

Impunity

Where do we find justice?

<http://ypkp1965.org/blog/2016/12/20/surat-kemana-kami-mencari-keadilan/> 20-12-2016

Bapak Basuki Kartowardoyo is one of a group of nearly two hundred of Central Java teachers who were illegally arrested and detained from 1965 till 1970. In 2006 the group started a procedure against the Ministry of Education at the administrative court (PTUN) in Kebumen for unjustified dismissal and won. But the Ministry of Education started an appeal procedure at the higher administrative court (PTTUN). Again the group of teachers won. Also in Supreme Court the verdict was retained. However, the judges' decision is not being implemented by the Ministry. Where to go for justice and rehabilitation?



Basuki Kartowardoyo, while presenting his experiences at the office of Komnas HAM, April 2016 Jakarta. [Foto: Humas YPKP'65]

See also: <http://stopimpunity.org/content/stopimpunity/69-k-tun-2008.pdf>

Freedom of Religion

The blasphemy trial against Basuki Tjahaja Purnama

The Jakarta Globe, 04-01-2017

Indonesian Democracy Defenders Team (TPDI) coordinator Petrus Salestinus said the witnesses that the prosecutors presented in the latest session of the blasphemy trial against Jakarta Governor Basuki "Ahok" Tjahaja Purnama on Tuesday (03/01) were not fit to take the witness stand. The six witnesses had given testimonies on the governor's speech at Pramuka Island in October, in which he reportedly insulted the Koran and which triggered the blasphemy allegation against him.

But Petrus said none of the witnesses had attended the public meeting in Pramuka Island during which Ahok delivered his speech, and consequently their statements had little to no value. "Those six people were meant to be factual witnesses, but their testimonies can't be used as evidence since they did not see or hear [Ahok's speech] in person. None of them is a resident of Pramuka Island or Kepulauan Seribu [district] either," Petrus said. "Today has been a waste of time. The prosecutors' witnesses should have been rejected from the outset," Petrus said. According to Petrus, hardliner group Islamic Defender's Front (FPI) leader Rizieq Shihab also should not have been called on as an expert witness since he already has a grudge against Ahok. Petrus pointed out that Rizieq is one of the official complainants in the case. "As the complainant, he should not be allowed to take the witness stand as an expert. [Expert witnesses] should be neutral and objective," Petrus said. "Rizieq can be summoned as a factual witness, but not as an expert witness," he added. Petrus said none of the 14 witnesses presented so far by the prosecutors actually lives in Kepulauan Seribu. "They're not going to support the prosecutors' case. We're as confused as you why they have been allowed to take the witness stand," Petrus said.

The fourth session of the ongoing blasphemy hearing against Jakarta Governor Basuki "Ahok" Tjahaja Purnama on Tuesday (03/01) may have been closed to the public, but this didn't stop netizens taking on an Islamic Defenders' Front, or FPI, member for his bizarre intentional misspelling of pizza chain Pizza Hut.

Basuki revealed some points from Tuesday's trial session to reporters after the eight hour hearing at the Agriculture Ministry auditorium in South Jakarta. He said Novel Chaidir Hasan Bamukmin, a witness in the case and FPI secretary general of the Jakarta chapter, had claimed to have worked for "Fitsa Hats" from 1992 to 1995 in an official police investigation report. Novel later conceded the establishment was US-owned pizza chain Pizza Hut, prompting Basuki to speculate he had

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deliberately changed the name in an effort to obscure having worked for a non-Muslim-led company. "He changed the phrasing of Pizza Hut and I laughed at that. He was asked [to explain by the judges] and later confessed to changing that part. However, he signed that report," he said after the hearing. "I thought he felt embarrassed since he has a viewpoint which doesn't allow him to be led by an infidel, or one who has a different faith," he said. "Fitsa Hats" quickly spread as a meme across Facebook and Twitter. Pandji Pragiwaksono, comedian and spokesperson for the Anies Baswedan and Sandiaga Uno campaign team, posted to his Twitter account "'Fitsa Hats' might as well be a new brand. It's catchy."



"Make Indonesia fun again"

Another blasphemy trial?

The Jakarta Globe, 03-01-2017

A group of Catholic students has prepared a team of 149 lawyers to assist with its blasphemy report against firebrand Muslim cleric Rizieq Shihab of the hardline group Islamic Defenders' Front. The case is now under investigation by the Jakarta Police, after the report was submitted by the Association of Indonesian Catholic Students (PMKRI) against Rizieq last month.

Representatives from the PMKRI and the team of lawyers met in Jakarta on Tuesday (03/01). They argued that Rizieq's public remarks addressing Christmas celebrations last month were blasphemous. "This is a problem that doesn't just affect us, but everyone in this country," PMKRI chairman Angelius Wake Kako told the press. "Everyone as long as they are qualified can take part in this legal team," he added. The team currently comprises 149 lawyers.

Petrus Selestinus, the leader of the team, said: "The crux of the matter is that acts of intolerance have been undermining our national harmony."

A video showing Rizieq delivering a speech in Jakarta last month, which reportedly contained critical comments about Christmas celebrations, has been circulating on social media, prompting the PMKRI to file a police report against him for alleged blasphemy.

See also: <http://jakartaglobe.id/news/ahoks-autobiography-used-evidence-blasphemy-trial/>

Pluralism as an asset

The Jakarta Globe, 07-01-2017

Pluralism has become today's jargon, a utopia to some, yet a deviant concept to many others. However, it is the key to trump identity politics, which has been harming plurality in Indonesia, according to Achmad Munjid, a lecturer at Gadjah Mada University's Center for Cross-Cultural and Religious Studies and its English literature program.

Munjid told the Jakarta Globe on Friday (06/01) that pluralism, or rather multiculturalism, is a positive attitude towards diversity. "People no longer see differences as a negative aspect that must be avoided," he said. "It is an opportunity to learn about, recognize and appreciate each other." The terms plurality and diversity are often mixed up. Therefore, to say that Indonesia had pluralism all along is misleading, though the country was founded on the same concept.

"We have been living in plurality or diversity of races, religions, as well as ethnic groups. Plurality has been around us for a long time and pluralism is a perspective to treat it, Munjid said.

"Pluralism is not a totally new concept. Our 'Bhinneka Tunggal Ika' slogan is actually the seed of pluralism. It's just that we haven't come up with the right formula to practice it to overcome today's problems," he added. Indonesia seems to have a long way to go to even comprehend the concept, if not drift away from it.

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Part of the reason there is hesitance to practice pluralism is the false perception of it. Fanatic religious groups often define it as generalizing all religions, which is considered against their teaching.

Read on: <http://jakartaglobe.id/news/pluralism-key-to-trump-identity-politics/>

See also: <http://www.thejakartapost.com/news/2017/01/08/power-of-indonesia-lies-in-unity-muslim-scholar.html>

and <http://www.thejakartapost.com/news/2017/01/08/diversity-source-of-power-in-indonesia-jokowi.html>

Freedom of Expression

Police say mastermind behind 'Jokowi Undercover'

The Jakarta Post, 04-01-2017

National Police chief Gen. Tito Karnavian said on Wednesday the police would pursue the masterminds behind the publication of the book *Jokowi Undercover*, which according to the police contains defamatory claims about President Joko “Jokowi” Widodo.

Tito further said the police had concluded that the author listed in the book, Bambang Tri Mulyono, who was in police custody, lacked the capability to compile a book on his own.

“We have examined him [Bambang]. He couldn't provide reliable data for claims made in the book. He also couldn't cite any references or sources [used to support information in the book]. Thus, it is obvious that the book was based on his personal opinion,” Tito said on the sidelines of a ceremony at the National Police's headquarters in South Jakarta. He further said the investigation had further found that the author had not attended university and had only graduated from senior high school. “His writing skill is very poor. He lacks the capability to write a book. There is no way that he wrote the book. Thus, we will search for anyone who backed him. We will hunt down the mastermind,” Tito said.

Claims are made in the book that Jokowi had falsified data to register as a presidential candidate in 2014. It also claims that Girioto in Boyolali regency, Central Java, the town in which Jokowi's

mother Sujiatmi Notomiadjo was reportedly born, had been an Indonesian Communist Party (PKI) stronghold.

Indonesia blocks 800,000 websites

The Jakarta Post, 07-01-2017

The Indonesian government has blocked 800,000 websites as of December last year, mostly websites containing pornographic material or gambling sites, an official said on Saturday.

“Some 90 percent of them contained pornographic material or gambling applications, and some were simply spreading hoaxes,” Samuel Abrijani Pangerapan, the director general of Information Application at the Communications and Information Ministry, said in a discussion on Saturday as quoted by tempo.co.

Samuel said the public could access more details through <http://trustpositif.kominfo.go.id>.

He said the government had produced a regulation as the legal basis to block the sites. He said the ministry had established a team to check up on reports about websites from the public. He denied that the government had implemented strict measures to monitor the cyber world. The ministry has blocked 766,633 sites related to pornography and 85 related to radicalism. Samuel said the owners of blocked sites could ask the ministry to lift the block after accepting some requirements.

Last month, the ministry received criticism from democracy activists regarding its decision to block suarapapua.com, a news site based in Papua. The Press Legal Aid Institute (LBH Pers) said the block constituted a violation of freedom of expression.

Social-economic Rights

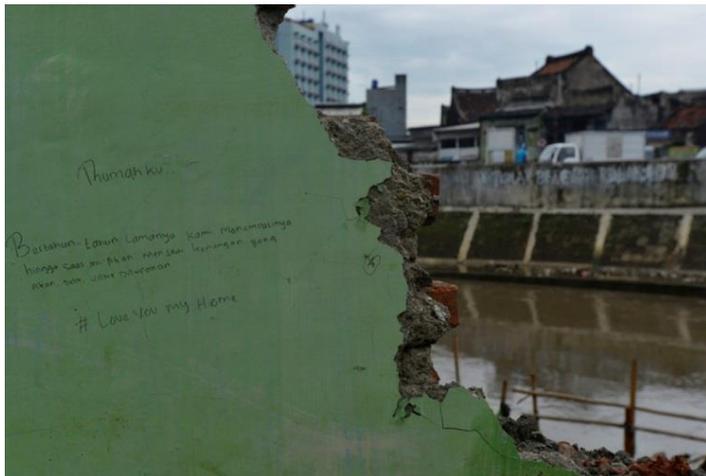
Court Declares Bukit Duri Eviction Unlawful, Residents to Be Compensated

The Jakarta Globe, 07-01-2017

The Jakarta government has been ordered to compensate residents evicted from Bukit Duri, South Jakarta, after a long-awaited court verdict ruled the evictions unlawful. Judges at the Jakarta State

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Administrative Court (PTUN) also ordered the South Jakarta administration on Thursday (05/01) to retract three warning letters issued against Bukit Duri residents prior to the forced evictions.



Rumahku – my home

The evictions, which were carried out in late September and early October, were part of a project to normalize Ciliwung River, along the banks of which Bukit Duri residents had lived for generations since the 1920s.

Officials from the Jakarta administration have accused them of illegally occupying the areas. Residents insisted rights to the area and produced documentation and land certificates during the Jakarta PTUN hearing. "This proves that the evictions carried out by the administrations of Jakarta and South Jakarta were an arbitrary and illegal move," Vera Soemarwi, a lawyer for the Bukit Duri residents, said in a statement released on Friday. "We urge them to restore the residents' rights to land and homes that have been undermined," Vera added.

The Bukit Duri evictions were just one of dozens carried out by the Jakarta administration since late 2014, when Governor Basuki "Ahok" Tjahaja Purnama permanently took office after predecessor Joko "Jokowi" Widodo won the presidential election. Basuki has maintained a tough eviction policy since rising to the helm.

Political developments

KPK reschedules questioning of House speaker to next week

The Jakarta Post, 04-01-2017

The Corruption Eradication Commission (KPK) has had to reschedule its plan to question House of Representatives Speaker Setya Novanto over an alleged graft case centered around the procurement of electronic identification cards (e-KTP).

"The questioning session with Setya Novanto as a witness has been rescheduled for next week because he is currently in the US," KPK spokesperson Febri Diansyah said on Wednesday.

KPK investigators previously questioned Setya, who is also chairman of the Golkar Party, on Dec. 13 to seek clarification on his involvement in the Rp 6 trillion (US\$445.5 million) project launched in 2010. Setya served as treasurer of the Golkar Party and leader of the Golkar faction at the House when the project was introduced.

The antigraft body has questioned nearly 200 witnesses so far, but has only named two suspects, the Home Ministry's former director general for population and civil registration Irman, and Sugiharto, a former managing director of population administrative information at the Directorate General of Population and Civil Registration.

KPK chairman Agus Rahardjo, however, has repeatedly said there could be other suspects in the case. State losses as a result of the project purportedly reach Rp 2.3 trillion.

Former Democratic Party treasurer Muhammad Nazaruddin, a witness in the case, alleged that Setya was one of the masterminds behind the project. Setya, however, has repeatedly denied the accusation.

Ahok, Djarot Urge Police to Investigate Assault on PDI-P Official in W. Jakarta

The Jakarta Globe, 06-01-2017

Governor Basuki "Ahok" Tjahaja Purnama and Deputy Governor Djarot Saiful Hidayat have called on the police to investigate an alleged assault on a party official in West Jakarta on Friday evening (06/01).

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Ahok said the police will probe the motives of the people who allegedly attacked Widodo, who is an official of the Petamburan branch of the Indonesian Democratic Party of Struggle (PDI-P), so that the necessary legal action can be taken. "The police will investigate the motives. We have handed it over to the police. I don't know how many people [were involved in the assault]. Clearly, the police will process the case," Ahok said after visiting Widodo at Royal Taruma Hospital in West Jakarta on Saturday.

Djarot has meanwhile confirmed that a report of the assault had been filed with the West Jakarta Police. "The incident has been reported to the police. We asked them for a full investigation," Djarot said. The deputy governor said he deplored the incident. He said a group of residents shouted abuse at him and his entourage while he conducted a blusukan, or impromptu visit, in South Jelambar in West Jakarta. However, he said everyone should respect all candidate pairs. "There should be no intimidation, forceful acts and hate speech. When I went to South Jelambar, there were campaign posters for candidate pair one and three, but I had no problem to pass through the area," he added.

A group of men belonging to an unidentified mass organization allegedly assaulted Widodo after Djarot completed his visit to Petamburan on Friday.

During his visit to the hospital on Saturday, Djarot said Widodo's head and face were still swollen due to the beating. "We are worried about brain damage. [...] There is a possibility that he will have to stay here longer, to let him rest," Djarot said. He added that Widodo's eyes were still shut due to inflammation, as he also sustained a broken nose and fractured ribs.

The deputy governor said the beating was most likely related to the Jakarta gubernatorial election, as the alleged attack occurred in the area where he conducted his blusukan on Friday.

TNI Drops Lebak Military Commander for Involving Hardline Group in 'Defend the Nation' Training

The Jakarta Globe, 09-01-2017

The Indonesian Military, or TNI, has dropped Lt. Col. Ubaidillah from his position as the District Military Commander in Lebak, Banten, after involving members of the hardline Islamic Defenders' Front, or FPI, in the military-run "Bela Negara" (Defend the Nation) program. The call was made after a picture showing FPI members involved in an agility training with the soldiers went viral on social media.

Initial investigation revealed Ubaidillah failed to report the Bela Negara event to his superiors – Banten Military Commander Col. Wirana Prasetya Budi and Siliwangi Regional Military Commander Maj. Gen. Muhammad Herindra. "The Siliwangi Regional Military Commander decided to drop the Lebak District Military Commander and his replacement will be installed soon," spokesman for the Siliwangi Military Command Col. M. Desi Arianto said in a statement on Sunday (08/01).

Hendardi, chairman of Jakarta-based human rights group Setara Institute, said TNI's swift decision to drop the Lebak District Military Commander should serve as a warning for everyone in the institution not to play nice with intolerant groups. "Our democracy needs a disciplined and united TNI, not one easily swayed by other groups," Hendardi said. The activist also called on President Joko "Jokowi" Widodo to re-evaluate the Bela Negara program, which has come under fire from a skeptical public since it was introduced by the Defense Ministry in 2015.

Protests against military training for FPI exaggerated: Fadli Zon

The Jakarta Post, 09-01-2017

Defending military training given to members of the Islam Defenders Front (FPI) through the Bela Negara (State Defense) program, House Deputy Speaker Fadli Zon slammed critics who were questioning the program and FPI's participation in it.

The politician from the Gerindra Party also criticized the military's decision to strip Lebak military commander Lt. Col. Czi Ubaidillah of his post for recruiting the FPI in Banten to take the training recently, calling the decision "regrettable". "I think [the decision] needs not to be that dramatic," Fadli told the press on Monday. "All citizens of this country are equal. Everyone has the right to take part in Bela Negara [training] and so does every mass organization."

"The more people participate in the training to defend the state regardless of their backgrounds the better, as long as they are committed to the NKRI [the Unitary State of the Republic of Indonesia]. I think it will give a positive vibe to the country. Thus we must continue developing [the Bela Negara training]," Fadli added.

The Indonesian Military made the decision to strip Czi of his command in response to a public outcry after news of the training went viral following an Instagram post by @dpp_fpi of several photographs of the session. The Instagram account @dpp_fpi has also posted photographs of similar training in Madura, East Java.

The TNI has yet to issue an official statement on the matter.

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Foreign relations

Australia Says TNI Insult Investigation Being Finalized

The Jakarta Globe, 04-01-2017

The Australian Defense Ministry on Wednesday (04/01) stated that the investigation into an alleged insult to the Indonesian Military, or TNI, and the country's founding ideology, Pancasila, is being finalized after the suspension of military cooperation between the two countries.

Australian Defense Minister Marise Payne confirmed the concerns of an Indonesian soldier about teaching materials and verbal remarks at an army language training facility in Australia last year. She said Australian Air Chief Marshal Mark Binskin has contacted his Indonesian counterpart Gen. Gatot Nurmantyo, assuring the matter will be resolved. "The Australian Army has looked into the serious concerns that were raised and the investigation into the incident is being finalized," Payne said in a statement on Wednesday.

She added that Australia is committed to building a strong defense relationship with Indonesia, including through cooperation in training and it will work to restore full cooperation as soon as possible.

TNI spokesman Maj. Gen. Wuryanto confirmed the temporary suspension of military cooperation between Indonesia and Australia due to "technical matters" without elaborating further. The decision was made after members of the special forces unit Kopassus reported teaching materials insulting the TNI were on display, as well as material which allegedly demeaned Pancasila.

Australia and Indonesia has had patchy relations following a diplomatic falling out in April 2015 when the Indonesian government executed two Australian nationals for drug offenses. This is the first military suspension since 2013, when Australia was found to have attempted to spy on the phone calls of then-president Susilo Bambang Yudhoyono and his wife.

Trump's Indonesia Ventures to Go Ahead Despite Conflict of Interest Criticism

The Jakarta Globe, 04-01-2017

US President-elect Donald Trump is reportedly going ahead with business ventures in Indonesia, despite pledging an end to foreign business deals which could spark a conflict of interest.

The Trump Organization, which manages Trump's business ventures and investments, has contracts to develop two large resort projects in Indonesia — one in Lido, West Java, and another in tourism spot Bali — according to a New York Times report published Saturday (31/12). "Construction is well underway and will proceed as planned," Trump Organization spokeswoman Amanda Miller said, as quoted by New York Times. Selling himself during the presidential election campaign period as a savvy billionaire who would use his business expertise to improve the US economy, negotiate better trade deals all while cutting taxes, Trump will enter the White House with a complex array of assets and interests which has caused concern for constitutional experts. Trump companies have a presence in at least 20 countries, including Britain, India, the Philippines and Turkey. Since the November poll, international press has covered how Trump's business empire could pose conflicts of interest.

The New York Times noted Trump, who will take office later this month, has forged relationships with "powerful political figures in Indonesia," including Golkar chairman and Speaker of the House of Representatives Setya Notvanto, who himself has been embroiled in controversy including a 2015 extortion scandal with US mining giant Freeport-McMoran.

Media mogul and Trump's main Indonesian business partner Hary Tanoesoedi, is reportedly considering a presidential run in the 2019, despite a failed vice-presidential bid in 2014 and a fledgling political party of little influence. "You could have two world leaders that are business partners," Richard W. Painter, who served as a White House ethics lawyer during the George W. Bush administration, was quoted as saying by the Times. "It makes it almost impossible to conduct diplomacy in an evenhanded manner. That does not work."

The Times also highlighted the role of Trump advisor on regulatory issues in Indonesia, Carl C. Icah, who is a top shareholder in Freeport. The mining giant controls one of the world's largest copper and gold mines and is the country's largest taxpayer. Freeport is currently seeking to extend its mining contract with the government. Recent reports have suggested the Trump family were making efforts to resolve these potential conflicts, including establishing blind trusts and terminate development deals, despite Trump continuing to maintain no conflicts exist. The Indonesian government has declared it will take a "wait-and-see" approach to the incoming president, particularly when it comes to foreign policy.