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Indonesia: Kopassus conviction small step towards ending impunity

The conviction of eight Kopassus (Special Forces Command) soldiers today is a step towards ending impunity in Indonesia, but also highlights how military courts are not fit to try its own soldiers for human rights violations, Amnesty International said.

Three Kopassus soldiers were convicted of the premeditated murder of four unarmed detainees at Cebongan prison outside Yogyakarta on 23 March this year and sentenced to between six and 11 years' in prison. The men will be appealing their sentences.

Another five soldiers were given shorter sentences for assisting the main perpetrators, with sentences against four more soldiers expected tomorrow.

"While today's verdict provides some justice for the families of the victims, much more needs to be done to address ongoing impunity and reform the military," said Isabelle Arradon, Amnesty International's Deputy Asia Pacific Director.

"Military courts should never be used to try its own soldiers for human rights violations – they lack independence and impartiality, in particular in Indonesia where there's a shocking track record of impunity for security forces' past crimes.

"These courts also create an intimidating atmosphere for witnesses. During this trial, there were reports of pro-Kopassus groups being present inside and outside the tribunal on a daily basis – many witnesses said they were scared to testify. These groups also reportedly intimidated the military prosecutors.

"We are also concerned that military investigators failed to follow up on reports that police or other non-military personnel may have been complicit in the crimes. A selective investigation can never provide full justice to victims."

Amnesty International calls on the Indonesian authorities to amend existing legislation to ensure that offences involving human rights violations committed by military personnel, including extrajudicial executions and torture, are clearly defined in law and are tried in independent, civilian courts and not in military tribunals.

"In addition to bringing the perpetrators of these crimes to justice, the authorities must also provide the families of those killed with satisfactory reparations, including compensation, rehabilitation, and guarantees that they will not face reprisals or be targeted again," said Isabelle Arradon.