

Impunity

Impunity around the murder of Munir

Received from the internet

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Sewindu Kamisan: 8 years standing in black and silent in front of presidential palace: victims of human rights violation demanding truth and justice..



Death penalty

SIX EXECUTED, TEN MORE AT IMMINENT RISK

Amnesty International Urgent Action 23-01-2015

The Indonesian authorities executed six people by firing squad on 18 January. At least ten more people are facing imminent execution. Rani Andriani alias Melisa Aprilia (Indonesian), Daniel Enemu (Nigerian), Ang Kiem Soei (Dutch), Tran Thi Bich Hanh (Vietnamese), Namaona Denis (Nigerian) and Marco Archer Cardoso Moreira (Brazilian) were executed by firing squad just after midnight on 18 January. All were convicted of and sentenced to death for drug-related offences. Five of them were executed on Nusakambangan Island while Tran Thi Bich Hanh was executed in Boyolali district, both in Central Java.

Amnesty International is concerned that more executions will follow. The Indonesian government announced in December 2014 that 20 people are scheduled to be executed in 2015. At least 10 people are facing imminent execution after their clemency applications were rejected by President Joko Widodo in December 2014 and January. According to the Attorney General they include Syofial alias Iyen bin Azwar (Indonesian), Harun bin Ajis (Indonesian), Sargawi alias Ali bin Sanusi (Indonesian), Mary Jane Fiesta Veloso (Filipino), Myuran Sukumaran (Australian), Andrew Chan (Australian), Martin Anderson alias Belo (Ghanaian), Zainal Abidin (Indonesian), Raheem Agbaje Salami (Nigerian) and Rodrigo Gularte (Brazilian). They were convicted for either premeditated murder or drug-related crimes.

<http://www.amnesty.org/en/library/asset/ASA21/004/2015/en/17eaf44a-c981-4010-8de1-e97af75b4b32/asa210042015en.html>

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Weekly Update Human Rights in Indonesia – 26-01-2015

Planned execution of two Aussies unlikely to affect Bali

The Jakarta Post, 22-01-2015

The planned execution of two Australian death-row convicts is not expected to have any negative impact on the good bilateral ties between Indonesia and Australia and to the inflow of Australian tourist to Bali, says Bali Governor Made Mangku Pastika. “No, it will not affect it. The situation will remain normal, it will not have any effect,” kompas.com quoted him as saying in Denpasar on Thursday.

Two Australian citizens Myuran Sukumaran and Andrew Chan, members of the so-called Bali Nine, are among 133 death-row convicts waiting for their turn to be executed. Sukumaran and Chan, currently detained in Kerobokan Prison in Denpasar, Bali, were jailed for their attempt to bring in 8.3 kilograms of heroin to Bali in 2005. The Attorney General’s Office executed five foreigners and one Indonesian sentenced to death in Nusakambangan and Boyolali, Central Java, on Sunday.

Separately, head of the Bali Provincial Tourism Agency Anak Agung Yuniarta concurred and said Indonesia and Bali would continue boosting their good bilateral ties with Australia and a number of cooperation projects benefitting the two countries were still underway in the province.

“We hope the planned executions will not pose any problem to the countries’ bilateral ties and the tourism industry in the province. Bali, which has become a second home for many Australians, will not be affected,” he said.

Police accountability

KPK deputy chairman Bambang Widjojanto arrested

The Jakarta Post, 24-01-2015

Academics from various universities in Yogyakarta, together with representatives of civil society groups, have said the Indonesian people are urging President Joko “Jokowi” Widodo to take tough and proper action to end the mounting rivalry between the two main law enforcers in the country, namely the National Police and the Corruption Eradication Commission (KPK).

“The President can establish an independent team comprising leaders of higher education institutions and civil society groups, who have the capacity to examine and consider whether [KPK deputy chairman] Bambang Widjojanto was guilty [of incitement to perjury in a Constitutional Court case],” University of Gadjah Mada (UGM) rector Dwikorita Karnawati said on behalf of Yogyakarta academics during a rally in Yogyakarta on Sunday. At the rally, academics from several universities, including the Yogyakarta State University (UNY), the Indonesian Islamic University of Yogyakarta (UII), the Muhammadiyah University of Yogyakarta (UMY), Duta Wacana Christian University, the University of Janabadra and the State Islamic University (UIN) Sunan Kalijaga Yogyakarta, declared a joint statement of concern by Yogyakarta academics about the current situation in the country. A number of lawyers, NGO activists and Yogyakarta residents also attended the event. Dwikorita said the joint statement was demonstration of the social and moral responsibility of the academics in the hope that the problems Indonesia was currently facing could be immediately resolved. “Recently, there has been evidence of neglect of the people’s voices in resolving problems of the nation. In a democratic system, the people are an important subject that should play a role

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in controlling the organization of a state. The President, in solving crucial problems, must listen and pay close attention to the voices of society's leaders, academics, NGOs and religious leaders," she said.

UGM deputy rector Paripurna P. Sugarda said President Jokowi must take proper measures based on his mandate and authority as president to complete corruption eradication and law enforcement programs so that the crucial development agenda in Indonesia would not be hindered. "The President is able to stop the criminalization of Bambang Widjojanto by, among others things, establishing an independent team to handle his case," said the university's law expert.

The National Police's detective division arrested Bambang on Friday morning, accusing him of instructing a witness to commit perjury at the Constitutional Court in 2010 in a regional election dispute case in Waringin Barat, Central Kalimantan.

KPK: Arrest related to Gen. Budi's suspect status

The Jakarta Post, 24-01-2015

The Corruption Eradication Commission (KPK) declared the arrest of its commissioner, Bambang Widjojanto, on Friday had been marred by a conflict of interest. National Police general crime investigations director Brig. Gen. Herry Prastowo, who is handling Bambang's case, was one of the police generals under the KPK's investigation in Comr. Gen. Budi Gunawan's case¹.

¹ Commander General Budi Gunawan is the intended new Head of Police who did not pass the fit-and-proper-test and is object of a KPK investigation. His appointment is pending.

"We strongly condemn the arrest. We hope that the National Police is not being used to serve the interests of any particular group of people," KPK commissioner Adnan Pandu Praja said.

"According to Article 12 of [the National Police law], there is a potential conflict of interest here between he [Herry] and Pak Bambang," Pandu added.

KPK chairman Abraham Samad, who said that Bambang had hinted the previous day that he might be facing a legal problem following a string of attacks that the antigraft body had been continuously facing since naming Budi a suspect, described the National Police's move against his colleague as a tyrannical act.

"I call on all people across Indonesia to be united to support the fight against any act of tyranny. We cannot let this kind of behavior grow. Believe me, the truth will win," said Samad.

A senior Indonesian Democratic Party of Struggle (PDI-P) politician on Thursday accused Samad of misusing his power to declare Budi a graft suspect in revenge for his failure to become the running mate of Joko "Jokowi" Widodo in last year's presidential election.

KPK deputy chairman Zulkarnain said the National Police knew that the attack would disturb the antigraft body's work to complete all the high-profile cases, including Budi's, that it had to resolve in the remaining 11 months of the current leaders' tenure.

"The attack is right on target. We four, including Bambang, have 11 months to finish all the work, and now the attack will consequently result in the suspension of Bambang, which means that we will only have three people remaining until the end of our tenure," Zulkarnain said.

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Meanwhile, National Police spokesperson Ins. Gen. Ronny F. Sompie confirmed that the police had deployed 15 officers to arrest Bambang.

“He was arrested for allegedly ordering a witness to present false testimony in violation of Article 242 of the Criminal Code,” Ronny said, adding that Bambang could face a maximum seven-year prison sentence if found guilty.

Ronny insisted there was no relation between Bambang’s arrest and the status of Budi as a graft suspect. “We have three pieces of evidence and that’s enough to name him a suspect,” said Ronny.

Separately, the head of Bambang’s legal team, Nursyahbani Katjasungkana, said her client had not been questioned by investigators until 4 p.m. because he refused to speak without a lawyer.

“This questioning is forced. Legally, the police presented an arrest warrant. However, it was also stated in the warrant that the investigators could question the suspect until the case was solved, even though they should only legally be allowed to detain him for 24 hours,” she said.

In the meantime, Sugianto Sabran, a member of the PDI-P, acknowledged that he had filed a similar report in 2010 but denied that the party’s leader had ordered him to re-file the report on Jan. 19.

The former lawmaker explained that he filed a report against Bambang for allegedly asking witnesses to present false testimonies in a regional election dispute hearing at the Constitutional Court in 2010.

At that time, Sugianto had won against incumbent Ujang Iskandar to become West Kotawaringin regent in Central Kalimantan. However, the court overturned

his victory in favor of Ujang, who was then represented by Bambang. “I am purely searching for justice and I believe he’s guilty. If not, you can arrest me,” Sugianto said.

More political games

The Jakarta Post, 23-01-2015

In a move perceived by many as a cavalier counterattack against the Corruption Eradication Commission (KPK), the Indonesian Democratic Party of Struggle (PDI-P) has accused the antigraft body’s chairman, Abraham Samad, of abusing his power in retaliation for the failure of his bid to become vice president.

The KPK has strongly denied the allegations and threatened to sue the party for slander. However, it also vowed to examine the claims in order to publicize the truth.

The commission recently named National Police chief hopeful Comr. Gen. Budi Gunawan a graft suspect, a move the PDI-P insists was motivated by Abraham’s resentment of the police general, who was allegedly instrumental in thwarting Abraham’s ambition to be the running mate of Joko “Jokowi” Widodo in last year’s presidential election. Jokowi instead picked Jusuf Kalla, the pair that went on to victory.

PDI-P deputy secretary-general Hasto Kristiyanto said on Thursday that he had urged the KPK to set up an ethics committee to probe allegations that Abraham had had several meetings with PDI-P politicians to talk about the possibility of him being paired with Jokowi. “I, Hasto Kristiyanto, Pak Hendropriyono and other witnesses, some of whom serve as ministers in the current Cabinet, are ready to provide testimony as witnesses,” he said during a press conference, referring to

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Gen. (ret) Hendropriyono, the former chief of the State Intelligence Agency (BIN), who was involved in Jokowi's campaign team as an advisor.

"The initiative [for the meetings] was pushed by one of Abraham's campaign team members. Two of them, D1 and D2, actively lobbied us," he said, identifying the two confidants by their initials only. In the first meeting, Hasto alleged, Abraham said that he had a good relationship with the PDI-P, pointing out that he had greased the wheels of justice for a number of PDI-P members convicted of graft, resulting in more lenient sentences.

"Therefore, we designed a scenario where Pak Abraham could meet with Pak Jokowi at [Adisucipto] Airport's Blue Sky lounge," Hasto said. The meeting at the airport in Yogyakarta, which occurred in early May 2014, was claimed by Abraham to be a coincidence. The night before Jokowi declared Kalla his running mate, Hasto said he met Abraham to give him the bad news, which the latter claimed he already knew.

"I know [that I was not chosen] because I have tapped [some cell phones]. I know the one who caused my failure is Pak Budi Gunawan," Hasto said, imitating Abraham's response. He declined, however, to state categorically that the KPK's move against Budi was Abraham's way of taking revenge.

Separately, the KPK's deputy chairman for prevention, Johan S. Budi, said that Abraham had labeled the allegation as "slander". "[But] if there is firm evidence against Abraham Samad, we will take all necessary measures," he insisted. Cabinet Secretary Andi Widjanto² said it was unlikely that Jokowi's campaign team had met Abraham, citing his experience as a former member of a team that helped Jokowi during the election campaign.

² Not a relative of Bambang Widjojanto.

Home Minister Tjahjo Kumolo also voiced doubts over Hasto's claim, saying that, as PDI-P secretary-general at that time, he had not heard of any meetings with Abraham. "To my knowledge, such meetings would not have been possible because Abraham could not act alone without [being monitored] by KPK officials," Andi said on Thursday.

Meanwhile, Poltracking Institute executive director Hanta Yuda said that Hasto's allegations appeared politically motivated. "It might be a political strategy. A case like this can be divided into two components: the legal aspect, which emphasizes facts and evidence; and the political aspect, where facts and evidence are less important than constructing a certain public perception," Hanta said on Thursday.

Jokowi offers no help

The Jakarta Post, 25-01-2015

While resisting attacks from the National Police on its commissioners, the Corruption Eradication Commission (KPK) is still getting no help from President Joko "Jokowi" Widodo, who refuses to intervene in the attempts by police to engineer legal cases against the agency's leaders.

President Jokowi met with Coordinating Political, Legal and Security Affairs Minister Tedjo Edhy Purdijatno, Law and Human Rights Minister Yasonna H. Laoly, Attorney General HM Prasetyo and National Police deputy chief Comr. Gen. Badrodin Haiti on Saturday, but did not invite any representatives from the KPK to the discussions.

Cabinet Secretary Andi Widjanto denied that the exclusion of the KPK from the meeting was related to the recent cases that have hampered its commissioners.

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He said that the meeting was aimed at discussing new methods to strengthen efforts to fight corruption. “The KPK should still function [in the fight against corruption] and should not be distracted by the current legal processes [against its commissioners],” Andi told reporters after the meeting.

After naming National Police chief candidate Comr. Gen. Budi Gunawan a suspect in a bribery case two weeks ago, in the past two days two criminal allegations have been filed against two of the antigraft body’s commissioners.

The National Police named on Friday KPK deputy chairman Bambang Widjojanto a suspect for encouraging perjury in an election dispute case, while another deputy chairman, Adnan Pandu Praja, was reported to the police for illegally taking over the shares of a logging company, PT Desy Timber, in Berau, East Kalimantan.

“Adnan Pandu Praja and an associate, Indra Wargadalem, took the company’s shares illegally in 2006 by forging notary certificates when they were the company’s lawyers,” said Mukhlis Ramlan, a lawyer representing the company.

He said the company had filed police reports with the Berau Police and the East Kalimantan Police, but they were ignored.

The legal processes may put the antigraft body into paralysis as only two KPK leaders will remain to lead the institution if Bambang and Adnan are forced to resign because of the cases. Another deputy chairman, Busyro Muqoddas, ended his term in December.

The 2002 KPK Law stipulates that KPK commissioners who have been declared suspects in criminal cases should be suspended, while the same law also

regulates that a decision by the institution can only be made with a quorum of at least three KPK commissioners.

Andi said the President has ordered the National Police to proceed with the lawsuits according to the law and to refrain from taking other actions during the process. “The President is currently preparing steps to guarantee the KPK will maintain its function of ensuring a clean government,” said Andi. He said the steps include the possible issuing of a warrant to terminate the investigation (SP3) into Bambang’s case.

“The President wants to make sure the legal steps taken on the [Budi] and [Bambang] cases are based on current laws,” said Andi.

The palace, however, is also considering issuing a regulation to suspend Bambang from his post in the KPK should the police send confirmation of his status as a suspect.

During an interview with Kompas TV on Saturday, Jokowi said he refused to intervene in the legal processes involving the KPK and the National Police as he was giving both institutions the chance “to do the right thing and avoid acting above the law”. “If I intervene the people will also protest. The KPK and [National Police] should both be saved,” he said.

He also demanded political parties, his ministers and civil society groups not to intervene the process. While expecting both institutions to act according to law, he also encouraged police officers to answer the KPK’s summonses to testify in Budi’s case.

Meanwhile, Bambang said he was considering resigning as KPK commissioner because of his status as a suspect. “I have to demonstrate that I have a moral and

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ethical responsibility as a suspect to resign from my position during an investigation. However, I will discuss it first with the other commissioners and if they agree, they will send a letter to the President,” he said. Although so far only two commissioners have been accused of crimes, speculation is rife that fellow KPK commissioner Zulkarnain will likewise face legal battles intended to prevent the KPK from completing the Budi investigation.

Attacks against KPK leaders

CHAIRMAN ABRAHAM SAMAD

A day after the KPK declared National Police chief nominee Comr. Gen. Budi Gunawan a graft suspect on Jan. 13, several tampered photographs from an unidentified sender were circulated. They purported to show Abraham having an affair with “Miss Indonesia” pageant winner Elvira Devinamira Wirayanti.

On Thursday, the Indonesian Democratic Party of Struggle (PDI-P) accused Abraham of abusing his power in retaliation for the failure of his bid to become Jokowi’s vice presidential candidate.

DEPUTY BAMBANG WIDJOJANTO

Bambang was arrested by the police on Friday for allegedly encouraging perjury in a local election dispute in 2010. He was freed later in the day. Bambang was reported by PDI-P politician Sugianto Sabran, who is known as a timber kingpin in Kalimantan.

DEPUTY ADNAN PANDU PRAJA

He was reported on Saturday to the National Police by executives of a timber company. Adnan was accused of illegally taking over the shares of PT Desy Timber in 2006.

DEPUTY ZULKARNAIN

While no reports have yet been filed against him, the former prosecutor is also prone to being accused of criminality. His opponents recently alleged he tampered with a graft case while he served as East Java chief prosecutor in 2009. The case revolved around the disbursement of provincial funds under the so-called P2SEM program.



Show of support: People from various civic organizations wear masks resembling the Corruption Eradication Commission’s (KPK) deputy, Bambang Widjojanto, at the KPK office in Jakarta on Saturday. On the shirt: “Kami tidak takut – we are not afraid!”

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