

## Impunity

### **LGBTIQ Forum and IPT 65 receive Suardi Tasrif Award**

The Jakarta Post, 27-08-2016

The jury for the Suardi Tasrif Award for freedom of expression on Friday night bestowed the prize on two groups that have fought stigma and the legacy of a dark past. They had been “courageously voicing violence and discrimination against them to uphold freedom of opinion and expression in Indonesia”, it said.

The jurors — Press Council member and Jakarta Post Digital chief editor Nezar Patria; Ignatius Haryanto from the Press and Development Study Institute (LSPP); and Luviana, journalist and Suardi Tasrif Award laureate in 2013 — gave the award to the LGBTIQ Forum and the International People’s Tribunal 1965 (IPT 65) group.

The forum for lesbian, gay, bisexual, transgender, intersex and questioning (LGBTIQ) individuals consists of more than 20 organizations concerning the minority groups’ rights while the IPT 65 consists of victims of the 1965 communist purge, researchers, advocates, lawyers and organizations concerned with justice for victims.

“We hope the award for these two groups can lead to greater respect for the message they want to send to us, and also as an attempt toward national reconciliation. We hope this award will give both groups the spirit to continue their fight for equal rights and to get complete information of what happened in the past, and moreover for our growth as a sovereign and civilized nation like our founding fathers wanted,” the jury wrote.

The award is given annually by the Alliance of Independent Journalists (AJI), coinciding with its anniversary on Aug. 19. This year’s awards, granted on Aug. 26, marked the AJI’s 22nd anniversary.

Last year, the award was won by Joshua Oppenheimer and his codirector Anonymous, who made the Academy Award nominated documentaries on the 1965 mass killings *The Act of Killing* and *The Look of Silence*.

### **Timor-Leste: still no justice for past human rights violations**

Amnesty International 23-08-2016

This submission [report] was prepared for the Universal Periodic Review (UPR) of Timor-Leste taking place in November 2016. In it, Amnesty International evaluates the implementation of recommendations made to Timor-Leste during its previous UPR, noting that important recommendations have yet to be implemented.

Amnesty International is concerned about the failure by Timor-Leste to ensure truth, justice and reparations for the victims of past human rights violations and their relatives, and the fragile justice system in the country.

Amnesty International is also concerned about the persistence of human rights violations by Timorese security forces and the pattern of impunity for these violations; the restrictions imposed on the right to freedom of assembly, expression and the media by legislative provisions; and the 2010 Law against Domestic Violence, which does not adequately meet the standards of the Convention on the Elimination of All Forms of Discrimination against Women.

In the final section of this document, Amnesty International makes a number of recommendations to Timor-Leste to address the human rights concerns raised in the submission.

Read the full report: <https://www.amnesty.org/en/documents/asa57/4513/2016/en/>

## Freedom of Religion

### **Failed Suicide Bomber Attacks Catholic Church in Medan**

The Jakarta Globe, 28-08-2016

A suicide bomb attempt at a Catholic church in Medan, North Sumatra, Sunday morning (28/08) has left the suspect with minor injuries after the bomb failed to detonate correctly.

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Father Albert S. Pandingan was leading the Sunday service at Medan's St. Yoseph church when the suspect, identified as I.A.H., ran towards the pulpit and attempted to stab the priest. The bomb hidden in the suspect's vest failed to detonate, only creating sparks which injured the would-be attacker. The priest sustained only minor scratches to his arm.

I.A.H. is a 17-year-old student from Setia Budi in Medan Selayang, North Sumatra.

Members of the church congregation seized the suspect, who was carrying a knife, an axe and a pipe bomb in his backpack, before police arrived to clear and secure the venue. "We have seized a back backpack from the perpetrator. The perpetrator is alive and injured and there are no casualties in this incident," National Police spokesman Insp. Gen. Boy Rafli Amar told Beritasatu.

Boy also said police had found what a drawing that resembles the Islamic State flag. It remains unclear if the suspect is affiliated with a terror cell and police are investigating potential links.

In early July, a day before Idul Fitri celebrations, a suicide bomber targeted the Solo police headquarters but killed only himself.

### **FPI breaks up religious discussion in W. Java**

The Jakarta Post, 29-08-2016

At least 15 members of the hard-line Islam Defenders Front (FPI) dispersed a religious discussion in Bandung, West Java, on Sunday, as they objected to the presence of an Ahmadiyah follower as one of the speakers at the event.

Risdo Mangunsong of the Interreligious Network said the FPI members broke up the event entitled "Discussions on Miriam in the Bible and Al Quran: An Alternative Bridge in Christian-Islam Dialogues", as it was about to start on Sunday morning.

"[...] They had objections because one of the speakers in the discussion was an Ahmadiyah follower," said Risdo, referring to Taufik Khalid Ahmad, one of three speakers scheduled to present at the event, which was to be held in the auditorium of the Karya Pastoral building. The two other speakers were Risdo and Catholic priest Heredi Suhartono.

Risdo said he was earlier contacted by someone identifying himself as Deni who claimed to be a Bandung Police intelligence unit member. According to Risdo, Deni said he was contacted on Saturday by an FPI member who objected to the plan to feature an Ahmadiyah follower at the discussion.

"Shortly before the discussion started on Sunday morning, I was phoned by the intelligence officer [Deni] who asked the discussion's organizing committee to cancel the event. He said it was the FPI that had asked for the cancellation," said Risdo.

He added that several FPI members later arrived at the venue. "They shouted, asking anyone they encountered to show [the way to] the discussion room." The angry group dispersed after the organizer signed a statement, agreeing to cancel the event.

### **Migrant workers' rights**

#### **UN speaker Eni learns migrant workers' rights the hard way**

The Jakarta Post, 28-08-2016

Eni Lestari, a former Indonesian migrant domestic worker, never dreamed that one day she would deliver a speech at the UN Summit for Refugees and Migrants. It was not her first time speaking at a UN event or discussion, but it will be her first time speaking in front of 1,900 people, including presidents and prime ministers of UN member countries, UN officials, academics and religious leaders. It will be an all-day event on Sept. 19 at the UN headquarters in New York. She will address an opening speech in the summit, speaking about humanizing migrant domestic workers' working conditions.

Growing up in Kediri, East Java, Eni dreamed of going to college. However, the 1997-1998 Asian financial crisis shattered her reverie. She did not come from a wealthy family. "All I was thinking about at that time was to make money to continue my studies because my parents could not pay for it," Eni said. An offer to work as a domestic worker in Hong Kong then came from her friend who had signed to work there. With her parents' permission and help from a middleman, she was registered to work in Hong Kong. However, she left for Hong Kong with minimal knowledge of the local language and very few housekeeping skills, while not knowing her rights, social conditions and culture of the country where she would work. Labor recruitment agencies (PJTKI) told her nothing.

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She thought it was OK that her passport was taken away by the people who picked her up in the airport. She did not protest working 18 hours a day, did not make a fuss about being underpaid and thought having no days off was the norm. Although she was not aware that her rights were being violated, one day she had enough. She left her employer, but it was only later that she came to the realization that working conditions must change.

Six months after she left her job, she stayed in a migrant worker shelter. She met with others and they shared their experiences working as migrants in many countries. From there, she grew into an activist and organized others. Now, she is chairwoman of the International Migrants Alliance. “I want to send a message to all countries to change the way they think about migrant workers. They only think about profit, forgetting our rights,” Eni said.

Migrant workers contribute the largest foreign exchange reserve to the government after oil and gas. In 2014, the contribution was US\$8.4 billion.

Eni went on to say that she wanted to remind governments all over the world that migrant workers were human beings and should be treated properly. “We are neither slaves nor goods,” she said.

Wahyu Nandang Herawan, a public attorney with the Indonesian Legal Aid Foundation (YLBHI) told The Jakarta Post that the government should ensure that migrant workers were guided, protected and supervised when they were abroad. “The government should be able to provide necessary information to migrant workers [...] and monitor them when they are abroad so that if they get into trouble, the government can directly assist them,” Wahyu said.

In 2015, Indonesia sent 275,736 migrant workers abroad, 39 percent of which around were junior high school graduates, while 32 percent of them were only elementary school graduates. It has been reported that around 6 million Indonesians are working abroad.

According to Manpower Ministry data, 6.1 million Indonesians work abroad.

### LGBT Rights

### **LGBT advocates give moving speeches at award event**

The Jakarta Post, 27-08-2016

A group of LGBTIQ (lesbian, gay, bisexual, transgender, intersex and questioning) advocates was bestowed with the Suardi Tasrif Award, given to those fighting for freedom of expression, during a ceremony in Jakarta on Friday. The group, Forum LGBTIQ Indonesia, is an alliance of more than 20 LGBTIQ NGOs throughout Indonesia.

The award was ceremonially accepted by two representatives from the alliance, Abhipraya Ardiansyah Muchtar, who is a transman, and Kanza Vina, a transwoman. The ceremony was also attended by Religious Affairs Minister Lukman Hakim Saifuddin, who delivered a keynote speech.

“This award is good news during times when the LGBTIQ community is bombarded with information, propaganda and suspicion in social media and mainstream media, which is filled with ignorance about the sexuality of individuals like me,” Abhipraya, who realized that he was born in the wrong body when he was still little.

The award, organized by the Independent Journalists Alliance (AJI), came as several Islamist professors are petitioning the Constitutional Court to criminalize consensual sex among unmarried heterosexual and homosexual people, something which could severely limit people’s privacy and further fuel discrimination against LGBTIQ people.

“During the 71 years of Indonesian independence, LGBTIQ people have never been protected nor helped in Indonesia. But we were not criminalized either,” said Abhipraya. He then pleaded with the government to help the LGBTIQ community through this hard time.

“Now there is an attempt to criminalize LGBTIQ people through the Constitutional Court. I hope the government, including Pak Minister, will see our difficult situation and support public education so that the public can understand and want to stop discrimination against us,” Abhipraya said.

“Sexuality is something deep. It requires more than a binary approach: man and woman. It also requires more than a ‘disorder’ label. We ourselves do not want to be in the position

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where we have to ask a lot of questions," he said in his speech. Abhipraya also conveyed his thanks to the AJI, which celebrated its 22nd anniversary on Aug. 19.

"We are happy to receive this award, from this organization of journalists. It gives up hope—and at the same time is a challenge for journalists—of an improvement in the quality of journalism and news on sexual minorities in Indonesia," he said in his speech.

"This Suardi Tasrif Award is not simply an appreciation of our work in Forum LGBTIQ, but also of our goals, the future of Indonesia, which will be better, in which we all work together to nurture freedom and diversity," Abhipraya said.

### Police accountability

#### **Police Watchdog Lashes Out Against Officers for Using Excessive Force in Riau Riot**

The Jakarta Globe, 26-08-2016

A police watchdog has strongly criticized officers for allegedly using excessive force to quell a riot that broke in Riau province's Meranti district earlier this week.

One person was killed in the incident, which started when local residents showed up at the police headquarters on Thursday (25/08) to protest against the death of a man who allegedly murdered an officer.

The 24-year-old suspect, identified as Apri, was reportedly shot by officers when he resisted arrest after allegedly stabbing Brig. Adil S. Tambunan to death on Wednesday. The critically wounded suspect was taken to a nearby hospital, but died before doctors could attend to him.

Reports of Apri's death subsequently circulated among residents, who decided to go the police headquarters to demand an explanation. However, violence ensued when officers tried to disperse the crowd. One protester was found dead after the clash.

"The killing shows police offices have never been a safe place for those seeking justice," Indonesia Police Watch (IPW) chairman Neta S. Pane said in a statement on Friday. "Police

stations are still rife with officers who are arrogant and prefer to use brute force instead of brainpower. "The incident shows police are both unprofessional and use disproportionate force. The police have not changed. Their reforms are merely rhetoric."

#### **Four investigation teams work on Haris' testimony**

Kompas, 28-08-2016

Three teams investigate the claims published by Haris Azhaar, coordinator of human rights organization KontraS with regard to the suspected involvement of the police, the Anti-drugs Agency BNN, the prisonguards and the army in the drugscrimers by Freddy Budiman. A member of the police investigation team, Hendar<sup>1</sup>, said the team will speak with the former head of the Batu (Nusakembangan) prison, Liberty Sitinjak. He was witnessing the conversation of Freddy Budiman with Haris Azhar, He would have allowed the CCTV camera being taken from Budiman's cell, sothat he could continue his drugs activities. Other witnesses of this meeting, another prisoner and a priest have already been questioned.

The BNN, the Ministry of Law and the army TNI have established their own investigation teams. They will question Freddy's relatives, other prisoners and other institutions like the PPAK (Pusat Pelaporan dan Analisis Transaksi Keuangan, the monitoring and analysis Centre for Financial Transactions). On 12 August President Widodo suggested that the teams be coordinated with a kind of umbrella-team.

The procedure against Haris Azhar for slander has been temporarily halted.

### Counter terrorism measures

#### **Arrest, Detention Periods for Terror Suspects Reforms to Be Reviewed Citing Human Rights Concerns**

The Jakarta Globe, 26-08-2016

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<sup>1</sup> Hendar<sup>1</sup> is a well-known human rights defender, chairman of the Setara Institute.

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Maximum detention and arrest periods under review by the House of Representatives may be shortened after concerns the reforms would infringe on the human rights of suspects and increase torture in custody cases. The House is currently deliberating government-proposed revisions to the existing antiterrorism laws which seek longer periods of arrest and detention. Security officials have deemed the tougher action necessary amid what they have called growing complexities in preventing threats of terrorism. The maximum period of arrest without charges for alleged terrorists under the revisions is 30 days, seven days longer than the existing law and far higher than the 24 hours maximum under the criminal law.

But, plans may be derailed after criticism from human rights activists. "We will possibly find the middle ground. The period of arrest may be shortened to around 14 days," Arsul Sani, a United Development Party member on the House's special committee for the antiterrorism bill, said on Thursday (25/08).

The revisions will also lift the maximum period of detention of terror suspects to 450 days from the current period of 180 days. "The periods could last more than a year if the authority is entirely used. This is a step backward in our criminal justice system," he said. More than 100 alleged terrorists have died in custody of the National Police's counterterrorism unit Densus 88 since its formation in 2004, according to data from the National Commission on Human Rights (KomnasHAM)

"One of the most basic principles of human rights is people should be held under control of law enforcers for the shortest time possible," KomnasHAM commissioner Roichatul Aswidah said. "The longer the detention, the greater the potential for torture."

### **Indonesia May Soon Have Its Own Guantanamo**

The Jakarta Globe, 26-08-2016

Lawmakers are reportedly warming to the government-proposed "Guantanamo article" in the new antiterrorism bill currently being discussed at the parliament. The article allows putting potential terrorists in detention for up to six months, which human rights activists say will only encourage torture.

The article states that authorities "can prevent individuals from committing terror acts by putting them in detention for up to six months."

Human rights activists have staunchly opposed this "Guantanamo article," raising concerns over allegedly rampant torture of detainees by law enforcers.

"[The article] doesn't specify who has the authority to put these potential terrorists in detention, how their case is going to be processed or where the detention center will be located," United Development Party politician Arsul Sani said on Thursday (26/08). "It could create a lot of confusion." "We have not put enough thought into this issue, but we should," Arsul, a member of the House of Representatives special committee for the antiterrorism bill, said.

Government officials said the preventive detention could be an effective way to deradicalize alleged terrorists.

The bill also seeks longer periods of arrest and detention, which security officials deem necessary amid what they have called growing complexities in preventing threats of terrorism.

### Political developments

#### **Human Rights Activists Oppose Revival of 'Draconian' National Security Bill**

The Jakarta Globe, 27-08-2016

Human rights activists have rejected a House of Representatives plan to reinstate deliberation on a government-proposed national security bill, which has been on the backburner for years over concerns that it may pose a threat to the rule of law.

House Speaker Ade Komarudin, who is a member of the Golkar Party, earlier this month proposed that the bill should be included in the institution's priority list, shortly after a meeting with officials from the Ministry of Defense.

"The most fundamental thing under the bill is the definition of national security. It must not lead to multiple interpretations," National Commission on Human Rights (Komnas HAM) commissioner Roichatul Aswidah said on Thursday (25/08). "National security is

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indeed a clause that could be used to limit human rights. But how to limit them should then be thoroughly reviewed."

Calling the bill "draconian," Al Araf of the Indonesian Human Rights Monitor (Imparsial) said: "What is perilous in the bill is that the description of what constitutes a threat is extremely broad. This could seriously limit freedoms."

The bill also includes provisions on the authority of the government to declare martial law in response to civil unrest, if it is considered a threat to national security.

Warning against jeopardizing the country's hard-won democracy, Al Araf said: "That authority is the easiest way for the government to suppress dissent."

The proposal has drawn mixed reaction from lawmakers. Considering the bill involves the interests of a wide range of elements within the government, Golkar has called for greater consultation on the matter to avoid jealousy between state institutions.

The Indonesian Democratic Party of Struggle (PDI-P) and United Development Party (PPP) have meanwhile called on state institutions to reach agreement on the requirements first and for the government to complete the draft bill before submitting it to the House for further deliberation.

### Papua

#### **Human Rights Defender Olga Hamadi dies at 34**

<http://humanrightspapua.org/news> 15-08-2016

Papuan human rights lawyer Olga Helena Hamadi died in a hospital in Jayapura on July 28th 2016 after a long period of illness. The exact cause of death is not yet clear.

Olga Hamadi worked for the legal aid organisation LBH Papua and the Commission for the disappeared and victims of violence (KontraS Papua). She took on politically sensitive cases, mainly of indigenous Papuans who were charged with high treason for voicing their opinions and taking part in demonstrations. Many of her clients were unlawfully arrested

and tortured in custody. Security forces frequently obstructed meetings of Hamadi with her clients.

Because of her commitment to the rights of indigenous Papuans, Olga Hamadi was repeatedly spied upon and intimidated. She frequently received death threats. In 2011, the brakes of her car were cut shortly before she was to depart to Australia for a campaign trip on the human rights situation in West Papua.

In 2012, during the trial on the alleged torture and ill-treatment of five men in police detention, Hamadi received treats via text message and was blocked from entering the courthouse by a crowd of people who threatened to beat her if she did not withdraw her application for a pre-trial hearing of the alleged perpetrators.

#### **Papua Police Office Targeted After Child Killed in Altercation**

The Jakarta Globe, 28-08-2016

A police office in the Sugapa subdistrict in Intan Jaya, Papua, was burned down late Saturday (27/08) in a riot following the killing of 15-year-old Etinus Sondegau in an incident involving police earlier in the day.

The incident occurred after 10 police officers chased three individuals into a local market in Sugapa after receiving reports the three had threatened members of the public and were intoxicated.

Police fired shots during the chase but refused to divulge if those shots killed Etinus.

A mob formed and arrived at the Sugapa Police office in Intan Jaya district, carrying the body of Etinus, and razed the office before closing down the local airport and a mobile phone tower.

"People shut down the cell phone tower so we have no access on information to Intan Jaya district," Papua Police chief Insp. Gen. Paulus Waterpauw said on Saturday night. "The situation is beginning to return to normal," Papua Police spokesman Comr. Patriage Renwarin told BeritaSatu.com.