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Indonesia: Authorities must investigate unnecessary and excessive use of firearms by security forces in Papua

The Indonesian authorities must ensure a prompt, impartial and effective investigation into the unnecessary and excessive use of firearms by security forces that led to the deaths of at least two Papuans and injuries to three others.

According to credible sources, on the morning of 13 April 2011 police officers from the Moanemani sub-district police (Polsek) raided a gambling operation at the Moanemani Market Complex in Dogiyai district in Papua province, seizing money belonging to Dominokus Auwe, aged 27. Later that morning when Dominokus Auwe visited the Moanemani sub-district police station to ask about his money, the police reportedly shot him in the chest and head, killing him in front of the station. Police continued shooting and injured two other men who had followed Dominokus Auwe. Albertus Pigai, aged 25, was shot in the ribs, while Vince Yobe, aged 23, was shot in the chest. Another man in the vicinity, Matias Iyai, aged 27, was also shot in the leg and foot.

In reaction to the shootings, at about 2pm, local Papuans in the area burnt down the Moanemani sub-district police station and the police barracks. They also attacked and injured a number of police officers.

In response, police Mobile Brigade (Brimob) and military units were mobilized from Nabire and other districts to Moanemani sub-district to conduct joint operations in the area from 13 to 15 April 2011. Alwisius Waine, aged 25, was reportedly shot during these operations. His body was found on the road near Ikebo village, Moanemani sub-district in the early morning of 14 April 2011, with a bullet wound in his chest. During the operations at least five houses were burnt down, reportedly by security forces. Many villagers have fled into the jungle.

Amnesty International acknowledges the difficulties faced by security forces in Indonesia, especially when confronted with violence. However, the power to use force is restricted by relevant international human rights law and standards, the basis of which is the right to life. This right is provided for in Article 4 of the International Covenant on Civil and Political Rights (ICCPR), to which Indonesia is a state party, and in the Indonesian Constitution.

The UN Basic Principles on the Use of Force and Firearms state that law enforcement officials must apply non-violent means before resorting to the use of force and firearms. Intentional lethal use of firearms may only be used when strictly unavoidable in order to protect life.

Further, the 2009 Indonesian Police Regulation on the Use of Force highlights the need to respect the principles of legality, necessity and proportionality when using force, and provides a framework for police accountability when using force.

If the investigations find that there was unnecessary or excessive use of firearms by the security forces, then those responsible, including persons with command responsibility, should be prosecuted in proceedings which meet international standards of fairness, and victims provided with reparations.

In June 2009 Amnesty International published a major report, *Unfinished Business: Police Accountability in Indonesia* (Index: ASA 21/013/2009). The report highlighted the current weaknesses in existing internal and external police accountability systems, which contribute to the impunity of the Indonesian police.

In November 2009, Amnesty International and Indonesian NGO KontraS (The Commission for “the Disappeared” and Victims of Violence) sent a letter to the Police Chief of Papua on unchecked abuses in Nabire district, including excessive use of force, torture and other ill-treatment, and unlawful killings (Index: ASA 21/024/2009). To Amnesty International’s knowledge, there have been no investigations into the cases raised in the letter.

This incident once again highlights the need for the establishment of an external police oversight mechanism that is operationally independent from the government, political influence and the police itself. Its mandate should empower it to receive complaints; carry out effective investigations; and refer cases to the Public Prosecutor or to the police internal disciplinary body. Existing bodies such as the National Police Commission and the National Human Rights Commission are largely inadequate to deal effectively with public complaints about ongoing police abuses, and bring justice and reparations to the victims.