

## Impunity

### **Wiji Thukul film in Rotterdam Film Festival**

Indonesian director Yosep Anggi Noen's second feature, about a dissident poet's life in hiding in a small town in 1996, bows at Rotterdam after winning the top prize at home in the Jogja Asian Film Festival.

Just like his first film Peculiar Vacation and Other Illnesses, Indonesian director Yosep Anggi Noen's second feature depicts a couple contending with new experiences as they grow apart. Whereas that raw debut from 2012 cruises along on quirks — the wife kickstarting her new life by delivering furniture in the countryside, the husband whiling his time away on a diet of trash television — Solo, Solitude is a more solemn, socially relevant and skillfully executed piece.

Revolving around a politically active poet's struggle with his self-imposed exile and his wife's equally anguished yearning for his return, Solo, Solitude goes well beyond simplistic sloganeering in illustrating the trauma brought about by political tyranny. Indeed, even viewers without an idea of the film's social context — that is, Indonesian dictator Suharto's violent crackdown on intellectuals and dissidents in July 1996 — will be able to engage with its protagonists' whirling internal turmoil.

After a sustained run around global festivals — bows at Locarno and Busan, for example — Solo, Solitude returned home to Indonesia last month and secured the top prize at the Jogja Asian Film Festival. More stops await abroad, however, as the film returns to Europe later this month with a berth in the Bright Future section at Rotterdam.

The film's central character is Wiji Thukul, a poet well known not only for his literary endeavors but also his frontline role in combating Suharto's U.S.-backed authoritarian regime: After leading a strike at a textiles factory in 1995, Wiji was severely beaten by the police. It's a track record — unmentioned in the film — that feeds into the general social malaise gripping Indonesia at that time. As the film begins, an onscreen text explains the political schisms in the country, while official radio broadcasts are heard rallying pro-government thugs against "communists."

As Solo, Solitude unfolds in July 1996, Wiji (played by veteran Indonesian thespian Gunawan Maryanto) is already a marked man fleeing for his life, as he tries to settle into clandestine exile in a city in Borneo. Meanwhile, across the Java Sea and hundreds of miles away, his wife Supon (Marissa Anita) is left at home in Central Java to contend with the authorities; the film actually begins with menacing police officers interrogating her and her daughter about Wiji's whereabouts.

<http://www.hollywoodreporter.com/review/solo-solitude-istirahatlah-kata-kata-film-review-964839>

<https://iffr.com/nl/2017/films/solo-solitude>

### **Plans for a Peace Museum in Aceh**

Kompas, 30-01-2017

The Director of the Acehese Culture, Haekal Afifa, has said that it is necessary to establish a Museum of Peace in Aceh to teach the young generation not to forget the past. The collection of such a museum would document the long conflict in Aceh and facilitate study about conflict resolution, he said. There are already photographs, videos, books and manuscripts, partially already digitalized.

It would also refer to the colonial war with the Dutch. There are newspaper clippings starting in 1873 from local, national and international newspapers, 250 videos, 4,000 books and 700 manuscripts. Sources are Leiden University (The Netherlands), the New York Times, Swedish papers and Acehese leaders.

According to him a peace museum is not aiming at opening old wounds, but to make the young generation aware that conflicts do not work to solve a problem. It is a bridge in time between the past and the future. "It should not happen that in 20 years' time children do not know anymore that Aceh had a conflict", he said.

The Head of the Unit for People's Unity, Politics and Community Protection (Kesbangpol dan Linmas) in Aceh, Nasir Zalba said that the government supports the idea of such a peace museum. In his office a room has been made available, but it is still very small.

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"Aceh needs such a museum also for foreign researchers who come to Aceh for field research. Up till now we cannot show them anything", said Nasir

### Freedom of Religion

#### **Intolerance increases**

Kompas, 30-01-2017

The number of violations of the freedom of religion shows to be the highest of the last ten years. It is necessary that the government takes measures to counter this trend. If not, it will become a ticking time bomb that can explode any moment. During 2016 the Setara Institute noted 208 violent incidents, being 270 acts in 24 provinces. The highest number is in West java (41 incidents), the Great Jakarta Area (31 incidents) and east java (22 incidents).

"The Government has to take steps to stop this. It is the highest number of incidents since we started to document those incidents, 10 years ago", says Setara Institute researcher, Halili. According to him there are several phenomena the increase of intolerance, such as a change in attitudes of civilians (39 incidents) the existence of organisations that concone intolerance in the name of their members, and the weak law enforcement, which can be seen in mass events and lynching incidents.

From 270 intolerant acts, 140 involved acts by state officials and the other 130 were among civilians or groups of civilians.

The vice-chairman of Setara Institute, Tigor Naipospos said that there is no significant change in the occurrence of intolerance since the start of the Presidential leadership of Joko Widodo and Jusuf Kalla with regard to the guarantees and protection of the freedom of religion. In its analysis Setara Institute found symptoms that the intolerance is special in urban centers. This could be a signal that middle class and higher educated people are involved.

At a separate occasion, the Chairman of the General Board of the Nahdlatul Ulama (PBNU), Said Aqil Siroj stressed the fact that the entry of Islam in Indonesia was carried out

without violence or pressure. The Javanese preachers at the time used the local culture as a vehicle to bring the message of Islam, until it was accepted. Said Aqil instructed the current preachers to learn from the "wali sanga" (the nine pious leaders who spread Islam in Java in the 14<sup>th</sup> century).

#### **Bandung Issues 300 Permits for Non-Muslim Houses of Worship in Past Five Years: Mayor**

The Jakarta Globe, 30-01-2017

Bandung Mayor Ridwan Kamil said his administration has issued more than 300 permits for non-Muslim houses of worship in the past five years to promote unity in diversity, one of the country's mottos known by its Sanskrit-derived formulation "Bhinneka Tunggal Ika."

Speaking after being named as one of a number of "pro-pluralism figures" in Indonesia by the Greater Bandung Christian Youth, Ridwan said the city has done its best to allow minority groups to build their houses of worships.

He claimed the Bandung administration had issued around 60 permits for this type of establishment every year in the past five years. "I believe the majority of people in Bandung are tolerant," Ridwan said on Sunday (29/01). Ridwan has served as mayor in the West Java capital since 2013.

Building non-Muslim houses of worship had become a convoluted process since 2006 when former president Susilo Bambang Yudhoyono pushed for the issuance of a joint decree between the Ministry of Religious Affairs and Home Affairs Ministry regulating the opening of such establishment. The decree includes a number of complicated requirements to build non-Muslim houses of worship, including approvals from at least 90 neighborhoods in the area. The joint decree also discriminated against minority Ahmadi worshippers, who had since been driven out of many cities.

Despite having issued the permits, Bandung is still considered as one of the most intolerant cities in Indonesia. In November 2015, human rights think-tank group Setara Institute had named Bandung in its top five list of the most intolerant cities in Indonesia along with Bogor, Bekasi, Tangerang and Depok.

### Freedom of Expression

#### **“Aanslag” – “makar” to be investigated by the Constitutional Court**

Kompas, 25-01-2017

A request to investigate the concept of “makar” [in English: trick, tactics, assault, attack, assault against the government<sup>1</sup>] with regard to its compliance with the Constitution has been submitted to the Constitutional Court. The articles on “makar” are considered multifaceted, which causes legal insecurity by a subjective interpretation by the government. The Institute for Criminal Justice Reform (ICJR) has submitted this matter based on seven articles in the Criminal Code (KUHP), namely articles 87, 104, 106, 107, 139a, 139b, and 140.

In a preliminary session chaired by Constitutional Court Judge Suhartoyo, in Jakarta on 24-01-2017, the claimants clarified that the seven articles use a Dutch term, “aanslag”. This term is often translated into Bahasa Indonesia as “makar”. However, literally it means “serangan” [attack, aggression in English<sup>2</sup>]. “The use of this word “aanslag” is not clear; if translated as “makar” the core meaning is unclear if what is meant is more a “serangan”. The Criminal Code itself does not give a clear definition either of the word “aanslag”, said the lawyer of the claimant, Erasmus Napitupulu.

In the seven articles involved, the concept of “makar” is understood to include several acts, such as murdering the president and the vice-president, seizing the independence of the state, toppling the government, secession of an area of the state, up to illegal change of government.

Still, in those seven articles do not clarify concretely what acts are meant. “Many legal experts say that “aanslag” means “serangan”. When this is changing in the direction of meaning “makar”, the core meaning still is “serangan. However, the recent fluidity in using the word causes unclarity of the meaning of “makar” in criminal law,” said Erasmus.

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<sup>1</sup> Kamus Indonesia – Ingggris, Echols and Shadily, 2007

<sup>2</sup> Id.

The claimant gave the example of the case of Stepanus Tahapary who was prosecuted for carrying out “makar” because he had gathered information on the conflict in Maluku and the commemoration of the anniversary of the Republik Maluku Selatan (RMS), and the event with the RMS flag. The same goes for Yakobus Pigai who waved the Bintang Kejora flag which was punished as being “makar”.

Constitutional Court Judge Manahan P Sitompul agreed with the claimants. “It really is true that there is no legal analysis about what is really meant by “makar”. In fact it is right that this really has to be analysed, be it article by article or in general”, said Manahan.

#### **Police to question FPI leaders, GNPf-MUI chairman on treason case**

The Jakarta Post, 28-01-2017

Jakarta Police have scheduled a questioning for Islam Defenders Front (FPI) leader Rizieq Shihab and general secretary Munarman, as well as the National Movement to Safeguard the Indonesian Ulema Council’s Fatwa (GNPF-MUI) chairman Bachtiar Nasir, on Wednesday.

Jakarta Police spokesman Sr. Comr. Argo Yuwono said the three men would be questioned in relation to a meeting attended by treason suspect Sri Bintang Pamungkas and several others. “Their [Rizieq, Munarman, and Nasir] statements are needed since they attended the meeting along with other people,” Argo said on Friday as reported by tribunnews.com.

He said police investigators would question them on who had been invited and what had been discussed during the meeting.

Sri Bintang and several political activists were arrested on Dec. 2 last year in several locations in Jakarta, hours before a massive rally, organized by the FPI and GNPf-MUI was held at the Presidential Palace.

Hundreds of thousands people took part in the rally, demanding that the government legally process Jakarta Governor Basuki “Ahok” Tjahaja Purnama for alleged blasphemy related to his statement on a Quranic verse during a visit to Thousand Islands regency in

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September. Ahok, a Christian of Chinese descent, is now being tried at the North Jakarta District Court for the alleged blasphemy.

The Jakarta Globe, 30-01-2017:

In the same case, police have already questioned political observer Ichsanuddin Noorsy, Confederation of Indonesian Worker's Unions (KSPI) chairman Said Iqbal and KSPI secretary general M. Rusdi. A group of 11 high-profile activists have been named suspects for allegedly plotting against President Joko "Jokowi" Widodo and his administration and planning to hijack the peaceful prayer rally in Jakarta on Dec. 2.

Among them were also rock star Ahmad Dhani, former military generals Kivlan Zein and Adityawarman, theater director and activist Ratna Sarumpaet, former President Suharto loyalist Virza Husein, politician Eko Suryo and activists Alvinindra Al Fariz and Rachmawati Sukarnoputri – the youngest daughter of former President Sukarno.

### **Press Council member summons Muslim preacher over PKI accusation**

The Jakarta Post, 30-01-2017

Press Council member Nezar Patria, through his lawyers, sent a legal warning letter on Monday to university lecturer and Muslim preacher Alfian Tanjung for accusing him of being a cadre of the banned Indonesian Communist Party (PKI). "We rejected and deeply objected a statement by Alfian Tanjung, which has gone viral," one of the lawyers, Kamal Farza, said in a statement.

In a sermon at Said Grand Mosque in Tanah Abang, Central Jakarta, on Oct. 1, 2016, Alfian said the Presidential Palace had been occupied by PKI members. The lecturer of Hamka Muhammadiyah University said that among the alleged PKI cadres, Presidential Chief of Staff Teten Masduki, Nezar Patria and House of Representatives member from the Indonesian Democratic Party of Struggle (PDI-P) Budiman Sudjatmiko had used the palace for daily meetings held before 8 p.m.

(Read also: Presidential Chief of Staff reports university lecturer over PKI accusation; )  
<http://www.thejakartapost.com/news/2017/01/27/presidential-chief-of-staff-reports-university-lecturer-over-pki-accusation.html>

Kamal Farza said Alfian's speech, which mentioned Nezar as a PKI cadre, was slanderous. "Nezar, who was born in the New Order era [of former president Soeharto], of course has never been a member of the PKI nor a cadre," the lawyer said. "As a Muslim, it is impossible that Nezar would fight against Islam, which has become his religion and cultural identity as he was born in Aceh, a region with a strong Islamic tradition in the archipelago," he added. Kamal urged Alfian to revoke the accusation and asked for an apology. "But if Alfian does not revoke his statement, we will take legal action," he added.

### **Prison conditions**

#### **Govt to Turn Nusakambangan Prison Island Into Cattle Farm**

The Jakarta Globe, 24-01-2017

The government is planning to develop Nusakambangan, the notorious prison island that houses some of Indonesia's most fearsome criminals, into a cattle farm next year. Private companies will be involved in the project, which will also train convicted felons to raise cattle. The government said it will be part of a larger national beef-sufficiency program. The director general of penitentiaries at the Ministry of Justice and Human Rights, I Wayan K. Dusak, launched the program on Monday (23/01).

Over the next 12 months, the government will start the bidding process for companies interested in the project. "The government will provide the workers for the farm," Dusak said as quoted by Antaranews.com, referring to the prisoners. "They will be trained in good farming practices and hopefully they would bring their new skills home when they are released and become farmers themselves," he added.

Nusakambangan is a 24,000-hectare island in the Indian Ocean just south of Cilacap in Central Java. The Justice Ministry owns the island and operates four prisons within its vicinity. Only prisoners, prison officers and their families live on the island.

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Prison authorities plan to set aside 20 hectares of land on the island for the cattle farm, Dusak said. He said the project will start by raising 14,000 cattle next year.

Last year, a cattle pen was built on a 2-hectare plot on Nusakambangan. It has received 30 heads of cattle for free from a corporate social responsibility program run by state-controlled Bank Negara Indonesia this year and another 150 heads of cattle bought with money from the state budget. This program involves 100 prisoners as its caretakers.

The Justice Ministry said there are 150,000 hectares of prison land across the country that can be developed for various industries, including cattle farming. This year alone Indonesia will need 3.3 million cattle for slaughter, according to an estimation from the Ministry of Agriculture. The government's ban on beef import under a self-sufficiency program backfired a few years ago as it created a massive beef shortage in the market and forced farmers to slaughter breeding cows to meet demand.

President Joko Widodo has set a new target of beef self-sufficiency by 2026. Meanwhile, the government plans to bring in more breeding cows from abroad to replenish the domestic population.

### Political developments

#### **Latest Poll Shows Ahok-Djarot in Top Spot, Agus-Sylviana at Bottom**

The Jakarta Globe, 27-01-2017

The result of another survey shows significant shifts in the approval ratings of incumbent Governor Basuki "Ahok" Tjahaja Purnama and opponent Agus Harimurti Yudhoyono ahead of next month's Jakarta gubernatorial election. The result of the survey, conducted by Saiful Mujani Research and Consulting, was released on Friday (27/01). It shows Ahok and running mate Djarot Saiful Hidayat enjoying an approval rating of 34.8 percent, placing them in top spot. Meanwhile, candidate pair Agus and Sylviana Murni – which led in the previous survey conducted in December – slumped to the bottom with an approval rating of only 22.5 percent. This shows a significant increase for Ahok-Djarot, at 6 basis points, compared to Agus-Sylviana, who dropped 8.3 basis points.

However, gubernatorial candidate pair Anies Baswedan and Sandiaga Uno again secured the second place with a 26.5 percent approval rating, having increased by 2 basis points.

Meanwhile, the result of a separate survey by the Populi Center, released last Sunday, also showed Ahok-Djarot leading in approval ratings. The survey placed Ahok-Djarot in the top spot with an approval rating of 36.7 percent, followed by Anies- Sandiaga, with 28.5 percent.

#### **Indonesian Textile Producers Cheer US Withdrawal From TPP**

The Jakarta Globe, 28-01-2017

Indonesian textile and garment producers look forward to a level playing field in the the United States after President Donald Trump decided to withdraw from the Trans Pacific Partnership trade pact, a representative of the local textile business association said.

The Southeast Asia nation now expects to export \$4.8 billion worth of textiles and garments to the US this year, accounting for 39 percent of the archipelago's total textile and garment exports, according to the Indonesian Textile Association, or API.

Last year the US market accounted for only 36 percent of the country's textile and garment exports. "The US' decision to quit the Trans Pacific Partnership pact will benefit our textile industry. We can now compete at the same price point as the other textile exporters," API Chairman Ade Sudrajat said early this week.

Neighboring countries such as Vietnam and Malaysia used to enjoy an import duty leeway for being a TPP member country, while Indonesian textile products are subjected to a 10 percent import duty when entering the US market, Ade said. "President Trump's decision to withdraw from the TPP should work in our favor. We can now compete on a level playing field," he said.

Signs for increase in US textile orders have already surfaced with local producers reporting more US buyers have inquired about products and pricing. "In terms of enthusiasm, things are already a lot better than last year," Ade said. US market picking up should also help counter the drawback Indonesian textile producers are experiencing in the European Union markets, Ade said.

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There, Indonesia has to face stiff competition from Vietnam, which gets an import duty of 0 percent under EU's preferential treatment for its low and lower middle income partners. Indonesia, as a member of the Group of 20, is no longer deemed as a middle income country and has to pay a 12.5 percent import duty, Ade said.

Indonesia and the EU are now negotiating on a bilateral trade agreement that will address this import duty issue. "We expect negotiations with the EU could be completed quite quickly," Ade said.

### **'Let's Just Keep This Between Me and the President,' Antasari Says**

The Jakarta Globe, 27-01-2017

Former national antigraft agency chief Antasari Azhar remained tightlipped on Friday (27/01) about his meeting with President Joko "Jokowi" Widodo the day before. "Let's just keep this between me and the president," Antasari said in an interview at the offices of BeritaSatu TV in Jakarta.

The former chairman of the Corruption Eradication Commission (KPK) said those who questioned his status should understand that the president has a constitutional right to grant clemency. "The president can grant clemency, even if the [affected] person does not request it. He did the same for [people in] Papua and Ambon," Antasari said.

However, he said he was headstrong about not filing for clemency during the reign of former President Susilo Bambang Yudhoyono. "I never asked SBY for clemency. I was not even allowed to attend my child's wedding, let alone ask for clemency," he said, referring to the former president by his initials.

He said patience and prayer led him on the road to clemency. "I pled for clemency; sent [my request] to the court. The court sent it to the Supreme Court, which then sent it to the national secretary, and I waited and prayed," explained Antasari, who is a former state prosecutor.

His meeting with the president has sparked speculation that he may be plotting political revenge against those responsible for his downfall.

Many people believe Antasari was framed for the murder of Nasruddin Zulkarnaen, a director at state-owned Putra Rajawali Banjaran, as the evidence in the case was deemed insufficient to secure a conviction. Even Nasruddin's brother Andi Zulkarnaen has stated on many occasions that he believed in Antasari's innocence.

### **Patrialis Akbar Dismissed From Constitutional Court**

The Jakarta Globe, 28-01-2017

The Constitutional Court has dismissed one of its members, Patrialis Akbar<sup>3</sup>, with its ethics council finding his alleged involvement in a graft scandal as a "grave offense." "[The court] has dismissed graft suspect Patrialis Akbar from his duties as a Constitutional Court judge effective Friday, Jan. 27, 2017," court chairman Arief Hidayat said in Central Jakarta.

Arief said the ethics council has also interrogated parties thought to be involved in the ethical violations allegedly conducted by Patrialis.

The council has already questioned Manahan Sitompul and I Gede Dewa Palguna, who were with Patrialis in a panel of judges handling a judicial review on an animal farming and health law. "We have also questioned the court's registrars. But we didn't find anything suspicious," Arief said.

National antigraft agency KPK named Patrialis a suspect in a graft case on Thursday (26/01), following his arrest a day earlier. In a sting operation on Wednesday, investigators from the Corruption Eradication Commission, or KPK, arrested 11 people in three different places in Jakarta, including Patrialis.

The KPK investigators also seized financial transaction documents, currency exchange receipts and a draft of a law to be reviewed.

Patrialis has reportedly received \$20,000 and SGD\$200,000 (\$140,000) in bribes related to a judicial review on Law No. 41/2014 on animal farming and health from meat importer Basuki Hariman and his secretary Ng Fenny.

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<sup>3</sup> In 2013, Patrialis' appointment as a judge of the Constitutional Court was broadly criticized; see <http://jakartaglobe.id/news/patrialis-named-newest-constitutional-court-judge/>