

Dormant



People walk past ticket counters at the Kampung Rambutan Inter-city Bus Terminal in East Jakarta on Wednesday. The government has banned the Idul Fitri tradition of *mudik* (exodus) this year starting on Friday, effectively halting the operation of intercity buses.

Justice activists concerned over spike in death sentences

Critics accuse courts of rushing legal process

Galih Gumelar

The Jakarta Post/Jakarta

The staggering increase in capital punishment verdicts last year has fueled criticism of Indonesia's justice system, with activists accusing judges of ignoring basic human rights and underlining the ineffectiveness of the death penalty in reducing crime.

As many as 80 death sentences were meted out by Indonesian judges in 2019, a 66 percent increase from 48 such sentences in 2018, according to an annual report by Amnesty International published this week.

Sixty of the sentences were handed down for drug-related crimes, while serious criminal offenses such as terrorism, murder and sexual abuse against children account for the rest.

Institute for Criminal Justice Reform (ICJR) executive director Erasmus Napitupulu said the jump in death sentences was disconcerting, because it seemed that lower court judges were at ease with doling out the most severe kind of punishment.

This has led critics like him to believe that the courts might have rushed through the legal process.

"The increase in verdicts may have occurred because convicts were subject to an unfair trial or weren't given access to legal assistance," Erasmus said dur-

ing a virtual press conference on Tuesday.

Several contentious precedents could support his allegations.

In 2013, then-16-year-old Yusman Telaumbanua was sentenced to death by judges at the Gunungsitoli Court in North Sumatra for three counts of homicide.

The case caught the attention of the Commission for Missing Persons and Victims of Violence (Kontras), which argued that Yusman was undeserving of the death penalty because he was still a minor.

The teen was exonerated after Kontras filed a case review with the Supreme Court that was granted. Yusman left Gunungsitoli prison in 2017 after his sentence was commuted.

Pakistani drug convict Zulfiqar Ali was not as fortunate.

Ali was handed the death sentence in 2005 in what observers called an unfair trial that saw him go to court without legal counsel. He passed away in jail in 2018 after struggling with an undisclosed illness and before he was due to be executed.

With such examples of questionable decisions passed in the lower courts, Erasmus said, he feared that some of these judges might have been emboldened to repeat such mistakes in 2019, and called on them to revisit the

principle of fairness.

"Reassessing those verdicts will increase public faith in the country's justice system," he said.

In addition to making hasty decisions in court, judges were also accused of violating the "right to life" principle stipulated in Article 14 of the United Nations International Covenant on Civil and Political Rights, which Indonesia ratified in 2005.

Erasmus also questioned the tendency to dole out such hefty sentences, even as there continues to be little proof that capital punishment was effective in deterring crime.

The number of drug-related crimes in Indonesia has increased over time, despite the fact that most death sentences were meted against drug convicts, according to Statistics Indonesia (BPS). Based on 2019 BPS data, the number of drug-related crimes in the country increased from 19,280 cases in 2014 to 39,588 cases in 2018.

"Based just on those facts, I don't think that doling out death sentences is still appropriate in this country," the ICJR leader said.

Many countries have abandoned such practices, albeit gradually, said Justitia Veda, a campaigner at Amnesty International Indonesia.

According to the AI report, the

number of capital punishment verdicts globally declined 8.8 percent from 2,531 cases in 2018 to 2,307 in 2019.

Justitia said she failed to comprehend why Indonesian judges seemed eager to hand out more death sentences amidst the declining global trend, especially when the option is limited only to those who commit serious felonies.

Supreme Court spokesman Abdullah rejected claims that lower court judges were doling out unfair sentences to convicts, arguing that they were bound to a strict ethics code and were expected to uphold fairness any decision.

Capital punishment, he added, would remain available for them to use so long as it is stipulated in the country's prevailing laws.

Currently, there are 13 laws that allow judges to mete out death sentences, including the Criminal Code, the 2003 Terrorism Law and the 2009 Narcotics Law.

"If convicts are dissatisfied with their verdicts, they can file for a case review with the Supreme Court so the justices there may commute their sentences," Abdullah told *The Jakarta Post* on Tuesday.

"All legal proceedings have their own processes that the public must abide by."

Jakartans lack awareness of distancing: Survey

Ivany Atina Arbi

The Jakarta Post/Jakarta

The Indonesian Public Opinion Research and Discussion Group (KedaiKOPi) has found in its latest survey that Greater Jakarta residents' awareness of physical distancing measures remains low.

KedaiKOPi executive director Kunto Adi Wibowo explained during a teleconference on Wednesday that the survey's findings were concerning because only a small number of participants had taken precautions to reduce their chance of getting infected or possibly spreading the disease.

Around 32 percent of the survey's 405 participants — spread across Jakarta and its neighboring areas of Bogor, Depok, Tangerang and Bekasi — said they washed their hands frequently. Twenty-five percent of them chose to stay at home to reduce the risk of being exposed to the virus and wore face masks when they left their homes. Only 12.3 percent of the participants practice physical distancing, the survey said.

"The stay-at-home and wash-your-hand campaign apparently is not sufficient to change the behavior of the majority of Greater Jakarta residents," Kunto highlighted, adding that main roads were still crowded with motorists despite the implementation of large-scale social restrictions (PSBB).

The survey further revealed that 35.1 percent of the participants, surveyed between April 14 and 19 by phone, were going about their normal activities during the outbreak.

Kunto demanded more serious measures from authorities, including local figures at the community level, to educate their respective residents on the importance of staying home and adhering to social restrictions to bring the number of COVID-19 cases down.

Indonesia reported 7,775 cases of COVID-19 as of Thursday, 3,517 cases of which were in Jakarta. The number of fatalities reached 647, with 301 cases in the capital city, the COVID-19 epicenter in the country.

Indonesian Medical Association chairman Daeng M. Faqih, who also participated in the teleconference, highlighted the need to impose disciplinary actions during the PSBB for them to be effective.

"We can't merely rely on people's participation. There should be disciplinary actions and monitoring by authorities," Daeng said.



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THE ANNOUNCEMENT OF THE SUMMARY OF THE MINUTES OF ANNUAL GENERAL MEETING OF SHAREHOLDERS OF PT BANK BTPN Tbk

PT Bank BTPN Tbk (the "Company") hereby announces to the Shareholders that the Company has convened the Annual General Meeting of Shareholders (the "Meeting") on Thursday, dated 23 April 2020, at 10:00 to 12:11 Western Indonesia Time, located at Menara BTPN, 27th Floor, Jl. DR. Ibe Anak Agung Gde Agung Kav. 5.5-5.6, Jakarta 12950.

In relation to the Meeting, the Board of Directors of the Company has conducted the following matters:

- To submit notice of the Meeting plan to the Indonesia Financial Services Authority (Otoritas Jasa Keuangan) and the Indonesia Stock Exchange ("IDX") on 9 March 2020 and 23 March 2020;
- To announce the Meeting in the daily newspaper, namely Media Indonesia and The Jakarta Post published in Jakarta, dated 17 March 2020, and uploaded to the Company's website and Indonesian Stock Exchange's website at the same time.
- To announce the notice of the Meeting and its revision in the daily newspaper, namely Media Indonesia and The Jakarta Post dated 1 April 2020 and 2 April 2020, uploaded to the Company's website and IDX website at the same time.

In relation to the effort on the COVID-19 spread prevention, the Company has urged the shareholders for not physically attending the Meeting, but granting authorization to and deliver question through HMWA Law Firm, an independent legal consultant in capital market, that is appointed by the Company.

The Meeting was chaired by Ninik Herlani Masi Ridhwan, Independent Commissioner as well as the chairman of Audit Committee of the Company, in accordance with Articles of Associations of the Company and Circular Resolutions of the Board of Commissioners.

The Meeting is physically attended by:

The Board of Directors	The Board of Commissioners
<ol style="list-style-type: none"> Ongki Wanadjati Dana, President Director Dini Herdini, Compliance Director (Independent) Hanna Tantara, Director 	<p>Ninik Herlani Masi Ridhwan, Independent Commissioner</p>
Shareholders	
<ol style="list-style-type: none"> Sumitomo Mitsui Banking Corporation, owned 7,532,311,297 shares of the Company, represented by HMWA Lawfirm, based upon Power of Attorney 3 April 2020. PT Bank Central Asia Tbk, owned 83,052,408 shares of the Company, represented by HMWA Lawfirm, based upon Power of Attorney 17 April 2020. PT Bank Negara Indonesia (Persero) Tbk owned 12,007,137 shares of the Company, represented by HMWA Lawfirm, based upon Power of Attorney 7 April 2020. Public with less than 5% shares ownership 426,362,127 shares of the Company. 	

The Meeting is attended by using video conference facilities by:

The Board of Directors	The Board of Commissioners
<ol style="list-style-type: none"> Kazuhsia Miyagawa, Deputy President Director Yasuhiro Daikoku, Director Adrianus Dani Prabawa, Director Henoeh Muanandar, Director Merisa Darwis, Director Hirotschi Kubo, Director 	<ol style="list-style-type: none"> Chow Ying Hoong, Vice President Commissioner Irwani Mahjudin Habsjah, Independent Commissioner Takeshi Kimoto, Komisaris <p>Pihak Independen Public Accountant Firm Siddharta Widjaja & Rekan</p>

The Company has (i) appointed Independent Party to calculate the quorum and voting tabulation, namely: Ashoya Ratam, SH, Mkn as Public Notary and PT Datindo Entycom as the Share Administration Bureau; and (ii) provide the Meeting's code of conduct to the attending shareholders and read out the principles of the code of conducts before the Meeting begins.

In accordance to the Shareholders Registry as of 31 March 2020, the total number of entitled shares is 8,053,732,969 shares (not including the treasury stock amounting to 95,198,900 shares). The number of shares with voting rights that attended (or being represented) the Meeting was 7,628,613,815 shares or approximately 94.72% of the total shares issued by the Company. As such, this has fulfilled the required quorum for decision making of the first to seventh Meeting's agendas namely more than 1/2 of the total issued and paid up shares by the Shareholders with valid voting rights and ninth agenda of the Meeting namely more than 2/3 of the total issued and paid up shares by the Shareholders with valid voting rights. The Meeting is therefore legitimate to be held and adopted the following resolutions:

First Agenda

- To approve the Annual Report of the Board of Directors of the Company for the year 2019;
- To approve the Annual Supervisory Report of the Board of Commissioners of the Company for the Year 2019;
- To approve the Company's consolidated financial statements for 2019 which have been audited by the Registered Public Accountants Firm Siddharta Widjaja & Rekan, member of KPMG International, with an unmodified opinion which includes explanatory paragraphs about restatement of the comparative information, and that the comparative information before restatement were audited by other auditors, in its report No. 00090/2-1005/AU-1107/0851-11/10/2020 dated 23 March 2020; and
- To acquit and discharge (voldigedig acquit en de charge) all members of Board of Directors and Board of Commissioners of the Company for all actions taken by them in management and supervision of the Company during the financial year 2019 provided that the management and supervision actions were reflected in the said Annual Report and Financial Statements of the Company for the financial year 2019 and in compliance with prevailing regulations.

No questions was raised by the Shareholders

The detail of Voting Tabulation: Against 0 shares or 0%; Abstain 340 shares or 0.00%; Agree 7,628,613,815 shares or 99.99%.

Voting Tabulation: unanimously approved by 7,628,613,815 shares or 100%

Second Agenda

- To approve the Determination on the appointment of the Company's Net Profit for the financial year of 2019 in the total amount of IDR2,572,527,531,652 (two trillion five hundred seventy two billion five hundred twenty seven million five hundred thirty one thousand six hundred fifty two rupiah) to be allocated as follows:
 - Reserved Fund
The amount of IDR 9,234,246,916 (nine billion two hundred thirty four million two hundred forty six thousand nine hundred sixteen rupiah) will be set aside/booked as a Mandatory Reserve Fund to comply with the Article 70 of Company Law, in addition of the Company's current reserves amounting to IDR 23,361,468,560 (twenty three billion three hundred sixty one million four hundred sixty eight thousand five hundred sixty rupiah) as of 31 December 2019, so that total amount of Company's reserves is IDR 32,595,715,476 (thirty two billion five hundred ninety five million seven hundred fifteen thousand four hundred seventy six rupiah) or 20% (twenty percent) of the Company's issued and paid up capital as of 31 December 2019;
 - The remaining Net Profit of the Financial Year of 2019 is in the amount of IDR2,563,293,284,736 (two trillion five hundred thirty three billion two hundred ninety three million two hundred eighty four thousand seven hundred thirty six rupiah) will be booked as retained earnings of the Company.

Question was raised by the shareholders representative in relation to the Company's intention for not distributing dividend, which was answered by Mr. Ongki Wanadjati Dana, the President Director of the Company, that there are 2 factors must be complied, make the Company become the BUKU IV bank, first the shareholders should increase the issued/paid up capital second to increase the retained earning. The Company choose the second step to make the Company as the BUKU IV bank.

The detail of Voting Tabulation: Against 13,300 shares or 0.00%; Abstain 300 shares or 0.00%; Agree 7,628,600,215 shares or 99.99%.

Voting Tabulation: unanimously approved by 7,628,600,215 shares or 99.99%

Third Agenda

- With reference to Decree of the Board of Directors of PT Bursa Efek Indonesia Number Kep-0001/BEI/01-2014 dated January 20, 2014 concerning the Amendment of Regulations of IDX No.1-A concerning Listing of Shares and Equity-Type Securities Other Than Shares Issued by The Company which has been revoked by the Decree of the Board of Directors of PT Bursa Efek Indonesia Kep-010/BEI/2-2018 dated December 26, 2018 concerning Listing of Shares and Equity-Type Securities Other Than Shares Issued by The Company, thus the Company state that the designation of independent director or non-affiliated director is no longer applicable.
- To accept resignation of Mrs. Mari Eka Pangestu from her position as President Commissioner (Independent) of the Company effectively as of 1 March 2020, and to thank her for services during her term of office and states that the position left vacant for a while, until the next Extraordinary General Meeting of Shareholders of the Company related to the appointment of a substitute for President Commissioner, by appointing Mr. Darmadi Sulanto as Deputy President Director of the Company which shall be effective subject to and on the date of when obtaining approval of Fit and Proper Test from Financial Services Authority (OJK).
- To appoint Mr. Darmadi Sulanto as Deputy President Director of the Company which shall be effective subject to and on the date of when obtaining approval of Fit and Proper Test from Financial Services Authority (OJK).

Therefore, the composition of the Board of Directors and the Board of Commissioners of the Company as of 1 March 2020 is as follows:

The Board of Directors	DEWAN KOMISARIS
President Director : Ongki Wanadjati Dana	President Commissioner (Independent) : Vacant
Deputy President Director : Kazuhsia Miyagawa	Vice President Commissioner : Chow Ying Hoong
Compliance Director : Darmadi Sulanto*	Commissioner : Takeshi Kimoto
Director : Yasuhiro Daikoku	Independent Commissioner : Ninik Herlani Masi Ridhwan
Director : Henoeh Muanandar	Independent Commissioner : Irwani Mahjudin Habsjah

Jakarta, 24 April 2020
PT Bank BTPN Tbk
Board of Directors