



Indonesia: Government should stop abuse of power by Indonesian police

(Bangkok, 27 September 2019) – The Asian Forum for Human Rights and Development (FORUM-ASIA), together with its members in Indonesia, the Alliance of Independent Journalists (AIJ), the Commission for the Disappeared and Victims of Violence (KontraS), the Human Rights Working Group (HRWG), the Indonesian Human Rights Monitor (Imparsial), the Indonesian Legal Aid and Human Rights Association (PBHI), and the Indonesian Legal Aid Foundation (YLBHI), express grave concern over the escalating violence and disproportionate use of force by the Indonesian police against peaceful protests across the country. The police must stop the violent and repressive response to protests, and respect freedom of expression, including freedom of the press.

We stand in solidarity with the students, civil society organisations, journalists, and broader public of Indonesia, who are criticising: the recent passing of the amendment to the law governing the Corruption Eradication Commission; the proposed revisions to the Criminal Code; and other problematic laws.¹

Protests started after Parliament passed an amendment to the law governing the Corruption Eradication Commission, even though it had been strongly criticised for weakening anti-corruption efforts in the country, among others by eroding its independence.

Additionally, the Commission will only be allowed to hire investigators, who are already public servants. Activists are concerned that, particularly within the current political climate, these changes will undermine the investigative powers of the anti-corruption commission and subsequently weaken the institution.²

Protesters are also infuriated by the intention of the House of Representatives to legalise a new Criminal Code, which contains provisions that will further marginalise already vulnerable groups, including women and LGBTIQ people, and will curb fundamental freedoms in the country.

The draft law brings back draconian provisions, which have been gradually abolished or deemed unconstitutional by the Constitutional Court due to effort of civil society organisations since the fall of the New Order in 1998, including the criminalisation of expressing dissenting opinions against Presidents and other state authorities.

¹ Other problematic law and bills include: the recently enacted law on natural resource; a bill on land; a bill on mining; and bill on labour relations; a bill on corrections; and a bill on national security and cybersecurity.

² <https://amp.kompas.com/nasional/read/2019/09/25/10382471/ini-26-poin-dari-uu-kpk-hasil-revisi-yang-berisiko-melemahkan-kpk>

There are also other contentious laws currently being discussed, including the proposed Land Law and the Law on Labour Relations, which seem to prioritise political interests of certain groups over the people of Indonesia at large.

Disappointment with the House of Representative triggered massive public protest on Monday, 23 September 2019, in Jakarta and other cities in Indonesia, which have been ongoing since. On 24 September 2019, protesters, mostly students from various universities in Indonesia, came to the House of Representatives demanding: the postponement of those bills; the amendment of the Law on Corruption Eradication Commission to be revoked; and a dialogue with the members of House of Representatives.

Instead of being welcomed by the legislators, the protesters were confronted by excessive abuse of power by the police. Police blatantly beat protesters, sprayed tear gas, hindered provision of medical supplies, and arrested and harassed medical personnel, activists, students, and journalists. As of now, 50 university students have been brutally and arbitrarily arrested without proper identification or clarification on who was being arrested, and why. Their whereabouts are unknown. They were not granted access to a lawyer, nor offered legal assistance. Since the start of the protests, two students have died.

Among those who were arrested are: Dandhy Dwi Laksono, who has openly criticised the Government on ongoing human rights violations in West Papua; and Ananda Badudu, who was fundraising to support the students demonstrations. Both have been detained since 26 September 2019.

It is evident that both the House of Representative and the police have little interest in protecting the rights of the people. Despite criticisms and demands for consultations on the proposed bills, the House of Representatives has maintained its exclusive and elitist decision-making process that does not prioritise the needs of the people.

On the contrary, the police, instead of protecting people, has treated protesters in an inhumane and degrading manner, and has excessively used tear gas and other forms of violence against protesters.

Although President Joko Widodo has recommended the passing of the new Criminal Code be postponed, there is no indication the process will be stopped.

We call on the President of Indonesia to de-escalate this situation by: ordering to put a stop on all use of violence by law enforcement agents; investigating the abuse of power; bringing the perpetrators to justice; and freeing and offering legal assistance those who were arbitrarily arrested during the protests.

We also call on the House of Representatives to: put halt on all discussion related to the above mentioned discriminatory bills; and conduct consultations with all stakeholders, including civil society organisations and students, in an effort to further review the proposed laws.

We remind the Government of Indonesia of its commitments as a future member of the UN Human Rights Council from 2020 – 2022. Indonesia must ensure that the constitutional rights of its people are respected and protected and international human rights principles and standards, including the International Covenant on Civil and Political Rights (ICCPR), are upheld.

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