

Impunity

Prabowo Targeted Over Abductions

The Jakarta Globe, 22-05-2014

Indonesian lawyers said Wednesday they have filed a lawsuit aimed at hauling Prabowo Subianto before a rights court over the abduction of student activists. Prabowo Subianto, a former commander of the army's notorious special forces, will face Joko Widodo in the race to become leader of the world's most populous Muslim-majority nation on July 9, with Joko seen as the favourite.

Allegations of human rights abuses by Prabowo have come into sharp focus in recent weeks. He has previously admitted to ordering the kidnap of several activists in the months before a student movement toppled the three-decade Suharto dictatorship in 1998. Subianto was sacked from his position in the military over those abductions. But he has never faced a civilian court and denies any involvement in the high-profile disappearances of 13 other activists, who were abducted around the same time and have never been found. The suit was filed Tuesday at a court in the capital Jakarta, the same day Prabowo officially registered his candidacy for the presidential polls at the election commission, where activists protested and called the former general a "murderer."

The legal case is aimed at forcing the government to set up a special human rights court to try the alleged kidnappers, including Subianto — something which the Indonesian parliament pledged to do in 2009 but is yet to carry out. "We are

concerned that if [Prabowo] is elected, the case will never be tried," lawyer Antoni Silo told AFP. He added that President Susilo Bambang Yudhoyono was also named in the suit, as activists accuse him over the failure to set up the rights court.

Prabowo's representatives were not immediately available for comment.

Previous attempts to get the ex-general and others to answer for the abductions have failed. An investigation in 2006 by Indonesia's human rights commission included victims' accounts of beatings and torture at the hands of Prabowo's unit. The report was passed to the attorney general's office but it has never taken action. Prabowo has also been accused over a massacre that left 300 dead in East Timor in 1983 during its resistance against Indonesian occupation. Human rights groups frequently accused the special forces, Kopassus, of human rights abuses during Suharto's military-backed rule.

Human rights concerns with presidential candidates

Sidney Morning Herald, 20-05-2014

Both teams in the Indonesian presidential election have human rights concerns hanging over their candidates according to the global organisation Human Rights Watch.

The campaign of Prabowo Subianto, a former general and head of the special forces Kopassus, has been dogged by accusations that his unit kidnapped and tortured students during the 1998 riots that accompanied the overthrow of

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Suharto, as well as concerns over his long military career including actions in East Timor, West Papua and Jakarta.

But Jusuf Kalla, the man announced on Monday as the running mate of cleanskin Joko Widodo, also had questions to answer, said Human Rights Watch Indonesia researcher Andreas Harsono.

“Jusuf Kalla's stance on religious freedom is worrying,” Mr Harsono said. “In October 1969, the 26-year-old Kalla allegedly led attacks against more than a dozen Christian churches and schools in Makassar. He was never questioned for his role.” The comment relates to raids in October 1969, when the Muslims' Student Association attacked Protestant and Catholic churches, a nuns' dormitory, a theological academy and Catholic schools. Mr Kalla was head of the organisation at the time.

According to Mr Harsono, in 2006, as vice-president to Susilo Bambang Yudhoyono, Mr Kalla also agreed to pass a government regulation which “makes it very difficult for minorities to set up houses of worship”. The building was blocked by the local Muslim majority who objected to having a Christian church in its midst, even though it had fulfilled all legal requirements.

Mr Kalla was also recorded at a 2009 rally held by the thuggish paramilitary organisation Pemuda Pancasila (Pancasila Youth) praising gangsterism and encouraging violence. “Gangsters are people who work outside of the system, not for the government,” he told the rally. “The word gangster [preman in Bahasa Indonesia] comes from ‘free men’. This nation needs ‘free men’ ... We need gangsters to get things done; free, private men, who get things done. We need

gangsters who are willing to take risks in business. Use your muscles! Muscles aren't for beating up people. Although beating people up is sometimes needed.”

Mr Prabowo's alleged human rights offences are better known. He was dismissed from the Indonesian military in 1998 for kidnapping student activists. “Prabowo refused to answer a summon from Indonesia's National Commission on Human Rights, deciding to go into self-exile in Jordan,” Mr Harsono said. “Prabowo later claimed that he had kept the activists alive but 13 activists are still missing. Prabowo also has a questionable role in the 1983 massacre in Kraras, East Timor.” Mr Prabowo, who is officially banned from visiting the United States over human rights concerns, has consistently defended his record, denying some allegations and saying of others that he was acting on orders.

Mr Harsono also drew attention to the platform of Mr Prabowo's party, Gerindra, which talks about “purification” of religion and taking action against “heresy”.

Elections 2014

Editorial: Free but unfair

The Jakarta Post, 14-05- 2014

The General Elections Commission (KPU) finally announced last Friday the results of the April 9 legislative election just before the deadline, but the fact that all but one of the parties that contested the polls are challenging the final vote tally due to alleged fraud is undoubtedly a cause for concern.

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As of midnight on Monday, the 12 national political parties and two of the three local parties in Aceh, as well as 30 candidates for Regional Representatives Councils (DPDs), filed their complaints with the Constitutional Court about alleged electoral irregularities that cost them votes. The court will have 30 days to settle the election disputes, although the process will not affect the KPU's schedule in allocating the 560 House of Representatives seats and 132 DPD seats among the successful candidates on Wednesday.

Nothing is strange about the court-based disputes, as the same thing happened following the elections in 2004 and 2009. At the end of the day, the KPU cannot please everybody. But compared with the so-called “fiesta of democracy” that Indonesia has organized in the past, the most recent election has been judged by many as being the most vulnerable to vote-buying. Such a perception is justified by the continual reports of vote-buying both in the mainstream media and social media of widespread vote-buying, which reportedly involved not only newcomers but also seasoned politicians.

A survey conducted by the Indonesia Indicator on 262 print media and news outlets found that vote-buying stories accounted for 52 percent of the election-related news they ran between March 16 and May 7.

The legislative candidates dared to openly offer money or goods to voters in exchange for their support, despite the 2012 Election Law stipulating that the practice constituted a criminal act. Their modus operandi varied from gatherings where gifts were distributed in the form of “cash assistance” to potential voters, to “pre-dawn operations” where they or their field staff handed over money to voters a few hours prior to the ballot.

Video footage of incumbent House lawmaker Sutan Bhatoegana, who handed over Rp 50,000 (US\$4.33) to each of his supporters while singing and dancing during an indoor rally in Medan, North Sumatra, was uploaded on YouTube. It appears as though the Democratic Party politician will lose his House seat, while blaming everything on his rival, a fellow party member whom Sutan has accused of bribing poll committee members to steal his votes.

Nothing has been heard about whether Sutan will face charges under articles 88 and 89 of the Election Law. Law enforcement against vote-buyers has been too lenient, as seen on Monday when the Riau District Court sentenced a Golkar Party legislative candidate to a four-month suspended jail sentence after finding her guilty of giving batik shirts to potential voters.

Without strict law enforcement against vote-buyers and other poll fraudsters, Indonesia's elections may well remain free but they will not be fair, which would be a major setback for our hard-won democracy.

Constitutional Court starts hearing hundreds of election disputes

The Jakarta Post, 24-05-2014

The Constitutional Court opened on Friday the hearings into 871 disputes pertaining to the legislative election for seats in the House of Representatives (DPR) and the Regional Legislative Councils (DPRDs).

The Golkar Party has filed the most complaints, comprising 131 cases from various electoral districts in 26 provinces. Of Golkar's 131 cases, which came

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second in the legislative election with 14.75 percent of the vote, 38 petitions are based on results in Papua. Golkar is followed by the Hanura Party, which filed 91 cases from 24 provinces, while the ruling Democratic Party filed 82 cases from 24 provinces. The Indonesian Democratic Party of Struggle (PDI-P), which won the legislative election with 18.95 percent of votes, filed only 19 cases from 10 provinces.

Most of the disputes center on alleged violations concerning ballot counts and vote-buying.

The bench found on Friday, however, that most of the plaintiffs had not provided complete and systematic evidence to back up their claims.

The court had urged all political parties and this year's legislative candidates to learn from the 2009 election, and appreciate that they had to meet certain requirements for filing such disputes with the court, including providing strong evidence. The court had also helped them by providing information on the case mechanism, as well as assistance to make the plaintiffs' draft their cases more thoroughly.

The court had found, during hearings following the 2009 legislative election, that more than 50 percent of the evidence provided was incomplete, unclear or inconsistent. According to the court, it only went ahead with around 10 percent of the complaints received at that time.

Constitutional Court Chief Justice Hamdan Zoelva instructed all 871 plaintiffs to mend their petitions and provide the required information before Saturday morning at 10:50 a.m.

"I repeat, [those who submit] revised petitions after the deadline will be considered as having not submitted a revision," Hamdan said during the hearing. "This is the law." Hamdan later adjourned the hearings until Monday.

Meanwhile, despite urging candidates who wanted to file cases against colleagues from the same party to try to settle their disputes internally before pursuing the matter through legal channels, the court found that many of these cases were filed without consent from their respective party leaders, including a petition filed by senior Democratic Party politician Sutan Bathoegana.

The court had laid out a clear requirement that a candidate could only file such a case with the signed consent of his or her party's chairman and secretary-general. Hince Panjaitan, who represented the Democratic Party, said after the hearing that the party had not given its consent to Sutan, who is now a corruption suspect, due to the pending graft case. "It was impossible [as he is a suspect], so we dropped his petition," Hince said, adding that the party had also dropped three other petitions as they planned to settle those internally.

Several plaintiffs dropped their cases during the hearing due to a lack of evidence, including the Gerindra Party, which had filed 70 petitions from 26 provinces, and the NasDem Party, which had filed 59 cases from 23 provinces.

"Most of the plaintiffs who dropped their cases felt they had no evidence. We had rushed to file the petitions but after we verified them, some of the plaintiffs dropped their cases, while some other cases are being settled internally," Gerindra's advocacy head, Habiburokhman, told the bench during the hearing.

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Representing NasDem, Taufik Basari told reporters after the hearing that his party had also dropped several cases due to a lack of evidence.

The court has said it will handle all the cases carefully and professionally within 30 days — despite the high number of cases — by barring a justice from hearing a case based in the electoral district where they live.

The court also heard 32 cases filed by candidates for Regional Representatives Councils (DPDs) from 19 provinces, some of which were petitions by incumbents including designer Poppy Dharsono of Central Java.

Presidential conditions to be tested

Kompas, 25-05-2014

The two pairs of presidential and vice-presidential candidates, Joko Widodo-Jusuf Kalla and Prabowo Subianto-Hatta Rajasa, have not yet fulfilled all conditions for their candidacy. They have a deadline on Tuesday 27 May. That is the outcome of the administrative verification carried out by the Elections Committee KPU.

One of the conditions that have not yet been fulfilled is the Reporting on the Wealth of Public Officials (Laporan Harta Kekayaan Penyelenggara Negara (LHKPN)) that has to be submitted to the Anti-Corruption Committee KPK.

In the same context the spokesperson of the KPU, Husni said that both presidential pairs had passed the health-test last Thursday. They were considered able and sufficiently healthy to perform the tasks of a president and a vice-president.



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Policy matters

The Jakarta Globe, 13-05-2014

Indonesian presidential frontrunner Joko Widodo's plan to slowly reduce fuel subsidies over the next few years is the best option to ease pressure on the budget deficit while keeping inflation in check, economists said. Whoever succeeds outgoing President Susilo Bambang Yudhoyono in October will need to quickly tackle the problem.

The subsidies cost the government around \$20 billion a year and are the main factor behind a current account deficit that was more than 2 percent of gross national product in the first quarter, and a budget deficit that is expected to be as high as 2.5 percent of GDP this year.

Joko, the popular governor of Jakarta, and his main rival, former general Prabowo Subianto, advocate different ways for bringing down costs. Protests over fuel price increases contributed to the downfall of President Suharto in 1998, and presidential candidates are mindful of the political sensitivities as they campaign for the July 9 election. Joko has told local media that he would gradually reduce fuel subsidies over a four or five-year period.

Indonesian fuel prices are some of the cheapest in the region, currently priced at Rp 6,500 (56 cents) a liter for gasoline and 5,500 for diesel. An annual increase of up to Rp 1,500 for fuel would be manageable and should help to avoid street protests like in 2005 and 2008, said Sri Adiningsih, economic adviser to Joko's Indonesian Democratic-Party of Struggle (PDI-P).

Corruption in State Institutions

The Minister of Religious Affairs named as suspect in bribe scandal

The Jakarta Globe, 23/05/2014

The naming of Suryadharma Ali by the Corruption Eradication Commission on Thursday as a suspect in a case involving misuse of Hajj funds, has jeopardized the presidential bid of Prabowo Subianto who counts Suryadharma and his party, the United Development Party, as one of his closest coalition partners.

The incident has also led some to question the political neutrality of the Corruption Eradication Commission (KPK).

Abraham Samad, the KPK chief, was previously considered for a vice presidential run along with Joko Widodo, Prabowo's arch rival in the upcoming election.

While that pairing did not materialize, Abraham's recent attempts to enter the political realm has resulted in the institution being vulnerable to accusations of harboring political interests, thereby undermining its independence in the public eye. Arbi Sanit, a political observer from the University of Indonesia, said the naming of Suryadharma Ali as a suspect will adversely affect public trust in him, the party he leads and ultimately, Prabowo, who is closely associated with Suryadharma.

[This morning, 26-05-2014, Suryadharma Ali resigned as Minister of Religious Affairs.]

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