

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Indonesia: Investigate military attacks on villagers in Wamena, Papua

The Indonesian authorities must ensure a prompt, independent and impartial investigation into reports of unnecessary and excessive use of force including firearms by security forces in Wamena, Papua province.

In the afternoon of 6 June 2012, two soldiers on motorcycles reportedly ran over and injured a 3 year-old child playing by the side of the road in the village of Honelama in Wamena. Villagers who witnessed the incident chased the soldiers and stabbed one to death and injured the other.

In retaliation, two trucks of soldiers from army battalion Yonif 756/Wamena arrived at Honelama village not long after and reportedly opened fire arbitrarily on the village killing one person, Elinus Yoman. According to reliable local sources, soldiers also stabbed around a dozen people with their bayonets. In addition, soldiers reportedly burned down dozens of homes, buildings and vehicles during the attack. Many of the villagers have fled the area and are afraid to return to their homes.

Amnesty International acknowledges the difficulties faced by security forces in Indonesia, especially when confronted with violence. Persons suspected of committing violent crimes, including against members of security forces, must be brought to justice. However, suspects must be identified individually for arrest and prosecution in accordance with the law – there is no place for collective punishment and random, vindictive violence.

The power of law enforcement officials to use force is restricted by relevant international human rights law and standards, the basis of which is the need to respect and protect the right to life. This right is provided for in Article 6 of the International Covenant on Civil and Political Rights (ICCPR), to which Indonesia is a state party, which also provides that this right must never be derogated from, including in times of emergency. The right to life is also provided for in the Indonesian Constitution.

If the investigations find that the security forces committed unlawful killings or used force unnecessarily or excessively, then those responsible, including persons with command responsibility, must be prosecuted in civilian courts in proceedings which meet international standards of fairness. Victims must be provided with reparations.

Credible reports of human rights violations committed by the security forces continue to emerge in the provinces of Papua and West Papua, including torture and other ill-treatment, unnecessary and excessive use of force, including firearms, and unlawful killings.

Despite a public commitment made by President Susilo Bambang Yudhoyono in February 2012 that cases of human rights violations would be “legally processed and perpetrators penalized”, investigations into reports of abuses by security forces are rare and only a few perpetrators have been brought to justice.

The lack of accountability is exacerbated by the failure to revise the Law on Military Tribunals (Law No. 31/1997). Military personnel charged with human right offences are tried in military

courts. Amnesty International has expressed concerned about the lack of independence and impartiality of these trials.

Amnesty International urges the Indonesian government to address the culture of impunity in Papua by taking the necessary steps to ensure that all security forces responsible for human rights violations are held accountable. The government must also immediately revise the Law on Military Tribunals so that military personnel suspected of offences involving human rights violations can be investigated and tried in an independent civilian judicial system and victims and witnesses provided with adequate protection.