

JAK-POST, 16/3/18.

Govt opposes Aceh plan to behead murderers

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THE JAKARTA POST / BANDA ACEH

The central government has warned the Aceh administration against introducing beheading as a punishment for murder under its sharia law system, saying the province did not have the legal authority to do so.

The administration's plan to implement *Qisas* (retributive justice) through beheading has been met with a chorus of criticism from human rights activists who have long campaigned for the abolishment of the death penalty in the country.

Law and Human Rights Minister Yasonna Laoly said the death penalty stipulated in the Criminal Code only recognized executions carried out by firing squads under the order of the Attorney General's Office (AGO).

"The Criminal Code is higher because it is a national law and a bylaw cannot regulate [capital punishment]. There is a limitation on the drafting of punishments in bylaws," Yasonna told reporters on Thursday.

"We will look into this plan," he added.

Aceh, the only province in the country to be ruled under sharia law, has frequently made international headlines for carrying out public canings of convicted adulterers, homosexual people and gamblers.

As if such a punishment was not harsh enough, the provincial administration said it was considering introducing *Qisas* to create a deterrent effect to committing murder.

Aceh Islamic Sharia Agency (DSI) head Munawar Jalil said the idea of beheading murderers was still in its early stages and that the agency had yet to make a draft by-law on its implementation.

Munawar said that a study on the implementation of beheading was launched after Aceh Governor Irwandi Yusuf called for the execution of the perpetrators of a murder of a family in Banda Aceh last January.

"If we are referring to Islamic Law, capital punishment is called *Qisas* and a murderer must be killed," Munawar said on Thursday.

On Jan. 8, local authorities discovered a family of three of Chinese descent dead in their shop-house in Kuta Alam district, Banda Aceh. The murder occurred less than a month after an elderly woman was found murdered in North Aceh on Dec. 22 last year.

Munawar, however, admitted the process of implementing *Qisas* in Aceh would take time as it required a special study to assess the plan, similar to the years taken before Aceh's *qanun jinayat* (Islamic criminal code) was fully enforced.

Aceh enacted its first fully fledged *qanun jinayat* in 2009. It initially imposed the punishment of death by stoning on adulterers. The Criminal Code was later revised in 2014 to scrap the provision on stoning following criticism from rights activists and pressure from the central government.

Separately, Abdulah Saleh, head of the legislative body of the Aceh Regional Representatives Council, said the body was awaiting the proposal from the provincial administration.

"If the people of Aceh ask for [the *Qisas*], we must accommodate [their request]," Abdulah said, adding that it would be possible for the province to implement *Qisas*.

Amnesty International immediately lambasted the plan, arguing that the administration's claim that beheading would create a deterrent effect and stop murder was baseless.

"The Aceh administration cannot use its special autonomous status to introduce laws and policies that flagrantly violate human rights," Amnesty International Indonesia director Usman Hamid said.

Usman went on to call for the central government to intervene and order the Aceh provincial administration to abandon its plan.