

Interview 28: INDONESIA: Ajeng Larasati

Ms. Ajeng Larasati holds a Bachelor of Law degree and has been working for the Community Legal Aid Institute (LBH Masyarakat) for the past two years. She is in charge of conducting legal and human rights education for drug users, sex workers, and people living with HIV/AIDS (PLHA) communities.

What do you think of the policing system in your country?

We can see this question in two dimensions: first, in the legal dimension in terms of rules and policies, and second, what is happening in reality. If we see the legal dimension, we can fairly say that in the last two years, there have been improvements in the police's human rights policies. Last year, the Chief of the Indonesian National Police issued a regulation on the human rights standard implementation for police officers. Under this regulation, police officers are not allowed to conduct torture, they have to respect human rights, and so on. Nevertheless, this regulation has not been implemented in reality. Especially in drugs-related cases, we find that there are a lot of human rights abuses, and torture is taking place. Some of the detainees are electrified. If you are lucky, the police will beat you. Sometimes, worse things happen.

In your opinion, what is the most urgent change needed in the Indonesian police institution?

I think it is very important for the police to have a profound understanding of human rights. They need to not only know human rights, they have to understand human rights. A lot of NGO's in Indonesia have conducted human rights education for the police so I think it's impossible that they don't know anything about human rights, but do they have the will to understand and implement it? That is another thing. So I think what's important and urgently needs to be changed in the policing system is the recruitment and education mechanism of the police itself.

What do you think of torture practiced by police in Indonesia?

Torture is unjustifiable. The police are supposed to be the protectors of society and they have to play this role well. The police should understand that their job is to protect society, not to torture people just to get confessions and information. They should be intelligent enough to find other ways to get information besides torture.

What is your idea of a good relationship between the police and the citizens?

The police was established to protect society, so the ideal relationship between police and citizens would be where the police protect society and society can trust the police. What I mean by trust here is that if someone has a problem, she or he should be able to file a complaint to police without any fear. I think it is also important to emphasize here that the police have a function to serve in society. They should not only do their job according to what the law said, but also pay extra concern to the wellbeing of society. A few months ago, there was an elderly woman who was brought before the court and punished simply because she took three cocoas. If the police see the situation merely from a legal perspective, this old lady should be punished for committing theft. But is it fair? Is it just to bring such an old lady who took something is only valued at 3000 rupiahs to court to punish her? Most Indonesian people, if not all, think that is unfair! That case was not the only one. Once, the police arrested ten shoe-shine boys for gambling. Well, what they did wasn't gambling anyway, they were just playing a coin guessing game for fun, but the police arrested them anyway. Why? Because according to the law, such a

game is classified as gambling. But do you think Indonesian people see it as a gambling? I don't think so. My point is that in order to create an ideal relationship between the police and society, the police needs to not be too positivist; instead of doing exactly what the law says, they need to consider and understand the situation of society.

If you have a problem, would you feel safe going to the police to make a complaint?

I would be fine going to the police to make a complaint because I have a legal background so I understand what my rights are and what their obligations are. I don't think the police would be able to fool me. But if you ask someone who doesn't have any legal background, I don't think they would be comfortable. The reason for that uncomfortable feeling is rooted in the people's distrust of the police. It is no secret that the Indonesian police are very corrupt; they torture people, they shoot innocent people. All of these things mean that society has no trust in the police.

Is there a law against domestic violence in your country? If yes, is it well implemented? If not, what are the problems?

There is a law against domestic violence in Indonesia. If you read the provisions of this law, you will find that the law is just fine. In my understanding, what is complicated is the conditions of Indonesian society and how the government sees and understands the domestic violence issue. What usually happens is this: the law is there, a victim of domestic violence (who is usually a woman) will file a complaint on domestic violence to police, but then the woman will withdraw their complaint. Why? It's because she will think, 'if my husband is arrested and imprisoned, how will my children and I be able to eat? Who will earn money?' The law itself is just fine, but the implementation is difficult.

Do the police treat women differently from men?

I deal with drugs-related cases in most of my work with LBH Masyarakat. I find that the police treat both women and men suspects/detainees equally badly. If there is a difference, I think it will only be in the form of physical treatment; men will be beaten, whereas women will be sexually abused.

Is it more difficult, easier or the same for a women to file a complaint against a policeman, compared to a man filing a complaint?

I think it's the same, maybe the police will be gentler to a woman complainant, but it's not always like that. In police stations, you will find that there is a special unit for women and children which deals with cases that involve women and children.