against the Constitution and against religious norms. "The opinion is based on LGBT activities prohibited by Islam," MUI chairman Ma'ruf Amin said at a press conference at the MUI office in Jakarta on Wednesday, as quoted by kompas.com. LGBT activities were against the national ideology of Pancasila, the Constitution and the 1974 Marriage Law, he said.

Furthermore, the MUI issued a fatwa in 2014 stating that homosexuality, sodomy and sexual assault were haram. "LGBT activities could also cause dangerous and infectious diseases like HIV/AIDS," he said.

LGBT issues came into the spotlight after Research and Technology and Higher Education Minister Muhammad Nasir made a controversial statement banning LGBT groups from university campuses. His statement was made in response to a student organization at the University of Indonesia named the Support Group

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and Resource Center on Sexuality Studies (SGRC) that offered counselling for LGBT students.

Hard-liners visit Yogyakarta transgender Islamic school

The Jakarta Post, 20-02-2016

Dozens of Islamic Jihad Front (FJI) members visited on Friday the Al Fatah Islamic boarding school for transgender students in Sayangan hamlet, Kotagede district, Yogyakarta, with the school pledging not to bow to acts of intimidation. “We just wanted to check whether they were conducting deviant acts. We wanted to straighten it out,” FJI commander Abu Hamdan told journalists upon finding the school empty after the students were evacuated by police for security reasons.

Hamdan and his fellow group members left the compound, which was guarded by scores of police officers, after handing over a letter to the hamlet chief Gatot Indriyanto, calling on the transgender students to return to “the right way”.

At the same time, school chairperson Shinta Ratri reported the group to the police for intimidation. “We have also secured protection from the police,” she added. Ratri said she and other transgender people would not abandon the school, saying it was her home.

Banguntapan Police chief Comr. Suharno said the police would provide protection. “It’s my area; I will give a security guarantee,” Suharno said.

The school is based in a traditional Javanese style joglo house, which was built in the 1800s and belonged to Ratri’s grandmother before being passed down to her mother. The school, which was founded by the late Maryani in 2008, was previously located in Notoyudan. Maryani previously made headlines for her failed attempt to reach Mecca, Saudi Arabia, in 2012 because of documentation problems. However, Maryani’s dream of pilgrimage to the holy land eventually came true in 2013. She flew to Mecca on April 26 and returned on May 5 after

performing all the pillars of umrah (minor haj).The school, which is supported by Nahdlatul Ulama University in Jepara, Central Java, offers various subjects, such as transgenderism and Islam, Koran reading and shalat (prayer) lessons.

The school moved to Ratri’s house after Maryani passed away in March 2014.The school’s supervisory board member Abdul Muhaimin deplored the FJI’s actions, calling on the group to respect the religious rights of transgender people. “I’m very angry at the FJI. They don’t care about transgender people; they even destroy them,” said Muhaimin, who is also the leader of Nurul Umahat Pesantren in Kotagede. He said the country’s only Islamic boarding school for transgender students was well supported by Nahdlatul Ulama University and had been visited by many domestic and overseas researchers. Budi Wahyuni of the National Commission on Violence Against Women called on the government to protect transgender people, saying they had equal rights as citizens and should not be subjected to violence from other parties. “I hope police protect the school and do not ask the transgender students to leave the area,” Budi said.

Women’s rights

Indonesian Youths Want to Be Heard on Family Planning

The Jakarta Globe, 22-02-2016

Indonesia’s successful family planning program, which lowered the country’s total fertility rate from 5.6 in 1967 to 2.6 in recent years, has cleared the way for a much-anticipated demographic dividend. There are over 65 million people in Indonesia today aged between 10 and 24: almost 30 percent of the population. But even as this may be good news in terms of economic growth potential, illegal abortions abound and HIV transmission rates are on the rise, while the government is not legally allowed to provide any means of contraception to

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people who are not married. Regular health clinics tell youngsters that abstinence until marriage is the only way to stay out of trouble. According to data from the United Nations Population Fund (UNFPA), people between the ages of 20 and 29 account for almost 40 percent of newly confirmed cases of AIDS in Indonesia. These numbers suggest that many get infected with HIV between the ages of 15 and 24.

UNFPA also notes that more than half of reported HIV cases in the country are due to unprotected sexual intercourse, with intravenous drug abuse being another major cause.

Reliable numbers are hard to come by, but experts estimate there are at least two million abortions per year in Indonesia. The fact that these abortions mostly involve married women in Indonesia indicates that access to contraception is hardly something that only affects adolescent girls.

As abortion is illegal in Indonesia except in cases of rape, foetal abnormality or when the pregnancy threatens the mother's life, most of these procedures are carried out unsafely. Indonesian girls and women with an unwanted pregnancy ingest menstruation-inducing herbs, are given a uterine massage or even have foreign objects inserted into their uterus.

Indonesia's maternal mortality ratio (MMR), or the number of maternal deaths per 100,000 live births, remains high, at an estimated 126, and unsafe abortions cause an estimated 16 percent of these deaths. In other words: some 6,400 women died from pregnancy-related causes throughout the archipelago last year, and over 1,000 of these women died because of an unsafe abortion.

Even though Southeast Asia's largest economy is performing better than countries like Laos (197) and Cambodia (161) in terms of MMR, it still lags far behind neighbors such as Vietnam (54), Malaysia (40), Thailand (20) and Singapore (10).

One of the ways Indonesian authorities are trying to prevent unwanted pregnancies and stem the rise of sexually transmitted infections such as HIV/AIDS, is by promoting abstinence until marriage, for instance by limiting the availability of contraceptives for unmarried people.

However, one of the consequences of this policy – which is generally accepted by people across the country because it is considered to be in line with religious teachings and tradition – is that many people marry young.

In many parts of Indonesia, unmarried girls are being labeled perawan tua, or “old virgin,” as early as in their late teens and child marriage remains very common, despite the many dangers associated with the practice. Humairah Samad, a senior high school student from Makassar, in South Sulawesi, confirmed that where she lives, too, many tie the knot at a young age. “Our culture has been like that for generations,” she told the Jakarta Globe at the family planning conference in Bali, citing the need for better education on issues of sexual and reproductive health to break that tradition.

Another Indonesian youth activist, Nanda Fitri Wardani, a young MD from Lampung who studied at Bandung's Padjadjaran University, says many girls in Indonesia have plenty of dreams but are often not empowered by their parents and sometimes end up getting married as early as age 13. Such a young marriage usually means the end of school and any prospect of a career beyond motherhood.

Nanda says she believes the Indonesian government should be supported in its decision to not provide contraceptives to unmarried people, citing the state ideology of Pancasila and its first principle: belief in God. “Having sexual intercourse before marriage is forbidden based on the religions that we follow here,” Nanda said in Bali, stressing that abstinence remains the best way to stop the spread of HIV/AIDS among young people.

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Siswanto Agus Wilopo, a professor of reproductive health at Gadjah Mada University (UGM)'s faculty of medicine, however, says the government needs to approach the issue differently. Siswanto told the Globe he was quite confident that the legal situation would not change anytime soon, as a majority of legislators in the House of Representatives believes that the law can prevent unmarried people from engaging in sexual intercourse. Faced with such unfavorable odds, the professor says the country needs a harm reduction policy, because the numbers suggest there clearly is a problem, regardless of what politicians say. A start would be the provision of contraceptives to unmarried couples, as part of an emergency regulation, he said. "You have to go step by step," said Siswanto. "One kind of harm reduction policy is the availability of ECP [emergency contraception pills] which will prevent unprotected sex ending in abortion. It is better to use a pill compared to having an abortion, isn't it?"

"We start with that, campaign about it. If you present the facts, if you present the data – people in Indonesia are smart ... I believe that at least harm reduction can be promoted."

For now, however, the Indonesian government is adopting a hands-off approach. Although some believe the sale of such prophylactics needs to be limited to prevent people from engaging in premarital sex, condoms are still available in supermarkets and convenience stores in major urban areas.

UNFPA in 2014 launched an initiative in cooperation with the private sector that is aimed specifically at helping adolescents. As part of the Unala program, which is being piloted in Yogyakarta, affiliated clinics specialize in providing youth-friendly physical and mental health services.

At the Unala clinics, selected GPs offer health services for youngsters who might be afraid of the social stigma attached to extramarital sexual activity, real or perceived. One way of doing this, for instance, is by using an appointment-only

system – which is very unusual in the Indonesian health sector – to avoid prying eyes in the waiting room.

Besides Unala, there are other initiatives to help people in need, such as a hotline run by Yogyakarta-based activists that allows girls and women with an unwanted pregnancy to discuss – free of charge and judgment – what options are available. Such sessions are aimed at preventing tragic but all-too-common situations where girls or women end up having unsafe abortions at one of the many illegal clinics in Jakarta or at the hands of a local midwife.

Babatunde Osotimehin, the executive director of UNFPA, says youngsters all over the world should be given the space to express themselves, so that governments and NGOs understand what they want, and what they need. And one of the most important things that young people need, is comprehensive sexuality education (CSE), he says, stressing that this in fact is the right of every young person. In Indonesia, only few schools offer such programs, however. Some others do teach children about sexuality, but take a fear-based approach instead of one that stresses a young person's rights.

Apart from CSE, another important step is greater involvement of men, the UN under-secretary-general said, speaking at the family planning conference in Bali. "There is no man in this world who would like to see his daughter die," said Babatunde, "or see his wife die."

Angraini, the Indonesian youth activist, told the Globe that for family planning and sexual and reproductive health programs to work, meaningful participation of young people at all levels of the policy-making process is essential. "Listen to the young people themselves," she said. "Don't just ask them to attend a seminar when everything is already settled." Apart from empowerment, there is a clear need for adequate, youth-friendly health services across the country, she said, to clear all hurdles for young people "concerned about confidentiality and judgmental opinions from others."

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“Involving young people, both married and unmarried, in family planning education, and raising their awareness on this issue, will have a positive impact in lowering maternal and child mortality and morbidity,” Angraini said, “as well as equip young people with the information they need to make their own decisions.” But she stressed that young Indonesians should not just remain passive while waiting for change to happen.

“Let us ... work together with parents, families, government health personnel, teachers [and] educational institutions ... [so that they all] fully recognize young people's need for non-judgmental understanding, the right information, adequate health services and comprehensive sexuality education,” Angraini said. “We are the future of family planning.”

Political developments

North Sumatra graft cases

The Jakarta Globe, 18-02-2016

Lawyer Yagari Bhastara Guntur, better known as Garry, who had worked for high-profile lawyer Otto Cornelis Kaligis, was sentenced to two years in jail on Wednesday (18/02) for bribing a North Sumatra judge in exchange for a favorable rule.

The Jakarta Anti Corruption Court ordered Garry to pay Rp 150 million (\$11,000) in fines or serve an additional six months imprisonment. However, the verdict was lighter than the prosecution demand of three years jail.

Presiding Judge Sumpeno said Garry, acting on behalf of Kaligis, was guilty of bribing the Medan State Administrative Court and clerks with \$27,000 and

Singapore-denominated \$5,000 (\$3,500) to rule in favor of his client Ahmad Fuad Lubis, the treasurer of the North Sumatra provincial administration.

Garry became a justice collaborator in the case which led to the light sentence, Sumpeno said.

By law, the status of justice collaborator can only be obtained by suspects who are not the main perpetrators in a criminal case. Justice collaborator status is part of a so-called whistle blowing system intended to reveal the role of all perpetrators in a conspiracy to commit crimes. Both Garry and prosecutors have said they will consider appealing the verdict.

Garry is the seventh defendant to be jailed in the case after prominent lawyer Kaligis was handed a 5-and-a-half year sentence, court bailiff Syamsir Yusfan was jailed for three years and former National Democratic Party (NasDem) politician Patrice Rio Capella were sentenced for 1-and-a-half years to prison.

Court judges Tripeni Irianto Putro, Dermawan Ginting and Amir Fauzi were all jailed for two years.

The Corruption Eradication Commission (KPK) alleges the bribery was masterminded by the province's then governor Gatot Pujio Nugroho to cover up the alleged embezzlement of social aid funds from the provincial budget.

Gatot, who was suspended in August last year, alongside his wife Evy Susanti are also in KPK custody and face charges of conspiring to bribe Capella to convince the Attorney General, also a NasDem member, to quash an investigation into the embezzlement allegations. The two also face charges of bribing the judges, while Gatot is under an additional investigation by the Attorney General's Office over the embezzlement. Gatot and Evy are awaiting verdicts from the Court.

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Golkar and money politics

The Jakarta Globe, 22-02-2016

Several Golkar politicians have spoken out against possible internal money politics ahead of April's joint extraordinary congress which is hoped to end the long running leadership pursuit and elect a party chairman.

Golkar politician Ahmad Doli Kurnia said some party members have received reports of Golkar chairman candidates participating in money politics during a trip across the country to visit the party's city and district leadership boards (DPP). He pointed to instances in Central Java and North Sulawesi over the weekend.

"There were certain parties who handed out S\$10,000 [\$7,100], S\$ 1,000 and Rp 100 million [\$7,400] to each city and district leadership boards – it shows that political mental of our cadres is currently at the breaking point," Doli said on Monday (22/02).

Money politics has the potential to ruin the fair competition of chairmanship races, he said, adding that the ideas, concepts and visions of candidates should be what they are judged on.

Doli, the founder of Golkar's Youth Generation organization, noted that candidates could not afford the expensive costs of money politics without carrying certain interests of the party.

Doli suggested those participating in money politics could be in the pockets of cukong (mafia bosses), or the money could be illegally disbursed from budgets.

"If this happens [at the next congress] people deserve to get angry," he said.

Previously, Golkar member and former corruption convict Nurdin Halid said a candidate had handed out more than Rp 25 million to each regional leadership board head in order to secure endorsements in the race.

"Golkar will be damaged. If the KPK [Corruption Eradication Commission] entered the case, they will arrest these people for graft," Nurdin said on Friday.

Several names are reportedly set to enter the Golkar chairman race, including House of Representatives speaker Ade Komarudin, party faction head Setya Novanto, Mahyudin, Idrus Marham and Airlangga Sucipto.

On Jan. 27, Justice Minister Yasona Laoly issued a temporary recognition of the 2009 to 2014 Golkar Party structure — which elected Aburizal Bakrie as chairman — which provided the legal support to stage an extraordinary congress to decide the next chairman.

The congress is aimed at ending a long standoff between leadership candidates Agung Laksono and Aburizal, which started in 2014.

Papua

National scene: Luhut tells ULMWP to leave the country

The Jakarta Post, 20-02-2016

Coordinating Political, Legal and Security Affairs Minister Luhut Pandjaitan has told the United Liberation Movement for West Papua (ULMWP), which campaigns for Papuan independence, to leave the country, as it could pose a threat to the country's territorial integrity. "They'd be better to join the MSG. Don't stay in Indonesia anymore," Luhut said, referring to the Melanesian Spearhead Group, a sub-regional grouping in the Pacific, comprising Papua New Guinea, the Solomon Islands, Vanuatu, Fiji and New Caledonia.

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The ULMWP was formed last year when Vanuatu hosted a unification summit for West Papuan representative groups. Representing the various Papuan resistance groups, the ULMWP officially applied for full membership of the MSG in February 2015. Many have speculated that the Indonesian government is trying to undermine the influence of the MSG on the Papua issue by applying to become the group's newest member.

Foreign Ministry officials have made a round of diplomatic trips in the region in recent months as MSG member governments have struggled to balance their growing ties with Jakarta while providing support to regional grassroots movements dedicated to securing rights for the indigenous people of West Papua, where a separatist conflict has been simmering for decades.