

# Weekly Update Human Rights in Indonesia – 23-01-2017

## Freedom of Religion

### **Mass Organizations in Bali Say No to FPI**

The Jakarta Globe, 22-01-2017

A number mass organizations in Bali gathered for the "Diversity of Republic of Indonesia" rally at the Niti Praja Lumintang square in Denpasar, Bali, on Sunday morning (22/01) to demand the disbandment of hardline Muslim group Islamic Defenders Front, or FPI.

Amron, the coordinator of the Bali Ansor Youth Movement — one of Indonesia's biggest Islamic organization Nahdlatul Ulama's youth groups — said the rally was held to promote harmony and tolerance between followers of different religious in Bali, known as the Island of the Gods.

The rally also called for the disbandment of the FPI, which Amron said had spread fake news about illegal raids allegedly conducted by Bali's traditional civic guard, known locally as pecalang.

FPI spokesman Munarman had claimed last year that pecalang had been used in Bali to attack the homes of Muslims and prevent them from conducting Friday prayers.

Amron denied Munarman's accusation and said that on the contrary pecalang are always on hand to help out Muslims and Christians celebrate Idul Fitri and Christmas.

"We strongly reject FPI's baseless accusations. Please, don't use religion to divide our people. Let's unite for a peaceful Indonesia," another rally coordinator Komang Mertayasa said, as reported by state news agency Antara. Komang said FPI is a serious threat to the country's spirit of unity in diversity, or Bhinneka Tunggal Ika.

The Bali Police's cybercrime unit is currently handling a defamation charge filed by several mass organizations in Bali. Munarman's questioning is set to be completed by Jan. 25. FPI has failed to gain a stronghold in Bali in over a decade, with residents in the Hindu-majority island often complaining about their disruptive activities.

## Freedom of Expression

### **By Demanding That Police Chiefs Be Sacked, FPI Commits a Form of Terror: Setara Institute**

The Jakarta Globe, 18-01-2017

A pro-democracy and rights group has lashed out at Muslim hardliners who demand the dismissal of the police chiefs of West Java, Jakarta and West Kalimantan, calling it a "supreme manifestation of intolerance" that can undermine law enforcement.

Last week, members of the Islamic Defenders Front (FPI) clashed with the Indonesian Grassroots Movement (GMBI) at the Bandung Police headquarters in West Java, where the FPI's leader, Rizieq Shihab, was interrogated for allegedly insulting the official state ideology.



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FPI members rally outside the National Police headquarters in Jakarta on Monday (16/01) to demand the dismissal of West Java Police chief Insp. Gen. Anton Charliyan, Jakarta Police chief Insp. Gen. M. Iriawan and West Kalimantan Police chief Brig. Gen. Musyafak. (Antara Photo/Reno Esnir)

This prompted FPI members to rally outside the National Police headquarters in Jakarta on Monday (16/01) and demand the dismissal of West Java Police chief Insp. Gen. Anton Charliyan, who heads the GMBI's advisory board. They also called on the National Police to sack Jakarta Police chief Insp. Gen. M. Iriawan and West Kalimantan Police chief Brig. Gen. Musyafak.

Setara Institute, a Jakarta-based nongovernmental organization that conducts research and advocacy on democracy, human rights and political freedom, perceives the rallies as irrelevant, disproportionate and undermining the rule of law.

"The supremacy of law must not bow to mass pressure and intolerance, which now come to dominate public space," Setara Institute chairman Hendaradi said in a statement.

"To demonstrate and express dissatisfaction is a constitutional right, but by setting ultimatums and making threats while demanding the police chiefs to be sacked, FPI is committing a form of terror," he added.

On Friday, GMBI secretariat in Bogor, West Java, was attacked by FPI sympathizers in an alleged retaliation after the clash in Bandung. Police have already arrested 12 persons and named them suspects in the attack.

Meanwhile, FPI leader Rizieq Shihab is facing a string of police reports, ranging from blasphemy and hate speech to defamation. Several West Java organizations reported him for mocking Sundanese culture by making a pun on "sampurasun," the Sundanese word for "hello," and "campur racun" ("mixed with poison").

He was recently reported to the Jakarta Police for a speech that went viral on social media, in which he allegedly said the new rupiah banknotes featured the hammer-and-sickle symbol that resembles the logo of the long-disbanded and prohibited Indonesian Communist Party (PKI).

Several watchdog organizations and experts have called on the National Police to fast-track the investigations against him.

### **FPI Blocks Jakarta's Sudirman Street to Protest Against Rizieq's Questioning**

The Jakarta Globe, 23-01-2017

Hundreds of members of the Islamic Defenders Front, or FPI, marched on Central Jakarta's Jalan Jenderal Sudirman to protest against the questioning of their leader, Rizieq Shihab, by the Jakarta Police on Monday morning (23/01).

The protesters marched from Al Azhar Mosque on Jalan Sisimangaraja in South Jakarta to the Jakarta Police headquarters on Jalan Jenderal Sudirman at 9 a.m.

The traffic from Semanggi Interchange heading to the Pemuda Membangun monument in Senayan area was partly diverted during the protest. The connecting roads from SCBD to Jalan Jenderal Sudirman were closed.

Rizieq was scheduled to attend the questioning at 10 a.m., as a witness in an investigation regarding his claim that newly released Indonesian banknotes feature the hammer-and-sickle symbol that resembles the logo of the long-disbanded and prohibited Indonesian Communist Party (PKI).

"We want to examine him with regard to his speech that appeared on YouTube, to see what his intent was," Jakarta Police spokesman Sr. Comr. Raden Prabowo Argo Yuwono said.

He added that police investigators have already questioned several witnesses in the case, including representatives of the central bank and information and technology experts.

### **Social and Economic Rights**

#### **In the name of food security**

By Emirza Adi Syailendra, Inside Indonesia, 09-01-2017

'Achieving food security is a matter of survival', says the Babinsa while sipping his black Acehese coffee, 'and we are really focused on achieving it.' 'We' in this case refers to the

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Indonesian armed forces (Tentara Nasional Indonesia, or TNI). The Babinsa (Bintara Pembina Desa) are non-commissioned officers with a supervisory role in their villages and as part of Indonesia's effort to increase local food production this Babinsa is in charge of delivering seeds from Lhokseumawe to the people in his village in North Aceh. 'Without TNI supervision, the delivery process is prone to corruption', he says.

Sitting in a small coffee shop in Gampong Geudumbak, he continues: 'I help them at all stages, from identifying land to cultivation to harvesting. Under my supervision, within just a year, my village has already opened 150 hectares of soybean and corn fields.' Asked why the TNI, and not civilians, needs to supervise these activities, the Babinsa's attitude is revealing. 'You know', he says, 'Acehnese are lazy. They would rather hangout in a coffee shop every morning than work in the fields. So forcing them to work in the field is for their own good. The TNI is like a parent, and we need to educate our kids [the people].'

Sentiments like these are reminiscent of the authoritarian New Order period (1966–1998) when the Indonesian military, through its infamous dwifungsi (dual function) doctrine, was deeply involved in President Suharto's development agenda. The Babinsa's words indicate that this kind of paternalistic attitude never really disappeared. And so it should not come as a surprise that Indonesian soldiers today are once again assisting civilian agencies in implementing national development policies. Based on a number of memoranda of understanding between the government and the military, soldiers are not only helping the police in counterterrorism operations but also securing airports, educating inmates and, in one of the most advanced programs to date, performing key tasks in the government's efforts to achieve self-sufficiency in food production.

Read the whole article: <http://www.insideindonesia.org/in-the-name-of-food-security>

### The right to clean water

By R.A. Koesoemo Roekmi, Inside Indonesia, 16 January 2017

In December 2015, 28 Bogor Agricultural University (IPB) students contracted hepatitis A. The Ministry of Health investigation found that 'gallon water' from the university canteens and student housing supplies was contaminated with hepatitis A. To make matters worse, diarrhoea-inducing E. coli bacteria was also present.

Gallons, the 19-litre bottled water containers sold across Indonesia, are supposed to be filtered and contaminant-free. So, how did these containers become so seriously contaminated? And what did the government do about it?

In 2000, the United Nations member countries committed to combating significant issues in sustainable development in the form of eight Millennium Development Goals (MDGs). These goals addressed major issues including poverty and hunger, education, gender equality, child mortality and maternal health, and infectious diseases. In the context of sustainable development, access to clean water is considered a basic human right. Consequently, the seventh MDG was to 'ensure environmental sustainability' by cutting the proportion of people without access to safe drinking water and basic sanitation in half.

Indonesia had hoped to meet the target by increasing coverage of improved water, accessible through several means, including pipe water connection but excluding gallons. The target date for meeting all MDGs was September 2015, but not all targets were met. In 2016 world leaders launched a new agenda based on a list of 17 Sustainable Development Goals (SDGs) to be achieved by 2030. But in going forward, we need to understand whether the 2015 reports of target achievement truly mean that significant changes were made.

Read the whole article: [http://www.insideindonesia.org/safe-water-at-a-premium?utm\\_source=All+Subscribers&utm\\_campaign=2dc41f33ea-EMAIL\\_CAMPAIGN\\_2017\\_01\\_18&utm\\_medium=email&utm\\_term=0\\_32cd77f926-2dc41f33ea-295518369](http://www.insideindonesia.org/safe-water-at-a-premium?utm_source=All+Subscribers&utm_campaign=2dc41f33ea-EMAIL_CAMPAIGN_2017_01_18&utm_medium=email&utm_term=0_32cd77f926-2dc41f33ea-295518369)

### Death penalty

#### Open letter on "anniversary" of executions

Amnesty International, 20-01-2017

On the occasion of the second anniversary of the resumption of executions under President Joko Widodo, eight organizations have written to the Indonesian authorities to bring to their attention ongoing concerns on the use of the death penalty in Indonesia. The organizations renew their calls on the country's highest authorities to immediately

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establish a review of all death sentences with a view to commutation, and to establish a moratorium on the implementation of the death penalty, as essential first steps towards its abolition.

Dear Chief of the Presidential Staff Office

On the occasion of the second anniversary of the resumption of executions under President Joko Widodo, I am writing on behalf of the undersigned organizations to bring to your attention our ongoing concerns on the use of the death penalty in Indonesia. We renew our calls on the country's highest authorities to immediately establish a review of all death sentences with a view to commutation, and to establish a moratorium on the implementation of the death penalty, as essential first steps towards its abolition.

The first executions since Joko Widodo became President were carried out on 18 January 2015, when six prisoners were shot by firing squads. Since then, 12 more have been executed, including most recently on 29 July 2016. All the executed prisoners, who included three Indonesians and 15 foreign nationals, had been convicted of drug-related offences.

The authorities had selected for execution on 29 July a further ten people, but at the last minute granted them a stay of execution to allow for their cases to be reviewed to ensure that there is "no judicial and non-judicial error", in the words of Attorney General M. Prasetyo later on the same day. While the stay of execution was a welcome development, our organizations remain deeply concerned that human rights violations have tainted the cases of several of the 18 prisoners executed in the past two years; that the stay of execution granted to the ten prisoners in July was only a temporary measure; and that the review of the cases does not appear to be mandated to an independent or impartial body, nor will it apply to all existing death sentences which have been imposed.

Read the whole document:

<https://www.amnesty.org/en/documents/act50/5507/2017/en/>

## Sexual Violence

### **Serious Action Needed After Gang Rape, Murder of 4-Year-Old Girl in W. Papua**

The Jakarta Globe, 19-01-2017, by Jack Britton<sup>1</sup>

The alleged gang rape and murder of a 4-year-old girl in Sorong, West Papua, on Jan. 12 has shocked and angered Indonesian society and sparked serious concerns over the rise of sexual violence in the country.

While the nature of the crime and the age of the victim make this case especially shocking, it has unfortunately become part of an alarming pattern of sexual violence in Indonesia. The case highlights endemic gender-based violence against women, not only in Papua, but also nationwide.

The National Commission on Violence Against Women (Komnas Perempuan) has praised efforts by the police, who have moved swiftly to detain the alleged perpetrators. Three men with ages ranging from 19 to 20, are currently held by the Sorong Police. The suspects were neighbors of the victim, whom they allegedly kidnapped while her parents were not at home. They allegedly committed the rape and murder while being intoxicated before throwing the victim's body into a muddy swamp, where residents later discovered it during a search.

Despite the gruesome incident having occurred at the far end of the archipelago, some aspects of the case are starkly reminiscent of the gang rape and murder of a 14-year-old school girl, identified by the initials Y.Y., by 14 youths in Bengkulu in April last year. Both cases involved the gang rape and murder of girls by multiple offenders and in both cases, alcohol featured prominently. In the aftermath of the Bengkulu case, President Joko "Jokowi" Widodo issued a statement saying that sexual violence against children is an extraordinary crime and that extraordinary efforts are required to prevent it.

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<sup>1</sup> Jack Britton is a volunteer at Komnas Perempuan in Jakarta. The views expressed in this article are those of the author and do not necessarily reflect the official position of Komnas Perempuan. Reproduction is authorized, provided the source is acknowledged.

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In response, the government submitted a regulation in lieu of law that would amend the Child Protection Law, which the House of Representatives passed in May 2016. The new law details harsher punishments for perpetrators of sexual abuse of children and it includes chemical castration of offenders and even the imposition of the death penalty in such cases. One of the perpetrators involved in the rape and murder of Y.Y. has been sentenced to death so far.

Speaking at a press conference, the Sorong Police chief said the three suspects in the West Papua case will be charged under the revised Child Protection Law and thus castration and the death penalty are possible sentencing options.

Aside from introducing harsher penalties for offenders, the government has not yet been seen to take the extraordinary measures mentioned by the president to prevent child sex crimes. It is unlikely that those allegedly involved in the West Papua case were aware that castration or the death penalty were possible punishments for their crimes, but even if they knew, it obviously would not have prevented them from committing such heinous acts.

Komnas Perempuan explained that the rise in the number of child sex cases, despite harsher punishments, demonstrates that the eradication of such crimes is not possible with a purely law-based approach. It requires a comprehensive range of preventative measures that includes involvement by politicians, civil society, religious organizations and community figures.

The increase in the number of documented gang rape cases in Indonesia points to a disturbing new pattern of sexual violence that needs to be combated with systematic interventions, focusing on education and prevention. The continuing rise of sexual violence against children highlights serious failures and shortcomings in the protection of one of society's most vulnerable groups.

Castration and the death penalty and are knee-jerk responses to ingrained social problems that, aside from being inhumane and in contravention of human rights principles, are costly forms of punishment that have not proven to be effective in reducing such crimes. The punishments do nothing to address the root causes of sexual violence and are not valid substitutes for preventative measures.

Komnas Perempuan, along with the Service Provider Forum, drafted the elimination of sexual violence bill, which was included in the Houses' 2016 national legislation program. However, there was no deliberation on the bill and it has subsequently been included in the 2017 national legislation program, awaiting discussion and approval by the national legislature.

The bill not only expands the number of types of sexual violence covered by the law, but also focuses heavily on prevention. It does this by outlining provisions for introducing gender-sensitive training in law enforcement institutions and focusing on the rehabilitation of offenders, where possible.

A major feature of the bill is the introduction of a curriculum on school levels that will focus on countering gender-based violence and promoting reproductive health. Emphasis is placed on involving religious figures and organizations in active discussions and efforts to prevent sexual violence. The bill also emphasizes the provision of rehabilitation and reparations for victims of sexual violence and their families. The House needs to pass this bill speedily, as it is an important step in combating the scourge of sexual violence in Indonesia.

### Political developments

#### **Agus Yudhoyono's deputy Sylviana's Questioning Will Not Disrupt Her Campaign: Team**

The Jakarta Globe, 19-01-2017

The police's first summons to Jakarta deputy gubernatorial candidate Sylviana Murni as a witness in a graft investigation over the construction of a mosque in Central Jakarta, will not disrupt the election campaign, her team's official says.

Sylviana, the running mate of Jakarta gubernatorial candidate Agus Harimurti Yudhoyono, was the mayor of Central Jakarta when construction of the Al Fauz Mosque began in the second half of 2010. "The [campaign] agenda will not change," deputy chairman of Agus-Sylviana campaign team Abdul Aziz said on Thursday (19/01).

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The National Police Criminal Investigation Unit (Bareskrim) summoned Sylviana to attend a questioning on Friday. The Al Fauz Mosque was officiated by Fauzi Bowo, in his capacity as Jakarta governor, on Jan. 30, 2011.

The two-story mosque was built with funds from the 2010 regional budget and it was expected to cost Rp 27 billion (\$2 million). Funding for construction fell short by Rp 5.6 billion, which was eventually taken from the 2011 budget.

### **SBY's Tweet May Scupper Son's Chance in Jakarta Governor Race: Analyst**

The Jakarta Globe, 22-01-2017

Political analyst Maksimus Ramses Lalongkoe from the Indonesian Political Analysis Institute said that a recent tweet by former Indonesian president Susilo Bambang Yudhoyono, or SBY, lamenting the state of the country may have a negative impact on his son's approval rating less than a month away from the Jakarta gubernatorial election.

SBY's son, Agus Harimurti Yudhoyono, is running for governor with long-time bureaucrat Sylviana Murni as his running mate.

Maksimus said Yudhoyono's tweets tend to carry a negative tone, which often triggered widespread condemnation from the Indonesian public.

In the context of the Jakarta gubernatorial election, his most recent tweet could be more damaging than helpful to Agus' chance of winning the election next month.

"Agus' image is closely connected to SBY. Whenever SBY makes a political comment, it will have an impact on his son. The public seems to think SBY's tweets are too negative. Agus' approval rating may suffer because of them," Maksimus said in Jakarta on Saturday (21/01).

The political analyst said Indonesians have reacted negatively to Yudhoyono's statements on social media, with many accusing the former president of being too pessimistic.

"SBY should refrain himself [from posting negative comments]. He should try to be more positive and optimistic if he wants people to respond in kind," Maksimus added. Maksimus said the country currently does not have a strongman figure who can unite the whole nation. "SBY should have seized this moment, take the role of the strongman to calm the public," he said.

The former president's most recent tweet railed against social media hoaxes, fake news and the people who make them go viral — posted on SBY's official Twitter account @SBYudhoyono.

### **Terror and Counterterror**

#### **Saudi Arabia to Assist Indonesia in Rehabilitating Terrorists**

The Jakarta Globe, 22-01-2017

Saudi Arabia's intelligence agency, the General Intelligence Directorate or GID, has worked with Indonesia's National Counterterrorism Agency, or BNPT, to help the latter in its effort to prevent radicalization of Indonesian youths and rehabilitating former terrorists.

BNPT Chief Comr. Gen. Suhardi Alius visited Saudi Arabia on Jan. 11-16 to strengthen relations between the two agencies and get top tips from the GID's deradicalization program.

"The visit should help up set up a counterterrorism program which includes deradicalization, from top to bottom," Suhardi said in Jakarta on Saturday (21/01).

Suhardi and other high-ranking BNPT officials also went to the Muhammad bin Naif Consultation and Guidance Center in Saudi Arabia to study rehabilitation of former terrorists and to learn from their experience of preventing Muslim groups from being radicalized.

"We exchanged various information and knowledge. We also saw how deradicalization is done by the Saudi government," Suhardi said.

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The general added that the Indonesian government has been focusing on preventing the spread of radical ideologies in Indonesia as it poses great risks to the country's security and may damage the peaceful image of Islam — the majority religion in Indonesia.

The head of the intelligence directorate at Saudi Arabia's Home Affairs Ministry, Abdul Aziz Alhwairny, said BNPT's visit is proof of the good relations between it and GID.

Alhwairny said Saudi Arabia has nothing but praise for BNPT's effort to fight terrorism in Indonesia.

To honor members of Indonesia's elite counterterror unit Densus 88 who died in the field of battle, the kingdom will offer free hajj pilgrimages to their families.

The Muhammad bin Naif Center will also offer deradicalization training for BNPT officers, Alhwairny added.

A deradicalization program typically involves rehabilitating former terrorists and radicalized youths before returning them to their communities.

Currently more than 240 convicted terrorists in 72 prisons all around Indonesia and 478 freed former terror convicts in 17 provinces have undergone rehabilitation programs.