

**An Indonesian Legal Perspective on the
Settlement of Past Severe Violations of Human Rights:
A Study on the Peaceful Settlement of Islam (Ishlah) in the Tanjung Priok Case**

**by Mr Junaedi Saibih
University of Indonesia, Faculty of Law
Chaired by Associate Professor Gary F. Bell, Faculty of Law, NUS**

**14 September 2017, Thursday, 12.00pm – 1.30pm
Federal Bartholomew Conference Room, Federal Building,
Level 1, NUS (Bukit Timah Campus)**

ABSTRACT

The Indonesian government nowadays faces many criticisms from victims, victims' families and human rights activists with regard to the settling of past severe violations of human rights. Almost every general election after the era of Reformasi (1998) has involved debate about such violations, which have also been heavily publicised in newspapers and other forms of mainstream media. Issues pertaining to the past violation of human rights are raised not only because victims and their families desire to obtain recognition from the new order government, but also because of assumptions about governmental involvement in past cases, and the desire to vindicate the rights of ancestors who were subjected to human rights violations. As a result, past human rights violations have become a political commodity, particularly because there have been limited governmental efforts to achieve a satisfactory settlement. The presenter will offer his narrative study on the Tanjung Priok case, the only case to have occurred during the new order (orde baru) era. The case has been recognized as involving a severe violation of human rights under the laws recognised by the Indonesian Human Rights Court. The presenter will argue that in settling past human rights cases in Indonesia, the government needs to use an appropriate approach, which centres on victims' backgrounds, and especially their religious backgrounds. From the Tanjung Priok case it can be seen that this type of approach has effectively satisfied some of the victims who were involved in the Ishlah charter (the charter on the peaceful settlement between victims and prospective defendants), although – for reasons which will be discussed – others have been less satisfied, and have disrupted court proceedings.

In this seminar, the presenter will also consider the role of the Human Rights Court in Indonesia, and will suggest a possible solution to the settlement of past human rights cases.

ABOUT THE SPEAKER



Mr Junaedi is currently a lecturer at the Faculty of Law, Universitas Indonesia. He has a Bachelor's Degree in Law (Sarjana Hukum/S.H), Master of Sciences (M.Si) in European Studies from Universitas Indonesia, and a Master of Laws (LLM) from the University of Canberra (Australia) under an Australian Government Scholarship. He is now in his final stage of a PhD study at the University of Canberra, supported by a scholarship from the Directorate of Higher Education, Ministry of Education, Republic of Indonesia. Besides lecturing, he is also active in CSO-based Research Institutes. He is the founder of the Indonesian Judicial Monitoring Society (a society-based research institute of the Faculty of Law Universitas Indonesia), and the Institute for Indonesian Law and Governance Development, a research institute based in Jakarta, Indonesia.

Mr Junaedi has received many research grants from the Universitas Indonesia, the Indonesian government, as well as the UNDP and TIFA Foundation. He was also head of the Consultant Team on recruitment at the Attorney General's Office (2009 -2011) and the Head of the Consultant team for the selection of the Attorney Supervision Commission (Komisi Kejaksaan) in 2010. In addition, he is licensed to practice as an Advocate. The law firms for which he has worked have handled many pro bono cases, as well as commercial ones.

REGISTRATION

There is no registration fee for this seminar but seats are limited.
The selected light lunch will be provided upon registration.
Closing Date: **7 September 2017, Thursday**

For enquiries, please contact Chris Chan at asli@nus.edu.sg

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