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Opening remarks at Jakarta press conference for the report “Time to face the past” on Aceh conflict

On 18 April 2013, Amnesty International launched the report “Time to face the past” on Indonesia’s Aceh conflict. These are the opening remarks made by Isabelle Arradon, Amnesty International’s Deputy Asia Pacific Director, at the report’s press launch in Jakarta.

Thank you all for coming. I would like to start by thanking the people sitting up here with me – Murtala, a survivor of the Simpang KKA tragedy, when the Indonesian military killed dozens of civilians in North Aceh in 1999 with total impunity. Also sitting up here with me is Gilang, the head of KontraS Aceh. Gilang, along with others such as members of the human rights organization Koalisi NGO HAM, works tirelessly with relatives of victims of enforced disappearances in Aceh. Let me also thank Haris Azhar, the Coordinator of KontraS in Jakarta, whose organization continues to highlight how little Indonesia has actually done to address past human rights violations, to reform the security sector and to promote the rule of law since the start of the democratic transition in 1998.

As you know, we are here today to launch Amnesty International’s new report on Indonesia, “Time to face the past – Justice for past abuses in Indonesia’s Aceh province”. This report, based on new Amnesty International research conducted in May 2012, deals with an issue that is relevant not just in Aceh but to Indonesia as a whole – that is, addressing past human rights violations and ensuring that the rights of victims are fulfilled. To date, not enough has been done to ensure genuine and sustained improvements to human rights and the rule of law in Indonesia.

The Aceh conflict between the independence movement GAM and the Indonesian government dated back to the mid-1970s, but reached its high point of violence between 1989 and 2005 when military operations were conducted in the province. It took a devastating toll on the people – between 10,000 and 30,000 were killed in Aceh, many of them civilians.

Both the Indonesian military and GAM perpetrated serious human rights abuses during the conflict. According to official investigations, the vast majority of these abuses were carried out by members of the security forces and their auxiliaries. They included unlawful killings, enforced disappearances, torture, forcible displacement of civilians, arbitrary arrest and detention of those suspected of supporting GAM. Human rights abuses committed by GAM included hostage-taking and the targeted killing of suspected informers, government officials and civil servants.

Although rarely labeled as such, many of these abuses constitute crimes under international law. That is: torture, extrajudicial killings, enforced disappearances, possible war crimes and crimes against humanity. They are violations against the international community as a whole, and it is the duty of all states to provide an effective remedy to victims for these crimes.

I myself lived in Aceh for parts of the conflict, and witnessed the enormous impact years of violence had on people’s lives.

When the peace agreement was signed in 2005 parliamentary and military officials stressed the need to forget about the past in order to be able to move forward and not to disrupt the peace process.

But today, almost eight years after the conflict’s end, the security situation in Aceh is relatively stable. It is now time to deliver on past commitments, and to ensure truth, justice and reparation for victims and their families. It is also important for the international community as a whole, and in particular EU and ASEAN member states who monitored the peace agreement, to not forget about Aceh and to support this process.

Many victims and their representatives we talked to in 2012, and again this week, welcome the improved security situation in Aceh, but they can't understand why their rights to truth, justice, and reparation are being ignored.

On the whole, the Indonesian government has failed to address the crimes committed during the conflict, and the international community has stayed silent. The 2005 peace agreement called for a Truth and Reconciliation Commission and a Human Rights Court for Aceh to be established. But today, neither of these bodies has been set up.

Furthermore, with very few exceptions, none of those guilty of human rights violations during the conflict have been put to trial. The few trials of members of the security forces were before military courts or joint civilian-military courts, which lacked transparency and were wholly inadequate. Also, trials of suspected GAM members did not meet international fair trial standards. Since 2005, not a single case related to abuses during the Aceh conflict has been prosecuted.

Hundreds of families and individuals, like Murtala who is with us today, are still in the dark about what happened to "disappeared" loved ones, which increases their suffering. Until now none of the official investigations into past human rights abuses during the Aceh conflict, including those led by Komnas HAM, have been made available to the public.

In a positive step, the Indonesian authorities have made some efforts to assist victims financially following the conflict, however many victims demand more. They call for a proper reparation programme linked with past human rights abuses, and an acknowledgement from the government that they have suffered – for example through a formal and public apology. It is shocking that women survivors of sexual violence have been forgotten, and continue to struggle to access proper care and assistance.

The lack of truth, justice and an adequate reparation programme also has an impact on law and order in Aceh, as well as Indonesia as a whole. With human rights violators walking free, there is nothing to prevent them from being put in a position where past abuses can simply be repeated. The recent extrajudicial killings by members of Kopassus forces in Java are a stark reminder that failure to comprehensively reform institutions and combat impunity can lead to new abuses.

Victims in Aceh are worried that the conflict could start again because of tensions within communities. It is one of Indonesia's poorest provinces, where many young people grow up with very limited economic opportunities. Although the security situation is stable in Aceh today, that does not mean that it will always remain so. If peace is not accompanied by justice, there is a real risk of rising tension and resentment that can lead to a resumption of violence.

But with truth, justice and reparation, the peace process can not only be supported, it can be strengthened. We are here today to call on the Indonesian authorities to deliver on their 2005 commitments and to fulfill their human rights obligation. There are concrete steps that would make a real difference in the lives of victims and their relatives in Aceh. Amnesty International recommends that Indonesian authorities, with the support of the international community:

- Acknowledge that serious human rights abuses, including possible crimes against humanity and war crimes, were committed during the Aceh conflict.
- Establish a truth commission that meets international standards without delay both for Aceh and for Indonesia as a whole.
- Ensure that immediate measures are taken to reveal the fate and whereabouts of victims of enforced disappearance.
- Investigate and prosecute all those responsible for crimes under international law.
- Establish a programme to provide full and effective reparation to all victims of human rights abuses in Aceh.

Over the past few days, we have met authorities in both Banda Aceh and Jakarta who have recognized that efforts to ensure truth, justice and full reparation in Aceh have been stalled. Now it remains to be seen whether there is enough political will – locally, nationally and internationally – to take concrete steps to address the situation.

Thank you.