

Impunity

The Road to Justice – book launch IPT65

On 27 June 2017 the launch took place of two books published by the International Peoples' Tribunal 1965 (IPT65), with presentations, discussion and the screening of a new documentary about the IPT65; *The Road to Justice*. International guests from Paris, Aachen and Geneva were present. The two books are the final report by the Judges in English and Bahasa Indonesia and a number of personal background stories, an interview with the President of the IPT, the South African judge Zak Jacob (in Bahasa Indonesia), under the title "Dari Beranda Tribunal". This anthology from the porch of the tribunal is available at <http://ultimus-online.com/index.php/toko-buku/terbitan-ultimus/product/161-dari-beranda-tribunal> (Rp 50,000)

The final IPT report can be ordered in Indonesia via <http://ultimus-online.com/>. For outside Indonesia, see <http://www.tribunal1965.org/>, click order and contact artienutrecht@gmail.com if you live in the Netherlands, or contact sri.tunruang@gmx.net if you live outside the Netherlands for further information.

For the documentary of the International Peoples' Tribunal (IPT65), *The Road to Justice*, on YouTube, see <https://www.youtube.com/watch?v=0KSWx5-QgUc>.

Freedom of Religion

Education Minister Should Come From Secular Background

Jakarta Globe, 21-06-2017 by Johannes Nugroho¹

Early on after being appointed as education minister in July 2016, Muhadjir Effendy floated the idea of an eight-hour or full-day schooling. Succinctly put, the proposal was the cornerstone of his ministry. However, last week the idea was dealt a death blow when President Joko "Jokowi" Widodo intervened to scrap the plan. The intervention was

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extraordinary in itself but more startling was the fact that the announcement was conducted not by the minister but by Ma'ruf Amin, chairman of the Indonesian Ulema Council (MUI). When we consider that Muhadjir hails from Muhammadiyah while Ma'ruf from the Nadhatul Ulema (NU) – the two largest Islamic mass organizations in the country – it is hard to avoid the impression that the decision to abolish full-day schooling had been politically motivated.

In what must have been a low point for Muhadjir as he sheepishly stood alongside Ma'ruf who proceeded to tell the press of the shelving of his pet project, the minister, despite his public show of acquiescence, must have realized the damage to his authority the ruling had done. In a Western democracy, he would have resigned. But ministerial resignations are rare in Indonesia. Resignation is also unlikely because he is there holding up the proud banner of Muhammadiyah which immediately declared its dogged support for full-day schooling after the president's intervention and asked that the idea be considered further.

Like NU, Muhammadiyah operates a large network of Islamic schools across the country. However, unlike NU's traditional madrasah-type schools, Muhammadiyah schools pride themselves on running as modern institutions, and in recent years, in imitation of Islamic schools in both Malaysia and Singapore, many of these have been functioning as full-day schools. Since full-day schooling has become synonymous with Muhammadiyah, its failure to become policy must have been acutely felt within the organization's ranks.

The blow also came weeks after former Muhammadiyah chairman Din Syamsuddin was written off the list of members appointed to the newly formed Pancasila Ideology Coaching Unit, in favor of Said Aqil Siroj, tanfidziyah or day-to-day chairman of NU, allegedly at the express order by the president. Another former Muhammadiyah chairman Amien Rais was recently named during the corruption trial involving former health minister under President Susilo Bambang Yudhoyono, Siti Fadilah Supari, as a recipient of graft money, an allegation that prompted Dahnil Anzar Simanjuntak, chairman of the Muhammadiyah youth to label it "a rotten attempt to smear Amien Rais' name and more outrageously the attempt to link it to Muhammadiyah." Both Din and Amien were critical of the government when a series of Islamist rallies against the former Jakarta Governor Basuki Tjahja Purnama or "Ahok," accused of blasphemy against Islam, broke out in the capital.

Weekly Update Human Rights in Indonesia – 03-07-2017

By contrast, NU was cautiously for the government throughout. NU chairman Said even publicly sought to discourage, if unsuccessfully, members and sympathizers from taking part in the mass rallies. Not that there was no ambivalence to NU's stance. Ma'ruf, the Rais Aam or spiritual leader of NU who also happened to be chairman of MUI, was initially one of the forces behind the Islamist rallies, which were held ostensibly to uphold the MUI fatwa that Ahok had indeed blasphemed. He even testified against Ahok at his trial. When Ahok personally insinuated that Ma'ruf had lied during his testimony, NU as an organization took umbrage, though the matter was soon straightened out following an apology from Ahok.

It was around this time that Ma'ruf started distancing himself from the anti-government rallies, especially after instrumental figures behind the movement like Rizieq Shihab had criminal charges leveled at them by the police. He started to call for the cessation of the rallies. Ma'ruf's transformation from a firebrand high cleric to a mouthpiece of the government was almost complete when Jokowi also appointed him to the Pancasila Ideology Coaching Unit. Afterwards, he declared that Pancasila, Indonesia's state ideology, was compatible with Islam.

It seems that when both Ma'ruf and Muhadjir were summoned to the Presidential Palace to discuss the Muhammadiyah-backed full-day schooling, which ended with the former announcing its termination, Ma'ruf's political standing with the government could not be higher. By the process of reflected glory, Ma'ruf's elevation enhanced NU's status as well; perhaps made sweeter especially when it was at the expense of Muhammadiyah.

Jokowi may well be lauded for having successfully enticed NU to stand on his side, particularly when at least on paper NU boasts more members than Muhammadiyah. In positioning himself as the arbiter of favors between the two organizations, the president echoes a strategy of the late President Suharto during his 32 year rule. In appointing Muhadjir to the education portfolio in the last cabinet reshuffle, he also emulated Suharto, alternating the post between NU and Muhammadiyah. The appointment was a clear break from his initial decision to appoint the non-partisan Anies Baswedan.

Although Anies's tenure as education minister proved to be an unhappy one for Jokowi, it does not necessarily mean that a return to the old regime of either NU or Muhammadiyah is desirable. As recent events demonstrate, cultivating the support of both or either NU

and Muhammadiyah is bound to be political, and questions must be asked whether a crucial portfolio like education should be subjugated to practical politics. Further, no religion-based education curriculum in the history of mankind has successfully produced students with aptitude for innovation and science. A recent study by Princeton economist Roland Bénabou and two colleagues, finds that the more religious a country, the fewer scientific or technological patents there are per capita.

A New York Times article last year highlighted the dearth of engineers to fire Indonesia's future development needs and yet 20 percent of Indonesian university and postgraduate students are majoring in Islamic studies. With the current level of religiosity gripping the country's education system, it is more sensible to give a greater push for more secular sciences. This, however, inevitably entails the exclusion of religious organizations like NU and Muhammadiyah from the education portfolio; something so out of the box that no government in the near future dare attempt.

Social-economic Rights

Govt warns Freeport about laying off 4,000 employees

The Jakarta Post, 03-07-2017

The Energy and Mineral Resources Ministry has sent a warning letter to gold and copper miner PT Freeport Indonesia after it laid off 4,000 employees. The layoffs took place following a strike by Freeport Indonesia workers belonging to the All-Indonesia Workers Union Confederation (KSPSI) from May 1 to June 16 in Mimika regency, Papua, the site of the gold and copper mine.



PT Freeport Indonesia workers display a banner calling on the gold and copper mining company to fulfill their rights during a demonstration in Mimika, Papua, on May 1. Thousands of workers were involved in the demonstration.

The ministry has demanded that Freeport Indonesia act in accordance with labor laws, said the ministry's coal and mineral mining director general, Bambang Gatot Ariyono, on Sunday. "We have warned [Freeport] to abide by the law when dismissing [employees]," Bambang said as quoted by tribunnews.com in Jakarta on Sunday.

Separately, Freeport has claimed it followed regulations when laying off the employees. "We took action in accordance with the guidelines and laws on industrial relations," said Freeport Indonesia spokesman Riza Pratama.

The company, for example, called on the striking employees to return to work, said Riza, adding that the law allowed a company to terminate employees who were absent and ignored a company's summons for five consecutive days. Freeport said the company would not pay compensation to the laid-off employees.

Freeport Indonesia also let go 2,000 employees in February in a company efficiency program. The employees, however, were offered early retirement packages and furloughs.

The Chain: Neste Revenue Risk From Norwegian Public Procurement Ban of Palm Oil-Based Biofuels

Posted on <https://chainreactionresearch.com>, 22-06-2017

This June, the Norwegian government voted to ban palm oil-based biofuels in public procurement of fuels and public transport. The Norwegian Parliament – the Storting – voted that the regulation shall enter into force as soon as possible. Furthermore, the Norwegian Parliament called for the retail biofuels industry to not use biofuels that exceed the EU's minimum greenhouse gas emissions reductions targets.

The Norwegian government's policy changes are important to Neste Corporation as Neste is the sole supplier to the Norwegian market of palm oil-based biofuels.

In response to the Norwegian government decision, Nils Hermann Ranum, Rainforest Foundation Norway, said:

"It is highly positive that Norway has now followed up on last year's pledge to ensure deforestation-free supply chains through the government's public procurement policy with this strong commitment. It is now incumbent on other consumer countries to follow suit. In particular, the EU should take urgent steps to reduce the consumption of commodities, such as palm oil biodiesel, that are linked to rainforest destruction and accompanying greenhouse gas emissions, biodiversity loss and human rights violations. A revision of the EU biofuel policy, to avoid biofuels that drive deforestation and are worse for the climate than fossil fuels, is urgently needed."

Similarly, in 2016, the Norwegian government voted to ban any palm oil products purchased by its central and sub-central governments. This follows Norway's support for the New York Declaration on Forests, launched during the 2014 Climate Week in New York City. The Declaration is the first global timeline for cutting and totally ending deforestation, and was supported by developing and developed nations, businesses and NGOs.

Importantly, on April 3, 2017, the European Parliament voted for a resolution to phase out the use of non-sustainable vegetable oils for biofuels by 2020. The resolution called for independent audit and monitoring to guarantee that deforestation and peatland

Weekly Update Human Rights in Indonesia – 03-07-2017

conversion does not occur. The resolution also called for a single, mandatory set of certification mechanisms. It states that it:

“Acknowledges the positive contribution made by existing certification schemes, but observes with regret that RSPO, ISPO, MSPO, and all other recognised major certification schemes do not effectively prohibit their members from converting rainforests or peatlands into palm plantations; considers, therefore, that these major certification schemes fail to effectively limit greenhouse gas emissions during the establishment and operation of the plantations, and have consequently been unable to prevent massive forest and peat fires; calls on the Commission to ensure that independent auditing and monitoring of those certification schemes is carried out, so as to guarantee that the palm oil placed on the EU market fulfils all necessary standards and is sustainable; notes that the issue of sustainability in the palm oil sector cannot be addressed by voluntary measures and policies alone, but that palm oil companies should also be subject to binding rules and a mandatory certification scheme.”

Read the whole article on: <https://chainreactionresearch.com/2017/06/22/the-chain-neste-oil-faces-revenue-risk-in-norwegian-market-after-public-procurement-ban-of-palm-oil-based-biofuels/>

The Chain: Unilever Suspends Sourcing from Sawit Sumbermas Sarana Because of Deforestation

Posted on Chain Reaction Research, 26-06-2017

June 12, 2017, Chain Reaction Research analyzed that Unilever’s ongoing trading relation with Sawit Sumbermas Sarana (SSMS) might damage its sustainability reputation. Today, Unilever has concluded that SSMS is in breach of Unilever’s Sustainable Palm Oil Sourcing Policy.

In line with their grievance procedure, Unilever has therefore decided to suspend sourcing from SSMS supplier. With this decision, Unilever joins the ranks of Wilmar, Apical and Golden Agri-Resources, who have suspended trading with SSMS since 2015.

As a first step, Unilever is looking to SSMS to develop and present a remedial action plan. Unilever does not intend to resume sourcing palm oil products from SSMS until Unilever

sees clear progress made on the implementation of this remedial action plan. With these measures, Unilever mitigates some of the reputation risks of being associated with this supplier.

Read the whole article: <https://chainreactionresearch.com/2017/06/26/the-chain-unilever-suspends-sourcing-from-sawit-sumbermas-sarana-because-of-deforestation/>

Terror and counter-terrorism

Failed Counterterrorism Efforts Lead to 'Open War' on Police: NGO Indonesia Police Watch (IPW)

Jakarta Globe, 01-07-2017

Years of counterterrorism efforts have apparently led to a backlash, which may further increase the public's distrust of police, a watchdog said on Saturday (01/07), after a series of attacks on officers.

Two policemen were stabbed after a night prayer at a mosque near the National Police headquarters in South Jakarta on Friday, in the apparent third terrorist attack against police in the past six weeks.

The assault has underscored concerns that militants are more and more determined to attack law enforcers and that officers have become an easy target, with terrorists seemingly intending to "openly wage a war" on them, Indonesia Police Watch chairman Neta S. Pane said in a statement. "Police are no longer authoritative and respected," said Neta, calling Friday's attack a "dark gift for Police Day."

"This may be caused by police being too aggressive in executing terrorists in field operations in recent years. It turns out that terrorists are not afraid, and have instead become highly determined to implement the principle of 'nyawa dibayar nyawa' [a life for a life]."

Police have been cracking down on Islamic State-linked terrorist cells across the country, amid heightened deradicalization efforts by the government.

Weekly Update Human Rights in Indonesia – 03-07-2017

Neta said Friday's attack shows these moves have "totally failed," calling on police to conduct a thorough evaluation of their counterterrorism operations and to improve coordination, as failure in preventing further attacks may increase the public's distrust.

"Officers in the field may be traumatized and worried about [the possibility of] being attacked by terrorists. Thus, they might not be able to focus on carrying out their other duties," he said.

"Members of the public will be worried about the security system police have established. They will say: 'How can the police protect us if they cannot protect themselves at their own headquarters?'"

Last week, an officer was stabbed to death by two Islamic State-linked militants at a checkpoint of the North Sumatra Police headquarters in Medan. A month earlier, two Islamic State-linked suicide bombers killed three policemen near a bus station in East Jakarta.

Torture

Torture Remains a Serious Problem in Indonesia: AHRC

Jakarta Globe, 30-06-2017

The Asian Human Rights Commission, or AHRC, last week urged Indonesia to consistently implement the United Nations Convention Against Torture, citing several areas of concern that have allowed torture to take place in the country, such as the absence of a national law to punish torture, its continued practice in police investigations and little accountability for perpetrators.

Despite having ratified the International Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 1998, torture remains a serious problem in the archipelago. "The government and the parliament have failed to develop high legal standards to prosecute and punish torture," the AHRC said in a statement to mark the International Day in Support of Victims of Torture on Monday (26/06).

The AHRC highlighted several problems that prevent Indonesia from eliminating torture.

This includes a lack of an effective oversight mechanism for police, allowing power abuse as well as pretrial detention under the criminal code encouraging torture in custody. Despite the government having issued a handbook of human rights to police officers, torture is often committed to extract confessions from suspects and witnesses.

As many victims of torture are mostly poor, uneducated people with little understanding of their legal rights and most torture cases involve suspects unable to access lawyers or public defenders, the Indonesian criminal justice systems suffer from shortcomings that allow the continued practice of torture.

The AHRC pointed out that the 2011 Legal Aid Law still proves ineffective for poorer members of the community facing criminal investigations. "Until today, the Indonesian police are still the most frequent perpetrators of torture," the AHRC said in the statement.

Sunday's suspected terrorist attack that resulted in the death of a police officer in Medan, North Sumatra, may serve as momentum to speed up the finalization of an ongoing revision of the 2003 Antiterrorism Law, currently deliberated by the House of Representatives.

Jakarta-based human rights group, the Setara Institute, said on Wednesday that the police need pretrial authority to prevent terrorist attacks. Along with the rest of the world, Indonesia is gearing up to face increasing threats of terrorism. Giving police greater powers and ensuring that law enforcement officers can effectively prevent terrorism will become increasingly necessary. However, Indonesia may need to address root problems in its criminal justice system to avoid severe violations of human rights in its counterterrorism efforts.

Despite having ratified the UN Torture Convention in 1998, Indonesia is still unwilling to establish a human rights court to address violations defined in the Human Rights Law of 2000. Besides the human rights court, Indonesia has also been eliminating the crime of genocide from the law.

External oversight, which is crucial in bringing perpetrators to justice, still remains ineffective in Indonesia. Independent state agencies, such as the National Commission on

Weekly Update Human Rights in Indonesia – 03-07-2017

Human Rights (Komnas HAM) and the National Police Commission (Kompolnas), fell short in their expected roles to ensure effective law enforcement in cases of torture cases and to contribute to the eradication of the practice. "The government should develop high standards of law to prosecute and punish torture [...] The government should also develop effective oversight mechanisms to ensure that all forms of torture and abuse of power conducted by state agents are punished, and that the culture of impunity is abolished," the AHRC said.

Political developments

Jokowi One of the Lowest Paid State Leaders in G20 Countries

Jakarta Globe, 01-07-2017

The Indonesian president has not had a pay rise in the past 16 years, making President Joko "Jokowi" Widodo one of the lowest paid state leaders among the world's largest economies.

Jokowi is making Rp 30.2 million (\$2,268) from his salary a month, or equal to about \$27,200 a year, according to Bey Machmudin, the presidential press bureau chief, in a statement released on Wednesday (28/06). On top of that Jokowi also received an official allowance which doubles his take home pay, Bey said.

That is still much lower than the \$203,000 average made by state leaders in the Group of 20. US President Donald Trump is paid an annual salary of \$400,000, while German Chancellor Angela Merkel is making more than \$299,000 a year.

Mexico and Turkey — not too far away from Indonesia in terms of economic size — pay their presidents annual salaries of \$148,000 and \$197,400 respectively. Jokowi only earns more than China's Xi Jinping, whose official salary is \$22,000. India's Narendra Modi reportedly makes \$30,000 a year.

The highest paid leader in the world is Singapore's prime minister Lee Hsien Liong, who makes \$1.7 million a year.

Jokowi's salary is even lower than what a chief executive could earn in some of the country's state-owned enterprises like state energy firm Pertamina or Bank Mandiri, Indonesia's largest bank.

In the past few years, politicians have aired the idea of finally giving the president a pay rise. But Jokowi said in 2015 he would refuse such a move, saying it was inappropriate amid the country's weak economy growth.

Jokowi's presidential salary came into spotlight last week after he and Vice President Jusuf Kalla each paid Rp 45 million of zakat mal — an obligatory donation for Muslims paid once a year at the minimum rate of 2.5 percent of the person's total wealth.

That led to some observers speculating that the president has quietly been given a pay rise, seemingly confusing his total wealth with his annual income.

Bey refutes the claim, saying "the amount of income received by the President and Vice President has not changed since 2001."

Jokowi put his personal wealth as he started taking office in 2014 at Rp 30 billion and \$30,000, while Kalla reported a personal wealth of Rp 466 billion and \$1 million.

Teten Masduki, the presidential chief of staff, said both Jokowi and Kalla have relinquished their roles in their family businesses, so they are not receiving any extra salary from other sources.

The president owns furniture firm Rakabu Sejahtera while Kalla controls Kalla Group, a Makassar-based conglomerate whose businesses in mostly eastern parts of Indonesia spans from auto dealership and construction to energy and education.

"Entrepreneurs who are elected as public officials can cause a conflict of interest if they remain in management [in their companies]. However, as shareholders, there's no conflict of interests. They're just the same as other public shareholders," Teten told the Jakarta Globe on Thursday (29/06) via text messages.