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Indonesia: Paniai shootings -- make investigation findings public and bring perpetrators to justice

The Indonesian authorities must ensure that the new investigation team formed on 7 January by the National Human Rights Commission (Komnas HAM) into the security forces' use of lethal force against protesters in Paniai, Papua, a month ago, as well as all other investigations, are conducted thoroughly and impartially, and the findings made public.

In many previous instances in Papua, investigations into human rights violations by security forces including unlawful killings, unnecessary and excessive use of force, and torture and other ill-treatment, have been delayed, dropped, or their findings buried, leaving victims and their families without access to truth, justice and reparations.

On the morning of 8 December 2014, at least four protesters were killed and over a dozen injured when security forces, both police and military, allegedly opened fire on a crowd that was protesting at the Karel Gobai field located near the Paniai District Military Command (Koramil) in Papua province. The crowd had gathered to protest against soldiers from the Special Team Battalion 753, who had allegedly beaten a child from Ipakije village the night before, who had to be hospitalised.

The police and military authorities have reportedly each set up their own internal investigations into the incident. In addition, in the latter part of December, while on a visit to Jayapura, Papua, for Christmas celebrations, President Joko Widodo promised to set up a fact finding team.

An initial investigation was also carried out by Komnas HAM which has since announced the formation of the "Paniai Incident Investigation Team" (*Tim Penyelidikan Peristiwa Paniai*) which will involve various actors including from civil society. According to the commission's initial findings, the security forces had used live ammunition and firearms in dispersing the crowd, but there was no evidence that the crowd presented any threat to security personnel.

Under international law and standards, law enforcement officials may use force only when strictly necessary and to the extent required to carry out a legitimate law enforcement objective; they must not use firearms except in defence against an imminent threat of death or serious injury. Arbitrary or abusive use of force by police or other security forces carrying out law enforcement duties must be punished as a criminal offence under the law.

The investigations into the Paniai shootings must be carried out impartially and thoroughly and without undue delay, and their findings made public. Amnesty International urges Komnas HAM to coordinate with the Witness and Victims Protection Agency to ensure the safety and security of witnesses and victims from Paniai who have been traumatised by the shootings and have also reportedly been subjected to threats and intimidation.

Any members of the security forces found to be responsible for human rights violations, including persons with command responsibility who gave unlawful orders or who knew or should have known that those under their command were resorting to unlawful use of force and who did not take measures to prevent it, must be prosecuted in civilian courts in proceedings which meet international fair trial

standards, without recourse to the death penalty. Further, if there is evidence of 'gross human rights abuses', prosecutions should be carried out via the Human Rights Courts as provided for by law.

The authorities must also ensure that victims and their families receive full and effective reparations, including compensation.

Amnesty International has documented numerous cases of human rights violations by Indonesian security forces in Papua and other parts of the country, that have been swept under the rug with no investigations or prosecutions. The new administration, under President Joko Widodo must reverse this trend with the Paniai case and signal an end to the climate of impunity.