



“Counting Days Before the Election: A Brief Situation Before and After the 2024 Election in Indonesia”

The Commission for the Disappeared and Victims of Violence (KontraS)

A. Overview

The Commission for the Disappeared and Victims of Violence (KontraS), a human rights organization based in Jakarta, Indonesia, is currently monitoring and preparing a series of actions to address violations of democratic electoral processes in the upcoming election on February 14, 2024. related to violations including violence, restrictions on freedom of speech, and the excessive deployment of state apparatus is ongoing. Based on the data we gathered, there has been an escalation of violence leading up to election day, such as shootings of campaign volunteers, restrictions on freedom of expression by state authorities, and a series of biased actions by President Joko Widodo through political communication.

Indonesia will hold a general election with 204.8 million eligible voters. The presidential candidates include Anies Baswedan - Muhaimin Iskandar (01), Prabowo Subianto - Muhaimin Iskandar (02), and Ganjar Pranowo - Mahfud MD (03). President Joko Widodo has declared his support for Prabowo Subianto, who is running with Joko Widodo's son, Gibran Rakabumi. Since 1998, KontraS has documented and highlighted Prabowo Subianto's involvement in human rights violations, including the East Timor case, enforced disappearances in 1998, and the May 1998 tragedy.

I. The Neutrality of President Joko Widodo and State Apparatus in Elections

On January 24, 2024, at Halim Perdana Kusuma, President Joko Widodo, along with the presidential candidate Prabowo Subianto, Commander of the Indonesian National Army Agus Subianto, and other military figures, announced that the President and ministerial levels can openly endorse and campaign for a presidential candidate. The current president's statement suggests indirect political communication and may indicate an abuse of power, signaling his endorsement of the presidential candidate pair Prabowo Subianto and Gibran Rakabumi, the president's son, running as the vice-presidential candidate. This declaration raises concerns about its potential impact on public official support, given the President's control over defense and security instruments.

We have been monitoring President Joko Widodo's statements and actions from October 2023 to February 2024, during which he made 6 (six) statements and gestures indicating support for the presidential candidates Prabowo Subianto and Gibran Rakabumi. The first indication of President Joko Widodo's support for Prabowo Subianto began on November 7, 2023, with the statement "It looks like after this, it's Prabowo's turn" at the anniversary event of the Perindo Party. The show of support increased as the presidential campaign approached, with President Joko Widodo having frequent meetings with Prabowo Subianto in January 2024.

Presiden Jokowi's statement indicates that the President has low moral standards and does not understand democratic ethics. State administrators should not use their positions for electoral political interests ahead of the elections. It is regulated in Article 281 paragraph (1) of Law Number 7 of 2017 concerning Elections that officials who are campaigning should not use their positions and should take leave outside the state's responsibility. This statement is prone to abuse, as officials supporting a candidate pair may abuse their authority, leading to an abuse of power.

II. Patterns of intimidation and repression before the election

During the campaign period by presidential candidates and political parties since November 2023, there have been clear indications of direct human rights violations, including intimidation and repression. Forms of intimidation observed during the election comprise physical threats and violence, the deployment of legal instruments to suppress freedom of speech, surveillance and espionage, as well as the repression of groups attempting to organize or express their opinions.

Violence and intimidation monitoring data November 2023 - February 2024

Action	Total Incident	Institutions	Total Incident
Intimidation	2	Police	3
Criminalization	3	Grassroots Organization	1
Shooting	1	Not Knowing	2
Persecution	2	Candidate Team	3
Criminalization Attempts	2	Indonesia Army Institution	1
Grand Total	10	Grand Total	10

The use of legal instruments to criminalize civilians has become a dominant issue of intimidation and repression. Cases of criminalization of civilians include the distribution of the "Koran Achtung," which highlights a track record of human rights violations such as the enforced disappearance case in 1998 by presidential candidate Prabowo Subianto. KontraS also highlights the intimidation of a campaign volunteer for a presidential candidate through the use of firearms on January 14, 2024, in South Sulawesi, which could increase the vulnerability to violence during the election.

III. Human Rights Violators Behind the Presidential Candidate

In this summary, we present data from news archives and documents of the National Human Rights Commission (Komnas HAM) regarding individuals involved in past human rights

violations who are currently supporting and back up the Presidential-Vice Presidential Candidate Pairs in the upcoming General Election.

1. Anies Baswedan-Muhaimin Iskandar:

- **Sutiyoso**
- **Role during Violation:** Commander of the Jakarta Military Regional Command (Panglima Kodam Jayakarta) in 1996-1997.
- **Incident:** July 27 Coup (Kudeta 27 Juli or Kudatuli).
- **Details:** The incident involved violence, vandalism, and arson, resulting in five deaths, injuries to 149 individuals, and the detention of 136 people. Sutiyoso, implicated in the event, is being held accountable for alleged failure to protect civilians.

2. Prabowo Subianto-Gibran Rakabumi:

- **Prabowo Subianto:**
- **Involvement:** Responsible for severe human rights violations, including cases of abduction and forced disappearances during 1997-1998. Designated as a Gross Human Rights Violation by Komnas HAM in 2006, but no trial pursued by the Attorney General's Office.
- **Susilo Bambang Yudhoyono:**
- **Role during Violation:** Chief of Staff of the Jakarta Military Regional Command (Kasdam Jaya) in 1996.
- **Incident:** Kudatuli Incident.
- **Details:** Allegations of SBY's involvement in the event were not pursued by Komnas HAM. Suspicions regarding SBY's connection to the incident remain.
- **Wiranto:**
- **Role:** Minister of Defense and Security and Commander of the Indonesian National Armed Forces in 1998-1999.
- **Incidents:** Severe human rights violations, including forced disappearances in 1997-1998, the May 1998 events, and Trisakti, Semanggi I & Semanggi II incidents.
- **Sjafrie Sjamsoeddin:**
- **Roles:** Panglima Kodam Jaya and Panglima Komando Operasi Jaya in mid-1998.
- **Incidents:** Gross Human Rights Violations, forced disappearances of activists, Riots of May 13-15, 1998, and Trisakti, Semanggi I & Semanggi II incidents.

3. Ganjar Pranowo - Mahfud MD:

- **Kiki Syahnakri:**
- **Roles:** Vice Chief of Staff of the Army, Pangdam IX/Udayana, and Emergency Military Commander for East Timor in 1999-2000.
- **Incident:** Massacre of Timorese civilians at the Liquica Church in April 1999.

- **Details:** Reports indicate militia groups responsible for the attack received significant support from Indonesian Armed Forces officers, including Kiki Syahnakri.
- **Sintong Panjaitan:**
- **Roles:** Pangdam IX/Udayana from 1988 to 1991, Commander of the Special Forces Command (Kopassus).
- **Incident:** Santa Cruz incident in Dili, East Timor, in 1991.
- **Andika Prakasa:**
- **Involvement:** Mentioned in attempting to cover up the murder case of Theys Hiyo Eluay, leader of the Papua Presidium, in November 2002.
- **Details:** Implicated in a human rights violation incident involving the murder of Theys Hiyo Eluay in Papua.

This information underscores the involvement of individuals associated with human rights violations in supporting various presidential and vice-presidential candidates.

B. The Indonesian Democracy Forecast Headstarting in 14 February 2024

By simplifying the thread, Indonesia is striving away from its ideal terminology of **democracy**. In this era, freedom of expression and opinion in the form of critique and protests are comprehended as defamation and a 'sustainable' threat to today's governance. The Political dynasty system is normalized through insiders of the judicial bodies to give free and fast access for climbing up to the highest power of the country to regulate all economic and military activities, the President and Vice President. Youth who are categorized as novice voters where it has dominated this year's number of voters are in fact drowned and stuffed with unfactual narratives of corrupted politicians.

Civil Society Organizations, which are the front liners and focal points of Indonesian democracy as well as the balancing system of Indonesian politics, have also been facing threats and forms of intimidation during the presidential election. Within this February, two CSOs namely KontraS and the Indonesian Legal Aid Foundation (YLBHI) have experienced 2 forms of protest from the *Forum Masyarakat Pemuda Mahasiswa Indonesia Timur Cinta NKRI* where they uttered their disappointment for the two CSOs which seemingly endorsed the impeachment of President Joko Widodo. The protest which lasted on 5th and 7th February also called out their satisfaction to Jokowi's democratic state as they underlined the mentioned CSOs are committing treason and a form of racism to Eastern civilians of Indonesia. This of course backlashes with the amount of violations across Indonesia within the regime. The misunderstanding is allegedly arranged by the current regime, hence, the shadow leader who is also a part of the presidential candidate, Prabowo Subianto where this tactic has reiterated the new order regime as he was also the past perpetrator of the silencing acts in 1997-1998.

Indonesian universities through civitas academica have tirelessly been declaring their concern over Indonesia's democracy and their utmost disappointment which has yet to be responded directly by President Joko Widodo as well as other governmental bodies. Not to mention in

several of the lecturers and professors who have been targeted to not declare similar notes as other universities, to instead spread great works of the current president as a form of threat to the academic freedom of expression such as the Soegijapranata Catholic University, State Islamic Institute (IAIN), State Islamic University of Walisongo, Semarang University, and many more. In such a way, it is very much possible that Indonesia will float even further from democracy as civil society rural citizens who are far from the capital city, academics, students, and other elements from the society are not heard and considered from their concerns and recommendations to the government elements.

In terms of the unfinished homework of Indonesia's past gross human rights violations, efforts to comprehensively resolve human rights violations will not be possible if the men behind the candidates are figures who should be held accountable for incidents of human rights violations. Whoever the President is elected, efforts will be made Human rights violations in the cases that have been mentioned are questionable because conflicts of interest that may arise.

Glancing back from the past experiences of President Joko Widodo, who has many suspected human rights violation perpetrators within his governance, him appointing the alleged perpetrators as Ministers sets a clear notion that the existence of the names of the figures behind the incidents of human rights violations makes the presidential and vice presidential candidates hostage to the political interests of these figures. It is inconceivable that the presidential and vice presidential candidates, when elected, will carry out prosecutions and hold figures who have supported them during the campaign to account.

The existence of these figures also ignores the feelings and aspirations of victims of human rights violations. In this case, if the presidential and vice presidential candidates truly side with the victims, they should not receive support from the figures behind human rights violations. This will also affect the guarantee of non-recurrence of incidents of human rights violations. Figures who have been involved in human rights violations in the past show their minimal commitment to respecting, protecting and fulfilling human rights.

Reflecting on the vision and mission of the presidential and vice presidential candidates and the figures behind their respective successful teams, it is almost certain that efforts to resolve human rights violations in the future will suffer the same fate as in the era of Presidents Megawati, SBY and Joko Widodo. Efforts to resolve the case will be hobbled, but on the other hand, the figures behind the human rights violations that occurred will actually be given "positions."

Recommendations:

International Community : Call for international organizations, human rights bodies, and diplomatic missions to closely monitor and assess the situation in Indonesia leading up to and during the general election.

Urgent Intervention: Advocate for prompt and decisive international intervention if there are clear signs of electoral misconduct, violence, or human rights violations during the election process.

Protection of Freedom: Emphasize the importance of upholding freedom of speech, expression, and assembly during the electoral period, urging the Indonesian government to protect these fundamental rights.

Neutrality of State Apparatus: Urge the Indonesian government to ensure the neutrality of state apparatus and prevent any abuse of power by officials in favor of specific candidates.

Accountability for Human Rights Violations: Call for accountability for individuals associated with human rights violations, especially those supporting presidential and vice-presidential candidates.

Conclusion:

The international community should express deep concern about the potential threats to democracy and human rights in Indonesia. It is crucial for the Indonesian government to uphold democratic principles, maintain the neutrality of state institutions, and ensure a fair and transparent electoral process. Any deviation from these principles risks undermining the trust of the international community and the credibility of the electoral outcome. The focus should be on protecting the rights of citizens, ensuring a level playing field for all candidates, and holding those responsible for human rights violations accountable. International support and vigilance are essential to safeguard the democratic values that Indonesia aspires to uphold.