

Impunity

Studies on '65 still trying to reveal truth

By Asvi Warman Adam¹; The Jakarta Post, 27-01-2015

This year people will remember that half a century ago, in 1965, the Sept. 30 Movement (Gerakan 30 September or G30S) made a place in Indonesian history. For 50 years there have been various discourses on the coup, a failed attempt leading to a national tragedy.

The first wave of narratives about G30S concerns who masterminded the movement. The Indonesian Army had PKI, the Communist Party of Indonesia, to blame. Published articles in the US said it was a matter of the army's internal affairs.

A book, 40 Hari Kegagalan "G30S", 1 Oktober-10 November 1965 (40 Days of the failure of "G30S", Oct. 1-Nov. 10, 1965) was published on Dec. 27, 1965, by the History Institute, Defense and Security Staff, in a project initiated by former military commander Gen. Nasution who assigned a number of historians from the University of Indonesia. It only took a month to complete. The book did not use the label "G30S/PKI" but mentioned the involvement of PKI in the coup.

Two US scholars, Ben Anderson and Ruth McVey, who believed that the Army was involved, offered a different view. The report, later known as the "Cornell

Paper", alluded to in the Washington Post on March 5, 1966. Earlier in February 1966, a similar piece by Daniel Lev was published in Asian Survey.

In 1967, Maj. Gen. Soewarto, the Army Staff and Command School (Seskoad) chief, went to the US to Rand Corporation, an agency incorporated after World War II as a watchdog for the US during the Cold War. It was supposed to conduct research on communism in many countries

Guy Parker of the agency told Soewarto of the Cornell Paper and suggested writing a book to counter it. Soewarto sent to the US the historian Nugroho Notosusanto and Lt. Col. Ismail Saleh, a prosecutor for the extraordinary military tribunal where those convicted of the G30S were tried. With Parker's help, Notosusanto and Saleh wrote The Coup Attempt of September 30 Movement in Indonesia.

Included in the file was a post-mortem examination report, visum et repertum, of the bodies of the six generals murdered in the G30S. Ben Anderson, after reading the documentation, prepared an article that stirred a controversy. It was not true, as stated in the army's newspaper that the eyes of the generals were gorged out and their genitals cut off.

The second stream of the G30S narrative was part of the government's campaign to plant its sole version of history. The six-volume National History of Indonesia was published in 1975 and the volume 6 edited by Nugroho Notosusanto legitimized the New Order regime's rise to power. Notosusanto also initiated the production of Pengkhianatan G30S/PKI (G30S/PKI Treachery), a film by Arifin C. Noer in 1984. It was aired on national television on the evening of Sept. 30, every year.

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Weekly Update Human Rights in Indonesia – 02-02-2015

The day president Soeharto fell from power in May 1998 marked the third phase of the G30S narrative. Survivors started to speak up. Among the oral accounts of history, several caught public attention — 1965: Tahun yang Tidak Pernah Berakhir (1965: The Year that Never Ended), Menembus Tirai Asap (Coming Out of the Curtain of Smoke) and Menguak Kabut Halim (Unclouding Halim Mist). The country began to correct its history; I published a number of writings on this subject.

The G30S narrative hit the fourth wave when John Roosa's book, Dalih Pembunuhan Massal (Pretext for Mass Murder), was released in 2008. While previous debates had been on who was behind the 1965 coup d'état, now the focus shifted to who masterminded the mass killings of 1965. Roosa, in his book banned by the Attorney General's Office, argued that G30S movement was a pretext for the mass killings.

Read the full article with the importance of the two documentaries by Joshua Oppenheimer (The Act of Killing; and The Look of Silence) : <http://www.thejakartapost.com/news/2015/01/27/studies-65-still-trying-reveal-truth.html>

Police accountability

Police defy Jokowi's orders, again

The Jakarta Post, 27-01-2015

Despite President Joko "Jokowi" Widodo's order that the National Police cooperate in the fight against graft, some high-ranking police generals for the second time defied summons sent by Corruption Eradication Commission (KPK)

investigators for questioning to complete the dossiers of National Police chief nominee Comr. Gen. Budi Gunawan.

National Police general crime investigations director Brig. Gen. Herry Prastowo and Sr. Comr. Ibnu Isticha, who is Budi's subordinate at the Police Education Institute (Lemdikpol), and Jombang deputy police chief Comr. Sumardi, who also declined to meet the summons last week, again failed to show up for their rescheduled interrogation on Monday.

The KPK has named Budi a suspect for financial misdeeds after finding that in his capacity as head of the Career Development Bureau at the National Police headquarters from 2004 to 2006 he amassed a total of Rp 95 billion (US\$7 million) that he allegedly collected from bribes and gratuities, including bribes paid by officers in pursuit of higher positions in the force.

Since Monday last week, the antigraft body has attempted to summons a number of active police generals and middle-ranking officers, who allegedly paid bribes to Budi to get their promotions, but none of them have turned up for questioning.

Frustrated with the no-shows, the antigraft body said that it would issue a third summons letter for Herry, Ibnu and Sumardi as well as send copies of the summonses to the President and the Coordinating Political, Legal and Security Affairs Minister Tedjo Edhy Purdijatno to inform the State Palace about the defiance. "We will summons them again," KPK prevention unit deputy Johan Budi said when asked whether KPK investigators would bring the police officers by force for the third summons, as has been practiced by KPK investigators in the past. But KPK investigators were said to have had problems trying to bring police generals by force for questioning.

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Analysts have said that the senior officers' rejection to meet the summons was part of an orchestrated effort to hamper the probe into Budi. University of Indonesia (UI) legal expert Gandjar Laksmana Bonaprpta said that the decision not to show up for questioning was the next step from the police following their decision to name KPK commissioner Bambang Widjojanto a suspect in a perjury case. Gandjar encouraged KPK investigators to bring the three witnesses by force if they had enough evidence to prove that the police officers made deliberate efforts to ignore the third summons.

"Under the Criminal Law Procedures Code [KUHP], the KPK investigators could bring them by force for the third summons. If the witnesses have adjutants who try to stand in the way of KPK investigators to pick up [their bosses] then these underlings could be charged with Article 21 of the Criminal Code [KUHP] of obstruction of justice," Gandjar said. Gandjar, however, warned the antigraft body against seeking help from the Army in dealing with the police generals as it could escalate tensions. "I believe that KPK investigators have the courage to bring them by force for questioning. The problem remains if the witnesses use weapons or physical force to block KPK investigators from summoning. In that situation, the public could then judge for themselves who is in support of the antigraft campaign and who isn't," Gandjar said.

Indonesia Corruption Watch (ICW) researcher Emerson Yuntho said that the police generals' failure to meet the KPK summons indicated that Budi Gunawan was in fact the National Police chief although he had yet to be sworn in by the President. "This is not something unintentional. We can see that Budi is already the de facto leader of the National Police. The KPK must struggle hard to deal with these challenges," Emerson said on Monday.

Many have suspected that Jokowi's decision not to drop Budi's candidacy was due to the police general's close relationship to ruling Indonesian Democratic Party of Struggle (PDI-P) chairperson Megawati Soekarnoputri. Analysts have also said that the sustained attack against the KPK was also possible because of Budi's role in the force.

On Saturday, KPK commissioner Adnan Pandu Praja was reported to the National Police for alleged fraud that took place in 2006. Also on Monday, the National Police disclosed that they had received a criminal report against KPK chairman Abraham Samad and that they were currently studying the report.

While no reports have yet been filed against another KPK commissioner, Zulkarnain, he is likely to be reported for an allegation that he mishandled a graft case while serving as East Java's chief prosecutor in 2009.

Death penalty

UN rights office appeals for halt in executions for drug crimes

Public statement, 20-01-2015

The Office of the United Nations High Commissioner for Human Rights (OHCHR) today expressed concern over the use of the death penalty for drug-related crimes in Southeast Asia and urged authorities to abolish the punishment amid reports that eight more people had been sentenced to death for heroin trafficking. "According to international human rights jurisprudence, capital punishment could only be applied to the crime of murder or intentional killing," OHCHR spokesperson Ravina Shamdasani told reporters in Geneva, where the

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Office is based. “Drug-related offences, economic crimes, political crimes, adultery, and offences relating to consensual same-sex relationships did not fall under the threshold of ‘most serious crimes’ required under international law for application of the death penalty,” Ms. Shamdasani said.

OHCHR expressed its concern about the continued use of the death penalty for drug-related crimes in parts of South East Asia, where last Sunday, six people convicted of drug offences were executed in Indonesia in spite of several national and international appeals. Further, a court in Vietnam today reportedly sentenced eight people, including two women, to death for heroin trafficking. (...)

According to the International Covenant on Civil and Political Rights, which Indonesia has ratified, “anyone sentenced to death shall have the right to seek pardon or commutation of the sentence,” according to the spokeswoman.

Voices against death penalty

The Jakarta Globe, 30-01-2015

Human Rights Watch has lamented President Joko Widodo’s insistence on reviving executions of condemned inmates, calling it a “cruel” position to take with no proven deterrent effect. “HRW is seriously disappointed with the executions carried out by Joko’s government,” HRW Asia director Phelim Kine said in Jakarta on Friday. (...) The group asked Joko, who has vowed not to grant clemency to drug offenders on death row, to reconsider his stance. The Attorney General’s Office said earlier this week that seven more foreigners and four Indonesians, most of them on death row for drug offenses, would face the firing squad soon.

HRW Indonesia researcher Andreas Harsono said several local and international rights groups had spoken with Justice and Human Rights Minister Yasonna Laoly, urging him to abolish the death penalty. Harsono said the groups presented numerous studies that capital punishment was both wrong and ineffective in deterring crimes.

A second group to be executed in February?

Kompas, 28-01-2015

The Attorney General’s Office has pocketed seven names of foreigners and one Indonesian for the next group of executions. Their clemency requests have been rejected by President Joko Widodo on 30 December 2014 and on 9 and 17 January 2015. Among the names are those of (the Australians) Myuran Sukumaran and Andrew Chan, leaders of the drug syndicate Bali Nine.

Political developments

Direct Elections ‘Bring Democracy Back’ to Indonesia

The Jakarta Globe, 21-01-2015

The House of Representatives on Tuesday ratified into law an emergency government regulation that restores direct elections of regional leaders in Indonesia. The ratification quickly drew praise from analysts who said that Indonesia’s democracy was back on track. “It’s a people’s victory,” said Arie Sudjito, a political expert from the Gadjah Mada University in Yogyakarta.

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In September, the House agreed on a proposal put forward by Susilo Bambang Yudhoyono's government to give local legislative councils the power to appoint district heads, mayors and governors, ending nearly a decade of direct elections.

The move sparked anger from people across the country, accusing the House and Yudhoyono of betraying the people, and claiming Indonesia's democracy had returned to a system similar with that of Suharto's totalitarian New Order regime.

Many also feared the opposition would dominate the regional leaders posts because they dominate most of the legislative councils, opening the possibility for them to block any policies by President Joko Widodo, who at that time was declared the president-elect by the General Elections Commission (KPU) after he defeated Prabowo Subianto in a tightly contested national election.

After seeing the public anger, Yudhoyono backpedaled, saying that he never wanted indirect elections as his Democratic Party had proposed as a revision to the existing system of direct elections. He quickly proposed an emergency government regulation, known as *perppu*, while declaring that indirect election law was scrapped. "Now, the *perppu* has become a law. So we can begin direct elections in many regions across the nation," Arie said.

But the KPU would not be able to make preparations for some 200 local elections, set to be held simultaneously this year, as nine of the 10 factions at the House demanded some changes in the newly passed law. "Each faction has presented its views, which in general accepts the *perppu* to be ratified into law," said Rambe Kamarul Zaman, chairman of the House Commission II, which oversees home affairs. Rambe was referring to the government regulation in lieu

of law passed by former president Susilo Bambang Yudhoyono during his last days in office.

The *perppu* annulled the 2014 regional elections law, which eliminated regional elections and instead provided authority for local legislatures to appoint governors, district heads and mayors. However, Rambe said that most factions have urged for some changes to the new law. (...) Home Affairs Minister Tjahjo Kumolo said the government was open to revisions and pledged to work with the House "intensively" on the planned revisions.

Jokowi attacked by his own party PDI-P

The Jakarta Post, 28-01-2015

President Joko "Jokowi" Widodo is under fire from some members of his own party, the Indonesian Democratic Party of Struggle (PDI-P), who deem that he has failed to deliver fruitful programs as he approaches his first 100 days in office.

Slamming Jokowi's indecisiveness in responding to the current crisis between the Corruption Eradication Commission (KPK) and the National Police, several PDI-P politicians said Jokowi's weak response on the matter had opened the door to impeachment. "Now is the time to impeach [Jokowi] because there are many opportunities to attack," PDI-P lawmaker Effendi Simbolon told a discussion examining the President's first 100 days in the job.

During the discussion, Effendi said Jokowi was not ready to be the country's top leader. He also included Cabinet Secretary Andi Widjajanto, who is part of Jokowi's inner circle, in that category.

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Effendi's remarks quickly attracted protests from PDI-P acting secretary-general Hasto Kristiyanto. He criticized Effendi, a member of House of Representatives Commission I overseeing defense, foreign affairs and information, for his controversial suggestion. Hasto said the PDI-P was committed to supporting Jokowi's administration during his five-year term and asked for self-control from all of the party's members in responding to negativity surrounding the government's policies. "We ask all parties, including those within the PDI-P, to cool down. Don't let contradictions regarding current issues rip the unity of the country apart. We all must show self-control. We have the musyawarah mufakat [deliberations with consensus] tradition here," Hasto said as quoted by kompas.com.

Effendi defended his stance and reiterated his remarks on Tuesday, highlighting that his opinion was justified. He said he was ready to face any consequences imposed by the party. "Why must I be afraid to speak the truth?" Effendi said on the sidelines of a House plenary meeting on Tuesday. "I am speaking out of sincere concerns over Jokowi's poor leadership. I think it is partly due to the incompetent people around him that do not share the party's ideology," he added, reeling off a list of names, including Andi.

Effendi further discussed his concern at talk regarding toppling Jokowi in the near future, discussions that had been taking place among lawmakers and highlighted that the situation was foreseeable unless Jokowi launched breakthrough policies soon.

Unlike Effendi, the PDI-P's Trimedya Panjaitan was reluctant to discuss the matter, saying: "It's the business of [the party's] high-level executives".

Meanwhile, several other PDI-P lawmakers, including senior politician Pramono Anung Wibowo, have said underperforming ministries are the reason why criticism of Jokowi's government has increased.

The former House deputy speaker cited Coordinating Political, Legal and Security Affairs Minister Tedjo Edhy Purdijatno's recent lashing out at supporters of the Corruption Eradication Commission (KPK) as an example.

Ruling alliance in chaos

The Jakarta Post, 30-01-2015

Political elites in the ruling coalition have launched a salvo of warnings against each other in an apparent ploy to reshape the political landscape in the next few months. As the Indonesian Democratic Party of Struggle (PDI-P) has stepped up its pressure against President Joko "Jokowi" Widodo, the former Jakarta governor met on Thursday with his rival from last year's presidential election campaign, Prabowo Subianto — the Gerindra Party patron and a key figure in the opposition camp. The meeting at the Bogor Palace in West Java coincidentally took place amid reports suggesting the PDI-P was threatening to withdraw its support from Jokowi's presidency, following his decision to postpone the inauguration of Comr. Gen. Budi Gunawan, a former aide of PDI-P chairperson Megawati Soekarnoputri, as the National Police chief.

Some PDI-P politicians had earlier criticized the President's performance in his first 100 days and threatened to start impeachment proceedings.

The meeting took place upon Prabowo's request to pay the President back for what he called a gesture of goodwill and hospitality: the visit Jokowi paid him days before the President's inauguration in October last year.

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