

# INDONESIA

## @Free Speech Protesters Detained and Beaten

### Introduction

More than 50 people were detained or badly beaten by Indonesian security forces during a peaceful protest in Jakarta against government restrictions on press freedom on Monday 27 June. In Amnesty International's view, the detention and beating of peaceful protesters are symptomatic of the government's contemptuous attitude toward civil and political liberties. The organization deplores the heavy-handed tactics used to suppress the demonstrations, and is calling for the immediate and unconditional release of those detained.

### 1. The Detention and Beating of Free Speech Protesters

Those detained and beaten were among some 300 protesters who had tried to march to the Ministry of Information in one of a series of peaceful protests against the recent banning of three of the country's major news magazines on 21 June. They included well-known Indonesian cultural figures, journalists, members of non-governmental organizations, human rights activists and university students. The protesters were articulating three main demands:

- the revocation of decrees by the Minister of Information withdrawing the publishing licences of the news magazines *Tempo*, *Editor* and *Detik*;<sup>1</sup>
- the repeal of the country's press licensing system;
- an end to government restrictions on freedom of expression.

According to eyewitnesses, the protesters gathered at the Sarinah Jaya Department store in the heart of Jakarta at about 9am. An hour later, following instructions from protest organizers, the group began to walk in an orderly fashion down Jalan Thamrin [street] toward the Ministry of Information to present their demands. The protesters stopped about 200 metres from the Ministry when organizers noticed that the building was surrounded by government forces.

At about 10:30, riot police and army troops wearing black T-shirts with the insignia *Opsih* attacked the protesters with clubs and batons causing them to flee for safety.<sup>2</sup> The

---

<sup>1</sup> The decrees withdrawing the publishing licenses of *Tempo*, *Editor*, and *Detik* respectively were No. 123/Kep/Menpen/1994; No.124/Kep/Menpen/1994; No. 125/Kep/Menpen/1994.

troops kicked and beat demonstrators who had fallen in the chaos, and pursued others down Jalan Thamrin and nearby sidestreets, causing serious injury to some. At about 11am an estimated 200 people managed to reach the Ministry of Information, where a group of about 20 planned to stage a peaceful poetry-reading protest. They too were attacked by government troops and some among them - including the well-known Indonesian poet, Rendra - were beaten and detained (see Appendix I for further details).

By mid-day on 27 June, 56 protesters were reported to have been detained or beaten, of whom Amnesty International had learned the names of 54.<sup>3</sup> Of a total of 32 reported to have been detained by police, twenty were taken immediately to the District Court of Central Jakarta where they were subjected to summary trial and fined. A number were taken to hospital to receive treatment for wounds inflicted during the assault, and eleven were freed following questioning. As of 29 June one man, Semsar Siahaan, remained in hospital with an injured leg, and one other, Beathor Suryadi, remained in custody at police headquarters (*POLRES*). At least ten other people were reportedly detained, and some beaten, during a related protest in the city of Yogyakarta, Central Java, but details were not immediately available.

In the aftermath of the 27 June demonstrations there were unconfirmed reports that the authorities had issued a warrant for the arrest of LBH Director, Nasution. These reports were later discovered to be untrue.

## 2. Background: Restrictions on Free Speech

Despite its stated commitment to political "openness", and the explicit guarantees of freedom of speech contained in Article 28 of the country's 1945 Constitution, Indonesia's New Order government continues to impose heavy restrictions on a wide range of internationally-recognized civil and political liberties including freedom of speech, assembly, conscience, and movement. Such restrictions have helped to create an atmosphere of generalized fear within which dissent is seldom openly expressed. They have also served to justify and provide the political and legal framework for further violations, such as political imprisonment, torture and arbitrary killing.

The Press Law of 1982 stipulates that there shall be no press censorship, but adds that the press must also be "responsible", leaving considerable leeway for interpretation by the

---

<sup>2</sup> The term *Opsih* is short for *Operasi Bersih* or "Operation Cleansing", a military operation launched in April 1994 to rid Jakarta of petty criminals and other "undesirable elements".

<sup>3</sup> The names of those reportedly detained or beaten are listed in Appendix I of this document.

authorities.<sup>4</sup> Executive discretion is further enhanced by a 1984 decree, which empowers the Minister of Information to revoke the license of any publication which, in his judgement, does not conform to this ideal.<sup>5</sup> In effect, the decree gives the Minister the power to censor at will.

Yet state censorship in Indonesia has more commonly taken the more subtle form of a warning telephone call or visit from officials of the Ministry of Information or military intelligence (*Bakorstanas*). This "persuasive" approach has been supplemented by selective legal action against those who step over the mark. In the ten years prior to the recent bannings, the government has closed down four major newspapers.<sup>6</sup> By revoking the licenses of a small number of publications, and by detaining or imprisoning a handful of journalists and editors, the authorities have tried to encourage a system of "self-censorship" in the Indonesian media.

The heavy-handed government actions in the past week appear to mark a shift in the government's approach to the press. Yet, while the tactics may have changed, the revocation of the three publishing licenses is broadly consistent with the general pattern of restrictions on press freedom under the New Order. In seeking to justify the bans, government spokesmen explained that they had been necessitated by the refusal of the papers concerned to heed earlier warnings.<sup>7</sup> At the same time, government spokesmen have claimed that the bans do not signify a change in the official policy of "openness". Speaking on 22 June, State Secretary Murdiono said that:

*The press community would have no problems if they only know how to abide by the country's journalism code of ethics and other existing regulations.*<sup>8</sup>

---

<sup>4</sup> The Press Law of 1966 (UU No.11/1966) stipulates that the press will be free, unless it undermines or is opposed to *Pancasila*. The 1982 Press Law (UU No.21/1982) stipulates that the press will not be censored.

<sup>5</sup> The Ministerial Decree is *PP Menpen No.01/Per/Menpen/1984 tentang Surat Izin Usaha Penerbitan Pers* (SIUPP) This power, spelled out in Article 33 of the regulation, appears to be at odds with the Press Law of 1982, which stipulates that a publication licence may only be revoked by a court decision.

<sup>6</sup> The newspapers closed down since 1984 are: *Expo* (1984), *Sinar Harapan* (1986), *Prioritas* (1987) and *Monitor* (1990). A number of other publications have been closed down in recent years though not directly by the Minister of Information: *Fokus Equilibrium*, a student newspaper at Universitas Udayana (6/93); *Arena*, a student newspaper at IAIN Sunan Kalijaga, Yogyakarta (6/93); the March/April 1992 issue of *El Shaddai* (1/93).

<sup>7</sup> Ministry of Information official, Drs. Subrata, cited in *Antara*, 21 June 1994.

<sup>8</sup> Cited in *Antara*, 22 June 1994.

In part, then, the government reaction may be understood as a reaction to the increasingly courageous posture of a number of mass-circulation papers in recent years. There are indications that *Tempo*, *Editor* and *Detik* may also have been singled out because, in their recent coverage of the Indonesian Government's controversial purchase of 39 naval vessels from Germany, among other issues, they had touched too closely on possible corruption and political divisions within the country's leadership. It is widely accepted that the arms deal with Germany was brokered by the Minister of Research and Technology, B.J. Habibie, a close ally of the President, and that the deal was unpopular with key figures in the armed forces.

### 3. Domestic and International Reactions to the Press Ban

Domestic and international reaction to the recent bans has been mixed. The official Association of Indonesian Journalists (PWI), the Indonesian Newspaper Publishers Association (SPS) and a variety of pro-government youth organizations, have either openly supported the government decrees or have offered very muted criticism. In addition, some youth groups with strong government ties - such as the *Pemuda Pancasila* (Pancasila Youth) - have reportedly been mobilized to take part in demonstrations in support of the bans.

At the same time, many Indonesian journalists, writers, artists university students and human rights activists have condemned the government's action, demanding an end to press restrictions and the resignation of the Minister of Information, Harmoko. Summarizing a widely-held sentiment, the chief editor for *Detik*, Eros Djarot, said that the ban "...is killing the hopes and dreams of young people for justice, democracy and openness."<sup>9</sup> The Legal Aid Foundation (LBH), Indonesia's premier human rights organization, has said that the government decrees run counter to the 1945 Constitution and the 1982 Press Law; and the LBH Director, Adnan Buyung Nasution, has vowed that the LBH will support nation-wide protests against the bans. A leading member of the moderate opposition group, *Forum Demokrasi*, has openly questioned the government's explanation for the ban, saying:

*The government said it was punishing the magazines because they undermined stability, but there is no evidence that stability has been shaken as a result of their reports.*<sup>10</sup>

Also joining the ranks of the critics has been the recently formed National Human Rights Commission which described the bans as a "setback" to the democratization process.<sup>11</sup>

<sup>9</sup> Cited in *Jakarta Post*, 23 June 1994.

<sup>10</sup> Abdurachman Wahid, cited in *Jakarta Post*, 23 June 1994.

<sup>11</sup> Cited in *Jakarta Post*, 23 June 1994.

Somewhat unexpectedly, the country's politically powerful armed forces appeared, at first, to oppose the bans. Shortly after the announcement the armed forces spokesperson, Brigadier General Syarwan Hamid, said that the revocation of the three licenses was "...unwanted, regrettable and...should not have happened."<sup>12</sup> This comment helped to fuel speculation about a rift between parts of the military and government ministers loyal to President Suharto, particularly the Minister of Research and Technology, B.J. Habibie, and the Minister of Information, Harmoko. Still, when called upon to suppress the advocates of free speech, the armed forces - or important elements within it - did so with customary energy.

Reactions from international human rights organizations have been broadly critical. In a letter to Indonesian Government officials dated 25 June the Committee to Protect Journalists "deplored" the bans and urged the President to guarantee the right of the three magazines to "publish freely without fear of government interference." In a letter to President Suharto, dated 28 June, *Reporters Sans Frontières* criticized the beating of two unnamed foreign correspondents during the demonstration.

Some governments have also been openly critical of the bans although doubts remain about their willingness to match their expressions of concern with concrete action. The Government of the United States said it "regretted" the decision to cancel the publishing licences, but gave no indication that it would affect bilateral relations. The Government of Australia, among the most supportive of the New Order in recent years, expressed its "disappointment" at the decision.<sup>13</sup> However, shortly before his arrival in Jakarta for talks with President Suharto, on 27 June, the Australian Prime Minister, Paul Keating, stressed that the bans would not affect trade or diplomatic relations with Indonesia.

---

<sup>12</sup> Cited in *Jakarta Post*, 23 June 1994.

<sup>13</sup> Foreign Minister, Gareth Evans, said: It must be said without qualification that this is a very disappointing development indeed." Cited in *Reuter*, 22 June 1994.

## Appendix I: List of Free Speech Protesters Detained or Beaten on 27 June 1994

Name	Occupation/Residence	Further Information
Aap Suhendra	From Cianjur	
Abong	From Cianjur	
Arta	Member of nationalist student organization (GMNI), Bandung	
Awan	Bengkel Theatre member	
Bambang Beret	Bengkel Theatre member	
Bambang Lagito	Bengkel Theatre member	
Beathor Suryadi	Member of human rights organization, <i>Yayasan Pijar</i>	
Dadang	Member of GMNI-Bandung	
Daeng Kelana	Bengkel Theatre member	
Dedi Kodir	From Bogor	
Dewi	Student, University of Indonesia	
Dian	From Lampung	
Dini Farida	Staff of Legal Aid Institute (LBH), Cianjur	Fainted during attack by security forces
Dita	Student, University of Indonesia	
Edo	University student (UNISBA), Bandung	Beaten on the head by security forces. Hospitalized. Vommitted repeatedly due to concussion.
Eeng	From Bogor	
Effendi Saman	Staff of Legal Aid Institute (LBH) Nusantara	Head beaten, bleeding
Eko	From Bogor	

Eli	From Garut	Beaten by security forces. Hospitalized. Fingers broken.
Entah	From Cianjur	
Este Adi	Journalist with <i>Jakarta-Jakarta</i> magazine	Face beaten, camera destroyed
Evi Pohan	Bengkel Theatre member	
Ferry	From Bandung	
Hadi Ciptono (Kacik)	Staff of non-governmental organization (KASUM), Surabaya	Head beaten, bleeding
Heri Setiawan	GMNI Bandung	
Herlan Artono	From Bogor	
Heru	Student, Universitas Indonesia	
Iding	From Cianjur	
Imral	From Bogor	
Irwan	From Garut	Beaten by security forces. Hospitalized. Suffered broken rib.
Kalong Hasibuan	Bengkel Theatre member	
Linda	Student, Universitas Indonesia	
Marzuki	Bengkel Theatre member	
Mery	University student	
M.H. Sinaga	From Bogor	
M. Soleh	From Bogor	
Nata	Bengkel Theatre member	
Nano	Member of GMNI-Bandung	
Neneng	From Bogor	
Ota	Member of GMNI-Bandung	

Rahadian	Staff of Legal Aid Institute (LBH) of Cianjur	
Sanwani	Bengkel Theatre member	
Selamat	Member of independent trade union (SBSI)	
Semsar Siahaan	Artist	Leg beaten, swollen. Hospitalized.
Sutia	Bengkel Theatre member	
Yadi	Bengkel Theatre member	
Yakub Kupu	Bengkel Theatre member	
Yubert	Bengkel Theatre member	
Yudhi	Member of GMNI-Bandung	Head wounded Hospitalized. Required 16 stitches.
Yudi	Member of GMNI-Bandung	
Unang Margana	From Cianjur	
Wiwin Sugiarti	Bengkel Theatre member	
WS Rendra	Poet and leader of Bengkel Theatre	Beaten by security forces