

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Indonesia: 28 years later, Talangsari victims are still being denied justice

On 7 February, as thousands of victims and victims' families from Talangsari, Lampung mark the 28th anniversary of the serious human rights violations against them and are still demanding justice, Amnesty International is extremely concerned that the Indonesian government is attempting to resolve this and seven other cases solely through the establishment of a non-judicial mechanism. The organization calls on the Indonesia government to ensure that victims and their families receive truth, justice and reparation for the violations they have suffered. The government's repeated failure to ensure that perpetrators are held to account fuels a climate of impunity in Indonesia.

On 7 February 1989 military personnel launched attacks in Cihideung village, Talangsari, Lampung province against a peaceful Islamic community - Jemaah Warsidi – who were accused by the then Indonesian military government of wanting to set up an Islamic state in the country.

Nearly two decades later a judicial inquiry carried out by the National Human Rights Commission (Komnas HAM) found, in July 2008, that at least 130 men, women and children had been unlawfully killed by military personnel, at least 53 people were arbitrarily detained and subjected to torture or other ill-treatment and at least 77 people were forcibly evicted from their village. The inquiry concluded that the Talangsari incident met the definition of “gross human rights violations” defined under Law No. 26/2000 on Human Rights Court and submitted the inquiry report to the Attorney General Office for prosecution before an ad hoc Human Rights Court. However no progress has been reported.

When President Joko Widodo came into power in 2014, hopes were raised that this case along with other cases of “gross violations of human rights” would be addressed by the courts. However their hopes were dashed when his administration including the Attorney General proposed to ‘resolve’ all past serious human rights violations through a non-judicial mechanism, particularly through a ‘reconciliation committee’ – the mandate of which has yet to be fully explained. Amnesty International, national NGOs and victims are concerned that this process may prioritize reconciliation to the detriment of truth and justice.

Amnesty International does not oppose the establishment of the reconciliation committee, providing that it respects the rights of those engaged in the process. However, this mechanism alone cannot effectively fulfil Indonesia's obligations under international law to ensure justice, truth and full reparation to victims.

The crimes committed in Talangsari must be thoroughly, independently and impartially investigated and, if sufficient admissible evidence exists, those suspected should be prosecuted in fair trials, without recourse to the death penalty. Furthermore, it could weaken public confidence that the authorities are serious about addressing the wider culture of impunity in Indonesia and send the wrong message that such acts can be committed without facing any consequences.

Background

The seven cases of "gross violations of human rights", that are proposed by the Indonesia government to be resolved by the reconciliation committee, have been investigated by the National Human Rights Commission under Law No. 26/2000, but have not been fully investigated by the Attorney General's Office or brought to court. These cases include the purge against the alleged communist members and supporters in 1965-1966, the mysterious shootings of alleged criminals in the 1980s, the 1989 Talangsari Lampung killings, the enforced disappearance of anti-Suharto activists in 1997-1998, the Trisakti University shootings, the Semanggi I and II shootings in 1998 and 1999, human rights violations in Wasior in 2001 and Wamena in 2003, both in Papua.

Human rights groups have also been sceptical of the government's commitment to address past human rights violations following the appointment by President Widodo in July 2016 of Wiranto as the new Coordinating Minister for Politics, Legal and Security Affairs. Wiranto was indicted for crimes against humanity by the UN-sponsored tribunal in Timor-Leste in February 2003 and named as a suspect in the inquiry initiated in 1999 by the National Commission on Human Rights (Komnas HAM) for "gross violation of human rights" surrounding the 1999 referendum in East Timor. However, he has never been charged in Indonesia.