

Impunity

ACBN denies report on Wiji Thukul's role as a bomb maker

The Jakarta Post, 19-03-2016

Associaçao Dos Combatentes Da Brigada Negra (ACBN), a humanitarian aid organization from Timor-Leste, has denied the allegations presented on a Path message about missing human rights and democracy activist Wiji Thukul. In the message, Wiji is described as a bomb-maker for East Timorese rebels fighting against the Indonesian military. "We hope that the media both in Timor-Leste and Indonesia will not to spread baseless reports about Wiji Thukul. We hope the media will show empathy to the relatives of Wiji Thukul, who are the victims of a past human rights violation," read a statement sent out by the organizer of an ACBN event in Dili on March 16.

During an event named "Seminar on Maritime Borders," ACBN presented 500 awards to activists from both Timor-Leste and foreign countries for their contribution to Timor Leste's independence struggle. Fitri Nganthi Wani, Wiji's daughter, was among those who received an award presented by ACBN chairman and Timor Leste's former first president Xanana Gusmao.

The Path message posted by Wicaksono, the editorial leader of online news portal beritagar.id, claimed that Wiji was an Indonesian who supplied and assembled bombs used by East Timorese soldiers to fight against the Indonesian Military. Gusmao denied Wicaksono's claims. "What we know from the Indonesian Association of Families of Missing Persons was that he was an activist who was the victim of forced disappearance prior to the [Indonesian] reform in March 1998," the statement added.

Other Indonesian awardees included Budiman Sudjatmiko, Dita Indah Sari, Danial Indrakusuma, Wilson, Bima Petrus Anugrah, Jacobus Eko Kurniawan, Petrus Hari Hariyanto, Andi Arief and Fransisca Ria Susanti. "Those given awards contributed to the fight for democracy. They showed solidarity with Timor-Leste," the statement said. In 1999, following a United Nations sponsored act of self-determination, Indonesia left Timor-Leste. Timor-Leste became the first new sovereign state of the 21st century on May 20, 2002.

KontraS launches a documentation site

Kompas, 21-03-2016

Human rights organisation KontraS has announced that it will start a new effort to publicize its documentation on human rights violations of the past on a special website: masihingat.kontras.org.



Asih Widodo, father of Sigit Prasetyo, one of the victims of the Semanggi shootings (1998). "Masih ingat" means "keep remembering" of "do you still know".

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See also: <http://www.thejakartapost.com/news/2016/03/21/kontras-releases-archive-website-past-rights-abuses.html>.

LGBT Rights

Stop inflammatory and discriminatory statements that put the LGBTI community at risk

Amnesty International Public Statement, 18-03-2016

Amnesty International is extremely concerned about the increasing hostility by the Indonesian authorities towards lesbian, gay, bisexual, transgender and intersex (LGBTI) people in the country. The organisation calls on the authorities to respect its international human rights obligations and to end discrimination, threats and other harassment of individuals because of their sexual orientation or gender identity. It must also publicly condemn attacks against LGBTI people, making clear that such violence is a criminal offence and will not be tolerated.

Since January 2016, there has been a growing climate of discrimination after public officials made inflammatory, discriminatory, grossly inaccurate or misleading homophobic statements on the grounds of “defending the country’s public morality and public security”.

In January, the Minister of Research, Technology and Higher Education issued a statement that LGBTI people “corrupt” Indonesian social norms and values, and that he would ban any LGBTI activities in Indonesian universities. The Minister also criticised the Support Group and Resource Center on Gender and Sexuality Studies (SGRC) at the University of Indonesia for conducting research, training and public outreach about LGBTI and sexuality issues.

In a separate incident, on 3 February, the Indonesian Broadcasting Commission (KPI) issued a letter recommending that all television and radio stations ban any programs that promoted LGBTI activities in order to “prevent children from learning indecent behaviour”.

On 24 February, the Al Fatah Pesantren Waria, a transgender Islamic boarding house in Yogyakarta was closed down for ‘security’ reasons by the local authorities after a complaint was lodged by Front Jihad Islam, a hard-line Islamist organization.

The International Covenant on Civil and Political Rights, to which Indonesia is a state party, prohibits discrimination on the grounds of sexual orientation, gender identity and expression. The government must ensure that no one in authority makes any public statement or order which could reasonably be interpreted as a licence to discriminate against or otherwise target any individual because of their sexual orientation or gender identity.

Amnesty International is also concerned about restrictions by the police on the rights to freedom of assembly and expression for LGBTI people. On 3 February, the Menteng Jakarta police disbanded a workshop organized by Arus Pelangi, an LGBTI NGO, in a hotel in Central Jakarta after they received complaints from the FPI (Islamic Defender Front), another hardline Islamist organization. The police argued that Arus Pelangi did not have a permit to organize such workshop. On 23 February the police prevented a peaceful pro-LGBTI rally in Yogyakarta citing that the group had not given the authorities adequate notice of the event and disbanded the group to prevent a clash with a coinciding anti-LGBTI demonstration. A transgender protester, who had joined the rally, was hit on the head by seven anti-LGBTI demonstrators after being followed from the rally.

International human rights law places a positive obligation on states to ensure that individuals and groups are able to exercise their rights to freedom of expression and assembly, free from the threat of violence or disruption.

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Amnesty International calls on the authorities to ensure that thorough and impartial investigations are carried out into attacks and threats against individuals because of their sexual orientation or gender identity and that anyone reasonably suspected of a crime in this regard be prosecuted in line with international human rights law and standards. The authorities must also act to provide effective protection to LGBTI people who face threats to their lives and safety.

The organisation also calls on President Joko Widodo to speak up for the rights of LGBTI people. If not his ongoing silence will send an alarming message that such attacks and harassment will be tolerated under his leadership paving the way for further discrimination against LGBTI individuals, activists and organizations.

Aceh clamps down on LGBT people, threatens caning

The Jakarta Post, 15-03-2016

Ulemas in the West Aceh regency say there is no place for lesbian, gay, bisexual and transgender (LGBT) people in the area and are threatening to cane those committing such activities as they claim they are violating the laws of God and sharia as implemented in Indonesia's westernmost province. The local administration, together with the ulema community, said it would eradicate the existence of the LGBT community whose activities have lately been detected in a number of beauty salons in the West Aceh regency, a member of the West Aceh Ulema Consultative Assembly (MPU) DI Nasution said. "This time it's still a warning for the LGBT people who were netted in the previous raids. In the future, if they still refuse to change, we will cane them in accordance to Islamic law," he said as quoted by Kompas.com on Tuesday.

Nasution also warned the LGBT community in the area to immediately return to the sexual identity they were born with and also to respect sharia.

Meanwhile, the North Aceh administration plans to assign officers from the Public Order Agency (Satpol PP) and the Syariat Police (Wilayatul Hisbah) in every district to guard and monitor the practice of sharia in the villages of the regency.

North Aceh regent Muhammad Thaib said most of the monitoring of sharia is conducted in cities, while villages tend to be neglected. The monitoring efforts needed to be intensified in the villages to prevent violations of the Islamic law, he said. At a muzakarah event - a religious-based debate session - in Nisam subdistrict of North Aceh on Monday, Thaib invited the society to abide by the religious values and examples set by the ulemas. "Ulemas are our role model. We have much to learn about religion from them. We should not distance ourselves from the ulemas," he said, adding that he was also inviting the ulemas to provide guidance and criticism during his tenure as a district head in North Aceh.

The muzakarah was carried out to coincide with the commemoration of the birth of Prophet Muhammad and attended by Abon Yusuf as well as by a number local government officials from the Aceh House of Representatives (DPR). Aceh is a special autonomous province in Indonesia and has been, since 2001, the only one to impose Islamic law on all its citizens, including on those of other faiths.

Death penalty

A modified death penalty?

Kompas, 21-03-2016

Government and Parliament have agreed on a modified death penalty via the revision of the Criminal Code (KUHP). The death penalty will be retained, but there is a possibility to change the sentence into life or 20 years imprisonment based on good behavior.

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The occurrence of death sentences and their execution over the last fifteen years. Narkoba = drugs-related; pembunuhan = murder). [comment: the number of death sentences of earlier years is not complete. MM]

This step is taken as a compromise between two options. On the one hand many people want to delete the death penalty because it is a violation of human rights and not in line with international human rights law. On the other hand people want to retain the possibility of a death sentence to protect society against the occurrence of the crime that is being prosecuted.

"The modification of the death sentence is aiming at the possibility for the convict to show good behavior in prison", said the member of Komisi III DPR, from the Fraksi Partai Persatuan Pembangunan, Arsul Sani, last Sunday (20/3).

Arsul said that the rules will include a period of 10 years in which the convict can show his good conduct. (...)

"However, if the convict does not show remorse in 10 years time, or continues to spread or manage the drugs crimes from within the prison, he will not have his sentence converted into life imprisonment, and he will still be executed," he said.

According to the member of DPR Commission III from the Fraksi Partai Keadilan Sejahtera, M Nasir Djamil, a number of members have to consider more in-depth how the modification can be transparent in its application.

Refugees

RI to ask Australia to relax refugee policy

The Jakarta Post, 18-03-2016

Indonesia is planning to ask Australia to revise its strict policy on refugees at the upcoming Bali Process international forum through a multilateral mechanism that demonstrates Indonesia is not alone in wanting the neighboring country to let more refugees into its territory.

Initiated in 2002 to address people smuggling, trafficking in persons and related transnational crimes, the Bali Process is slated to take place on the island on March 22-23, co-chaired by Foreign Minister Retno LP Marsudi and her Australian counterpart Julie Bishop.

The forum comes at a sensitive time, with Australia in the international spotlight for its policy to turn back boat people and strict quota on asylum seekers and with Indonesia seeing overcapacity and financial problems at detention centers housing refugees.

When asked if the forum's declaration would include an attempt to appeal against Australia's strict policy on refugees and use of a refugee quota, Foreign

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Ministry spokesman Arrmanatha Nasir said the matter would be discussed over the course of the conference.

“It is an issue that we hope to see discussed during the meeting. We will see to what extent it can be discussed,” he said.

Citing the emergence of a potential humanitarian crisis in the wake of an influx of Rohingya refugees into the region last year, the Foreign Ministry has previously said that the forum will yield a declaration expected to set guidelines for an emergency response mechanism regarding irregular migration. The Law and Human Rights Ministry’s director general of immigration Ronny F. Sompie, said recently that his office was currently too short of funds and human resources to properly manage asylum seekers and refugees, and called for the forum to be used to persuade Australia to allow more room for refugees.

Indonesia’s 13 immigration detention centers, Ronny said, are already suffering from extreme overcrowding, with the number of illegal migrants soaring more than fivefold over the past seven years.

Arrmanatha said Indonesia was working with the UN High Commissioner on Refugees (UNHCR) and International Organization on Migration (IOM) to handle refugees, adding that serious efforts were needed to improve facilities, which was among the goals the Bali Process would work toward.

“Refugee issues need always to be discussed in the regional context, not the individual [country] context. It’s pointless for just one or two countries — like Indonesia with Australia or Indonesia with New Zealand — to discuss the issue, as we need to find long-lasting solutions,” he said, emphasizing that origin, transit and destination countries should all be involved in the discussion.

As of January, there were 13,679 refugees and asylum seekers registered with the UNHCR in Indonesia, many of whom have been stuck in transit for years. An

asylum seeker is someone who says he or she is a refugee, but whose claim has not yet been definitively evaluated.

Australia resettled around 808 refugees from Indonesia in 2013, but that figure was halved by 2015.

Indonesia is not a signatory to the UN refugee convention and refugees cannot legally work here while waiting for resettlement in a third country.

Arrmanatha said that representatives from 44 countries had confirmed attendance at the Bali Process, including 13 ministers, eight deputy ministers and senior officials.

Representatives from five countries have requested or have indicated that they want to hold bilateral sessions with Retno in the sidelines of the event, he added, namely New Zealand, the Netherlands, Fiji, Japan and Afghanistan. Retno is also expected to meet with representatives from the IOM and UNHCR.

See also: the Inside Indonesia Special on refugees:

http://www.insideindonesia.org/?utm_source=All+Subscribers&utm_campaign=f177866ff4-Feature+Edition+124&utm_medium=email&utm_term=0_32cd77f926-f177866ff4-245881565

Counter-terrorism

Three more suspects killed

The Jakarta Post, 18-03-2016

Indonesian security forces have killed three more suspected militants linked to the country's most wanted Islamic radical, police said Friday. Central Sulawesi

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police chief Brig. Gen. Rudy Sufahriadi said two men were fatally shot in a clash Wednesday near Siliwanga village in Poso district. He said a body believed to be another militant killed in an earlier clash was also discovered in a river.

The deaths brought to five the number militants killed this week as security forces including elite army troops intensify their operations in Sulawesi against Indonesia's most wanted militant, Abu Wardah Santoso, who leads the East Indonesia Mujahidin network that has pledged allegiance to the Islamic State group.

Earlier this week, police killed two suspected Chinese Uighur militants who were also believed to be linked to the group, which is thought to be hiding in Poso, a mountainous district considered Indonesia's terrorist hotbed. Police believe four other foreigners are still with the group. Authorities believe some ethnic minority Uighurs have entered Indonesia to join forces with local militants at the urging of Santoso, who has claimed responsibility for the killings of several police officers.

Last July, an Indonesian court sentenced four Uighurs, arrested in September 2014 in Central Sulawesi, to six years in prison for conspiring with militants from Santoso's network. Another suspected Uighur militant who was allegedly preparing to be a suicide bomber was arrested in December near Jakarta, the capital. Sufahriadi said security forces are guarding some areas of Poso to try to prevent members of the network from escaping.

Lawmakers want military to combat terrorists and drug traffickers

The Jakarta Post, 19-03-2016



The Indonesian Army's Special Forces, Kopassus, perform in a military parade. Kopassus is one of the best anti-terror forces in the world. (Tempo)

Lawmakers want the Indonesian Military to play a broader role, beyond just international defense, and assist in the battle against terrorism and drugs, a House of Representatives member said.

Member of the House Mahfudz Siddiq said the military should help police to deal with global security issues such as terrorism, separatism and drug trafficking, in order to make efforts more effective. "The military must be involved more [in helping police to enforce the law]," Mahfudz told reporters recently.

Since the Jakarta terrorism attack on Jan. 14, the government has sent thousands of special troops to Poso in Central Sulawesi to join a police counterterrorism operation, chasing the country's most-wanted terrorist Santoso, the leader of the East Indonesia Mujahidin (MIT).

Political, Legal and Security Affairs Minister Luhut Binsar Panjaitan has called previously for the military to play a role in counterterrorism efforts. "One of the military's additional jobs is to fight against terrorism," he said.