

Indonesia & East Timor News Updates - December 20, 2016

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Accused of treason, dozens of Papuans arrested in Manado

Jakarta Post - December 19, 2016

Manado, North Sulawesi — The Manado Police arrested more than 70 Papuan students who were about to stage a rally on Monday, accusing them of treason.

The police detained them as they were preparing for rallies in two locations in Manado, North Sulawesi. Some of the students were arrested in Papuan Student Dorm while others were arrested in the front yard of North Sulawesi Council. The police said they confiscated Bintang Kejora or Morning Star paraphernalia associated with Papua's independence movement.

"Every possibility that is not in line with Indonesia's unity [NKRI] will be processed," Manado Police chief Sr. Comr. Hisar Siallagan said Monday.

He claimed the condition in Papua was peaceful and there was no demand for an independence referendum. He said the government even gave special attention to Papua's development

acceleration even though it cost a lot of money. "I don't see any urgency [for the rallies]," he said.

In 2016, Papuan students in Manado had attempted to stage three rallies. Each one was dispersed by the police.

According to data made available to The Jakarta Post by Veronica Koman, the lawyer of Papuan self-determination activist Filep Karma, the rallies on Dec. 19 were held in Jayapura, Merauke, Nabire, Yogyakarta, Manado, Wamena, Jakarta, Sorong, Manokwari, Timika, Yahukimo, Bandung, Ternate and Ambon.

The lawyer said a total of 528 people were arrested Monday, with Wamena recording the highest number of people arrested (165 people, 15 were released). In Jayapura, the arrest involved beatings, Veronica said, and seven people were badly injured. (evi)

Source:

<http://www.thejakartapost.com/news/2016/12/19/accused-of-treason-dozens-of-papuans-arrested-in-manado.html>

Activists stage peaceful rally, ask UN to monitor situation in Papua

Jakarta Post - December 19, 2016

Jakarta — Papuan and non-Papuan activists held a march in Jakarta on Monday to demand that the United Nations (UN) respond to the current heated situation in the easternmost part of the country.

The Alliance of Papua University Students (AMP) and the Indonesian People's Front for West Papua (FRI-West Papua) marched from the Arjuna Wijaya chariot statue in Central Jakarta to the UN representative office on Jl. MH Thamrin, also in Central Jakarta.

"We want the UN to be involved in determining our faith, which is to hold a referendum for West Papua and the Army's withdrawal from the region," AMP spokesman Jefry Wenda told The Jakarta Post.

Seventy-seven people participated in the march, which was also staged in conjunction with the expected announcement of United Liberation Movement on West Papua's official membership in the Melanesian Spearhead Group on Tuesday.

The FRI-West Papua, consisting of non-Papuan Indonesian activists and intellectuals, was established to demonstrate solidarity by non-Papuans with Papuans in their struggle for independence.

Marches were also held in other 15 cities across the country, with reports of several hundred rally participants being detained by the police in Sulawesi and Java. (adt/jun)

Source:

<http://www.thejakartapost.com/news/2016/12/19/activists-stage-peaceful-rally-ask-un-to-monitor-situation-in-papua.html>

Over 500 arrested in West Papua demonstrations

Radio New Zealand International - December 20, 2016

There were over 500 reported arrests from West Papua demonstrations in Indonesian cities yesterday.

The demonstrations were calling for self-determination for West Papuans on the anniversary of the first Indonesian military invasion in 1961.

Demonstrations were held in Jayapura, Merauke, Nabire, Manokwari, Timika, Yahukimo and Sorong and also in cities outside Papua such as Jakarta, Manado, Ambon, Bandung and Yogyakarta.

Police in the various centres rejected granting the demonstrators permission, but the activists proceeded anyway.

In total, 528 demonstrators were arrested by Indonesian police across these cities. In Wamena, 165 people were arrested, of whom 15 are understood to have been released.

Arrests numbered 126 in Merauke with all later released. Children were reportedly among the 74 arrested in Nambire and also amongst those arrested in Merauke and Wamena.

Activists with the West Papua National Committee, which organised many of the demonstrations, were subject to beatings in Jayapura and had their central headquarters vandalised.

There are also allegations of ill-treatment of demonstrators who were arrested in Nabire where several are badly injured after assault by rattan cane and coal.

The latest round of mass arrests brings to well over 5000 the number of people arrested in Indonesia for peaceful demonstrations in support of West Papuan self-determination this year.

Source:

<http://www.radionz.co.nz/international/pacific-news/320854/over-500-arrested-in-west-papua-demonstrations>

Hundreds arrested at West Papua protests

Associated Press - December 20, 2016

Indonesian police have detained several hundred people at protests around the country demanding independence for remote West Papua.

Arrests were made in cities in Sulawesi, Java and Papua but demonstrations went ahead on Monday in at least 15 places, said Veronica Koman, a lawyer for independence activist Filep Karma.

Police in the capital Jakarta had warned organisers against protesting but relented and allowed a

group of about 50 people to march down a main thoroughfare.

Monday was the 55th anniversary of the official declaration of an Indonesian military campaign to take control of West Papua from the Dutch.

The Dutch colonisers of the Indonesian archipelago held on to West Papua when Indonesia became independent after World War II. It became part of Indonesia following a UN-supervised referendum in 1969 criticised as a sham for involving only a tiny proportion of the population and Indonesia's use of strong-arm tactics.

Supporters of West Papuan independence want a second and unfettered referendum. The Indonesian government is determined to hold on to the mineral-rich region and also fears any concessions would energise other separatist movements.

"Melanesian people are our brothers and sisters, not you, you are Asians," said Anthony Gobai, one of the protesters who addressed the Jakarta rally as dozens of police watched.

Indonesians who joined the protest knelt on their knees and apologised to West Papuans for their government's rule of a region that is ethnically and culturally distinct from much of Indonesia.

Indonesia maintains a tight grip on West Papua and restricts journalists from reporting there. However the independence movement appears to be increasingly well organised, with different groups now united under an umbrella organisation that is seeking membership of an association of Melanesian island states.

More than 5000 people have been arrested in pro-independence protests since April.

Source:

<http://www.heraldsun.com.au/news/breaking-news/hundreds-arrested-at-west-papua-protests/news-story/f7bcc56beab51d05c86791000e0a166c>

Indonesia violates international covenant by keeping blasphemy law: HRW

Jakarta Post - December 20, 2016

Callistasia Anggun Wijaya, Jakarta — Human Rights Watch (HRW) says Indonesia breached the International Covenant on Civil and Political Rights (ICCPR) that was ratified in 2005 by keeping its blasphemy law valid.

"Indonesia should revoke the blasphemy law. It's an unseparated component of the 2005 law [on the ICCPR ratification]," HRW researcher Andreas Harsono told The Jakarta Post after a discussion in Cikini, Central Jakarta, on Monday.

He went on to say that the blasphemy law, which was stipulated under Article 56 of the Criminal Code, had violated human rights, in particular freedom of expression.

The law, which had been used to charge 106 people during former President Susilo Bambang Yudhoyono administration, had protected religious beliefs, practices, institutions and leaders from necessary criticism, he added.

“Blasphemy laws are subjective and inconsistent and there is no ‘right way’ of using them. The laws have legitimized vigilantism, mob violence and persecution of minorities,” Andreas said.

He further said that currently, only 26 percent of countries across the world still had either blasphemy policy or blasphemy law. In 2009, four Muslim scholars filed judicial review of the blasphemy law at Constitutional Court, during which they lost in an 8-to-1 voting.

The law is currently used to charge Jakarta Governor Basuki “Ahok” Tjahaja Purnama, who was accused of blasphemy for mentioning Surah Al Maidah 51 in his remarks during his work visit to Thousand Islands in late September. Ahok is set to undergo his second hearing concerning his blasphemy charges at the North Jakarta District Court on Tuesday.

“It is taking so much energy just to debate Ahok’s case. The court’s judges should have listened to those scholars and international calls,” Andreas said. (ebf)

Source:

<http://www.thejakartapost.com/news/2016/12/20/indonesia-violates-international-covenant-by-keeping-blasphemy-law-hrw.html>

Jakarta governor Ahok created ‘disunity among Muslims’, say prosecutors

Sydney Morning Herald - December 20, 2016

Jewel Topsfield and Karuni Rompies, Jakarta — Prosecutors have accused the Christian governor of Jakarta of being “self-righteous” and say it is not enough for him to claim that his intention was not to insult Islam.

Basuki Tjahaja Purnama, popularly known by his nickname Ahok, has been accused of blasphemy over comments he made to fishermen on Indonesia’s Thousand Islands, during which he made reference to a verse in the Koran.

On the second day of his trial, chief prosecutor Ali Mukartono told the North Jakarta District Court that Ahok’s statements had created “disunity among Muslims”.

He said it was not enough for Ahok to claim that he did not mean to insult Islam and the finding had to be based on the series of events and background of his actions.

According to the indictment, Ahok gave a speech in which he said voters had been lied to by his opponents citing verse 51 from the fifth sura, or chapter, of the Koran, al-Ma’ida.

Some Muslims interpret al-Ma’ida as a prohibition on Muslims living under the leadership of a non-Muslim. Others say the scripture should be understood in its context — a time of war — and not interpreted literally.

“That’s your right, so if you can’t choose me because you are afraid you will go to hell, that’s OK,” Ahok said in the speech. The indictment said Ahok had used al-Ma’ida to lie to and fool the community in the leadup to the Jakarta gubernatorial election.

In an emotional defence last week Ahok said he had not intended to interpret al-Ma’ida let alone

blaspheme the religion of Islam or insult the ulema (Islamic scholars).

He said his remarks were directed at “unscrupulous politicians” who incorrectly took advantage of the verse because they did not want to compete fairly in the gubernatorial elections in February.

He also spoke of his love for his “adoptive” family, devout Muslims with whom Ahok stayed when he studied in Jakarta.

Thirman Elon, the head of the Banten chapter of the Muslim Brotherhood of Indonesia (Parmusi), protested outside the court on Tuesday morning.

He told Fairfax Media that Ahok had not only once more insulted Islam and ulema during his defence last week but also those Muslim politicians who cited al-Ma’ida.

“It is only because of politics that he is still a free man,” he said. “The police and prosecutor are afraid to arrest him because there is strong pressure from the government not to do so.”

The judges will decide next Tuesday whether to proceed with the case.

Hundreds of thousands of Muslims have staged mass rallies over the past months calling for Ahok to be jailed, one of which descended into violence.

Ahok, who had been comfortably leading the three-legged gubernatorial race ahead of his comments, saw his approval rates plummet by as much as 22 per cent in polls released in November.

However somewhat surprisingly his popularity rebounded in a poll released by the Indonesian Survey Institute (LSI) on December 15. This saw him once again placed ahead of his opponents, Agus Harimurti Yudhoyono, former president Susilo Bambang Yudhoyono’s son, and former education minister Anies Baswedan.

“The candidates’ performance in holding public office is becoming once again a dominant factor influencing voters’ decisions,” LSI director Kuskridho Ambardi told the Jakarta Globe.

However Ahok’s political future will still be over if he is convicted of blasphemy, which carries a maximum penalty of five years’ jail.

Under Indonesian law, a person is ineligible to run as a candidate for governor if jailed for an offence that attracts a sentence of five or more years.

In 2009 activists including former president Abdurrahman Wahid asked the Constitutional Court to repeal the blasphemy laws, arguing the laws breached their right to freedom of religion. However the court found the laws were necessary to maintain public order.

Amnesty International has reiterated calls for Indonesian authorities to repeal the laws in the wake of Ahok’s trial.

“While states are permitted under international human rights law to impose certain restrictions on the exercise of freedom of expression where this is demonstrably necessary for the rights of others, this cannot be used to protect belief systems from criticism,” it said.

Asked last week if Indonesia would consider repealing the laws, senior minister Luhut Pandjaitan said the issue was too sensitive for him to comment.

Source:

Ahok video uploader shocked by police summons for questioning on treason case

Jakarta Post - December 20, 2016

Safrin La Batu, Jakarta — Buni Yani, the uploader of a video containing Jakarta Governor Basuki “Ahok” Tjahaja Purnama’s alleged blasphemous remarks, said Tuesday he was surprised he had been summoned for questioning by police in connection to a treason case that implicated political activist Sri Bintang Pamungkas.

“We still don’t know what questions the investigators want to ask. Pak Buni is quite shocked by the summons,” Buni’s lawyer Aldwin Rahadian told reporters before the questioning of his client at Jakarta Police headquarters on Tuesday.

“As a good citizen, I encourage Pak Buni to answer what he knows and respond accordingly,” he added.

Citing the summons letter, Aldwin said the police wanted to question Buni on a speech Sri Bintang gave in an event held under Kalijodo flyover in West Jakarta on Aug. 7.

Buni insisted he was not present at the venue when Sri Bintang made the speech. He said he only knew of Sri Bintang because he was a notable political activist. “No. I was not there [at the event],” he told journalists.

Buni is currently suspected of inciting religious and ethnic hatred for posting an edited version of a video that showed Ahok mentioning a Quranic verse, which has been alleged as blasphemous.

Meanwhile, the police recently named Sri Bintang a suspect for allegedly attempting to stir up antigovernment sentiment hours before a massive rally was to be held by Islamic organizations on Dec. 2.

He has been charged with violating Article 28(2) of the 2008 Electronic Information and Transactions Law on hate speech and Articles 107 and 108 of the Criminal Code on treason. (ebf)

Source:

<http://www.thejakartapost.com/news/2016/12/20/ahok-video-uploader-shocked-by-police-summons-for-questioning-on-treason-case.html>

Ahok will face opposition until removed from election or imprisoned: Researcher

Jakarta Post - December 19, 2016

Callistasia Anggun Wijaya, Jakarta — A social researcher from the Indonesian Institute of Sciences

(LIPI), Ahmad Najib Burhani, says opposition to Jakarta Governor Basuki "Ahok" Tjahaja, who has been charged with blasphemy, is not likely to recede until he is imprisoned or removed from the 2017 gubernatorial election.

"Some groups will not stop their opposition until he loses the election or is put in prison. These groups have their own agenda, namely to regain power at the national level," Ahmad said after a discussion in Cikini, Central Jakarta, on Monday.

He further said several groups had used Ahok's case to obtain hegemony in the field of religion, ideology, politics or economy. Citing an example, the analyst said, the Islam Defenders Front (FPI), had tried to show its domination of the religious field through the case.

"We can recognize parties, which have taken advantage of this case by looking at people who have participated in two recent large rallies. Some people involved in the rallies have declared their support for the two other [Jakarta gubernatorial] candidates," Ahmad said. He was referring to the mass protests organized by Islamic organizations against Ahok on Nov. 4 and Dec.2.

Ahmad said the way authorities settled Ahok's blasphemy case would be detrimental to Indonesia's democracy because it would show how people could still exploit religious issues for political gains in the future.

Therefore, all civil and religious organizations in the country needed to hold a dialogue to talk and strengthen the concept of the nation, he added. (ebf)

Source:

<http://www.thejakartapost.com/news/2016/12/19/ahok-will-face-opposition-until-removed-from-election-or-imprisoned-researcher.html>

Intolerance, human rights cases in Yogyakarta remain high: Activists

Jakarta Post - December 19, 2016

Bambang Muryanto, Yogyakarta — With the number of intolerance and human rights cases in Yogyakarta remaining high this year, NGOs are calling on law enforcers to take stern action against the perpetrators.

National Alliance for Unity in Diversity (ANBTI) Yogyakarta chapter coordinator Agnes Dwi Rusjiati said her organization noted 12 religion-based incidents of violence in the province, the same number last year.

"The state, through its law enforcers, should actively solve intolerance cases in Yogyakarta," Agnes said in a year-end press conference on Monday. She suggested that the government encourage the public to maintain diversity in society through education and religion-based institutions.

The Wahid Institute said last year that Yogyakarta was the second-most intolerant province after West Java

Meanwhile, the Yogyakarta Legal Aid Institute's (LBH) social, economic and cultural division chairman, Yogi Zul Fadhli, said his organization had received 35 human rights violence complaints

this year.

“The perpetrators have not been named suspects by the police. This kind of impunity could trigger others to commit violence,” Yogi said.

He said human rights violations related to agrarian issues were the most prevalent this year on account of land conflicts between residents and the Yogyakarta sultanate. (jun)

Source:

<http://www.thejakartapost.com/news/2016/12/19/intolerance-human-rights-cases-in-yogyakarta-remain-high-activists.html>

Police told to resist undue influence of MUI

Jakarta Post - December 20, 2016

Nurul Fitri Ramadhani and Haeril Halim, Jakarta/Yogyakarta — Following the decision of some local police leaders to back a campaign by firebrand Muslim groups to crack down on Christmas celebrations, President Joko “Jokowi” Widodo has instructed National Police chief Gen. Tito Karnavian to uphold discipline among members of the force and make efforts to prevent their power from being abused by hardline groups.

During a meeting with Tito at the State Palace on Monday, Jokowi said that the police force must work only to implement official rules and regulations.

“Our existing rules are laws, government regulations, presidential regulations, ministerial regulations and so on, including a regulation from the police chief himself. That should be the ground rule,” Cabinet Secretary Pramono Anung said.

Jokowi summoned Tito on Monday following the decision by police chiefs in Bekasi in West Java and Kulon Progo regency in Yogyakarta to issue circulars ordering local officers to uphold an edict issued by the Indonesian Ulema Council (MUI) banning Muslims from wearing Christmas attributes, such as Santa hats. The MUI issued the fatwa on Dec. 14.

Bekasi Police issued its circular on Dec. 15 while Kulonprogo Police released its circular on Dec. 17.

Over the weekend, police in Surabaya, East Java, also came under fire for their failure to prevent members of the hardline Islam Defenders Front (FPI) from cracking down on business establishments that allowed their employees to wear Christmas attributes.

Earlier on Monday, Tito ordered police officers to get tough on members and activists of hardline groups who carried out intolerant acts. “I instruct all police officers to arrest and take action against those who want to promote disorder. We shouldn’t bow to those groups,” Tito said.

Tito also ordered members of the corps to keep an eye on groups that carried out intolerant acts under the guise of publicity programs for the MUI edicts.

“Also, if we find some groups that carry out raids while claiming to be conducting ‘familiarization’, but in fact bring fear to people, we must take the initiative to stop them,” Tito said.

The police chief said that he would discuss the issue with the MUI in the coming days. "I will talk with the MUI so that they take tolerance and Bhinneka Tunggal Ika [the country's motto of "unity in diversity"] into consideration when they want to issue a fatwa," he added.

Jan Sihar Aritonang, a professor at the Theology School Jakarta, said that the MUI had wrongly identified symbols of consumerism, such as the Santa hat, as part of Christianity.

"Production and distribution of such attributes are not directly related to Christianity. Until now, Christian churches have never reached any consensus about what could be considered as attributes or symbols for Christmas. They are just a tradition in some churches, particularly in Europe and America," Jan said.

Responding to the actions of the FPI in Surabaya, the MUI said that any Muslim groups that took the initiative to disseminate information regarding the Christmas edict should not use force against business owners who were unaware of the call.

"The information about the fatwa can be relayed by sending one person to inform shop owners about it, or a letter should be enough," said the MUI's edict division head, Hasanuddin AF.

Religious Affairs Minister Lukman Hakim Saifuddin meanwhile said that no private organizations had the authority to conduct such raids.

[Ina Parlina and Bambang Muryanto contributed to this story.]

Source:

<http://www.thejakartapost.com/news/2016/12/20/police-told-to-resist-undue-influence--of-mui.html>

Government to form dedicated body to promote Pancasila

Jakarta Globe - December 20, 2016

Jakarta — The government will form a new dedicated body to promote the Pancasila state ideology, named the President's Working Unit for Reinforcement of Pancasila Ideology, known as UKP-PIP, in response to growing threats of radicalism and terrorism.

Coordinating Minister for Maritime Affairs Luhut Binsar Pandjaitan said the new working unit will help President Joko "Jokowi" Widodo to organize, harmonize and control efforts from various state institutions to promote Pancasila to the public.

"This new body will be nearly similar to the Presidential Office that has same status, financial rights and facilities as a state minister," Luhut told reporters at State Palace in Jakarta on Sunday afternoon (19/12).

The idea, initially proposed by Luhut, has been deliberated for three months and a presidential regulation to legally form the body is still being processed by the Cabinet Secretariat.

The body will address the implementation of nation's pluralistic Pancasila ideology in education institutions, ministries, state institutions, mass organizations and religious groups.

Political expert Yudi Latif who helped to formulate the new body said the UKP-PIP will involve many stakeholders including humanists, religious figures, artists, journalists, traditional leaders and communities in promoting the state ideology. "We want to promote an inclusive approach in developing Pancasila," Yudi said.

Previously, Jokowi said Pancasila can be an answer to growing concerns over intolerance, cracked solidarity as a nation, social order, radicalism, extremism and terrorism. "Pancasila must be a working ideology and embodied in the system, including in economy, politic, social and culture policies," Jokowi said.

He also expressed hopes the value of Pancasila can be shown in forms of mindset, lifestyle and concrete actions among the Indonesians.

Source: <http://jakartaglobe.id/news/govt-form-dedicated-body-promote-pancasila/>

Jokowi passes new law on foreign mass organizations

Jakarta Post - December 20, 2016

Jakarta — President Joko "Jokowi" Widodo has signed Government Regulation No.59/2016 to regulate mass organizations founded by foreigners.

According to the Cabinet Secretariat website, the regulation was issued to ensure that any mass organizations founded by foreigners respect the country's sovereignty, social values and cultures as well as benefit the community and abide by the law.

Separately, Teuku Taufiqulhadi, a member of House of Representatives Commission III overseeing legal affairs, said the government through the Home Ministry should strictly supervise the founding of foreign mass organizations.

"We need to prevent terrorist organizations from entering the country," Taufiqulhadi said as quoted by Antara news agency on Monday. Taufiqulhadi said foreign mass organizations should play a role in maintaining relations between Indonesia and their countries of origin.

"For instance, religious organization founded by people from the Middle East could help maintain good relations [between Indonesia] and those countries," he said. (dmr)

Source:

<http://www.thejakartapost.com/news/2016/12/20/jokowi-passes-new-law-on-foreign-mass-organizations.html>

Police arrest 5 linked to vigilante raid in Surakarta

Jakarta Post - December 20, 2016

Jakarta — National Police chief Gen. Tito Karnavian said Tuesday that police had arrested five suspects related to a vigilante attack on the Social Kitchen restaurant and nightlife spot in Surakarta, Central Java.

“Last night, we arrested five people in relation to a mass organization’s ‘sweep’ [of the Social Kitchen]. We will keep pursuing the case,” Tito was quoted by tribunews.com at the Office of the Coordinating Minister for Political and Security Affairs building in Jakarta.

Tito added that he had instructed his personnel to hunt down other suspects involved in the violent raid.

He asserted that mass organizations were prohibited from taking the law into their own hands. “We heard they allegedly committed theft, looting and assault. We will impose stern sanctions [on the perpetrators],” Tito said.

Dozens of people donning white robes reportedly stormed the entertainment venue on Sunday morning, vandalizing its restaurant and attacking several guests, including three women. Local media identified the mob as a firebrand Muslim vigilante group, who launched the raid on the venue allegedly because it served alcohol to its customers. (dmr)

Source:

<http://www.thejakartapost.com/news/2016/12/20/police-arrest-5-linked-to-vigilante-raid-in-surakarta.html>

Jokowi chooses perseverance with national exam

Jakarta Post - December 20, 2016

Jakarta — President Joko “Jokowi” Widodo has decided that the national examination (UN) will continue, rejecting the Culture and Education Ministry’s proposal to scrap the standardized evaluation tool that is used in primary and secondary education.

The decision, made on Monday evening after a limited Cabinet meeting concerning the exam, came about following consideration of the latest survey by the Programme for International Student Assessment (PISA), which ranked Indonesia 62nd from 72 countries assessed, indicating a slight improvement for its 2013 rank of 71.

The survey also stated that in 2030, Indonesia would be among countries with the best education.

Cabinet secretary Pramono Anung said in a statement that the country was on the right educational track after promising indications collected in the survey by the Organization for Economic Cooperation and Development (OECD).

“President wants the national exam to be a real ‘benchmark’ for students in the future. If the exam is scrapped, disparities will arise between schools,” he said.

Despite the low ranking, the OECD based on its survey findings praised Indonesia’s improvement, “During the period of 2012-2015, the science results for 15 year olds rose by 21 points. This has made Indonesia one of the countries with the fastest development.”

Cultural and Education Minister Muhadjir Effendy previously said the plan to suspend the exam was aimed at implementing what was stipulated in Jokowi's Nawacita — nine-point agenda — that stated exams would not be used as a gauge for “measuring the national education system”. (adt/dmr)

Source:

<http://www.thejakartapost.com/news/2016/12/20/jokowi-chooses-perseverance-with-national-exam.html>

Smelting industry held hostage by policy uncertainty

Jakarta Post - December 20, 2016

Viriya P. Singgih, Jakarta — A plan to allow more exports of raw and partly processed mineral products has irked businesses that have already invested heavily in smelters intended to add value to mineral ores and generate a multiplier effect for the economy.

The businesses argue that such a policy would not only send a chilling message to the international community that Indonesia cannot hold to its commitments, but also harm the downstream industry and put more pressure on the global prices of several mining commodities already experiencing a supply glut.

A draft regulation prepared by the Energy and Mineral Resources Ministry, a copy of which was recently obtained by The Jakarta Post, will allow companies with mining licenses (IUP), or special mining licenses (IUPK), or former holders of contracts of work to have the privilege of getting five-year export licenses.

Partly processed or raw nickel, bauxite, anode slime and copper telluride will be on the list of products allowed for overseas shipment. Companies will also be allowed to resume the export of copper concentrate.

The only requirements from the government are for the companies to pay an export tax and construct a smelter.

“Don't play around with such a high-risk policy. There have been many smelters developed recently and once we open the exports gate the outflow will be unbearable,” Indonesian Smelter and Mineral Processing Association (ISPA) chairman R. Sukhyar told the Post on Monday.

“The domestic industry will be left in turmoil as miners will prefer to export the mineral ores.”

Foreign investors, mostly from China and Russia, have flocked into Indonesia after a 2009 Mining Law requires a total ban on raw and partially processed mineral exports, encouraging many to set up processing plants to take advantage of the law.

According to the Processing and Smelting Companies Association (AP3I), there have been 32 new smelters built in the country — 24 of which are nickel smelters — within the past four years with a total investment of about US\$20 billion.

The smelters are expected to add value to the end products, as opposed to exporting ore in its raw form, and to prevent mining wealth from being exploited by overseas businesses. “Investors will be

confused with such a flip-flop policy,” said Sukhyar.

“Speculation surrounding the planned relief has already put Indonesia in an unfavorable situation because as investors wait for certainty they suspend business and decision making,” said Sukhyar, a former Energy and Mineral Resources Ministry’s director general for minerals and coal.

Sukhyar said the industry now worries that opening up exports of nickel ore and bauxite ore could undermine the global prices of these commodities and their semi-processed forms, which are already suffering from an oversupply.

During his presidential campaign and first year in office, President Joko “Jokowi” Widodo pledged to maintain the ban and expand it into a fully enforced prohibition.

However, the draft regulation contradicts the pledge as the government is in dire need of cash from royalties and taxes paid by several large mining companies amid a shortfall in tax collection caused by sluggish economic activities.

Gold and copper miner PT Freeport Indonesia, a local unit of US mining corporation Freeport McMoRan Inc., to cite an example, contributed \$2.4 billion in royalties and \$1.5 billion in non-tax state revenues (PNBP) from 2010 to 2015.

Observers have said that if the company is not allowed to resume exporting copper concentrate, the government and the people of Papua, the province where the company is operating, will suffer greatly.

The company has been allowed to export after pledging to construct smelting plants and agreeing to pay export taxes with rates linked to the progress of construction, which has been stalled.

However, its export licenses will expire when the 2009 Mining Law is set to be fully enforced after Jan. 11, 2017, with the government rushing to decide whether to maintain the current relaxation or to fully enforce the ban.

According to the Finance Ministry’s directorate general of the treasury, income from export duties was 25 percent short of its target this year and a three-year to five-year mineral export extension for mining companies like Freeport can help the government secure revenues, considering that the country will still be able to sell the raw commodities abroad at contracted prices.

AP3I deputy chairman Jonatan Handojo said the privilege enjoyed by Freeport should not be a catalyst for others to demand the same facility as he understood that many nickel and bauxite mining companies were also lobbying to have the ban lifted amid the government’s dire need for revenues.

Jonatan said there had been too many foreign investors putting their money into the country, particularly from China, in the hope of benefitting from the downstream industry after they were no longer be able to maximize the operation of their nickel smelters in China because of a lack of supply following Indonesia’s export ban. “Once the policy is eased, I can imagine how they will be extremely furious.”

Indonesia is among the world’s top producers of nickel, bauxite and copper.

Source:

<http://www.thejakartapost.com/news/2016/12/20/smelting-industry-held-hostage-by-policy-uncertainty.html>

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