



Peace Brigades International Indonesia Project

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MONTHLY INFORMATION BULLETIN – PBI INDONESIA

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1. INDONESIA OVERVIEW ↔

1.1 NATIONAL DEVELOPMENTS ↔

Legend

↑=overall situation improved

↓=overall situation worsened

↔=overall situation remains similar

All conditions compared to previous months

Impunity and Access to Justice

Rizieq Shihab and Munarman sentenced to a year and half imprisonment

- On the 30th October, Rizieq Shihab, the head of Front Pembela Islam, and Munarman, the commander of Laskar Pembela Islam, were sentenced to one and a half years imprisonment for their involvement in the violent attacks on members of the Aliansi Kebebasan Beragama dan Berjeyakinan at the National Monument (Monas) in Jakarta on 1st June 2008. They are said to have advocated and permitted members of their organization to partake in the violence against those at Monas on 1st June as they were demonstrating in support of Ahmadiyah.

Land Rights, Natural Resources and the Environment

Victims of Lapindo mudflow still awaiting compensation

- Lapindo Brantas Inc, the drilling company associated with the mudflow in East Java, has yet to carry out its promise to pay compensation (either through a cash and carry or cash and resettlement program) to victims of the mudflow. Prior to the fasting month of Ramadan, victims of the mudflow took their complaints to the Lapindo office in Surabaya where they were told payments would be made after Ramadan has finished. However, with Ramadan finished, compensation is still due. The Vice President of Relations for PT

Lapindo Brantas Inc, Yuniwati Teryana, has stated that compensating the victims of the mudflow is a top priority of Lapindo Brantas although such a program has run into problems due to the global financial crisis. Meanwhile, at a conference of geologists held in Cape Town, South Africa on the 28th October where the mudflow was discussed, 42 of the 74 scientists present believed the mudflow was caused by drilling rather than an earthquake as Lapindo Brantas claims.

Jakarta launches operation in order to control migration to the city

- On October 23rd 2008, the provincial government of Jakarta launched the 'operasi yustisi kependudukan' in order to control migration to the capital city. To achieve migratory regulation, people who come to look for jobs and settle illegally in Jakarta will be prosecuted and charged with imprisonment of less than 3 months or fines of 5 million IDR. For 2008 the government expects around 200 – 250,000 migrants to enter and settle down in Jakarta.

Ten new regencies and two cities created

- The House of Representatives agreed to pass twelve bills to create ten new regencies and two cities on the 29th October. The move has come despite statements by the President earlier this year that no new regencies would be created prior to the election. According to Home Minister Mardiyanto, the establishment of new regions will bolster efficiency and effectiveness of economic development, although others point to the fact that the creation of new regencies can encourage greater local corruption. The 10 new regencies are Tambrauw (West Papua province), Morotai Island (North Maluku), Intan Jaya and Deiyai (Papua), Sabu Raijua (East Nusa Tenggara), North Nias and West Nias (North Sumatra) and West Tulang Bawang, Pringsewu and Mesuji (Lampung) while the new cities are South Tangerang and Gunung Sitoli. Violent protests occurred in Manokwari, West Papua province, over the plans for Tambrauw Regency.

Security Sector

TNI celebrates its anniversary and examines the current status of military reform

- The TNI celebrated its anniversary on the 9th October. At the anniversary birthday celebration the Panglima TNI, Djoko Santoso, launched a written statement on the state of the progress of the TNI reformation process. He calls the reformation of the Indonesian National Army a never-ending process and admits that much has yet to be done and the current status is far from perfect. He lists the following five main objectives of TNI reformation: (1) neutrality in politics (2) pull out of non-military businesses (3) revision of regulations on military justice (4) increase the soldier's and their families well-being/prosperity (5) Increase the professionalism of TNI. According to Santoso, the first of these, neutrality in politics, will be the first and the last step, so that the institution of the Indonesian military will by no means, neither directly nor indirectly, involved in political activities. However, the coordinator of KontraS, Usman Hamid, together with other NGO representatives and military observers stated that of the five goals of TNI reformation only two were accomplished. They said that the TNI is mostly political neutral now and the soldiers are more professional now, but that the TNI still participates in national (and often illegal) business to raise its own funds, soldiers remain underpaid and a culture of total military impunity still exists.

Cultural and Indigenous Rights

Pornography bill passed

- On 30th October, the House of Representatives (DPR) passed the pornography bill despite months of protest from Human Rights, Women, Cultural and artist groups. The bill criminalizes all work and acts deemed obscene and capable of breaching morality. It remains contentious however as pornographic material remains open to interpretation under article 1 while articles 20-23 allow for public participation in the prevention of

pornography raising fears that the law will promote vigilante action. Despite the bill being passed, the PDI-P (Indonesian Democratic Party of Struggle) and PDS (Prosperous Peace Party) factions of the DPR boycotted the plenary session while the governors of Bali and North Sulawesi have vowed to continue opposing the law. Kamala Chandrakirana, chairwoman of the National Commission for Women's Protection has also accused the bill of being politically motivated in both its contents and timing (prior to the election) as she stated "This (bill) only shows that the House and the government have politicized morality and religion and are just using them as a means of retaining power."

House of Representatives passing bill against discrimination.

- On the 28th October, the House of Representatives (DPR) passed a bill against racial and ethnic discrimination. The bill is meant intends to outlaw such discrimination on both an individual and corporate level with the threat of heavy fines for those who do not abide by it. However, the NGO Gandhi-Movement Against Discrimination, has questioned the effectiveness of the law as it states discrimination is more widespread than just racial and ethnic. Gandhi had earlier proposed that the law should include sexual, gender and physical and mental discrimination.

Other

Hasan Di Tiro returns to Aceh

- The intellectual leader of Gerakan Aceh Merdeka (Free Aceh Movement), Hasan Di Tiro, arrived in Banda Aceh on the 11th October 2008. Di Tiro, now a Swedish national, had not previously been back to the region for over 30 years. He was welcomed at the airport by many ex-GAM figures as well as thousands of Acehnese who came to greet him. During his trip he made public speeches supporting the peace agreements, visited the graves of many Acehnese heroes, and was able to meet Indonesian Vice President, Yusuf Kalla, in Jakarta on the 24th October before returning to Sweden on the 26th October.

Fears expressed over General Election Commission performance

- The director of the Indonesian Parliamentary Monitoring Forum (Formappi), Sebastian Salam, has raised concern that the upcoming 2009 election may not run as smoothly as the 2004 election if the General Election Commission (KPU) does not improve its performance. Ray Rabgkuti of the NGO Civil Circle for Indonesia (LIMA) has stated the KPU have failed to stick to schedules to provide basic infrastructure for the general election as well as not providing clear division of electoral districts or lists of voters and legislative candidates on time.

Former governor of Bank Indonesia receives five years for corruption

- The former governor of Bank Indonesia, Burhanuddin Abdullah, was sentenced to five years imprisonment and a Rp 250 million fine for charges of corruption. The court believed that the former governor had known and approved of the disbursement of RP 100 billion of funds through the Indonesian Banking Development Foundation (YPPI). Burhanuddin stated he would appeal the courts decision.

Five arrested on suspicion of planning bomb attack

- On the 21st October, Indonesian police have arrested five people suspected of being religiously inspired militants linked to Jemaah Islamiyah. The men are accused of planning to attack the country's largest fuel depot. Police found bomb-making materials, weapons and ammunition during the raid on the house.

Muslim cleric and businessman marries 12 year old girl

- The head of a Muslim Boarding School and business man, Pujiono Cahvo, has caused controversy due to his second marriage to a 12 year old girl on the 8th August 2008.

Pujiono Cahvo has remained defiant over criticisms concerning the girl's age as he claims that both she and her family agreed to the marriage and that he would not have sexual intercourse with her until she began to menstruate. Meanwhile, the legality of such a marriage has also be questioned by Sri Mulyanah from Central Java Women's Empowerment and Children Rights and Family Planning Agency, who has said Pujiono had violated the Marriage Law of 1974 as it requires a minimum age of 16 for a woman and 19 for a man in a legal marriage.

1.2 **DEVELOPMENTS IN REGIONS WITH A PBI PRESENCE** ↔

Impunity and Access to Justice

Morning Star flag raisers receive prison sentences

- On 14th and 15th October 2008, the Manokwari criminal court handed out eight-month prison sentences to Ariel Warimon, Daniel Sakatorey, Edy Aryobaba, Markus Umpes, Leonardus D. Bame, Yakobus Wanggai, Frans Karet, and Elimelek, for the crime of 'attacking the national unity of Indonesia' by raising the Morning Star flag in Manokwari in March 2008. PBI client organisation LP3BH (*Lembaga Penelitian Pengkajian dan Pengembangan Bantuan Hukum*, Institute of Research, Investigation and Development of Legal Aid) represented the defendants at the trial. Their defence counsel, LP3BH Executive Director Yan Christian Warinussy, expressed his disappointment with the decision on the grounds that the flag was raised during a demonstration against Government Regulation 77/2007 not as an expression of self-determination.

Police refuse to name the shooter in the Opinus Tabuni case

- Polreskrim Polda Papua (*Polisi Reserse Kriminil*, Criminal Investigation Bureau of Police), which is assisting local police forces in Jayawijaya regency to investigate the killing of Opinus Tabuni on 9th August in Wamena, have issued a statement that they think they know who fired the fatal shot but, as they only have one eyewitness, they are not going to release the name of the suspect until they have at least one more witness or more evidence. In the meantime, they intend to focus on prosecuting the people who raised the Morning Star flag on that day, calling again for the organisers of the event, DAP (*Dewan Adat Papua*, Papuan Customary Council), to take responsibility for what happened.

Land Rights, Natural Resources and the Environment

Greenpeace visit Papua

- The Greenpeace Ship, Esperanza, arrived into Jayapura harbour on the 7th October. As part of an extended visit to Indonesia, Greenpeace aim to publicise the emergency situation facing Papua's forests. Papua contains the largest remaining forest in Indonesia, with those in Kalimantan and Sumatra largely gone or degraded. However, the increased division of the province into new districts is threatening to destroy large tracts of Papuan forest, in addition to which there are plans to clear four million hectares in order to make way for palm oil plantations. Indonesia is the world's third largest emitter of greenhouse gases, due to its deforestation practices. Greenpeace has been working with Unilever to build a coalition to stop deforestation for palm oil production.

Indonesian government award twenty-two exploration blocks to gas and oil corporations

- The Energy and Mineral Resources Ministry has awarded twenty-two new exploration blocks to gas and oil corporations, giving them the opportunity to explore for oil and natural gas in their awarded blocks after paying the government for the rights. It is expected that during the first three years of exploration on all twenty-two blocks, the government will receive well over \$US400 million. Included among the corporations are

ConocoPhillips, which won the rights to the Arafuru Sea block in Merauke and Chevron Indonesia, which won the rights for both onshore and offshore exploration in two blocks in West Papua, while other blocks were awarded to other companies from Sumbawa to Sulawesi. Once the corporations start drilling, the agreement stipulates that the Indonesian government should receive 65-85 percent of the output from oil and 60-70 percent for natural gas.

Security Sector

Pangdam Papua warns troops not to engage in political activity

- On the occasion of the TNI's birthday celebration on the 5th October, the Pangdam (head of the military) in Papua, A.Y. Nasution, stated that any member of TNI (*Tentara Nasional Indonesia*, Indonesian National Armed Forces), who become involved in politics in either the local or national elections will be summarily fired. He reminded TNI personnel that the terms of reforming TNI have already been finalised and should no longer be questioned.

Proposal that TNI should receive Special Autonomy money

- The Head of Komisi A, DPRP (*Dewan Perwakilan Rakyat Papua*, Peoples Representative Council of Papua), has proposed that the military and police force should be subsidised from money allocated to Papua under Special Autonomy legislation. The proposal has been forwarded to Papua Governor, Barnabas Suebu, for consideration. Indonesian armed forces have been notoriously underpaid and it is hoped that this initiative will help to end the need for the military to raise its own funds through business interests in the province.

Other

Arrests in Jayapura during demonstration in support of IPWP launch

- A demonstration took place outside the DPRP (*Dewan Perwakilan Rakyat Papua*, Papuan Legislative Assembly) building in Jayapura on the 20th October in support of Papuan political self-determination following the recent launch of IPWP (*International Parliamentarians for West Papua*). Founded in London on the 15th October, the new movement aims to co-ordinate international parliamentary action on West Papua and advocates a review of the Act of Free Choice in 1969. On the 20th, police arrested sixteen demonstrators in Jayapura, including Buchtar Tabuni, one of the organisers of the event, as he was about to make a speech. PBI client organisation KontraS Papua (*Komisi untuk Orang Hilang dan Korban Tindak Kekerasan*, Commission for Disappearances and Victims of Violence) was part of a team of NGOs that accompanied Buchtar Tabuni during his interrogation by police. There has been criticism of the police for over-reacting. A similar demonstration planned for the 16th was prevented from taking place by the police and military.

DAP security guard found dead in Sentani, Jayapura

- Yosias Syet, a member of the Security Force PETAPA (*Penjaga Tanah Papua*, Guards of the Land of Papua), which provides personal security for leaders of DAP (*Dewan Adat Papua*, Papuan Customary Council), was found dead at his home on the morning of 17th October. At the time of his death Yosias had been helping to prepare for a planned demonstration on the 16th October in Jayapura in support of the IPWP (*International Parliamentarians for West Papua*) initiative – (see above). According to a report issued by the Protestant Church in Papua (GKI) entitled '*Killing of Yosias Syet – A Warning for Others?*,' the subsequent autopsy found that Yosias was the victim of what seems to have been a professional killing sometime in the early hours of the 16th October.

Increased number of flag raisings across Papua

- There has been a noticeable increase in the number of Morning Star flag-raising events

within Papua. Following the Morning Star flag-raising on August 9th in Wamena and two flag-raising in Timika in September, several events took place both within Papua and other parts of Indonesia to coincide with the inauguration of IPWP (*International Parliamentarians for West Papua*) in London. In Nabire, four co-ordinated flag-raising were carried out in front of the Bupati's office, DPRD (*Dewan Perwakilan Rakyat Daerah*, Regional Legislative Assembly) building, the tourist information office (which is close to a district military base), and at a bus terminal. Outside Papua, a Morning Star flag was raised in Yogyakarta at a Papuan student dormitory. No arrests were reported and the head of the student association that raised the flag claimed responsibility, apparently without fear of reprisal from authorities.

Unrest following local elections in Jayawijaya Regency

- There have been reports of unrest in the Wamena area, Jayawijaya Regency, following local elections on the 8th October. Unrest was triggered in several districts by allegations of vote-buying and discrepancies between the results compiled at the voting stations and the results transferred by the PPD (*Panitia Pemilihan Distrik*, District Election Committee) to the KPU-D (*Komisi Pemilihan Umum Daerah*, Regional Electoral Commission). On 21st October 2008 hundreds of people took part in a demonstration at the DPRD (*Dewan Perwakilan Rakyat Daerah*, Regional Legislative Assembly) rejecting the outcome of the elections and demanding their repetition. Subsequently, the KPU-D received criticism from Benny Sweny, the head of the KPU (*Komisi Pemilihan Umum*, General Electoral Commission). According to Mr Sweny, some members of the KPU-D have behaved in a biased and non-transparent way, contradicting the ethical working code of the KPU. He stated his intention to see certain members of the KPU-D replaced by the end of the year.

Prison warden replaced

- The head of the Abepura prison has been replaced in an attempt to regain confidence in an institution that has come under criticism lately following the escape of several prisoners. Four guards have also been transferred because they were letting prisoners out without following proper procedures. It was also at the Abepura prison that political prisoner, Ferdinan Pakage, was severely beaten last month (see September 2008 Monthly Information Bulletin-PBI Indonesia).

1.3 **EXTERNAL DEVELOPMENTS** ↔

Martti Ahtisaari awarded Nobel Peace Prize

- Martti Ahtisaari has been awarded the Nobel Peace Prize. The former president of Finland was awarded the prize due to his recognized peace initiatives throughout the world, including Namibia, Kosovo and most noticeably in Aceh.

Indonesia sends peacekeepers to Democratic Republic of Congo

- On the 15th October, Indonesia sent a contingent of its military to act as peacekeepers as part of the United Nations Mission in the Democratic Republic of the Congo (MONUC). The 175 strong contingent-Garuda XX-F-will be tasked with peacekeeping as well as humanitarian duties within the region. Indonesia has always taken a proactive stance towards UN sanctioned international peacekeeping missions and, earlier this month, Indonesia also sent a battalion of Garuda Bhayangkara police force to the UN African Mission in Darfur (UNAMID).

Indonesia ratifies ASEAN charter

- On 8th October 2008, the House of Representatives ratified the ASEAN Charter. Hopes are that this will both strengthen the standing of the International Organisation, whose

charter now has been ratified by all of its member states, and at the same time benefit Indonesian society as it gives way for decision-making mechanisms, a mandate for a human rights body and the involvement of society within ASEAN. Indonesia was the last country within ASEAN to ratify the agreement.

2. ACTIVITIES OF PBI INDONESIA

2.1 SUMMARY OF TEAM STATUS

PBI currently maintains three sub-teams within Indonesia, one based in Jakarta and two in Papua; Jayapura and Wamena.

Jakarta Sub-Team: Arthur Van Witzenburg (Netherlands), Hanna Senft (Germany), Chris Chaplin (UK), Johanna Wolf (Germany) Lynda Mills (United Kingdom)

Wamena Sub-Team: Jacob Nerenberg (Canada), Masha Kardashevskaya (Russia), Esther Cann (UK), Meriam Passage Smith (Netherlands), Harold Passage (Netherlands)

Jayapura Sub-Team: Gerrit Meyer (Germany), Sophie Crocker (UK), Frank Tool (USA)

2.2 MEETINGS WITH AUTHORITIES AND DIPLOMATIC CORPS

Meetings with the authorities and diplomatic corps are essential in order to socialize the work of PBI as well as enable such work to be carried out. These meetings also provide room for PBI to express concerns about current issues and situations of which we have first hand knowledge due to the field work carried out by the teams. The following meetings were held during October:

Indonesian Authorities

- 07/10/2008 Head of District Police (Kapolres), Jayawijaya (Wamena team).
- 08/10/2008 Mayjen Haryadi, Mabes TNI (Jakarta team).
- 09/10/2008 District Military Commander (Kodim), Jayawijaya (Wamena team).
- 09/10/2008 SIPRI Polda, Jayapura (Jayapura team).
- 13/10/2008, 16/10/2008 Kombes Brimob (*Brigade Mobil*, Mobile Brigade) (Jayapura team).
- 21/10/2008 District Military Commander, (Kodim), Jayapura (Jayapura team).
- 23/10/2008 Local Area Military Commander (Danramil), Yahukimo (Wamena team)
- 23/10/2008 Head of Local Police (Kapolsek), Kurima, Yahukimo (Wamena team)
- 30/10/2008 Military Intelligence (Intel Korem), Jayapura (Jayapura and Wamena teams).

Diplomatic Corps

- 13/10/2008, 16/10/2008 German Embassy – to help coordinate for the upcoming round-table between visiting German Parliamentarians and Indonesian Human Rights NGOs (Jakarta team).
- 30/10/2008 Australian Embassy (Jayapura and Wamena teams).

2.3 MEETINGS WITH CIVIL SOCIETY ORGANIZATIONS

PBI Indonesia Project maintains regular contact within Indonesian civil society through regular meetings with civil society organizations. By doing so, we are able to gather and exchange information, monitor the current Human Rights situation and develop an in-depth analysis of the internal political situation. The following meetings were held during October:

Meetings carried out by Jakarta sub-team

- 16/10/2008 Markus Haluk, General Secretary of student organisation AMPTPI (*Asosiasi Mahasiswa Pegunungan Tengah Papua Se-Indonesia*, Student Association of the Central Highlands in Papua Indonesia).
- 14/10/2008 & 28/10/2008: attended the trial of Muchdi Purwopranjono-former deputy head of Indonesian Intelligence accused of participating in the premeditated murder of Human Rights activist Thalib Munir.
- 13/10/2008 PBHI(*Perhimpunan Bantuan Hukum dan HAM Indonesia*, Indonesian Legal Aid and Human Rights Association). Regarding upcoming round-table between visiting German Parliamentarians and Indonesian Human Rights NGOs.
- 15/10/2008 PBHI/KontraS, Jakarta
- 21/10/2008 WALHI Jakarta (*Wahana Lingkungan Hidup Indonesia*, Friends of the earth Indonesia), Jakarta.
- 27/10/2008 PBHI/HRWG (Human Rights Working Group), Jakarta.
- 30/10/2008 Praxis, KontraS and FOKER LSM Papua.

Meetings carried out by Jayapura sub-team

- 07/10/2008 PBHI/KSA (*Perhimpunan Bantuan Hukum dan HAM Indonesia*, Indonesian Legal Aid and Human Rights Association/ *Komunitas Survivor Abepura*, Survivors' Community Abepura), Jayapura.
- 07/10/2008 & 13/10/2008 KontraS Papua, Jayapura.
- 08/10/2008, 15/10/2008 & 28/10/2008 AIDP (*Aliansi untuk Demokrasi Papua*, Alliance for Papuan Democracy), Jayapura.
- 08/10/2008, 17/10/2008, 24/10/2008 & 31/10/2008 BUK (*Bersatu untuk Kebenaran*, United for Truth), (became client), Jayapura.
- 13/10/2008 Deacon John Djonga, Jayapura.
- 13/10/2008, 15/10/2008 & 28/10/2008 FOKER LSM Papua, Jayapura.
- 14/10/2008, 16/10/2008, 21/10/2008, 22/10/2008 & 28/10/2008 JAPH&HAM (*Jaringan Advokasi Penyadaran Hukum dan Hak Asasi Manusia*, Advocacy Network for Upholding Law and Human Rights), Jayapura.
- 20/10/2008 GKI/KPKC (*Gereja Kristen Injili di Tanah Papua/Bidang Keadilan, Perdamaian dan Keutuhan Ciptaan*, Protestant Church in Papua/Field of Justice, Peace and Integrity of Creation), Jayapura.
- 21/10/2008 SKP Jayapura (*Sekretariat Keadilan dan Perdamaian*, Office for Justice and Peace), Jayapura.
- 25/10/2008 LP3BH (*Lembaga Penelitian Pengajian dan Bantuan Hukum*, Institute of Research, Investigation and Development of Legal Aid), Jayapura.

Meetings carried out by Wamena sub-team

- 04/10/2008 & 13/10/2008 Humi Inane, Wamena.
- 07/10/2008 & 22/10/2008 FPJ (*Forum Persaudaraan Jayawijaya*, Jayawijaya Friendship Forum), Wamena.

- 07/10/2008, 11/10/2008, 14/10/2008, 16/10/2008, 21/10/2008, 27/10/2008 & 29/10/2008 Sanggar Seni (Artists Collective), Wamena.
- 08/10/2008 YBAW, Jayapura.
- 10/10/2008, 29/10/2008 & 31/10/2008 JAPH&HAM (*Jaringan Avokasi Penyadaran Hukum dan Hak Asasi Manusia*, Advocacy Network for Upholding Law and Human Rights), Wamena.
- 16/10/2008, 23/10/2008, 27/10/2008, 29/10/2008 & 31/10/2008 YSBA (*Yayasan Silimo Bina Adat*, Space for Local Culture Foundation), Wamena.
- 20/1/2008 & 24/10/2008 Jimmy Heluka, Wamena.
- 28/10/2008 AIDP (*Aliansi untuk Demokrasi Papua*, Alliance for Papuan Democracy), Jayapura.
- 28/10/2008 FOKER LSM Papua, Jayapura.
- 31/10/2008 BUK (*Bersatu untuk Kebenaran*, United for Truth), Jayapura.
- 31/10/2008 INFID (International NGO Forum on Indonesian Development), Jakarta

3. PUBLICATIONS BY NON-GOVERNMENTAL ORGANISATIONS

English

- Tebay, Neles, *Papua: Its Problems and Possibilities for a Peaceful Solution*, October 2008
- Inside Indonesia, *West Papua: Inside Indonesia*, Issue 94 October – December 2008
<http://www.insideindonesia.org/>

Bahasa Indonesia

- Haluk, Markus, *Kondisi Umum HAM Pasca Otonomi Khusus di Tanah Papua dan Masukan atas Kasus Pelanggaran HAM yang Terjadi pada 2008* (concerning the general Human Rights situation in Papua with a focus on cases this year), October 2008