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Update on arrests of printers of independent journal

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In the midst of the largest number of political trials in Indonesia for many years, one man is on trial for his role in printing a magazine which is critical of the government. **Andi Syahputra**, a printer, faces imprisonment because of his peaceful actions in support of press freedom.

Andi Syahputra was arrested in October 1996 with another man, **Jasrul Zen** (previously spelled **Dasrul**¹), who worked at the Zaiyan Putra printing house. They were arrested in connection with their involvement in printing *Suara Independen* (Independent Voice), an unlicensed monthly magazine of dissident political analysis and commentary on Indonesian affairs.² Following the December 1996 expiry of the legal period of initial detention, Jasrul Zen was **released uncharged**. However, the detention of Andi Syahputra was extended and he **remains in custody** in Cipinang prison, east Jakarta.

Arrests

Andi Syahputra, aged 31, and Jasrul Zen, aged in his 60s, were arrested at the Zaiyan Putra printing house in Jakarta, the capital of Indonesia, while they were printing an edition of the magazine, which is published by the Indonesia Society for Alternative Press (MIPPA), based in Melbourne, Australia. Andi Syahputra was the manager of the printing house

¹There have been different spellings of this man's name; he was earlier referred to as Dasrul but later reports agree on the spelling Jasrul Zen.

²Under Indonesia's media laws all publications are required to have a Press Publication Business Licence (SIUPP), which is issued by the Minister of Information.

where Jasrul Zen is an employee. In an appeal to the authorities in November 1996 Amnesty International stated that, if tried and imprisoned, the organization would consider the two men to be prisoners of conscience. It called on the Indonesian authorities to immediately and unconditionally release them.³

It was previously reported that both men were arrested on the morning of 27 October 1996, but subsequent information indicates that Jasrul Zen was in fact arrested on the evening of 26 October. It is believed that the police detained him for the night of 26 October in the Zaiyan Putra printing house while waiting for Andi Syahputra to arrive the following morning. Andi Syahputra was arrested at 9 am on 27 October as he opened the printing house for business. During the initial raid the police confiscated photographic negatives and several thousand copies of the latest edition of the magazine. This edition had as its lead article the results of a survey, conducted by its reporters and an unnamed Jakarta research institute, into the causes of riots and disturbances in July 1996 which followed the raid by police on 27 July on the offices of the Indonesian Democratic Party (PDI). The government initially blamed the disturbances on the People's Democratic Party (PRD), a recently formed unofficial political party.⁴ The survey concluded that of the 100 people interviewed, only nine per cent believed the government's version of events.

Charges and trial

Andi Syahputra, who is married with two small children, has been moved to Cipinang Prison, east Jakarta, pending completion of his trial. He is being tried under three articles of the Indonesian Criminal Code: Article 134 (main charge), Article 155 (subsidiary charge) and Article 137 (second subsidiary charge). Earlier reports suggested that he was facing charges under Article 154 but the charges ultimately filed by the prosecution are those listed above. Article 134 provides a penalty of up to six years' imprisonment for anyone who deliberately insults the President or Vice-President of Indonesia. Article 155 provides for up to four years and six months in prison for anyone who disseminates material or puts up posters or writing where feelings of hostility, hatred or contempt against the government of Indonesia are expressed, and is one of a series of Articles introduced by the Dutch colonial regime known as the Hate-sowing Articles. Article 137 provides for a prison term of one year and four months for anyone who disseminates or publicly displays writings or pictures which insult the President and Vice-President. The authorities have given no reason why Jasrul Zen was released whilst Andi Syahputra remains in detention. It is reported that Jasrul Zen is acting as a witness for the prosecution in the case.

³See Amnesty International: *Indonesia: Printers of independent journal arrested*, AI Index: ASA 21/74/96, 4 November 1996.

⁴See Amnesty International, *Indonesia: Raid on PDI Office*, AI Index: ASA 21/46/96, 28 July 1996, and updates ASA 21/48/96, 30 July 1996, and ASA 21/56/96, 9 August 1996. For further background see Amnesty International, *Indonesia: Arrests, torture and intimidation: the Government's response to its critics*, ASA 21/70/96, 27 November 1996.

Andi Syahputra's first court hearing took place on 29 January 1997. Neither he nor his lawyers were given the statutory minimum of three days' notice that the hearing was to take place and instead were only informed the night before. As a result Andi Syahputra was not accompanied by his lawyers and he therefore asked that the hearing be adjourned. He appeared in court again on 5 February.

Accusations

The indictment against Andi Syahputra makes no reference to the printing of an unlicensed publication. Rather, the prosecution's case focuses on the fact that in October 1996 he produced the photographic negatives for the articles, the content of which is considered offensive by the authorities. The prosecution is citing specific examples of the content and titles of the articles in the particular issue of *Suara Independen* in question to allege that Andi Syahputra is guilty of acts including insulting the President. Among the examples cited by the prosecution are:

- an article entitled "Bintang⁵ challenges Suharto to be directly elected";
- an article which allegedly says that the people no longer want President Suharto as their leader because he has been in power for the last 30 years and the political system has become a totalitarian regime in which power is centralized;
- another article which allegedly says that the presidential election should be conducted directly and not by the People's Consultative Assembly (MPR) because the latter institution is not truly representative.

The Indonesian police have acknowledged that the Zaiyan Putra printing business had been under observation since July 1996 and the fact that its operations were under investigation is clear from the indictment. The prosecution has stated that after he produced the photographic negatives, Andi Syahputra contacted Jasrul Zen to print 5,000 copies of *Suara Independen*. The printing was to be completed on 28 October and a price was agreed. However, only 3,000 copies of the magazine were printed because the work was interrupted by the police.

The lawyers acting for Andi Syuahputra are arguing that he was not involved in writing any of the articles and that his role was simply as manager of the printing house. He had previously been requested by the Indonesia Society for Alternative Press (MIPPA) to print *Suara Independen* but had refused, and the issue seized was the first that his printing house had agreed to take on. At the time he had reportedly

⁵Sri Bintang Pamungkas was sentenced in 1996 to two years and 10 months' imprisonment for comments he allegedly made during a seminar in Germany in April 1995. He was not detained pending the outcome of his appeal but was subject to travel restrictions preventing him from leaving the country. In a further development, he was arrested on 5 March 1997 and detained under the Anti-subversion Law for calling for an election boycott. (See Amnesty International: *Indonesia: Former MP charged with subversion for election boycott call*, AI Index: ASA 21/11/97, March 1997.)

requested assurances in writing from MIPPA that if anything happened to the magazine, he as printer would not be liable.

Amnesty International concern

Amnesty International considers the arrest and continued detention of Andi Syahputra to be a violation of the rights to freedom of speech and expression in Indonesia. Journalists and individuals who have sought to defend freedom of speech in Indonesia are frequently the target of human rights violations, including imprisonment as prisoners of conscience.

Two journalists who were arrested and convicted in 1995 for their writing have recently been transferred to separate prisons in an apparent attempt to discipline them. According to a letter from journalist and former fellow detainee **Eko Maryadi**, which was smuggled out of Cirebon prison on 24 February 1997, **Ahmad Taufik** and **Tri Agus Susanto** were suddenly transferred from Cirebon prison to Kuningan and Subang prisons respectively on that day. Ahmad Taufik and Eko Maryadi were imprisoned in September 1995 after being convicted of “insulting the government” in disseminating an unlicensed publication, *Independen*. In a separate trial Tri Agus Susanto was also found guilty in September 1995 of “insulting the government” for his role in publishing the bulletin *Kabar dari Pijar* and sentenced to two years’ imprisonment. Tri Agus Susanto is scheduled to be released in March 1997. **Danang Kukuh Wardoyo**, an office worker who was convicted along with Ahmad Taufik and Eko Maryadi, was released in November 1996.

Amnesty International considers that the arrest of Jasrul Zen and the trial of Andi Syahputra fall squarely within an ongoing crackdown on activists and other alleged opponents of the regime which has been continuing since the raid on the headquarters of the Indonesian Democratic Party (PDI) in July 1996. Since the raid scores of political, human rights, labour and other peaceful activists have been taken into custody. Members of the media, NGOs and lawyers have also been subjected to harassment and intimidation. There are indications that these restrictions will continue in the run-up to the Indonesian parliamentary election of 1997 and the presidential election of 1998.

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