

Online discussion: Indonesia 55 years after Suharto's seizure of power: End impunity, secure human rights!

Report on the panel discussion on Human Rights Day on 10th December 2020

On 10 December 2020, Watch Indonesia e.V., the German section of Amnesty International, the International People's Tribunal '65 (IPT) and Stiftung Asienhaus organised an online panel discussion on the topic of the ongoing impunity in Indonesia, which leads to ever new human rights violations. Starting from the still unprocessed massacre in 1965/66, in which hundreds of thousands of Indonesians accused of communism were murdered, three experts from Indonesia and Germany shed light on various aspects of the topic. **Andreas Schüller**, head of the program area of international crimes and legal responsibility at the European Center for Constitutional and Human Rights (ECCHR), moderated the event.

Yunantyo Adi Setyawan, a lawyer and activist in the commemoration work on the massacres of 1965 and 1966, explained that he sees progress, at least at the international level, in commemorating the crimes. As Chair of the Commemoration Committee, he coordinated the official dedication of a gravestone, including a group prayer, at the Plumbon mass grave in Central Java.

Yunantyo described that it is still very difficult to advocate for justice for the victims of the massacres, but he and his fellow campaigners are trying to establish commemoration practises that trigger a process of reflection. One example is the memorial in Plumbon. Since its establishment, it has been visited by many people who travel from far and wide to commemorate their relatives. Unfortunately, not all of the murdered victims could be identified. For those who could be identified, some initial information was engraved on the gravestones.

The perpetrators of those days were able to flee, leaving the witnesses of the crimes traumatised. For the construction of the memorial, Yunantyo's group invited community representatives and tried to work closely with local actors. This included organisations that identify themselves as anti-communist. In addition to government representatives, police and military personnel, religious figures, students and the forestry department were invited to the inauguration of the cemetery grounds. The idea behind this was to prevent disruptive actions by certain groups against the event and instead include them from the beginning.

Furthermore, the intention was to initiate a discussion about the crimes that happened and to involve as many members of society as possible. Many media outlets covered the ceremony and even international institutions requested data and photos from the group. Nevertheless, it is still difficult to set up similar memorials in different places. Visits to Germany inspired Yunantyo regarding a strong culture of remembrance, he said. Elements like Stolpersteine could serve as a model for Indonesia.



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Following Yunantyo, **Oliver Pye**, lecturer at the University of Bonn, made the connection between the atrocities of the past and the currently booming palm oil industry. He explained that the entire sector is built on serious human rights violations dating back to 1965. After successful strikes for higher wages, then-President Sukarno nationalised many tobacco and rubber plantations and granted administrative rights to the military. The Suharto mass killings of 1965 were particularly directed against the communist-led trade plantation workers union SARBUPRI, and many leading activists and workers were murdered. This paved the way for today's large companies in the palm oil industry. Also known as the palm oil oligarchy, most of the companies are owned by the military or political parties or officials that supported the regime. Many of the perpetrators of the Suharto Regime are still in charge today without fear of prosecution.

This goes hand in hand with mass expropriations of land of local and indigenous populations and land conflicts, e.g. in West Kalimantan or West Papua. From the perspective of an ecological approach, Pye called for the current practices in the expansion of the palm oil economy to be characterised as crime against nature and human rights. The expansion is mostly financed by transnational capital from companies or banks based in the USA or Europe. Although huge sums of money are spent on the sector, the usual minimum wage is equivalent to a starvation wage, which is not enough to survive. Many workers face precarious and short-term contracts. Moreover, piecework and piece rates force many workers to involve their family members in order to achieve an income that covers the needs of daily life. This is one of the reasons for child labour. There is also a lack of basic safety precautions in their workplaces. The problem is that these practices are often legal and therefore not prosecuted as human rights violations.

Migrant workers make up a large part of the workforce on plantations. They are often illegalised and subject to violent repression by the states in which they work. A subcontracting and loan system that brings them into the country leads to debt and dependency. Although many workers are officially allowed to organise in trade unions in order to oppose these conditions, in practice companies and government agencies make it very difficult for them to do so. Prior registration to form unions makes it easy for companies to intervene early and terminate the contracts of the workers concerned. That the perpetrators 1965/66 and beyond are still in power today is evident from the expansion of systematic human rights violations and the widespread impunity that serves to perpetuate these abuses.

Elvira Rumkabu, a lecturer in International Relations at Cenderawasih University in Jayapura and a member of the Dewan Adat Papua (Papuan Customary Law Council) spoke about the current human rights situation in West Papua.

Current human rights abuses are overshadowed by a state-produced narrative of domestic security. This not only serves as a justification for sending troops to West Papua, but also leads to state or other human rights violations being seen solely as part and parcel of a separatist struggle.



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One of the most recent incidents in this context is the September shooting of Pastor Yeremia Zanambani, who was killed in a province newly established in 2008. Church institutions in Indonesia are calling for investigations and justice for the victim. A local administrative team of which Rumkabu is a member, is currently investigating this extrajudicial killing.

The escalation of violence between the forces of the Indonesian Army (TNI) and the West Papuan Liberation Army (TPNPB) has also led to forced displacement of many local people. The TNI has further violated international humanitarian law by occupying the YPPGI Hitadipa Primary School, which has even been used as the headquarters of the Hitadipa Temporary Military Command (Koramil) preventing local children from receiving education. This highlights the systemic violence perpetrated by military institutions. The outbreak of violence since October 2019 has mainly harmed civilians and uninvolved families. In many cases, there is a lack of independent investigations and legal proceedings against the army personnel involved.

Moreover, the lack of classification of the violence in West Papua as war is representative of the lack of political will to resolve the situation. What is needed most, according to Rumkabu, is institutional as well as non-institutional lobbying on behalf of Papuan citizens. International actors such as the EU or Germany could publicly assess the situation and eventually demand transparency and accountability from the Indonesian government.

After the introductory presentations, Andreas Schüller opened the panel discussion with questions from the audience. The first question was aimed at the recently passed Omnibus Bill [on job creation]. Oliver Pye pointed out the effects, especially in the area of social security and a decent life. The law, which among other things will lead to the lowering of minimum wages and promote precarious working conditions, will worsen the situation both on the plantations and in civil society. Elvira Rumkabu added that the Omnibus Law is a threat especially to the indigenous people in Papua whose lives depend on their land. This is due to the law's weakening of local or communal authorities and peoples' rights to object to land allocations for businesses, as well as the relaxation of environmental impact assessments. Oliver Pye stated that the further expansion of the palm oil industry promoted by the Omnibus Law and the accompanying human rights crimes are mainly supported by three actors: The state, the military and the corporations.

Andreas Schüller then drew attention to the importance of the international community for such cases, especially against the background of past wars against communism, e.g. in Chile. Yunantyo backed this up by pointing to the situation in Central Java, which is very much influenced by the military sections of the political right. These also impacts local groups that could normally help activists with their concerns. To counteract these attempts, it is important to involve as many groups and actors as possible, especially from the education sector. However, his team has often experienced that activities they have publicly promoted have triggered a right-wing backlash. Events have been disrupted and 'fake news' has been spread online about the intentions of their actions. This creates a climate of fear for all those who want to join their activities and speak openly about human rights violations.



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On closer inspection, Oliver Pye noted that while many transnational campaigns are directed against the palm oil industry, the focus so far has been on environmental issues. This is more than legitimate, but it has also led to a shift in focus more towards consumption-oriented dialogues in which all major companies participate on a voluntary basis. In this framework, there is little room to address historical connections to mass murder and human rights violations. One promising approach is the creation of transnational labour networks, such as the Transnational Palm Oil Labour Solidarity (TPOLS) movement. It aims to connect workers' groups from different countries and stand up to big companies through organising, collective bargaining or strike action.

Elvira Rumkabu also shed light on the initial phase of setting up companies in rural areas, which is often perceived very positively at the beginning. The corporations promise jobs and prosperity for the region, but mostly these promises fizzle out in land grabs and poor wages. To counteract this misconduct, young people in particular are increasingly networking via social media and launching campaigns to redress the grievances.

Yunantyo supported these observations by linking them to the commemorative situation. There is often no dialogue between the families of the victims and the perpetrators, nor between them and right-wing groups in general. Some interaction takes place between members of moderate religious groups. Mostly it is the younger generation that wants to talk more openly about the past and come to terms with many of the crimes committed.

All participants agreed that the involvement of young people, together with legislative changes and international solidarity, are the most promising approaches to fight impunity in Indonesia.

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