

# AMNESTY INTERNATIONAL

## PUBLIC STATEMENT

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### **Indonesia: Investigate allegations of torture and other ill-treatment by police in West Sumatra**

The Indonesian authorities must proceed with a prompt, independent, impartial and effective investigation into allegations of torture and other ill-treatment and the unnecessary use of firearms against two men in Padang, West Sumatra. The findings of this investigation should be made public and those suspected of involvement, including those with command responsibility, must be brought to justice and victims receive reparations.

Oki Saputra, aged 19, was reportedly arrested by the police at about 1.30pm on 6 February 2014, and taken to the South Padang sub-district police station (Polsek) on suspicion of being involved in a violent robbery. During his interrogation a police officer allegedly hit him using a piece of wood and used an electrocution device to extract a confession. He was then taken to the Padang city police station (Polresta) where he was punched and beaten in the chest and head.

Later that day police also arrested Andi Mulyadi, aged 19, for the same case. He was also taken to the Padang city police station (Polresta) where both men were reportedly beaten by the police to obtain confessions. Later that night, they were taken to separate locations in Padang where they were shot at by the police. The police reportedly fired six times at Oki Saputra with three bullets hitting his right leg and Andi Mulyadi was shot once in the right leg. They were then taken by the police to the Bhayangkara hospital for treatment and detained there. Police have claimed that the two men were shot at when trying to escape.

This incident is the latest reminder that the use of torture and other ill-treatment by law enforcement officials in Indonesia remains persistent. There are often no independent investigations, and those responsible are rarely brought to account before an independent court.

The failure to criminalize acts of torture in the Indonesian Criminal Code (KUHP) contributes to this culture of impunity. Amnesty International urges the Indonesian parliament to revise and enact at the earliest opportunity a new Criminal Code that complies with international human rights law and standards and includes provisions explicitly prohibiting and punishing acts of torture. Further, parliament should ensure that revisions to the Criminal Procedure Code explicitly prohibit the admissibility of any evidence elicited as a result of torture or other ill-treatment. Both pieces of legislation have been under revision for many years.

The government must also review the country's accountability mechanisms for dealing with alleged human rights violations by the police. Mechanisms such as the National Human Rights Commission and the National Police Commission have proven ineffective in handling such complaints. Amnesty International calls for the setting up an independent police complaints mechanism that can receive and effectively document allegations from the public. This mechanism should have the competence to submit its findings to the Public Prosecutor.

As a state party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT), Indonesia is must ensure that torture and other ill-treatment is prohibited in all circumstances.

Furthermore, in accordance with international standards included in the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, the arbitrary or abusive use of force and firearms by law enforcement officials should be punished as a criminal offence under national law.