

Impunity

Munir`s TPF Documents Missing under SBY Presidency

Tempo, 18-10-2016

TEMPO.CO, Jakarta - Setara Institute Deputy Head Bonar Tigor Naipospos said that the person who is responsible for the missing of Munir's Fact Finding Team (TPF) documents is Susilo Bambang Yudhoyono or known as SBY.

He claimed that SBY was still in charge as president at that time. "TPF was established to work on SBY administration back on 2005," Bonar Tigor said on Monday, October 17, 2016. According to him, SBY has a responsibility and a legal liability to follow-up TPF's final recommendation report that was made under SBY's two-period presidency. "SBY didn't do anything and didn't even look after the [TPF] report," Bonar said.

He added that SBY is obliged to explain on the document's whereabouts and ensure that Jokowi's administration has access to TPF's work report, which would enable Jokowi to complete the work. "Former State Secretariat Minister, Yusril Ihza, has expressed that SBY didn't give him any mandate in any form upon the TPF's report. We could only receive an explanation about the document's whereabouts from SBY," he said.

Earlier, the Central Information Commission (KIP) had won the case for KontraS and LBH Jakarta. The lawsuit was to require the government to publicly release the final reports made by the TPF on October 10. The main reason is so that the completion of the case can still continue, considering that there are still individuals or aspects behind the murder of Munir that have not been exposed.

State Palace Allows AGO to Probe SBY

Tempo, 21-10-2016

TEMPO.CO, Jakarta - Chief of Presidential Staff Teten Masduki said that the Attorney General Office (AGO) is allowed to investigate officials from Susilo Bambang Yudhoyono

administration to uncover the whereabouts of lost documents of the Fact Finding Team (TPF) for human rights activists Munir Said Thalib murder case.

Teten said that the investigation has been included in the AGO's authority. "The President has provided clear instructions to the AGO and the message is clear, to solve the issue through legal means," Teten said on Friday, October 21, 2016.

The Commission for Public Information (KIP) recently stated that the government should make the Munir case investigation documents open for public. However, the government have not revealed the data because it was lost.

Back in 2015, it was President Susilo "SBY" Bambang Yudhoyono who was said to have received the documents from the TPF. Yusril Ihza Mahendra, State Secretary Minister during the SBY government denied statements saying that the documents were handed over to the State Secretary Minister.

"The document was never handed over to the State Secretary, but directly to the president. TPF never gave the document to the State Secretary, so it was not recorded in the State Secretary's list of incoming documents," Yusril said through WhatsApp messaging on Wednesday, October 12, 2016.

Meanwhile, Teten claimed that he has no information on whether the AGO had made plans to examine officials of the SBY government suspected to have information about the documents.

Democrat Rejects Probing of SBY over Munir Case

Tempo, 23-10-2016

TEMPO.CO, Jakarta - Spokesperson of Democratic party's central board (DPP) Rachland Nashidik stated that President Jokowi does not need to command Attorney General to investigate Susilo Bambang Yudhoyono (SBY) regarding the content of fact-finding team's report (TPF) on the murder case of human rights activist Munir Said Thalib.

The word on the sixth president's investigation came up after the documents of fact-finding team's reports were declared missing. "He (Presiden Jokowi) can actually call and

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personally ask RI sixth president (SBY) by sharing good intention and concerns over the conclusion of Munir's death," Rachland said on Saturday (22/10).

Rachland claimed that President Jokowi has sent the wrong message that can smear one's reputation if he assigns Attorney General. It's because Attorney General holds supreme authority of criminal law. He affirmed that SBY established Munir's TPF and played a major role in pursuing, revealing, and bringing suspects to court.

Yudhoyono Denies Involvement in Munir's Missing Investigation Files

The Jakarta Globe, 24-10-2016

Former president Susilo Bambang Yudhoyono has responded to mounting pressure to "take responsibility" for investigation files on the murder of prominent human rights activist Munir Said Thalib, which are believed to have been lost during his administration.

Munir died on-board a Garuda Indonesia flight to Amsterdam in September 2004, a month before Yudhoyono was inaugurated as president.

"When human rights activist Munir died, I was still a presidential candidate," Yudhoyono said via his official Twitter account on Sunday evening (23/10). Yudhoyono said his administration had formed a fact-finding team to look into Munir's case.

Last week, human rights activist group Setara Institute said the former president must take responsibility for losing the documents relating to the Munir's case. "As related to the documents on Munir's case that was missing from the files of the secretariat of the state, Indonesia's sixth president, Susilo Bambang Yudhoyono, should take responsibility as the fact-finding team was founded and worked for him in 2005," Bonar Tigor Naipospos, deputy chairman of Setara Institute, said.

Yudhoyono replied in a series of tweets, saying he would "choose to restrain himself and not react," and promised to provide statements in the near future.

Dems ensures Yudhoyono will reveal truth about Munir's probe

The Jakarta Post, 24-10-2016

Former president Susilo Bambang Yudhoyono (SBY) will open up on all the measures his administration had taken at the time to follow-up the investigation of a fact-finding team into the murder of prominent rights defender Munir Said Thalib, a Democratic Party politician has ensured.

"Pak SBY wants to explain to the public that he substantially supports the enforcement of the recommendations from the fact-finding team. We just need to wait two or three days for pak SBY to [further] explain," Dems deputy chairman Didik Mukrianto said on Monday.

Didik stressed that Yudhoyono would disclose the pro-Justitia process that had been enforced against all parties whose names were referred by the government-commissioned fact-finding team. Yudhoyono also wanted to reveal that seven bundles of the fact-finding team's investigative report, submitted to his administration in 2005, had been distributed to several law enforcement institutions, including the National Police and the Attorney General's Office, Didik said.

Following the recent fiasco over the "lost" investigative report at the State Secretariat, Yudhoyono, who is also Democratic Party chairman, has spoken up through his official Twitter account @SBYudhoyono, saying that the media reports about the missing document have been politicized.

Munir died onboard a Garuda Indonesia flight to Amsterdam on Sept. 7, 2004. The Central Information Commission (KIP) in its ruling on Oct. 10, had ordered the State Secretariat to disclose the fact-finding team's report on Munir's murder. However, it later claimed the document was not in their possession. (bbn)

LGBT Rights

Indonesia bars LGBT job applicants for new youth position

BBC 13-10-2016

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The Indonesian government has posted an advert for a new youth ambassador position that orders members of the lesbian, gay, bisexual and transgender (LGBT) community not to apply. The advert stipulates that the post is only open to applicants not involved in "sexually deviant behaviour". It says this must be proven with a doctor's certificate.

Critics have accused the government in effect of destroying the futures of creative young LGBT people. They have been barred from serving their country because of their sexuality, campaigners say.

Gay sex is not illegal in Indonesia, and the world's largest Muslim country has a vibrant transgender culture. It is a tradition which is broadly met tolerantly by the Indonesian public.

But in recent months there has been a hardening of attitudes against the LGBT community from the political elite, the BBC's Rebecca Henschke in Jakarta says.

The job advert says the right candidate needs to be "someone physically and mentally healthy who is not involved in... LGBT [activities]". A government minister told the BBC the rules were mainly targeted at transgender people because applicants needed to choose whether they were male or female - and that all youth ministry events now had the same rules.

Land Rights

Only fraction of land certified, minister says

The Jakarta Post, 21-10-2016

During the two years of President Joko "Jokowi" Widodo's administration, the government has managed to certify only 660,000 out of a targeted 9 million hectares of land as set out in the 2015-2019 National Mid-Term Development Plan (RPJMN).

Agrarian and Spatial Planning Minister Sofyan Djalil said the government would speed up the process to certify at least 5 million ha by 2017. "Next year, the certification process would hopefully cover 5 million ha of land, which will later increase to 7 million in 2018

and 9 million ha in 2019. Then, we expect to process 10 million ha of land annually in the following years. Hopefully, all land in Indonesia will be registered and certified by 2025," Sofyan said in Jakarta on Friday.

He said his ministry would also encourage licensed private surveyors to accelerate land certification. Currently, only about 1,000 surveyors were active in the field, he added.

It is predicted the government would need 2,500 to 3,000 additional licensed private surveyors next year, the minister said.

Rights of the Child

Girls Urge Indonesian Govt to Prevent Child Marriage

The Jakarta Globe, 12-10-2016

Dozens of girls attended an event to commemorate International Day of the Girl Child in Jakarta on Tuesday (11/10), where they demanded that President Joko "Jokowi" Widodo issues a regulation in lieu of law, or perppu, to prevent child marriage in Indonesia.

Women's Empowerment and Child Protection Minister Yohana Yembise has taken the demand into consideration as the number of child marriages in Indonesia is still worryingly high.

Research from the Central Statistics Agency (BPS), in collaboration with the United Nations Children's Fund (Unicef), shows that according to Indonesia's 2012 Demographic and Health Survey (SDKI), at least 340,000 girls below the age of 18 years were married. Many of them got married when they were only 15 years old.

The survey also showed that child marriages mostly occurred in rural areas. According to the 2012 Socioeconomic Survey (Susenas) cited in the same research, 29.2 percent of married girls below the age of 18 lived in rural areas, while 19 percent lived in cities. "With the condition of children in Indonesia nowadays, this regulation in lieu of law will help us prevent child marriage in Indonesia," Yohana said. The minister added that there are

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negative consequences for girls forced into marriage because their reproductive systems are not fully developed yet. As a result, many die during childbirth.

Most children who marry at a young age eventually also drop out of school, leaving them uneducated and often unemployed. They might also not be emotionally and socially ready for marriage, which sometimes results in divorce or domestic violence. "Allowing child marriage is the same as killing the girl's future," the minister said.

The girls, who attended Tuesday's even in Jakarta dressed up as ministers and state officials, also made a plea to the government to protect victims' rights in cases of child marriage. Unicef estimates the number of women married in childhood across the globe will grow from 700 million currently to around 950 million by 2030.

Political developments

Calls Reemerging for Govt to Reform Military Justice System

The Jakarta Globe, 19-10-2016

Calls are reemerging for the government to reform the military justice system, a long-overdue issue and a necessary measure to end impunity.

Military courts have seen dozens of soldiers convicted of criminal offenses and discharged from their posts, but have also been notorious for lacking transparency.

The military justice system is governed by the 1997 Law on Military Tribunals. Human rights activists from the Jakarta-based Indonesian Human Rights Monitor, or Imparsial, have been urging the administration of President Joko "Jokowi" Widodo to revise the law.

According to Imparsial director Al Araf, it should be made possible to charge soldiers who commit criminal offenses and to have them tried by civilian courts to meet the principle of equality before the law.

"This matter has been neglected by the current administration. The government should understand that this reform has been mandated by the people," he told the reporters on Wednesday (19/10).

Al Araf was referring to People's Consultative Assembly Decree No. VI of 2000, on the separation of the Indonesian Military (TNI) and the National Police, and Decree No. VII of 2000, on the roles of the military and police, both of which mandate the reform of the military justice system.

Concerns over the lack of accountability in military courts have risen in recent months, when several cases of violence against civilians have been reported.

Lawmakers Agree on Military Involvement in Counterterrorism Operations

The Jakarta Globe, 21-10-2016

Lawmakers have agreed on the active involvement of soldiers in counterterrorism operations, the chairman of a special antiterrorism bill committee at the parliament said, despite controversy over the proposal.

Seeking tougher action against alleged terrorists, the government-proposed bill allows military assistance to police in counterterrorism operations — allowable also by Indonesian Military (TNI) law.

Soldiers have been demanding a greater role in counterterrorism operations, a proposal police and human rights activists have vehemently opposed.

After months of deliberation, House of Representatives lawmakers seem to have convinced themselves that soldiers are needed in counterterrorism operations.

"That's not a matter for debate anymore, we need military involvement," Muhammad Syafi'i, chairman of a special committee at the parliament tasked with deliberating the revisions to the antiterrorism law, said on Thursday (20/10). Lawmakers are of the opinion that terrorism still poses the biggest threat to state sovereignty, he added. "The committee's members have agreed that soldiers should not be kept as an auxiliary force in counterterrorism operations anymore. Soldiers can be ordered to arrest alleged terrorists." The move will not undermine the criminal justice system, as police and activists have warned, Syafi'i said, arguing that "the soldiers must always hand over the terrorists to police for investigation."

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Aside from military involvement, the antiterrorism bill also seeks longer period of arrest and detention for alleged terrorists, revocation of their citizenship and wiretapping without court permit.

The government revised the antiterrorism law earlier this year, when concerns over terror threats mounted following attacks by Islamic State sympathizers that killed four people in Central Jakarta.

Tangerang Knife Attack Shows Radicalization is Rampant: Setara Institute

The Jakarta Globe, 21-10-2016

The Setara Institute for Democracy and Peace has urged the government to do more to prevent radicalization following a knife attack in Tangerang, Banten, on Thursday (22/10) by a man believed to be an Islamic State sympathizer.

The 22-year-old man, reportedly acting alone, stabbed three police officers with a knife after applying an Islamic State sticker on their shelter. The police are investigating if the man, who also carried explosives, had any links to the Islamic State. The organization's sympathizers in Indonesia have been increasingly targeting the police.

According to Setara chairman Hendaridi, counterterrorism officials should broaden and intensify their anti-radicalization programs.

"We have to up our game to deradicalize groups that promote intolerance, extremism and radicalism," he said in a statement released on Thursday.

Counterterrorism officials have been carrying out deradicalization programs in more than 70 prisons across the country and engaged nearly 250 terror convicts and more than 450 former terrorists and their networks in 17 provinces.

Indonesia has been on heightened alert since January, when four people were killed in a terror attack allegedly carried out by Islamic State sympathizers in Central Jakarta.

Six months after the incident, a suicide bomber attacked the Solo Police headquarters in Central Java. In August, there was another failed suicide bomb attack at a church in Medan, North Sumatra.

"The police can't be caught off guard. They should remain alert at all times, not just after an attack," Hendaridi said.

Thursday's attack left three officers injured. The assailant died after he was shot by the police.

Accountability

National Human Rights Commission under scrutiny

Kompas, 22-10-2016

The internal investigation into suspicious financial transactions by the National Human Rights Commission (Komnas HAM) is ongoing. The National Audit Agency (BPK)'s investigation into the Komnas HAM financial annual report is a shameful but necessary issue. One of the Komnas HAM members, Natalius Pigai said that the BPK smelled some bookkeeping anomalies in the 2015 annual report.

According to data by the BPK the Komnas HAM has been requested to return an amount of money of Rp 1.19 billion Rp (around 100,000 US\$). About 820 million Rp concerns non-existent expenses, and the rest are mislaid expenses for rent of houses for a commissioner, payment of pocket money and extra salaries.

Additionally the Komnas HAM has been requested to account for too high expenses of 1.01 billion Rp for consultants' fees. The Komnas HAM expenses with regard to office space and internet services are considered exceptionally high (3.38 billion Rp)

The executive director of the NGO Lembaga Studi dan Advokasi Masyarakat (ELSAM) Wahyu Wagiman, said that the internal accountability of the Komnas HAM can be considered insufficient and that the functionaries involved should be punished..