

## **Interview 29: INDONESIA: Maria Sumarsih**

Mrs. Maria Katarina Sumarsih was the mother of Bernardus Realino Norma Irmawan (Wawan,) a university student who was allegedly shot to death by military personnel in the First Semanggi Tragedy in 1998. She actively organises victims of human rights violations and is currently a member of Presidium Board of Victims Solidarity Network for Justice (JSKK) based in Jakarta. She was awarded the Yap Thiam Hien Award in 2004, the most prestigious award for human rights defenders in Indonesia.

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

I think the police behaviour in Indonesia has not changed; they still use violence in exercising their duties. In 1998, I witnessed how the police was so oppressive to demonstrators regardless of whether they were university students or just ordinary people. Recently, I have been informed that on June 8, 2010, police shot farmers in Koto Cengar Village in Riau Province. Some of the farmers later came to Jakarta to attend Kamisan (a weekly peaceful silent demonstration held in front of the Presidential Palace, urging the government to seriously investigate all human rights violation cases) and they told us that a Ms. Yusniar was shot to death while another person, Mr. Disman was injured. This is not the only case. Previously JSKK was also informed that someone named Edison Sirait in Pekanbaru was 'mistakenly' shot by the police. His case was brought before court but the police asked the victim to settle the case outside the court. The victim's family still feels that they have not obtained justice yet.

Also, the daily behaviour of police officers is sometimes disgraceful, for example when they issue speeding tickets to cars or motorcycle riders what is likely to happen is they will ask you to pay some amount of money (which is illegal,) in order to settle the problem outside of court. Of course, this is disgraceful. They are law enforcement officers but instead of enforcing the law, they violate the law.

Another problem within police institution in Indonesia is corruption. The former head of the Criminal Investigation Bureau of the Indonesian National Police, Susno Duadji, was arrested for alleged involvement in a corruption case. The Chief of the Indonesian National Police, Mr. Bambang Hendarso Danuri himself has admitted that there is still long way to go to combat corruption within the police institution as well as reforming police behaviour in Indonesia. Another example I have recently been informed of is that the personal fortune of the head of the Internal Disciplinary Unit (IDU or Propam) of the Indonesian National Police reaches 95 billion Indonesian Rupiahs which is more than the fortune of our President, Mr. Susilo Bambang Yudhoyono. Of course, this is suspicious as we know the salary of police is not that much.

### **How do you see the use of torture by the police?**

Torture and violence, especially when conducted by state agents, is unjustifiable. The duty of the police is to protect society. However, torture is not usually conducted in public spaces so I have never witnessed torture myself. However, I read in the newspaper and found some information that the police often ill-treat suspects in order to extract confessions. Further proof that torture exists in Indonesia is that in trials you often see accused persons withdraw the testimony they gave previously during the police investigation. This is because they were under pressure when they testified.

**What do you think is the ideal relationship between police and society?**

The police, as I have mentioned before, have a mandate to serve and protect society. So I think the ideal relationship between the police and society is when they believe in each other. How do we develop such a condition? How do we make police and society believe in each other? I think the answer to this question is that we have to create the situation which makes it possible for the police and society to communicate with each other. The police, therefore, must avoid the use of violence. I think it is important for police to listen to the voices of people and have a dialogue with society in order to gain their trust.

**If you face any legal problems for which you have to deal with the police, would you feel comfortable and safe going to the station to file a complaint?**

With all the problems I have mentioned before, I wouldn't be able to file a complaint with the police freely, safely, or comfortably. A lot of people have learned from their own experience and say that you will just gain 'loss' instead of 'profit' if you file a complaint with the police. It means, for example, if you lost something precious and file a complaint with the police, it is very possible that you won't get your property back and you will have to spend some money; maybe to pay the police when they come to the crime scene. Of course, it is not regulated and it is not our obligation but well, that's Indonesia. We have to have money for transportation, at least for ourselves, because we will have to go to the police station several times. We need money to file complaints with the police.

**Is there a law against domestic violence in Indonesia? If yes, what do you think of it?**

I know that there is a law in Indonesia regarding domestic violence and, if I'm not mistaken, it was enacted in 2004. Since then, I haven't heard that this law will be revised by the House of Representatives (DPR) or reviewed by the Constitutional Court. Thus, I come to conclusion that this law is good enough.

**In your understanding, do you see that the police treat women and men differently?**

I don't have a deep understanding on this, but let me tell you about my experience. Once, me and other housewives organised in JSKK and held a peaceful demonstration in front of the Presidential Palace. We hold weekly peaceful demonstrations every Thursday. I still remember that at that time, Former Russia President Vladimir Putin had come to Indonesia to meet our President. The police then asked us to disperse and go away, but they did it harshly. They pushed us. We are all old ladies but they didn't hesitate to use violence against us.

**Is there anything else you want to add?**

I just want to add that violence and torture conducted either by police or military members results in another bad effect: the use of violence by Public Order Officers (Satpoll PP). Satpol PP was established by the local government to help them in enforcing local regulations. Satpol PP members are civilians but they are educated in militaristic ways, and often conduct violence whilst exercising their duties. For example, a few months ago they were about to evict a tomb in North Jakarta and used violence against civilians who protested and tried to preserve the tomb. For me, and I think also for other victims of human rights violations, when the government does nothing to solve any human rights violation cases,

just like they are doing now, and act in favour of impunity, it will bring another serious result: violence conducted not just by the police, military or state agents, but by civilians too.