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*Indonesia: Aceh dialogue must lead to an end to impunity*

*Hopes for durable peace in Aceh can only be realised if backed by measures to protect the civilian population from human rights violations, Amnesty International said as the Indonesian government and the Free Aceh Movement (GAM) are due to sign an agreement in Geneva today aimed at ending violence in the province.*

*"Any peace initiative will be judged by its effectiveness in stopping the daily killings, 'disappearances', torture and arbitrary arrest of ordinary people in Aceh for which both sides have been responsible," said Amnesty International*

*"While an end to the violence is the immediate priority, the dialogue process will only have a chance of success if past violations are also addressed."*

*The Government's failure to deal with the thousands of documented cases of violations in Aceh -- the majority of which were committed by its own security forces during counter-insurgency operations over the last decade -- has fuelled resentment in the province and provided fertile ground for the growth of violent opposition.*

*The Free Aceh Movement will also need to cooperate with any investigation of abuses committed by its members. In turn the*

government will need to guarantee the rights to fair trial of any GAM members suspected of involvement in abuses.

Pressure for the security forces to be held to account led to a government investigation which recommended that five cases should be brought to trial.

"Resolving these five cases would be a good step forward if all of those involved were brought to trials that met with international standards of fairness," Amnesty International said. "Moreover, selecting five isolated cases does not address the broader patterns of violations and the policies which have allowed the Indonesian security forces to kill, abduct and torture with almost total impunity in Aceh for over two decades."

Concerns are already emerging in the first trial, in which 23 soldiers and one civilian are charged with murdering a Muslim cleric -- Tengku Bantaqiah -- and 56 of his followers in July 1999, which is currently in progress.

The most senior ranking officer charged -- a Lieutenant Colonel -- is missing. All the remaining defendants are of the rank of Captain or below, even though evidence has emerged which points to the responsibility of at least two other commanding officers in issuing orders or directing the operations which led to the killings.

Trials in Indonesia frequently fail to meet with international fair trial standards. In trials involving the security forces, it is generally only lower ranking members who are prosecuted. Under international law, responsibility does not only lie with those who carry out the orders but with their superiors who issue them or fail to take action to prevent such acts.

*Amnesty International is also concerned about the composition of the court and the possibility that this may impede independence and impartiality. The trial is taking place in a koneksitas (inter-connectivity) court which consists of a mixed panel of military and civilian judges.*

*Further concerns include reports that Tengku Bantaqiah's family have been subjected to intimidation and harassment, and that lack of protection is discouraging them from appearing as witnesses.*

*"The situation in Aceh illustrates the destabilising effect of impunity – without resolving past human rights violations prospects for peace and stability is undermined."*

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