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INDONESIA

The conviction of Aberson Sihaloho

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A member of Indonesia's national parliament was sentenced to nine months' imprisonment on 21 July 1997 after being convicted of "insulting" the Indonesian President and "other government organizations such as the armed forces and the parliament"¹. Politician **Aberson Marle Sihaloho** joins the growing list of individuals to have been tried and sentenced in connection with events which followed the government-supported ousting of the popular Indonesian Democratic Party (*Partai Demokrasi Indonesia*, PDI) leader, Megawati Sukarnoputri in June 1996. Amnesty International considers that Aberson Sihaloho has been tried and sentenced because of his peaceful political support for Megawati Sukarnoputri.

Aberson Marle Sihaloho, 58, a member of parliament for the PDI, is a strong supporter of ousted PDI leader, Megawati Sukarnoputri. He was charged in connection with comments he is alleged to have made during what became known as the *mimbar bebas* or free speech forum on 13 July 1996 following the ousting of Megawati from the party leadership. The *mimbar bebas* was held daily at the Jakarta headquarters of the PDI which Megawati supporters refused to vacate after her removal as party head. Aberson Sihaloho was one of many people, including student activists, trade unionists, political activists and ordinary people who over the weeks it existed used the opportunity of the free speech forum to express their frustrations with the government. This came to an abrupt end, however, on 27 July 1996 when alleged supporters of the rival faction of the PDI and the security forces raided the party headquarters. Around 200 people were arrested and dozens were wounded. Allegations of deaths resulting from the raid and the riots which followed it, raised by Indonesia's National Commission on Human Rights, have never been thoroughly and independently investigated.²

¹Agence France Press, 21 July 1997.

²For further information about the raid on the PDI headquarters, the arrests and trials of individuals in connection with the raid, see Amnesty International Indonesia: Arrests, Torture and Intimidation: The Government's Response to its Critics, ASA 21/70/96 and Indonesia: The Trial of

Aberson Sihalohe was first summonsed as a suspect on 27 September 1996. At that time, he faced three charges: Article 134 of the Indonesian Criminal Code which punishes “*insulting the president*” with a maximum of six years’ imprisonment; Article 154 which states that “*...the public expression of feelings of hostility, hatred or contempt toward the government*” is punishable by up to seven years’ imprisonment; and Article 207 which punishes publicly insulting “*an authority or public body*” with a maximum of one year and six months’ imprisonment. Only two charges, Articles 134 and 207 appear to have been pursued. Unlike others charged in connection with the raid, Aberson Sihalohe has never been arrested in connection with these charges. His trial began on 29 January 1997 at the Central Jakarta District Court.

At least two members of the Indonesian Armed Forces (ABRI) who had been involved in monitoring and recording the free speech forum appeared during Aberson Sihaloho's trial to testify for the prosecution. One of the soldiers, First Corporal Suratno, was reported as saying that on 13 July 1996 he had been ordered by his superior to monitor the *mimbar bebas* with a video and tape recorder. He claimed that on that day Aberson Sihaloho stated "[o]ur freedom has been stolen and we are being colonized again under Soeharto's 30-year leadership" and "[l]egislators no longer represent the people's interests but they serve the conglomerates".³ A substantial part of the evidence used as the basis of the prosecution case was a video taped recording of Aberson Sihaloho's speech at the *mimbar bebas*, which the lawyers claim could easily have been re-edited. Following the court's verdict, Aberson Sihaloho's lawyers were reported to have said that they do not accept the decision and will lodge an appeal.⁴

Aberson Sihaloho is the only member of parliament to have been tried and convicted in connection with the raid on the PDI headquarters and the riots which followed. In January 1997, the Committee on the Human Rights of Parliamentarians of the Inter-Parliamentary Union (IPU) adopted a confidential decision concerning his trial. In the decision, the IPU raised its fears that Aberson Sihaloho "*may be prosecuted for having exercised his right to freedom of expression*", and reminded the Indonesian Government that the "*right to freedom of speech is at the heart of parliamentary democracy and is essential to the meaningful exercise of any parliamentary mandate*".⁵

Amnesty International considers that Aberson Sihaloho has been tried and convicted for his peaceful support of ousted PDI leader Megawati Sukarnoputri. If imprisoned, Amnesty International would consider Aberson Sihaloho be a prisoner of conscience. The organization is calling for the sentence against him to be immediately quashed and for all charges to be dropped.

Please send telegrams/telexes and airmail letters in English or Bahasa Indonesia calling on the Indonesian authorities to:

³Jakarta Post, 19 March 1997.

⁴Reuters, 21 July 1997.

⁵Committee on the Human Rights of Parliamentarians, Case No IDS/12 Aberson Sihaloho, Indonesia; Confidential decision adopted by the Committee at its 76th session, Geneva 27-30 January 1997.

- * immediately quash the sentence imposed on Aberson Sihaloho;
- * drop all charges against him.

Please write appeals in a personal or professional capacity.

Please send appeals to:

MINISTER OF STATE AND STATE SECURITY

Maj. Gen. Moerdiono
Sekretaris Negara
Jl. Veteran No. 17
Jakarta
Indonesia

Please send copies of your appeals to:

MINISTER OF FOREIGN AFFAIRS

Ali Alatas S.H.
Menteri Luar Negeri
Jl. Medan Taman Pejambon No. 6
Jakarta
Indonesia

KEYWORDS: PRISONERS OF CONSCIENCE1 / CENSORSHIP / PARLIAMENTARIANS / CIVIL UNREST /
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