

THBT INDONESIA SHOULD ESTABLISH A TRUTH AND RECONCILIATION COMMISSION FOR THE 1998 TRAGEDY

Atmajaya University

OG ,prime minister

1998 is a dark year for everyone. People see it as a year of reformation but actually there is so much cases happen there. Kidnapping, rapping, murder. Chinnese family still cant forget what happen in that year. Or even move on from that year or even move on from this kind of crime. Many people saw they kids being murder or even being rapped right. Even there is tragedies month that every single of atmajaya students always do kamisan because there was a man from atmajaya was murder and even until now, govt still deny all of this fact. We think this is very bad right. What do we need and do is closure an how to do it with TRC which is Truth and Reconsilation and Commision right. In wich we will do this in the case of genocide.

We will bring back the victim and all the participant to tell the stories what happen and to tell the Truth and to give apologize right. The Goal is we want to provide the closure that the victims need. Because we believed that they need acknowledgement and that is denial that govt already did is should be stop and by this we stand in the opening govt.

Three point in my speech, firstly in why closure is the most proper things that victims need. And secondly obligation of govt. Third why it is effective.

Now to the first argument, we believe that the closure is the most important things that victims need because what they need is actually acknowledgement because denial they have had from the past more than 10 years is really painfull right. Govt even when they want to speak out that my son was killed, that my son was shot by penembak misterius, govt still didnt want to hear. We believe that this is should be stop and this is the most important things that they need right. We believe also it is within the government obligation to do it. Why? Because firstly, govt complicitly doing this. We say because government still asume as a part who stil deny the tragedies taht happened in 1998. For example, denial of tragedies month, denial of operasi misterius that kidnap all of the people right. We believe that it is resulting of many attention in society.

POI:

Answer : im going to tell it later in my third argumentation

Now talking to my second argument. We believe that this is create attention and settlement in society right. Between chinese and pribumi. For example in Medan, even parents still tell their son or daughters not to be friend with pribumi, or i'm as a chinese girl, im afraid of the past, i didnt met a guy of pribumi because im afraid being called sipit for example because this settlement is really give impact in our society becuse we believe that closure and what happen in the past is still didn't end right.and we need to do something about it. We believe that govt had the more obligation to end it becuse we are conducted with the victims. The victim who had lost their life and many family lost their children.we dont like this. But secondly we said this is also uphold justice because this is previous govt mistake right. They know that this crime happen right but they didn't take any action. They only close their eyes. We believe we need to compensiate them through TRC becuse we believed our govt nowadays is developing because of imposing in terms of facilities of society. So our knowledge improve right and getting better and better.

Thats why in TRC is successfull because it is participated by govt of developed country who know the value of facing crime. So thats why we think in Indonesia right now is progressing and we are in that ind of phase tahts why we need to do something to repair that mistake and and now why then with TRC it will be beneficial and effective. We believed if govt doing this, if we want to investigate the duer or prepotetes do not want to show up because if they do this they fraid of being caught and they will hide. They dont want to get punishment to go to prisons or to jail. But with TRC what is being the demand is apology and reconciliation right. The prepotetes will show up in our side. The prepotetes will think that they only need to participating and they not going to the prisons right.

In the case that happened in 1998 case , the murder always does because she needs the govt to acknowledge the past mistake and the crime really happen right. We believed that society will also understand that this is the best to do. Because if we punish those prepotetes it will hard for them to admit about the crime or at least to apologize. So if we did this with our proposal we can give the victim closureand the prepotetes admit that they did something wrong. If we keep doing denials. The justice cannot be uphold. We need to do something because if we keep remind silent it wil result into our justice even until next year and next year. And we believe, our govt, Jokowi is trying so hard to at least make a changes in terms

of upholding the right. So we believe that govt have the obligation govt also have capacity to do this. So if you want justice for society, vote to opening govt.

OG 2nd

Opening opposition wants to argued our counterpoint with bringing the BOP : why we cant investigate because tragedies of 1998 was a systematic crime? It was very very hard to fine the evidence because of govt trying to shut all of the evidence down. Why? Because if they know who is doing all of this crime, our country will be falling down. All of the govt and also politicians will also be xstopped because they are afraid of their previous mistake maybe there was an issue that prabowo take a part in tragedies 1998 and we want to investigate Prabowo who is holding the military power, thats why they are trying to shuts all of the ctivity down. And its their burden of prove to prove why we had fine the evidence in the current Indonesia system which is never been prove until the end of the day.

But first before going to my extention, let's hear several argument that coming from alif. Number one, alif first argument says that people dont want to come to TRC because theres no lose for them if they not come. Yes we admit, but at least there is benefit if they want to come to TRC. What is the benefit? The benefit is we know what is the crime. We asume that they felt guilty. And this guilty is the more intention for them to come because if they gulty, they want to clarified everything. If they felt guilty they want to apology and if its true if that education system in Indonesia was good.this peoplewill have morality. They know that their previous mistake needs to be compasiate, they need to apologize to this people. Thats why they will come to TRC because there's a benefit.

But second argument that Alif want to prove to you that actually people...because TRC at least provide you an apologize. And thn alif also said thst no people want to be punished. People inside Indonesi wants the prepotetes to be punish. But the reason why they demand the punishment because they want exactly know there is alternative compare to the punishment because they didnt know TRC until they listen to me. Or even sme of you didnt know TRC until the motion comes to you.because people in Indonesia simply deny thats why te most demand coming from them is punishment. If they know there is a TRC, they will follow this. Why? Because at least n our side we will bring tge prepotetes to apologize. This prepotetes stop to deny and realize like i told you before that this crime is happening. So it will happening, why? Because once this people deny, what they need is this govt, the previous govt, all the prepotetes to accept that they are wrong and they need to admit. At least

at our proposal they will come to trc this is would to be happen this time to move on from reagrless presumption of innocent because what happen if we do that because Criminal Justice System would criminalizing this people and push them to the jail and this is not represanting what the kind of reconciliation do you want without really sure taht this people really rehabilitated before to begin with. Thats why TRC better.

POI: what they need is this people to going to the jail, because victim already know that this individuals are guilty.

Answer: yeah they guilty, but they keep deny it.so this is what actually in their heart but not actually what come out on their mouth. Because what actually come out from their mouth from politicians is no, tragedies 1998 was in the past and the previous govt are not actually rapped the chinesse family and something like this. This people would always do this kind of deffensive because if this people want to apologize they want to clear it at the end.

Now going to my extention regarding the intergration. Becuse i already told to you like you know, prejudice still exist eventhough there is moderation to begin with but still like chinesse still afraid to meet pribumi because there is still probability that they will hating on us like becuse the accent and another things. But also at the same time that pribumi might be think that chinesse will trying to steal all of ou resources. This kind of thing still hppening in current condition. So what will hppen in our proposal is a better recomendation because we believe that is at least there is result for reconciliation. Like you know we need to apologize sentencely said because we already did something harm to you and thats better, so we can push all of our social aside and focus to what is important because in SQ right now that is also practically emphaty that this people believe that govt is a bad actor. They do feel that govt systems are bad and feel that they are not representing at al. That at least our systems show to you that we want to apologize. We want to move on which able to know that govt is not a bad actor. Thats why democracy in Indonesia the trust to gov, because remember about the previous mistake tthat i try to move on, that i try to apologize and i try to forget thats why because they will trust me. In the end of the day i will explain to you why investigation never work because the result is nothing and with TRC at least we provide to you apologize. Thats why we very proud to propose.

2nd speaker , Deputy of Prime minister

In order for us see which is society who buy information, they really to prove their effectivity, why in the very first place this people would like to come up and society will acknowledge that im really wrong

That will be prove in my rebutles.

Now moving on, kak ridho, opening govt ladies and gentleman also dissmisive to all the mechanism that brought in our modul. Because in our modul regardless the particullar prepotetes really come to trs and force the to come in the very first place. And it is also very asumtive in generelizing that all victims would like to forgive ladies and gentleman. We believe the damage that each victims has felt is very different. Some victims might already forgive, but some victims might not. We cant assume that all chinesse are really forgive ladies and gentleman. Thats because our court is the most independent that might done ladies and gentlemans.

Let's hear my first speech. Why our court can be done in the very first place. Opening govt believes that by court and investigation are cannot be done because is systematic crime by the govt. We acknowledge that it was a systematic crime, but right now, the one who being the government is different ladies and gentlemans. It is Joko Widodo who is not involve in the previous goverment or with political ties with people who are really deny this thing or like some oldschool politicians before ladies and gentlemans. Unlike Susilo Bambang Yudhoyono or Megawati or any previous presidents who have political ties and coordination with the previous govt and thats exactly why.we should do that. not to mention that this is already political contract on the huges government that they already push the investigation or court upon them. Not to mention the current evidence in current condition if this people is gullyty they can show their gullyt inside the court within acknowledgement of guilt can still exist inside our proposal ladies and gentleman.

They also said that the prepotetes really dont want to show up because they afraid of punishment. If it that people want to show up.your case this people might also dont want to

show up. They was appear in public and admit that im the perpetrators this people might see that it was such a disgrace.

Even if they show up, will they be apologize? We dont think so they will, it even worst the victim and admit that i want to apologize. And there is nothing that we can do if this thing happen . its very different compare to our modul ladies and gentleman because regardless the prepotetes appear or not, they deserve court and investigation. And clarifiction to victim upon them right.

Second issue, about the closure that they provide to victim. They say there acknowledgemen of guilt and they need to move on. ladies and gentleman it also can be much better.

In my extantion i will prove to you why settlement can be at leat better inside the house ladies and gentleman. Before that, law in Indonesia always prioritise justice ladies and gentleman, because justice in Jokowi era is working. TRC is clashing this. Eweb if we now this people are wrong, we letting them go away as if they are innocent they are acknowledge ladies and gentleman there is suffering consequences of them rapped the chinesse inside Indonesia. We dont think in Indonesia we wnt tolerate justice. This exactly why the trc would also happen. Because for example in the case of another conflict we established court toward them because Indonesia's govt would not tolerate justice.

POI : okay, if the parameter of bad proposal is you can walk away then your proposal is not exclusive because in your proposal, this govt that at least has a ot of resources they can simply ran away from the law.

Answer: if it is true ladies and gentleman, then in your proposal they dont come up because they dont want to see their victim because there is still a politicians. Our proposal regardless the perpetrators we wont stop fight for the victim. We would like to ... them and this would be justice.

In my extention, lets go to our case. What is special from court and investigation will further would prove the victims which is not the chinesse only. ladies and gentleman what is lack from govt of Indonesia that we are limit in doing anything to the victim that the govt regardless to be come, president for example in the case of 1998 is liar. The president for example will be seen as the person. who has cause so much damage and even it is worst. Because we simply let them walk away after they do the c rime ladies and gentleman. Than Thats exactly intergration and trust from chinesse and pribumi would not be exist because we

simply be seen as who are saving our society and not want to caught the feeling and also the damage than all of chiness family in the past inside our SQ.thats exacty in our proposal, they will go to court and do some investigation and with the judge it self. We really want to do something.

Intergration can happen because we show even they are pribumi the gov of our society we want punish all of the pribumi , all ladies and gentleman. This is show exactly the goal of us that we wantto punish everyone who are cost victim and damage of chiness community. Thats exacty why the motion cannot work if we go to the TRC in the very first place.

Thats why we should not assume that all of the victim want to apology, want to forgive the prepoteters, we want to let them be punish .we back to oppose. Thank you.

Opposition Whip

Ladies and gentlemen, because of 1998 state is organized crime also there is a case of a torture.

Meaning long time on what is to wait right? Because on that time, because we cannot expect on the independent court that we can solve it. And it means we need to wait even for 2 years now, this for example that their investigation process to be done on time but it is one of the ways to do not to compromise any society's retribution, we don't want to compromise itself and also precaution only based on saying yes, i apologize, we need to punish and that's what Jokowi stance.

Why jokowi totally different and theree will be no hard investigation and there is a harm if we dont do investigation.

Because jokowi and megawati even sby for example that include in this move on Jokowi the one who bring the idea of indonesia that why to be more transparancy and more investigation to human right cases for example Jokowi promised in his stance. But even if we cannot catch it we do not too compromise the past.

I am gonna to talk to you 2 things,

1. why is the best closer for all society of Indonesia
2. Why the proportional punishment will be not only in side of government and also could be exist in our case

Lets talk about number 1

Why trial is the best solution for indonesia, we need to concede that many of them or some of them and most of them still active in common political dinamic in indonesia condition, some of people like prabowo and even wiranto on that, that's why society demanded those things. But Prabowo see what they want to appologize, it is a form of political of Prabowo and wiranto to gain their one because they want to join in election because they want could win society's heart so the society sees as an option or society sees that come and given the fact that they also want to win the election at the end of the day.

Even in precaution, it is will be more see as if Prabowo and Wiranto at the end of the day. But in our case, if we opt and want to investigate them and they have lawyer and society sees that. even not a crime, because of that the civilian and division, this division that in their case only say yes and i do not do that because the only believe by give them that the closer will not make society will see this is wrong to say because the time to go. Closing.

POI

In your proposal you can prove to considering as political gesture, but furthermore don't you think it is pass by the government by not condemning our back then, it shows that we have changed?

Even if we concede , but we see the time given of punishment by retribution of someone is money. That's we need to understand about crucial that what they need in the past in the end of the day to provide and change or not but the government as tangible retribution that we think will be done. Why its better for them? In indonesia many of the children join in election or public election, they will be fined, they will not do because their father body. So we will not pay as the victims of a military.

Why society could vote the Prabowo is that, because the society can see the Prabowo help retribution that give by Prabowo did in the past. In the fact, that Prabowo still give rehabilitation and retribution so Prabowo could win the election that it will bring harm to those people that they want to protect by all of government branch we don't want it will be harm. Yes, opening.

POI

So if you want to consequence of the opening to other things, but why it is not mutually exclusive and why it could price tag of someone's thing?

Answer

Say yes and I will do long mean society one class and society want from us, the society felt because this our thing. But in this retribution, not because of this people will come to them, but this actively investigate the investigate in the end of the day. and investigate in the end of the day

And second point

Why proportional punishment

Like what they say many people could say in political that they are do violence that they are freedom. If you can say retribution punishment because you can show toward them all that not only content that is done that not only content that at least also it reduces your time that you can say that "Oh, but there is still a fear of many people who still alive". As long as we can bring them to the court, and we can say that proportional punishment, but it has been already a harm, because the fear in the end of the day because you stereotype person and to say and bring cases. But their exclusive is that right now, and also we cannot compromise the retribution under our proposal. The second point, they said that punishment. If punishment, in their proposal, no one in Indonesia themselves as a human rights abuser. Because they cannot see human rights abuser in the 1998 tragedy, so no one will harm, if the defendants want to defend themselves, they want to TRC in this time. We think their proposal will be not effective.

Why? Because Prabowo will help to do it and also to go to become president for example, so no one sees as perpetrators in this time. We think it is a form of [punishment not only important, comparing with us that it is objective and it is not done by ILC for example of human rights abuser, we don't think that it will be effective in their case but exist in our proposal.

] But as Jokowi actively fine the witnesses that exist that there is a need 2 years because Jokowi already is the one who is willing to begin with. And at least in our proposal, we say that we still bring the case of human rights and people who died in the past for example we will retribute not only by saying "No, ".

In our proposal we will interview this people will not come to yes in the light of abuser, not to be proceeded, we need to push those things even if they harm society will not being crucial because society pursue that it is characteristic of election. We oppose.

GOVERNMENT WHIP

Ladies and gentlemen this debate not only about which proposal would create a better closer, but it's also about which proposal is the most efficient and effective means to achieve closer.

And secondly which proposal would give a better integration once the closer is there. I'm gonna prove two characteristic things in my speech, right. Now I'm gonna bring 2 characteristics in this debate. So I am gonna talk which proposal whose implement b trial or TRC and also which principle that most likely trial, and which result will be best of mutual closer to give influence.

Now let's talk about the first idea, right. In time of trial happens. Because this is bop of the opposition has said. They believe that the independent investigation can uncover any factor. We know that that is the case in 1998. Why? Because, the person that you need to ensure, or the person that you need to invite in, are the key persons are, you know that, the higher higher key words like Prabowo or Wiranto in which in this case they still won't come because there has been already a threat to be listened, ladies and gentlemen. We think that the independent investigation cannot get that independent evidents because the evidence is burning and this case under an organized crime and the doctrine has been thoroughly editing. We cannot guarantee that the independent investigation under that side

of the house can come. One thing that we can promise to you, is that in our proposal, those perpetrators will be more likely to turn out the sentence, why? Because in our proposal, we need to characterize people who are going for 1998. at this moment, their identity and their disadvantages under of rumor about 1998 , they confirm and go to trial and being punish or being asking forgiveness and end the rumor for all. In our proposal, the enemy, to have a guilt without the threat of imprisonment. The point of example, we can define the condemn, and we can say let's me response to the trial in our case, and from that point, in trial, those closer of the trial are demand from the majority. We think, under our proposal, form of the person is less to be more likely to come out because they also want to tackle to rumor. We think the trial under that side of the house cannot be done and it will be a way too long, and what we do now from the way it is time to be punish because we waiting out of these evidence from perpetrators. We think that the victims who do not want to got atrocities because they feel the trial is way too long to be finished. And that is exactly why we need proposal is one of society and that in TRC, all society first to come, first to do sentence, because independenty choose not all.

There are 2 scenarios. This is the best case scenario of punishment and demand; a demand for changes and the proposal must be there we think that there will be an unfair trial for the perpetrators. We think that they are powerless to got version from the people they live in, this trial will not be independent for the perpetrators. In which it is because that we needs the trial to begin with. That the society will be afraid if they are not become the perpetrators. One, we think that that is the moment when there is no longer paid in the post. We think that it is not the ultimate goal of the sentence and trials. But in the second scenario is that, people are getting more upset. In this case, the investigators will still can debate right now can never have an independent trial that is favored by the victims.

Look, even if they appointed in another person, that the person is the rights to win and not being punish by giving evidence in the very first place, that they can protect themselves from the conscience. This kind of conversation is justified, this is bop from opening government, right. We think that is justified in the very first place. We think that the proposal of opposition is even bad. Because th victims back then are controlling the parliament, and we think that means wrong in the idea of the victims that and the rape victims. We think that it is unfair, if that person wants to compensate all people. We think

that it is to acknowledge the mistake and ask for forgiveness. Let's talk about integration, right.

We think, when the trial is resulted into an unproportional punishment, that will be punish by the victims instead of the perpetrators, the society will start to would reject that result, right. Because sometimes what the society wants is only court, that is not necessarily prosecuting the perpetrators. On thesq right now we can shows to a sense of believe that they only give for victim. we think to some extents furthermore, these former will see the perpetrator but to the ones that should be sentenced to be involved in the 1998. We think that this conversation should be shared and to the society, Mr.chair. We think that you are from scholars [because we want the perpetrator walk out free. They will understand that they are guilty and understanding that they need from us a forgiveness from the society. Under our proposal told to you why TRC is the best way to achieve closer, and it is the best from the worst scenario we propose.

Indonesia Univeristy, Closing Government

Member of Government

As closing goverment we also agree that TRC is better than trial. Three important extentions will be integrated that i would explain to engage with opening opposition and also to win this debate. Number one i will explain why victims hatred and also emotion cannot be standardized on how it should punish someone. But secondly, i would explain why trial less likely will to then b trial ladies and gentlemen, and even if can win it will not allow proportional punishment for the perpetrator. But lastly I would talk about why this thing can created thing and free the Chinese community from the fear and make a mutual benefit and integrate Indonesian society.

Proceeding to my first extension. Romario has this response said that most likely that you force this people to meet and want to replace that then creating an atrocities for Chinese community. It's not exclusive. It's also happen in court ladies and gentleman, in which that it will also expose the victim to the fulnalable thing of the house that happen in 1998 it's not mutually exclusive. But even if ladies and gentlemen, that this victim from both side would have a several support should tells some stories regarding the atrocities that happen in 1998

the nature of the court, they will most likely force all of the victims that afraid to go court and sacrifice their identity and also their privacy and also crimes that they do not want to disclose to begin with, ladies and gentlemen. So therefore ladies and gentleman, we think that it will not be effective. But secondly, regarding to the victim. They never be explain why then it can't the emotion of the victim. It's something that court power, ladies and gentlemen. Because we can not satisfy the victim. That's why in the universal many cases for example we can not ask the victim, on how much punishment that that they can give to the one who commit the crime in the end of the day Ladies and gentlemen. That's why ladies and gentleman, the logic come from opening opposition to say that they need to punish people just because this victim killed a lot of people is wrong to begin with but what you to understand let's assume that the victim in time of court can be identifiable.

Our proposal want to result in the proportionate punishment for the perpetrators themselves, because most likely we will put this perpetrator in the position that this perpetrator is responsible for all cases that happen in the past Ladies and gentlemen in which that don't have ability to prompt it in the end of the day.

Second point of extension. Why the think that trial is unreliable trial? The nature of trial which you listen from opening goverment is like a fight ladies and gentlemen. Most likely the perpetrator would try to defend that they are not guilty to the atrocities that happened in 1998 and most likely the victim will say that they are guilty, what the perpetrators most likely in the trial is a something crucial with one into another Ladies and gentlemen which will the result in less likely an explicit trial process to begin with, because we have to understand, most likely for example, perpetrator will say that they not responsible for the rape, because they held opposition that they in which they are not involve even collect for the structure of the victim to begin with ladies and gentlemen, and most likely it will fond to punish at the end of the day. No thank you. Thus, our explanation, the society is depending with trial, ladies and gentlemen. We don't agree ladies and gentlemen that the society are troubling to expose and to demand a trial, we think that the society in some extents we concede that political in 1998 are demanding a trial too. But what we weill do ladies and gentlemen that is can harm stability right now we think inside this trial most likely will pray and catch them of which society concede the trial in the end of the day, ladies and gentlemen.

And we want to understand the judges most likely even though they said that it is independent, most likely they have bias information and expectation of how before judge the trial to begin with ladies and gentlemen. But the most important thing. Let's assume that we depend on trial. We consider it as the best scenario. We don't think that trial will result in a memorization that proportionate to the amount of crime this people condemned ladies and gentlemen. Why? Because number one, ladies and gentlemen, the judges will not be able to verdict the perpetrator [according] to. But this important ladies and gentlemen, what do you need to understand, most likely the perpetrator will not be punished proportionately because they are going to the court without beyond reasonable doubt, ladies and gentlemen. To be able to prove that this particular perpetrator are guilty for the crime. Yes.

POI: That is exactly why you need the body, investigate and also to make sure that the victims can gonna forgive every thing proportionately that they are guilt.

Ladies and gentlemen, when we aggressively punish these perpetrators, and making sure that would allow this people in jail, most likely this perpetrator will be fond to be released, ladies and gentlemen, with through the amount of money, what we need to understand, Jokowi are going to rebuild the truth regarding the victims [and atrocities that happened in 1998, and it's important for us through Truth and Reconciliation process, because we need to be able to create a discussion between Jokowi's government and the past regime who are condoned and atrocities which happen in 1998, and we think that Truth and Reconciliation process is the best way because what you have to understand the nature of the court will feel will not put the feeling of the victims through Truth and Reconciliation process, will put to an end to the conflict in 1998, and we think that it's important because the chances for to be free of the fear for example that are still show that pribumi are not being able to concede that they are responsible for the atrocities that in the past, ladies and gentlemen. We are trying to say that, most likely we think that the Truth and Reconciliation process is the best way for us to go because it provides stability for our society who fear from the which back then the nature of the court will only see the pribumi and chinese community in the end of the day, we are very proud to propose.

CO (UB)

1st speaker

I will prove 2 extensions

1st why we think TRC is only presumed as a political gesture and will be harm the stability inside this country and,

2nd Why it is right momentum for Jokowi to take such measurement claim [stability] in the forum of [trial] to continue the government system, but before move to contention, I will answer their questions of how to catch the investigation.

This is how the investigation are strong, we will work harder to capture and ask the empower that will be collected like government say.

But even if it is right, even if this is not earlier, for a direct interest for the perpetrator, as at least the government, our stance is clear, we think the government has been ashamed [...]the situation of country in 1998 and this is why we try to fix the situation it will be more harm and this is how it will be better for the stability.

Firstly. Why we presume as political gesture and harmful. Yes, agree, ladies and gentlemen. Because at the end of the day, you create nothing but fame ladies and gentleman, because a lot of society demanding retribution at the end of the day, they will remind the perpetrators or remind you toward the case , but at the end of the day, society will see that its only political tools and political gestures because the government want to avoid the hero of society ladies and gentlemen. They say the court will be politically because you want to benefiting yourself. But this is not exclusive only for both side, ladies and gentlemen. Even in TRC, when we want to get blame, and we do not want to have any involvement for political for example. They will also point finger to another person, ladies and gentlemen, we don't think that it is OK and it is true, ladies and gentlemen. What they need to propose is harm if you just followed of situation, ladies and gentlemen. It's not only enough under the current situation because you create a condemnation because this people in the end of the day know to whom exactly we need to challenge it out, ladies and gentlemen. And it is not good because its not inline with the proporsional punishment from the closing government want to begin with, ladies and gentlemen. The perpetrator will be there and even this thingdo not

want to mingle with everybody for example. Because the action that this people are shows these people are need the most.

POI

You stab the opening opposition because the investigation also will demand your of the pain, plus in the trial will be denied the tragedy that will be much worst [in] your proposal.

I dont think so, I believe that their demand will also ended.. But at the end of the day, to gain a trust from the society, you need to show to what side of the government is stand, ladies and gentlemen. You need to create a tangible need, a tangible impact for the society at the end of the day, that what we mean as closer, ladies and gentlemen. Not only you know, what is the doer at least you told that they are to serve, ladies and gentlemen. Because in the trial of criminal justice system, that it is effective to damage. Even there will be a psychological damage. You can't quantify it in violate our system, ladies and gentlemen. At the end, at least the harm to the society to government at the end more trust in the end of the day. This is why to more, to create a stance that we as the government as jokowi it's the strategic momentum that we are say and this is in the side of government.

Now, second extension, why its right momentum for jokowi exactly to sanction and action, ladies and gentlemen. In this situation, Jokowi administration, you know, from society to compare The Jokowi's policy and Soeharto's policy especially in economic situation which has been strong enough. We think the essence inside of the economic situation, society think that we think Soeharto system is better in terms of economy, ladies and gentlemen. This how society lose the trust toward government in terms the economy situation, ladies and gentlemen. We think, it is that crucial for Jokowi to say that even you know about government system it is not that good, ladies and gentlemen. Every government system will hide this old way and this is not a good way when you try to combat. And they try to show to you that the previous government is evil under the situation that they are try to deny the fact they they are guilty.

We think there is still a link between a previous of the Jokowi's system, right? But this is the way of how Jokowi tries to assure society eventough it still has condemnation, even though it has maybe, it creates a chaos for example, it still better because it will create the stability that we dont want to any point finger that their crime for example. [sin for example. This is why it will be better. Because it will create society trust the most, ladies and gentlemen. Compare in their proposal society will think government deterred, because the government calculate appropriate retribution to society at the end of the day. So our extensions have already proven to you, why TRC is political gesture and create unstability because it is a form of unenough retribution because at the end of the day we need to compare toward what we to propose to you, and the second why it is right momentum for Jokowi to distinct from the previous a current government in this situation. And in this situation, will make society trust the government. So back to closing opposition.

THBT Indonesia should establish a Truth and Reconciliation Commission for the 1998 Tragedy

Gadjah Mada University

OO – Leader

Ladies and gentleman This is not a debate about TRC , this was the debate about civic society who fight for justice to find the truth and reconciliation which providing justice because perpetrators of victim 1998. What we are argue to you as opening opposition are three things:

- 1.we believe in status quo right now we can achieve justice through criminalitation
- 2.provide you justice through court.
- 3.justice also can be done in our side of the house.

So let's going to my point, number one whether or not criminalitation can exist right now . we believe criminalitation can right now because that the current government do not involved in the case of 1998 tragedy. We think since jokowi do not involved in that case , meaning the idea of independent court exist. We believe this court can criminalize the

perpetrators of 1998 tragedy because we have evidence and witness which still alive in status quo right now. We will create independent court to uphold the justice toward the victim. This independent court will have judges not only come from Indonesia but also come from Chinese which mean the idea of fairness toward both of them will exist. Moreover ladies and gentleman why we can establish independent court because we still have the victim in status quo which they can become the witness of this tragedy. The testimony of the people can use as evidence toward the case of 1998 because 1998 tragedy no longer happened in Indonesia. Testimonies of the individuals are still exist, and people are still willing to deliver the testimonies for the victims, and these people are still exist. Imprisoned students are still alive right now, the Chinese are still alive right now, and we want them and we want them to provide a testimony

Second issues why it is more justice and give more closer towards the victim and it matters. First issue, why we shouldn't stop the court, because the victims of 1998 have already known, that these people are guilty, that those individuals are dare to confess or not. And that doesn't change and what need by the victim are fairness and compensation ladies and gentleman. Secondly why TRC is unfair, Because these individuals don't harm at all, ladies and gentlemen, they do not suffer when imprisoned at all. For example they don't suffer like the victim of the rapist for example. Even if there is a judgment, this judgment is not enough at all. It is unfair when we do TRC because victim do not treat proportionate at all. They do not suffer like what Chinese suffer. In TRC it's not financial compensation so it can't pay cost that already create by the perpetrator. For example in 1998, your house being burn. and it force you to move to another place to find a job. Which mean cost opportunity happen to the victim. And that thing only happened when we provide a law

Secondly, we gonna talk about dignity. why dignity is important because the dignity of people who being rape is different with people which not being rapped. This is not provide this kind of things because you don't feel powerful at all. Perpetrators come up and confess and the worst is this perpetrators do not go to TRC at all because they want to hide the fact that they are the victim. Compare with court, in court you will ask actively to involve and participate in that case by giving their testimony and showing to all individuals this perpetrators are guilty, you are guilty and you are in charge to be punish.

But thirdly, the problem of closer needs to be done exclusively. different with court, in court there is also a victim in court, there are victims who don't want to forgive and there is

victims who want to forgive. This proposal cannot attach this mutually exclusive. Why? Because the victims do not want to believe it at all. And we believe it better of our side of the house. So that's why if you want to uphold the fairness vote for opening opposition.

OO - Deputy

They really need to prove the effectivity why then in the very first place, people would like to come up and society acknowledge I am doing this inside of 1998 tragedy. We believe it could not be happened because in our model regardless the particular people will come up and force them to come, we think that is what really happens ladies and gentlemen that I will prove those in my rebuttal. Not only that, country, or the government in general, is so dismissive to all the case brought by Alif and they are really assumptive in generalizing all victims would like to forgive. We believe that damage has felt and some victim is ready to forgive and some victim might not. we believe that not all of Chinese are want to forgive and through closure and to retribute them.

First issues why our court can be done. Opening government believe we can not do this because this is systematic crime crime by the government. We acknowledge that this is a systematic crime, but right now, the one who leads the government is different, ladies and gentlemen. It's Jokowi who leads the government that do not involving with previous government and has no political tight at all with people who are willing in 1998 or any before Jokowi, like SBY or Megawati or who other president who do not want do this because they afraid to considered as a fail government. Not to mention, this is already concept of new government that willing to push investigation to them. It can be done because all of evident and documentation still exist. This people also guilty they also say TRC is effective, that can make them show up. Who want to show up in public with title im a perpetrator. Even if they show up they want to apologize we dont think so. I believe that I won't apologize.

Second issue, about their precaution we will engage with their case. Ladies and gentlemen, it also can be backed up with trials, in order to prove this people guilty, evidence, documentation all of the picture still exist. If people is guilty they can show theirself and this thing still exist in our proposal. This is effective it is matters to make people show up because they would exaggerating from punishment. If it is matter, they will show up, but we dont think it will happen who wants to appear on public that I am a perpetrators that I am a rassist. This

people might think that , even if they show up will they want to apologize we dont think so.better in our model, because regardless the perpetrators appear or not there will be such investigation by independent court, guilty is simply not enough .in our model is most effective this victim can be retribute.

Second closure of the victim.they said about they are guilty and we need to move on .it is much better in in trials because in this case they are criminal.better closure in trial because after this nothing happened to this perpetrator and they simply walk away and they still continue their life as normal people. Exactly in our model that this people would be punish and bring to the justice. Before that we think indonesia always prioritize justice because justice in jokowi era might be working. Even we know who they are , we let them go away as innocent. In jokowi era justice will be uphoalded take look example in the case of east timur conflict, even indonesia establish court in that conflict because indonesia government do not compromise justice by making human respondent. In our proposal regardless wherever they run we will find them and we will fight for the victim.

In my extension court will accelerate the trust to current government and create integration to victim. We think in status quo the trust to government is really week because society see that government not do anything toward the perpetrators. The president would see as perpetrators who do not do anything which cause so much damage, compare if we do this society will get the message that jokowi are willing to solve the case of 1998 tragedy not only that the idea of integration will exist because we show that government are willing to punish pribumi.that government willing to punish society and this thing not happened in trc.I think the job we can do is to allow UGM, I rest my case.

