

Indonesia: Pressure to release report on activist's murder

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President Susilo Bambang Yudhoyono is coming under increasing pressure to release a report implicating security forces in the murder two years ago of Munir, Indonesia's most prominent human rights activist.

Jakarta,

It follows the Supreme Court's October 3 acquittal of Garuda pilot Polycarpus Priyanto for the murder of Munir during a flight from Jakarta to Amsterdam in September 2004. The court said there was insufficient evidence to convict Priyanto on murder, instead sentencing him to two years' jail for falsifying documents.

Munir was famous for his years of struggle against the Suharto dictatorship and, more recently, for exposing government corruption. His work earned him many enemies among Indonesia's military and political elite.

In December 2005, Priyanto was convicted of poisoning Munir and sentenced to 14 years' jail. The verdict was upheld on appeal last April. The judge's decision noted that evidence indicated that Priyanto had not acted alone.

Priyanto claims to have been recruited by the National Intelligence Agency (BIN) in 2002. The court heard that prior to the murder he made numerous phone calls to the former deputy head of the agency, Muchdi PR. Muchdi — a former elite special forces commander — was sacked following Munir's investigation into the 1998 abductions of student activists.

Munir's murder caused an massive public outcry and many saw it as evidence that little had changed since the days of the Suharto regime when security forces acted with impunity against their opponents.

Shortly after being elected president in 2004, Yudhoyono promised the public — and Munir's widow Suciwati — that he would personally ensure a thorough investigation into the case. He even described the murder as a "test case for the nation" and established an officially sanctioned fact finding team (TPF).

In its final report submitted to Yudhoyono in June 2005, the team found evidence that Munir's death was a "well-planned conspiracy" and named a number of Garuda executives and BIN officials who should be investigated. These recommendations were never used by police or at Priyanto's trial and Yudhoyono has refused to make them public — even though the investigation's terms of reference requires this.

The Supreme Court has a history of releasing people who have high-level political backing and the

decision may have been to silence Priyanto, who is widely believed to have been scapegoated to protect the masterminds. Priyanto's lawyer has said that Priyanto knows more about the murder than he is letting on. Since he will be a free man in March he has little reason to talk now.

But if the judgement was intended to end the two-year campaign to find the real killers, it has seriously backfired, with politicians and activists blasting the government for not being serious about resolving the murder.

A scathing October 6 Jakarta Post editorial titled "Forget the Nobel, remember Munir" — referring to Yudhoyono being an (ultimately unsuccessful) contender for this year's Nobel Peace Prize for helping to resolve the conflict in Aceh — argued: "Our politicians posture and make the right noises in international forums, often to applause, while at home activists work tirelessly to campaign for these [human] rights. And sometimes they are murdered on the job. Despite all their work and all the rhetoric, human rights seem difficult to uphold here. Or perhaps there was no political will to do so in the first place."

A Human Rights Watch statement said that the police and the attorney-general's office have steadfastly ignored the evidence and recommendations of the TPF. "The failure to secure a conviction for Munir's murder is a huge blow for human rights protection and the reform process supposedly underway in Indonesia", said HRW Asia director Brad Adams. "This was a test case for the Indonesian justice system. It has failed."

Suciwati, who has launched a lawsuit against Garuda for negligence leading to her husband's death and is seeking support from the House of Representatives (DPR), says she is tired of empty promises. "The acquittal of Polycarpus from the murder charge is proof that the government is half-hearted. Had it given full support, I believe the murderer, the executioner and the mastermind, would have been punished by now", she said.

Associated Press quoted former TPF chair Asmara Nababan as saying had Yudhoyono given his full support the case would be solved by now. Nababan suggested a new team be formed and start its investigation by focusing on the phone calls between Priyanto and Muchdi. "We suspect that the 41 telephone conversations concerned field reports on Munir's assassination. That is why BIN turned down a request to disclose them", he said.

Yudhoyono, however, has remained stubbornly silent on the issue. According to the Jakarta Post, on October 6 he walked away when journalists asked what further instructions he would give to police probing the murder. Minutes before, he gave lively answers about the planned deployment of Indonesian peacekeeping forces to Lebanon.

Speaking on Radio Australia on October 5, Nababan said Yudhoyono is unwilling to release the report because of who it might implicate. "He avoids to make an enemy among the powerful in the intelligence community", he said, adding that the first step if Yudhoyono wants to convince the people he can deliver justice is to release the findings.

Speaking on the same program, presidential spokesperson Andi Mallarangen asserted that Yudhoyono had ordered the police to use all information available — including the TPF report — to ensure a proper investigation. But when asked if prominent people from BIN will also be investigated, Mallarangen dodged the question answering "Indonesia is a democracy right now, it's based on the rule of law. Anybody is not beyond the law, that is the instruction of the president."

Mallarangen was outright dismissive in response to Suciwati's efforts to seek support from the DPR. According to the Jakarta Post, Suciwati said her efforts to lobby the president have been fruitless. "I

have spoken to the president through his spokesman, but what I got in response was that he told me not to criticise the government too much.”

P.S.

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