



Toward a Genuine Movement of the **Victims of Human Rights Violations**

by Ari Yurino

Since 1998, Indonesia has been moving into the democracy transition era. However, twelve years have passed, yet human rights enforcement has not yet been realized. Twelve years of democracy transition merely produces a more profound grip of neo-liberalism,¹ political power and continued impunity of human rights violators. Four presidents have occupied the palace and three elections have been carried out to appoint legislators. But it only means transfer of power, but does not provide benefit to the people..

During the last election, Soesilo Bambang Yudhoyono (SBY) was re-elected the President of the Republic of Indonesia (RI) for the second term with 65 percent vote. Competed political parties at the election subsequently support the SBY administration, with distributed ministry and other government posts as the reward. It is a reality taking place in Indonesia following such an aggressively promoted democratic election, which ends up in a regime revival. Certainly, no political parties would oppose the SBY regime, as they wish to play at the economically and politically comfort zone. It is the so-called CARTEL OF POLITICAL PARTY, a combination of political parties – similar to companies – having characters of economic and political monopoly as carrying capacity of a regime of neo-liberalism.

Apparently, the second chance of presidency has not yet provided assurance to pro-victims human rights

enforcement. This is reflected in the recommendation of *National Summit* carried out on 29-30 October 2009 in Bidakara Hotel, Jakarta soon after SBY was inaugurated as the President of the RI. The *National Summit* was a meeting to formulate Indonesia's strategic program planning both within the president's 100 days and the next five years. However, none of substance of the strategic plan includes the resolution of the gross human rights violations of the past. The *National Summit* only promised the making of new regulations and bureaucracy trimming or the creation of new bureau/agency planned to cover 15 areas, which include (1) eradication of judicial mafia; (2) revitalization of defense industry; (3) counter-terrorism; (4) power lines handling; (5) increasing food production and tenacity; (6) revitalization of fertilizer and sugar manufacture; (7) reform of complexity regarding the use of land and spatial; (8) increasing infrastructure; (9) increasing loan credit for micro, small, and medium businesses; (10) climate and environmental change; (11) funding; (12) health reform by changing the society's paradigm; (13) education reform; (14) disaster response preparedness; and (15) coordination of central and provincial government.

During the first five years of the SBY administration, completed cases of human rights violations investigated by human rights national committee ended up as piles of archives in the Attorney General's Office. During his last five years of power,



Victims-turned-defenders, Indonesian activists cry for justice.

none of the cases of gross human rights violations was brought to court. The trial of Munir's case, which attracted domestic and international public attention, resulted in the acquittal of the alleged perpetrators. Such facts show that the commitment to human rights protection and enforcement which become the government's rhetoric is merely a political cosmetic for the ruler's imaging interest, and not for fulfilling justice for human right victims and their families.

The enforced disappearance of activists in 1997/1998 urged the Parliament in its plenary meeting to come up with the following recommendations that contain: (1) To recommend to the President the establishment of an Ad-hoc human rights court; (2) To recommend the President and the entire government agencies and related parties to immediately search for the disappeared 13 activists; (3) To recommend the government to rehabilitate and compensate the families of the disappeared; (4) To recommend the government

to immediately ratify the UN Convention for the Protection of All Persons from Enforced Disappearance and support to stop forced disappearances in Indonesia. However, those recommendations, to date, are stagnant as no further follow-up actions have been conducted to implement them.

On the other hand, the pace of neo-liberalism hits the victims' families who have been impoverished by the human rights violation they have been through as well. Such a condition is worsened by the State's policy that blinds itself from the right to recover and rehabilitate victims. Legal procedures and laws that flow into the State's reluctance to fulfill its responsibility towards victims are real evidence of the government's anti-justice and anti-victims stance.

Experience fortifies organizations of human rights violation victims

A. The IKOHI Federation of organizations of victims of human rights violation and their families

From the above-mentioned facts, the State's power to hold its responsibility to fulfill justice for victims of human rights violation and their families in Indonesia is certainly needed. The *IKOHI* as organization of victims of human rights violation and their families in Indonesia continues to encourage the victims' awareness to get involved in organizations of human rights violation at the provincial level. In addition to the organization's reinforcement, capacity building of human rights violation victims and their families in running their organizations and laying a foundation of public support is also needed.

The *IKOHI* is an organization of victims of human rights violation and their families. At 7-9 December 2009, victims of human rights violations and their families who join the *IKOHI*, carried out the 3rd Congress. The Congress, participated in by victims of human rights violation across Indonesia, from Aceh to Papua, and Timor Leste, provided the agenda of organizational reinforcement and efforts to pioneer the victims' rights fulfillment, which were the main issue discussed within the 3 - day congress.

The *IKOHI* as organization of victims of human rights violation and their families in Indonesia has



Empowerment of families of the disappeared is *IkoHI*'s reason for existence.

limitations in managing and coordinating its network at regions. Issues on coordination and communication were of hot debate during the congress, considering that a developed communication between the *IkoHI* in Jakarta and district network of victims' organization is less effective. However, this was solved by the agreement to modify the organization - from an association to a federation. It impacts on its membership, which previously was based on individuals, now organizations. By this, it is also expected the clear upcoming coordination between *IkoHI* in Jakarta and network of victims' organizations at the regional level.

Other interesting matters occurring besides the modification of organization type was the enlargement of new contacts who are prepared to become part of the *IkoHI* or build victims' organization in their regions, such as Polewali Mandar (West Sulawesi), Samarinda (East Kalimantan), Kupang (NTT), and Palembang (South Sumatera). It is certainly complying with the effort to reinforce organizations of victims of human rights violations and their families in Indonesia in order to enlarge mass power.

In addition to the victims' organizational enforcement, it was also agreed that the *IkoHI* focuses as an organization of victims of human rights violations and their families in Indonesia. It is an effort to pioneer the fulfillment of the victims' rights. In this case, it refers to how recovery rights of victims and their families can be fulfilled. This will, at the end, distinguish the *IkoHI* from other organizations. To date, the *IkoHI* has actually possessed adequate means to attain recognition as organization of victims of human rights violation and their families that works

to independently fulfill recovery rights. Since 2005, the *IkoHI* has been providing counseling service to victims of human rights violation and their families to minimize the trauma resulting from human rights violations. This counseling service also refers to efforts of truth disclosure so that victims and their families are encouraged to reveal facts of what has happened during their incident regarding human rights violations.

Scholarship program to victims' families, in collaboration with AFAD, has become the *IkoHI* work focus for years. It is expected that the victims' families are able to continue their education to the highest level. Networks of victims' organizations in regions such as Aceh, Jakarta, Palu and Papua have received the benefit from this scholarship program.

Of all the discussion, the *IkoHI* has finally prioritized its works in 2 (two) programs - recovery and reinforcement and justice. Those programs are clearly familiar for the *IkoHI* based on its experience from 2006-2009. The *IkoHI* has always been focused on victims of human rights violations and their families.

Representation of victims in the *IkoHI* administration became a serious consideration in its 3rd Congress as well. This will clearly distinguish the *IkoHI* as organization of victims of human rights violations and their families from other organizations in Indonesia. In the 3rd Congress, Mugiyo (chairman of the *IkoHI* 2006-2009 and survivor of activists who disappeared in 1997/1998) was reelected the Chairman of the *IkoHI* Federation 2009-2012. Wanma Yetty (family member of one of the Tanjung Priok victims) was elected General-



IkoHI members express camaraderie and commitment.

Secretary of the IKOHI Federation. It is expected for the incoming period that there be a larger composition of victims of human rights violation and their families within the IKOHI Federation. It is also the homework of the IKOHI Federation to build the capacity and capability of victims of human rights violation and their families to run their own organizations.

The 3rd IKOHI Congress was certainly expected to be a new beginning in improving and reinforcing the organization and pioneering rights of victims. It is not an easy task. High fighting spirit is needed in order for the IKOHI Federation to become the main driving force of the victims' movement in Indonesia.

B. Building organization of forced disappearance in Aceh

The previous similar experience was implemented in Aceh. As there are many cases of enforced disappearance taking place in Aceh during the period of military operation zone (*Daerah Operasi Militer—DOM*), martial law (*Darurat Militer—DM*) and civil emergency (*Darurat Sipil—DS*), there is a need to consolidate victims of forced disappearance and their families to fight for settlement of forced disappearance cases taking place in Aceh. From the very idea, the establishment of organization of victims of enforced disappearance and their families namely *Keluarga Ureung Gadoeh (Kagundah)* Aceh was realized. The meaning of the organization's name is: the families of the disappeared in Aceh.

The IKOHI attended the congress of the *Kagundah* establishment, which was carried out in 10-12 October 2009 in Banda Aceh. The congress was attended by 210 families of victims of enforced disappearance victims in Aceh, coming from 10 districts. The participants were so enthusiastic to attend and join in all congress sessions of the organization's establishment. It was due to the fact that the victims of forced disappearance and their families were not accustomed to join in organizations or even did not know about organizations. During the congress, they had the opportunity to learn, little by little, methods to establish and manage the organization.

The 3-day congress then decided Rukayah as Secretary General who will lead in 10 regions in Aceh in 2009-2012. To help coordinate from the central (at the province level) to district level, a presidium was established as representatives of each region and will become "the extension of the people's tongue" of regions.



Organizational strength lies in unity and solidarity.

The different organizations' establishment in each region was also decided, which will coordinate with its central organization at the provincial level.

In addition, it was also resolved that cases of enforced disappearance in Aceh be handed over to Aceh's House of Representatives (DPRA) for the follow-up actions. One of the *Kagundah's* proposition was to have the Aceh government immediately resolve cases of enforced disappearance taking place in Aceh.

It is certainly not easy to run this organization, considering the minimum experience of the *Kagundah* committee. However, their high fighting spirit and strong will to learn from other organizations will eventually write-off their weaknesses gradually. The IKOHI support to the *Kagundah* will not just end. The stronger region-level organizations of victims of human rights violation and their families will produce significant impacts to victims of human rights violations movement in Indonesia.

1 Neo-liberalism manages the State as free market for investment, the market for the use of workforce, to trade consumer goods, and hence change the function of the State's government only as the regulation maker which supports the free market. At the crisis, neo-liberal regime needs reformation of financial policy, free market management, and others through revision of regulation or the making of new regulations, followed by agencies establishment as guarantor and comptroller of regulations.



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