

# AMNESTY INTERNATIONAL PUBLIC STATEMENT

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## **Indonesia: President must not undermine efforts to seek truth, justice and reparation for serious human rights violations**

On 24 March, as people around the world mark the International Day for the Right to the Truth Concerning Gross Human Rights Violations and for the Dignity of Victims, Amnesty International, KontraS (the Commission for the Disappeared and Victims of Violence) and KontraS Aceh are concerned about the ongoing failure of the Indonesia government to ensure that victims and their families receive truth, justice and reparation for the violations they have suffered. Our organisations call on the Indonesian President Joko Widodo to fulfil the government's obligations under international law and his commitments - made on Indonesia's Independence Day in 2015 - to "address past human rights violations so that future generations in Indonesia would not continue to bear the burden of history".

Serious human rights violations, including unlawful killings, enforced disappearance, torture and other ill-treatment, rape and other crimes of sexual violence occurred under President Suharto's rule and during the reform period (from 1998) including the mass violations in 1965-66, the 1998 May riots, and the conflicts in Aceh, Papua and Timor-Leste.

Despite demands by NGOs and victims for the alleged perpetrators to be brought to justice, President Widodo has instead announced the establishment of a non-judicial mechanism to resolve all past human rights violations. According to the Attorney General the 'reconciliation committee' was decided as there is insufficient evidence for these cases to be brought to the Human Rights Court under Law No. 26/2000. On 17 March, the Coordinating Minister for Politics, Legal and Security Affairs Luhut Pandjaitan stated that the government aims to settle past serious human rights violation cases by early May through this mechanism.

Victim groups remain concerned that this process may prioritize reconciliation over efforts to deliver truth and justice. The establishment of this mechanism does not change Indonesia's obligations under international law to investigate and, if sufficient admissible evidence exists, prosecute those responsible for grave human rights violations and crimes under international law, in fair trials without recourse to the death penalty. This mechanism also does not replace the government's obligations to implement victims' rights to truth and full and effective reparation to address the harm they have suffered.

Amnesty International, KontraS and KontraS Aceh are also concerned about the ongoing failure by the Indonesian authorities to establish a National Truth commission and its lack

of support for initiatives to establish a local truth commission in Aceh for human rights violations that occurred during the conflict which left between 10,000 and 30,000 dead, many of them civilians. Despite this, in December 2013 the Aceh legislative council passed the Aceh Truth and Reconciliation (TRC) bylaw to establish a truth commission, offering hope for victims and their family members. Currently there is an ongoing selection for the Aceh TRC's commissioners.

Victims of serious human rights violations have a right to truth. Truth commissions are an important step towards understanding the circumstances that led to past violations, learning from the past to ensure that such violations will not be committed again, and ensuring that shared experiences are acknowledged and preserved. Truth commissions can also play an important role in providing a full account of past human rights violations, contributing to their investigation and eventual prosecution, preventing their repetition, and ensuring that victims and their relatives are provided with full and effective reparation.

Over the last year the authorities have also attempted to silence public discussions in many areas of Indonesia, and disband events, particularly related to the mass 1965-66 human rights violations. In October 2015, the Ubud Writers and Readers Festival in Bali removed three panel sessions related to the 50<sup>th</sup> anniversary of the human rights violations after authorities threatened to revoke their permit. The authorities also banned numerous screenings of the film "Look of Silence", a documentary film about the victims and perpetrators of the 1965-66 human rights violations.

In March 2016, the police banned a cultural festival "*Belok Kiri* (Turn left)" in Jakarta which sought to highlight the role of leftist activists in the history of Indonesia, including during 1965-66. In the same month, the police also banned a screening of a documentary film about Buru Island where around 10,000 prisoners from the 1965-66 period were imprisoned without trial and were subjected to forced labour.

These actions are a clear restriction on the rights to freedom of expression and assembly.

Amnesty International, KontraS and KontraS Aceh believe it is time that the Widodo administration face the past and take long overdue measures required to provide the victims and their families with truth, justice and full reparation. President Widodo should make a public call to end to all forms of restrictions against public discussions on any past human rights violations and ensure that the government starts listening to victims and their families instead of suppressing their voices.