

Statement] Indonesia: End harassment against those peacefully protesting against the Regional Election Bill, investigate cases of police brutality

JAKARTA, Indonesia (26 August 2024) – The Asian Forum for Human Rights and Development (FORUM-ASIA) and its Indonesian members condemn the [violent repression](#) of students, activists, journalists, and academia during a series of protests rejecting the [Regional Election Bill](#) across Indonesia.

On 22 and 23 August 2024, widespread protests from civil society [erupted](#) across major cities in Indonesia following the Parliament's Legislation Committee's plan to pass the Regional Election Bill.

Following the protests, the parliament halted the Bill's approval. Nevertheless, more protests are scheduled within the next few days as the election registration period will take place on 27 to 29 August. In the past, the parliament has also temporarily suspended the approval of certain bills following protests—only to approve them during weekends, deep into the night. This was how the [controversial](#) Omnibus Law on Job Creation was passed.

Regional Election Bill

If passed, the Regional Election Bill would have overturned two Constitutional Court rulings that lowered the threshold for nominees of regional elections by political parties or their coalition and affirmed the minimum age requirement interpretation for regional election candidates.

The original threshold would only allow nominees by political parties or its coalition who have 20 percent of Regional Representative Council Seats or 25 percent of votes during the Regional Representative Council election. The Constitutional Court lowered the threshold to 10 percent, 8.5 percent, 7.5 percent, and 6.5 percent depending on the number of registered voters in the relevant provinces. It also disqualified the requirement for political parties or its coalition to have Regional Representative Council seats in order to nominate candidates.

In preparation for the upcoming elections, President-elect Prabowo Subianto has expanded his coalition of parties, [Koalisi Indonesia Maju](#), to almost all parties with legislature seats. This would inevitably ensure the victory of his coalition's nominees in the regional elections.

On the other hand, the affirmation of the minimum age requirement is made due to the contrasting Supreme Court [decision](#) that interpreted the minimum age requirement to be applicable by the time of inauguration instead of the registration period. Without the Constitutional Court's affirmation, the Supreme Court's interpretation would have facilitated the candidacy of President Joko "Jokowi" Widodo's youngest son in the elections despite his age being below the requirements at the time of the registration period. A victory for Jokowi's son would have further advanced the family's political dynasty.

The Constitutional Court rulings are therefore highly progressive as it would pave the way for more political pluralism in Indonesia, which has historically favored political elites and nepotism.

The push for the Bill's approval came swiftly within only 24 hours of the Constitutional Courts' rulings. If approved, the Bill would have hindered any political pluralism in the [upcoming](#) regional elections which are set to take place in November across 37 provinces.

Police brutality against protestors

During the protests, FORUM-ASIA member organizations have documented cases of police brutality against protestors.

The Commission for the Disappeared and Victims of Violence ([KontraS](#)), the Indonesia Legal Aid Foundation ([YLBHI](#)), and the the Alliance for Independence Journalists ([AJI](#)) documented how the police used tear gas and water cannons to forcefully disperse protests, resulting in severe injuries and the hospitalization of protestors.

The police also reportedly committed beatings and mass arbitrary arrests. Many protestors were allegedly denied access to legal assistance, with some reporting to have experienced extortion from the authorities

Call to action

The police should abide by the principles of legality, necessity, and proportionality while handling the protests—as regulated by the National Police Chief Regulation 1/2009 on the Use of Force in Policing Actions. However, documentation from civil society revealed the police's blatant disregard of these principles.

As previously [affirmed](#) by Indonesia's National Human Rights Commission, the police have consistently remained as the top perpetrator of human rights violations in the country. FORUM-ASIA urges Indonesian police to respect people's freedom of peaceful assembly and association. The police should not use excessive force in the upcoming protests.

People's right to peaceful protest is guaranteed under the Indonesian Constitution as well as the International Covenant on Civil and Political Rights which Indonesia is a state party to.

"FORUM-ASIA calls on the Indonesian Government to immediately and unconditionally release those who have been arbitrarily arrested by the police," said Mary Aileen Diez-Bacalso, Executive Director of FORUM-ASIA, "Those responsible for acts of brutality during the August protests should be held accountable. And all complaints from civil society must be thoroughly investigated."

"The people have the right to peacefully fight for democracy. They should not be punished for calling the government to act in their interest rather than that of the political elites. Instead of focusing on violence and repression, the police should protect people's fundamental rights and freedoms," Bacalso stressed.

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About FORUM-ASIA:

The Asian Forum for Human Rights and Development (FORUM-ASIA) is a network of 85 member organisations across 23 countries, mainly in Asia. Founded in 1991, FORUM-ASIA works to strengthen movements for human rights and sustainable development through research, advocacy, capacity development and solidarity actions in Asia and beyond. It has consultative status with the United Nations Economic and Social Council, and consultative relationship with the ASEAN Intergovernmental Commission on Human Rights. The FORUM-ASIA Secretariat is based in Bangkok, with offices in Jakarta, Geneva and Kathmandu. www.forum-asia.org

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