

# INDONESIA

## Journalists' sentences increased as media restrictions continue

*People may be detained only if they express their ideas with physical violence*

*Marzuki Darusman, member of Indonesia's National Human Rights Commission<sup>1</sup>*

### Introduction

In April 1995, Amnesty International published a report outlining its concerns on continuing restrictions on freedom of expression and association in Indonesia and the unwillingness of the Indonesian Government to tolerate peaceful political opposition<sup>2</sup>. The report highlighted the arrests of four individuals, whom Amnesty International considers to be prisoners of conscience, detained simply for exercising their fundamental right to freedom of expression and association guaranteed under Indonesia's own Constitution and international human rights standards. The four are: **Ahmad Taufik** and **Eko Maryadi**, journalists from *Aliansi Jurnalis Independen*, the Alliance of Independent Journalists (AJI)<sup>3</sup>, an AJI office worker, **Danang Kukuh Wardoyo** and **Tri Agus Susanto**, journalist and activist with the Pijar Foundation<sup>4</sup>.

In a clear sign of the government's attitude towards press freedom in Indonesia, all four were sentenced to prison terms ranging from 20 months to two years and eight months in September. On 24 November, their lawyers were informed that the sentences against Ahmad Taufik and Eko Maryadi had been increased by four months to three years.

---

<sup>1</sup> Jakarta Post, 30 January 1995

<sup>2</sup> For further details, see Indonesia: Attacks on free speech (ASA 21/22/95), April 1995.

<sup>3</sup> In August 1994, a large group of journalists formed *Aliansi Jurnalis Independen* (AJI), the Alliance of Independent Journalists. They were frustrated that the official Association of Indonesian Journalists (PWI) had taken no action against the banning of three popular weekly publications in June of that year - Tempo, Editor and DeTik. International and domestic opposition to the bans had been considerable.

<sup>4</sup> The Pijar Foundation is a student organisation concerned with cultural and human rights issues.

This report details the trials and sentencing of all four and also focuses on continuing restrictions on individuals peacefully exercising their right to freedom of expression and association. It also looks at continuing restrictions on the media and recent legal developments concerning freedom of expression and association in Indonesia. The report concludes with recommendations to the Indonesian Government which Amnesty International believes, if implemented, would ensure that citizens are free to exercise their guaranteed right to freedom of expression and association, without fear of arrest and imprisonment.

## 1. PRISONERS OF CONSCIENCE SENTENCED

### 1.1 Tri Agus Susanto

Journalist and NGO worker, Tri Agus Susanto, was jailed for 2 years as a prisoner of conscience in September for his involvement in a magazine considered to be "critical" of the government.

An activist with the Pijar Foundation, Tri Agus Susanto was arrested on 9 March, following a raid on the organisation's offices. During the raid documents and computer diskettes were confiscated by the police. Another member of Pijar arrested at the same time, Syahrul, was released without charge on 11 March. The official reason for the arrest was a speech concerning press freedom made by leading human rights lawyer, Adnan Buyung Nasution, the contents of which were printed in the June 1994 edition of Pijar's magazine, Kabar Dari Pijar (News from Pijar). However, Amnesty International believes that the real reason for the arrests was to restrict the activities of a non-governmental organisation which was concerned with issues that the government considered sensitive. Tri Agus Susanto was charged under Articles 134 and 55(1) of Indonesia's Criminal Code. The first, although not usually described as one of Indonesia's so-called "Hate-sowing Articles"<sup>5</sup>, it punishes "insulting the Head of State" by up to six years' imprisonment. The second stipulates that although a person may not have been directly involved in a crime, if they were present at the crime then they may be liable to the same punishment as the person who committed the crime. The prosecution's accusation against him related solely to the speech covered by Pijar's magazine, and contained no comments by Tri Agus himself.

Tri Agus was tried in July under heavy security in the courtroom. On 11 September he was found guilty of "insulting the Head of State" under Article 134 and sentenced to two years' in prison, and in November the sentence was upheld on appeal. Pijar's Director, Nuku Soleiman, is already serving four years in prison for a similar offence. Amnesty International also considers him to be a prisoner of conscience held for his peaceful activities. His "crime" was to distribute brochures during a demonstration in 1993.

<sup>5</sup> These were introduced by the Dutch colonial administration in the early 1900s and, with the rest of the colonial criminal code, were incorporated into Indonesia's Criminal Code after independence.

## 1.2 AJI journalists and office worker

Ahmad Taufik and Danang Kukuh Wardoyo were among seven people arrested on 16 March at around 9.30 pm when they attended a function at the Wisata Hotel in Central Jakarta. The occasion was a celebration of the end of the Muslim fasting month of Ramadan (*Halal Bihalal*). Eko Maryadi was arrested on the same night during a police raid on the offices of AJI, where he was staying. All except for Danang were released from police custody after about three hours. However, around 3 am the next morning, Ahmad Taufik and Eko Maryadi were both rearrested and taken into police custody where they joined Danang.

The three were arrested without warrants and held at Jakarta Police Headquarters where interrogations began. The initial accusation against them was that an unlicensed journal, *Independen* - an AJI publication - was being sold illegally at the Wisata Hotel during the celebration. The accusations were later expanded to cover the content of articles in the magazine. These related to articles concerning the family of the Minister of Information, Harmoko, who are share-holders in a number of publications and his power to grant or revoke publishing licences and another article concerning the presidential succession. It was clear however that, coming a week after the raid on Pijar's office, the arrests were part of an attempt by the government to restrict further the activities of independent journalists and non-governmental organisations. Since the founding of AJI, journalists associated with the organisation had been dismissed or threatened with dismissal by employees who are under pressure from the authorities not to employ AJI members. The AJI publication had become increasingly popular, despite the fact that it was operating without an official license.

AJI journalist Eko Maryadi had his sentence of 2 year 8 months increased to 3 years on appeal. Amnesty International considers him to be a prisoner of conscience detained purely for his peaceful activities and believes he should be released immediately and unconditionally.

Prisoner of conscience, Ahmad Taufik, was sentenced to 2 years 8 months in prison for "insulting the government". Found guilty of involvement of an "illegal" publication, he now faces 3 years in prison following his appeal in November 1995. Amnesty International urges his immediate and unconditional release, as the organisation considers he was detained solely for his non-violent activities. © Jawa Pos

The charges against the three related primarily to their alleged acts of "insulting the government", demonstrating an unwillingness on the part of the government to tolerate independent journalism. They were all charged under two of the "Hate-sowing Articles"; Article 154 of the Criminal Code carries a maximum sentence of seven years imprisonment for "...the public expression of feelings of hostility, hatred or contempt toward the government..." and Article 155 carries a maximum sentence of four years and six months imprisonment for a similar offence. They were also charged under Articles 55(1) and 134 of the Criminal Code.

Dozens of peaceful protestors have been jailed as prisoners of conscience under these articles and are serving prison sentences for peaceful activities such as disseminating information about human rights violations and organizing demonstrations. Ahmad Taufik and Eko Maryadi were also

charged under Articles 19(1) of the Press Law. Article 19(1) states that the press must not be used to further the interests of any individual or group and is punishable with a maximum sentence of four years or a fine.

Political trials in Indonesia are commonly characterised by unfairness. The presence of large numbers of plain-clothed and uniformed police and military officers ensures an atmosphere of intimidation in the court. Statements by the authorities implying a presumption of guilt are frequently made, judges often refuse to allow witnesses for the defence to appear, defendants are under pressure not to appoint independent lawyers, and access for independent lawyers to defendants is commonly restricted. The result is that, in the overwhelming majority of political trials, a guilty verdict is a foregone conclusion.

---

The trials of Danang Kukuh Wardoyo, Eko Maryadi and Ahmad Taufik, held at the Central District Court in Jakarta in June 1995, were no exception to other unfair political trials in Indonesia. Elements of unfairness and irregularities in their arrest and interrogation included:

- the search of the AJI offices, carried out without a warrant and with only one other witness present, was in breach of Article 33 of the Indonesian Code of Criminal Procedure (KUHAP);
- the three were arrested without warrants or authorization, in contravention of Article 18 of the KUHAP;
- the defendants were forced to give evidence against each other, leaving them at risk of incriminating themselves.

Inconsistencies in their trials included:

- the refusal by the court to consider procedural errors which had occurred during the arrests and interrogations, including the facts concerning the unlawful nature of the arrests and interrogation;
- the fact that the basis for the charges, articles from Independen, the now banned AJI publication, had in some cases not been written by the defendants;
- the fact that during the trial itself, little evidence was presented to support the reason for the arrest or charges being brought against the defendants;
- the high military and intelligence presence during the trial, resulting in an atmosphere of intimidation;
- the fact that access to the defendants was restricted by the court and international observers from the human rights organisation, Article 19, were refused access to the defendants.

In September 1995, Ahmad Taufik and Eko Maryadi were found guilty of "insulting the government" and both were sentenced to two years and eight months imprisonment.<sup>6</sup> Danang Kukuh Wardoyo was also found guilty of "insulting the government" and sentenced to twenty months' imprisonment. The sentencing prompted one member of Indonesia's National Human Rights Commission - *Komisi Nasional Hak Azasi Manusia* (Komnas HAM) - to express concern for the imprisonment of Danang Kukuh Wardoyo, who was not even a member of AJI and had not been involved in the production of the organisation's magazine. Komnas HAM member, Clementino Dos Reis Amaral, stated that he believed the sentence imposed on Danang was not

---

<sup>6</sup> This was the "primary" charge. Under Indonesian law, a defendant need only be found guilty of the "primary" charge in order to be sentenced.

"humanitarian" and could damage his prospects for the future<sup>7</sup>. Komnas HAM however has no mandate to compel the government to reconsider court decisions such as that imposed on Danang and the two journalists.

On 24 November, lawyers acting for Eko Maryadi and Ahmad Taufik were informed by the Jakarta High Court that their sentences had been increased to three years on appeal. Danang's sentence remained the same. In yet another incident of unfairness, the decision had been signed by the court on 11 October, but had not been conveyed to the defendants or their lawyers. The lawyers were only informed of the decision after they contacted the court to confirm whether a decision had been made, as the legal time limit in which higher courts decide on appeals had expired.

Amnesty International considers the actions of the Indonesian Government against the journalists and Danang to be contrary to its stated commitment to protect human rights and an indication that the government is not yet willing to tolerate peaceful criticism. The organisation considers the three to be prisoners of conscience and calls for their immediate and unconditional release.

## **2. THE GOVERNMENT RESPONSE**

---

<sup>7</sup> Kompas, 28 September 1995.

---

In response to appeals for the release of Ahmad Taufik, Eko Maryadi, Danang Kukuh Wardoyo and Tri Agus Susanto, the Directorate General for Press and Graphics at the Ministry of Information and the Director of Foreign Information at the Department of Foreign Affairs both issued background papers on AJI and the press in Indonesia<sup>8</sup>. This is consistent with statements from the Indonesian Government concerning the imprisonment of other individuals. The responses attempt to justify the actions of the government by referring to the need for a free but "responsible" press, but avoid completely the issue of imprisonment of peaceful critics.

The sentencing of student and office worker Danang Kukuh Wardoyo - a prisoner of conscience - to 1 year 8 months clearly indicates the government's attitude towards suspected opponents. Danang is not a member of AJI. Amnesty International calls for his immediate and unconditional release.

The first paper concentrates on the illegal status of AJI and Independen and the reasons for the June 1994 media bannings. It also provides great detail about the official Indonesia Journalists' Association (PWI) as the defender of the interests of journalists. The response fails to acknowledge that following the establishment of AJI, PWI announced the expulsion of 13 members, saying they had "forfeited" their right to membership by joining AJI.

The second paper argues that, while freedom of the press is guaranteed in Indonesia, such freedom should not be "absolute":

*The point is that the Government cannot sacrifice the law on the altar of press freedom. All individual freedom must be weighed against the need to preserve the integrity of society - for only by doing so can we ensure that society is able to protect the individual at all. It is true that freedom of the press is important, even essential, in a Pancasila [Indonesia's state ideology] democracy, but never so important that it can place a journalist or a group of journalists above the law.*

Amnesty International considers that neither response explains why in Indonesia journalists and others are subjected to lengthy prison terms for engaging in entirely peaceful activities, activities which are part of their function as journalists. Neither addresses the specific charges under which all four were tried and imprisoned, or provides any evidence in support of the charges. The organisation also considers that attempting to justify the imprisonment of peaceful critics on the grounds that their comments threaten the "integrity of society" is contrary to the government's stated commitment to political "openness", to Indonesia's own Constitution and to international human rights standards.

### **3. BACKGROUND TO CONTINUED RESTRICTION OF**

---

<sup>8</sup> Entitled: Background Information on Alliance of Independent Journalists and The Press and the Law respectively.

---

## **FREEDOM OF EXPRESSION**

The conviction of the AJI journalists, Tri Agus Susanto and Danang Kukuh Wardoyo is just one example of the way in which the Indonesian Government continues to heavily restrict freedom of association and expression. Media and play bannings have continued, as has the threat of imprisonment for politicians, academics and other perceived as government critics.

Over recent years the government has made a number of moves against press freedom that have attracted widespread international and domestic attention and criticism. This included the banning of the three publications - Tempo, Editor and DeTik - in August 1994, which led to the formation of AJI. In the past few months, there has been publicity surrounding cases which appear to mark a move toward lifting restrictions on the media. One example of this is the decision of the Jakarta State Administrative Court on 3 May 1995, which ruled in favour of ex-employees of the Tempo paper who had brought a lawsuit against the Minister of Information, Harmoko. The Minister had revoked the magazine's licence, in effect banning the magazine. The court announced that the decision of Minister Harmoko to revoke the publishing licence of Tempo had been illegal.

In announcing the court's verdict, a panel of three judges, headed by Judge Benjamin Mangkoedilaga, concluded: "*Based on evidence and facts gathered during the trials, we have decided that [the] Minister of Information Harmoko's decision to revoke Tempo's licence was unlawful*"<sup>9</sup> and that he had issued the decree "*without prior consultation with the Press Council*". This was in direct contravention of Regulation 184 of the Ministry's own regulation requiring that the Press Council be consulted when such a decision is taken. The Minister was ordered by the Court to revoke the Ministerial Decree No.123/1994 which had banned the publication and he was also ordered to pay court costs. The government appealed against the decision, and in November the Supreme Court ruled in favour of Tempo.

The decisions of both the Administrative Court and the Supreme Court may again create the perception that media restrictions have been eased. However, with their colleagues already serving sentences for their alleged involvement in "illegal" publications, journalists continue to be under close scrutiny. One Indonesian paper announced on 22 September that it was suspending five of its journalists, including its editor, Sutendi. The Sumatra-based paper Lampung Post said they had been given "non-active" status for an indefinite period. The journalists had covered an interview with the banned author Pramoedya Ananta Toer<sup>10</sup>.

---

<sup>9</sup> Jakarta Post, 4 May 1995.

<sup>10</sup> Pramoedya Ananta Toer - Indonesia's most prominent writer - was recently given the Ramon Magsaysay award for journalism and literature, given to outstanding Asians and Asian-based organisations. The award is in honour of former Philippine President Ramon Magsaysay. Pramoedya Ananta Toer served most of his 14 years imprisonment on the prison island of Buru for his alleged involvement with the Indonesian Communist Party (PKI), who were largely blamed for the abortive coup in 1965. Pramoedya

Plays concerning labour issues continue to remain under pressure, with those who seek to highlight the plight of workers subject to government sanctions. Within the past few months, two theatre groups have been prevented from performing plays, either because their content is seen to be against government policy, or because they cover issues about which the government is sensitive. In October, *Teater Buruh Indonesia* - the Indonesian Workers Theatre Group - lost a lawsuit against the head of City Directorate of Social and Political Affairs at the Jakarta State Administrative Court who had prevented a performance of their play. The play, entitled *Senandung Terpuruk dari Balik Tembok Pabrik* - Sad Song From Behind Factory Walls - depicted the working conditions of many Indonesian workers. In September, another theatrical group, *Teater Sanggar Pabrik*, was prevented from performing their play in Jakarta. The play was entitled *Surat Cinta untuk Marsinah* (A Love Letter from Marsinah). The subject of the play was Marsinah, a female factory worker, murdered in 1993<sup>11</sup>. The ban was imposed despite the fact that the group had obtained a permit to perform the play. The group has lodged a complaint with *Komnas HAM*.

Attention has also focused on the suspension of a newspaper and television talk-show. On 18 September, the daily paper, *Media Indonesia*, announced that its Sunday edition would not appear for the next four weeks. The reason given for this suspension was to allow the paper to obtain feedback from press colleagues and "to raise the image of this newspaper in order to have a function as a press which is free and responsible".

A privately-run television company PT Surya Citra Television (SCTV) announced on 16 September that it was withdrawing its weekly talkshow "*Perspektif*" indefinitely. The program dealt with topical issues. The reason given by a spokesman for SCTV for the suspension was to review the program's format. At the time, only 10 out of the scheduled 26 programs had been broadcast. It was with some irony that show's host, Wimar Witoelar, explained that he had received only four days notice of the suspension and he likened the experience to "...holding a party, but suddenly the lights were switched off by some"<sup>12</sup>.

## 4 CASES OF FREEDOM OF EXPRESSION DENIED

### 4.1 Psychic sentenced

---

Ananta Toer is barred from travelling abroad and his books banned in Indonesia - his latest novel *Silent Song of a Mute* was banned in May this year. Even now, anyone found in possession of his books liable to arrest.

<sup>11</sup> Marsinah was killed after she had "disappeared" in East Java. The case has subsequently been reopened and a new investigation is currently under way. The case drew international and domestic condemnation when it surfaced that the military were heavily implicated in her murder.

<sup>12</sup> *Jakarta Post*, 19 September 1995.

The chair of the Association of Indonesian Psychics, **Permadi Satrio Wiwoho**, was charged in March 1995 for blasphemous remarks he is alleged to have made during a seminar at Gadjah Mada University, Yogyakarta, Central Java, in June 1994. His questioning and subsequent detention came almost a year after the seminar had taken place. He was charged under Article

156(a) of Indonesia's Criminal Code, which states that anyone found guilty of "inciting feelings of hostility towards a recognized religious group" is liable to a maximum sentence of five years' imprisonment. On 13 September this year he was sentenced to seven months in prison for insulting Islam. However, just a day after the verdict was announced, the decision to free him came from the High Court in Yogyakarta and he was released pending an appeal against the sentence by both the defence and the prosecution.

**Permadi Satrio Wiwoho, Chair of the Association of Indonesian Psychics. Sentenced to 7 months in prison for the non-violent expression of his opinion, he was subsequently released on 14 September 1995. © Jawa Pos**

Amnesty International welcomes the release of Permadi Satrio Wiwoho, but is still calling for all charges against him to be dropped. The organisation believes that he was imprisoned and sentenced solely for exercising his right to freedom of expression and association<sup>13</sup>.

#### 4.2 Academic under threat of detention

A prominent academic at Satya Wacana University in Salatiga, Central Java, **Dr George Aditjondro**, remains at risk of being imprisoned for his peaceful political activities. He has been summoned for questioning by the authorities on at least four occasions since October 1994, charged with "insulting a government authority or body". The charge, under Article 207 of the Criminal Code, carries a maximum sentence of 18 months' imprisonment.

His questioning arises from comments he made regarding the Presidential succession while he was attending a seminar at the *Universitas Islam Indonesia* (UII) in Yogyakarta in August 1994. Dr Aditjondro is an outspoken critic of the government and such intimidation is indicative of the attitude of the Indonesian Government towards peaceful critics. It also appears intended to foster a climate of fear and to serve as a warning to other government critics.

Amnesty International is also concerned that George Aditjondro and two others - Mughtar Pakpahan, independent trade union leader and writer Pramoedya Ananta Toer - have recently been accused by military authorities of being involved in organisations alleged to have

<sup>13</sup> For further details, see [Indonesia: Predictions of a psychic - a threat to national stability?](#) (ASA 21/34/95), July 1995.

stirred recent unrest in Indonesia. Referred to as "formless" organisations by the authorities, they have been linked to the banned Communist Party of Indonesia (PKI).

George Aditjondro is currently in Australia. Attempts by the Indonesian Government to extradite him to face charges in Indonesia have failed, but the case against him remains. If convicted and imprisoned, Amnesty International would consider him to be a prisoner of conscience. The organisation therefore calls for the charge against him to be dropped immediately and unconditionally.

### **4.3 Politician on trial**

Another individual targeted for his non-violent activities is **Sri Bintang Pamungkas**, member of parliament for *Partai Persatuan Pembangunan* (PPP), the United Development Party. Police began questioning Sri Bintang in April concerning his alleged involvement in a human rights demonstration in Hanover, Germany, and comments he allegedly made during a seminar in Germany. The demonstration, along with others organised during a visit to Germany by President Suharto in April this year, severely embarrassed the Indonesian Government.

Two other individuals were also accused of involvement in the demonstrations, but Sri Bintang is the only one facing imprisonment. He denies that he participated in the demonstrations - although he acknowledges that he was in Germany at the time of President's Suharto's visit - and he also denies insulting the head of state in his seminar presentations.

Sri Bintang was originally at risk of trial under four separate charges, including one which carried the death penalty. It appears now however that the principle charge against him is Article 134 of the criminal code, and the main accusation is that he insulted the head of state during seminars in Germany.

Sri Bintang is currently being tried under conditions which Amnesty International is concerned will not be fair. On the first day of his trial, the judge argued that despite the fact that Sri Bintang's lawyers were not able to be present, the trial should continue. The trial was subsequently postponed for a week. The organisation is also concerned about the level of military presence at the trial which could intimidate witnesses seeking to appear for the defendant. On 22 November, a foreign national observing the trial, Yusuf Hadjar, was himself detained and interrogated for his alleged role in organising Sri Bintang's visit to Germany. He was released in the early hours of the 23 November and deported from the country on the same day.

Amnesty International considers that the demonstrations and Sri Bintang's presentations at the seminar in Germany have been used as a pretext to target peaceful opponents of the Indonesian Government. In addition to the criminal charges against him, Sri Bintang has faced other reprisals for his apparent critical position. He is currently challenging a government decision to expel him from parliament and he has been banned from travelling overseas.

Politician Sri Bintang Pamungkas is currently on trial for remarks he is said to have made during a seminar in Germany in April this year. Amnesty International considers him to be a prisoner of conscience and calls on the authorities to drop all charges against him. © Jakarta Post

If convicted and imprisoned, Amnesty International would consider Sri Bintang Pamungkas to be a prisoner of conscience. The organisation considers that he should be allowed to exercise his right to freedom of expression and association and is urging the authorities to drop all charges against him.

## 5. RESTRICTIONS ON POLITICAL GATHERING CONTINUE

In response to growing criticism of the government's interference in public gatherings which touch on the sensitive subject of democracy, the government announced its intention to lift the requirement which stipulates that anyone staging a public event or procession must have prior authorization from the police authorities. This requirement is set out under Article 510 of the Criminal Code. The Article has been seen by some human rights activists and academics as being in conflict with Article 28 of Indonesia's Constitution, which guarantees the right of every citizen to freedom of expression and association. According to Indonesia's Coordinating Minister for Political and Security Affairs, Susilo Sudarman, "*the decision has been taken in recognition and observance of citizens' rights to assemble and express opinions*"<sup>14</sup>. However, the government still reserves the right to break up meetings if such gatherings are considered to have "disturbed public order", and prior notification must be given to the police. New guidelines are expected to be drawn up, but many observers consider that groups engaging in gatherings perceived by the government to be political, could still face restrictions and possibly punishment, including short-term detention.

Up to now, the most common reason used by the authorities for breaking up a meeting was that the meeting was being held without proper authorization<sup>15</sup>. However, it does appear that

<sup>14</sup> UPI, 30 August 1995

<sup>15</sup> According to the daily paper, Jakarta Post (30 June 1995), in 1995 26 events were broken up on the grounds that they did not have the correct permits, an increase on 1994's figure of 18.

the more likely reason was rather the topic under discussion or the speaker addressing such meetings. For example, the poet and playwright W.S. Rendra and 20 members of his Workshop Theatre (*Teater Bengkel*) were fined Rp 2,000 and had to spend three days in prison for breaching Article 510 when they demonstrated against the banning of Tempo, Editor and DeTik in July 1994.

Students protesting against restrictions on the press suffered the same fate when they demonstrated outside the offices of *Lembaga Bantuan Hukum* (LBH), the Indonesian Legal Aid Foundation, in July 1994. In May 1995, the South Jakarta District Court ruled in favour of LBH, who brought a case against the South Jakarta Police Sub-area, claiming that Article 510 had been used unlawfully to disband a seminar in September 1994 entitled *Legal Pluralism in Indonesian Land Issues*. LBH argued that a seminar could in no way be construed as a rally or demonstration. Police also broke up a seminar called *Human Rights Within the Perspective of the Indonesian People*.

Overseas visitors to Indonesia are not immune from government censure when engaging in peaceful meetings. In June this year, an American professor, Robert Hefner, was detained, along with six members of the New Indonesian Foundation after organising a seminar at which Professor Hefner had been due to speak. They were all released without charge after several hours of interrogation by the police at Central Jakarta police station.

Amnesty International is concerned that the government has used Article 510 to detain those peacefully engaging in human rights or political gatherings. The organisation is further concerned that, despite the announcement by the government that it is lifting this restriction, it is not at all clear that this means that those engaging in such activities will now be free to do so without the threat of arbitrary and short-term detention. The organisation therefore calls on the government to back-up its commitment to an easing of restrictions by ensuring that no individual peacefully engaging in political or human rights activities is at risk of detention.

## **Conclusions and Recommendations**

Those who exercise their guaranteed right to freedom of expression and association continue to be at risk of imprisonment, intimidation and the threat of arrest. Amnesty International fears that the situation shows little sign of improving. In order to show a genuine commitment to allowing its citizens the right to peaceful expression of their opinions, Amnesty International strongly urges the Government of Indonesia to:

- guarantee in practice the right of all citizens to peacefully express their opinions without the fear of intimidation or arrest;

- release immediately and unconditionally all those in prison for their peaceful political activities - including Ahmad Taufik, Eko Maryadi, Danang Kukuh Wardoyo and Tri Agus Susanto;
- promptly repeal the "hate-sowing" articles, frequently used to suppress peaceful dissent and review all legislation relating to national security and public order, to ensure such laws do not allow for the imprisonment of those peacefully exercising their rights;
- ensure that any individual detained as a result of their political activities is given access at all stages of the investigation to lawyer of their choice, as guaranteed by the Indonesian Code of Criminal Procedure;
- ensure that any trials that do take place are in accordance with international standards for fair trials, as guaranteed by international human rights standards and by Indonesia's own Code of Criminal Procedure.

\*\*\*