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Recent Violence in Aceh: An Internal Briefing for Governments

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In the last weeks, violence has returned to Aceh, the northernmost province of the Indonesian island of Sumatra. Seven members of the Indonesian Armed Forces (ABRI) have been captured and killed and at least 11 civilians have died during a joint police and military operation to rescue the captured soldiers and arrest those responsible for the killings.

While details about the recent events remain unclear, they raise concerns that human rights abuses may have been committed by both ABRI and the armed separatist group, *Aceh Merdeka* (Free Aceh Movement). The Indonesian Government has been reported as saying that, in the light of recent events, combat troops may be re-deployed in Aceh. Amnesty International fears this could lead to an escalation of human rights violations and a return to the situation of Aceh's recent past where extrajudicial executions, "disappearances", arbitrary arrests and torture by the military were common place.

Aceh was classified as an Area of Military Operation (*Daerah Operasi Militer*, DOM) from 1990 to August 1998. The DOM status was used to justify counter-insurgency operations against *Aceh Merdeka*. In the context of these counter-insurgency operations large-scale human rights violations occurred including extrajudicial executions, "disappearances", torture and rape, imprisonment of peaceful activists and unfair political trials. The situation was exacerbated by an atmosphere of fear in which those seeking to challenge the authorities were subjected to threats and

intimidation. Human rights monitoring by domestic and international non-governmental organizations was prevented by the authorities.

During the DOM, many Acehnese civilians with no connection to armed separatist activities were arrested, tried and imprisoned for their alleged links with *Aceh Merdeka*. The restrictions imposed by the authorities on access to Aceh for human rights monitors and the media, intimidation towards human rights lawyers operating in Aceh and the lack of an independent judiciary, meant that it was not possible for those accused of involvement with *Aceh Merdeka* to challenge these accusations.

The events of recent weeks in Aceh were, on the surface at least, sparked by the killing of seven members of the Armed Forces in Lhok Nibong, East Aceh on 29 December. The soldiers were detained by a large crowd of people when the public bus on which they were travelling was stopped and searched by the crowd, who were looking for members of the Armed Forces. *Aceh Merdeka* was blamed for the killings but there has been no independent confirmation of their involvement. Whether the killings were carried out by *Aceh Merdeka* or by civilians, Amnesty International recognises the right of the authorities to apprehend and bring to justice those believed responsible for the killings, but this should be done in accordance with international human rights standards.

It was two days before three of the soldiers' bodies were recovered and as of 6 January, one soldier remains unaccounted for, presumed dead. Immediately following the deaths a joint police and military operation, named *Satgas Wibawa 1999*, was launched to locate the missing soldiers and to arrest those responsible for the deaths. The authorities claim that the operation is under the control of the regional police and not the military. It is comprised of marines, police and troops from an Air force base in Medan, North Sumatra.

The authorities have admitted that so far 11 civilians have been killed during the operations. The media has reported up to 17 civilians killed and at least 23 people wounded. Amnesty International has received information from a credible source in Aceh that as many as 40 people have died and that 70 people have been hospitalised. The organization is seeking further clarification of these figures. At least 150 people have been arrested, four of whom are facing prosecution.

The killings appear to have taken place in a number of separate incidents on 3 January, some in the context of military operations to arrest those believed responsible for the soldiers' deaths and others when the security forces opened fire on a procession in Lhokseumawe. Another person is also believed to have been shot dead and two others wounded during ABRI efforts to quell disturbances in Pidie.

The majority of the killings on 3 January took place in and around the town of Lhokseumawe in North Aceh. On that morning hundreds of women and children from Pusong Village in Muara Dua Subdistrict, Lhokseumawe, began marching towards the residence of the Governor of North Aceh. The women were followed by a group of men, two of whom were carrying guns. After marching for about an hour, the procession was confronted by the military who, according to credible information from Aceh, began to shoot into the crowd. The number of people who died is not confirmed but according to information received by Amnesty International, tens of people were shot dead, a large number of whom were women and children. Others are believed to have died as a result

of ill-treatment. One man apparently died after both arms and thigh bones were broken and he was stabbed with a sharp weapon.

On the same day, crowds were reported to have attacked and set fire to government buildings in Lhokseumawe including the District Court, the local tax office. Several police stations were also set on fire including the police station in Syamtalira Aron, Meurah Mulia and Syamtalira Bayu but it is not clear whether these and the attacks on buildings in Lhokseumawe were connected with the ABRI shooting.

A number of other deaths are also believed to have occurred during military operations to recapture the missing soldiers and apprehend the killers in villages around Lhokseumawe on the same day. ABRI claims that during the course of these operations, they were forced to open fire because of resistance from the villagers. There has not been any independent confirmation of this although an Acehnese human rights organization has been reported as saying that six people were killed in the village of Simpang Kramat and three people were killed in Pusong Village.

Also on 3 January, a crowd in Pidie are believed to have apprehended and killed a man who was known as a military informer. The crowd then continued on to the subdistrict of Simpang Tiga and damaged the house of a former governor of Aceh and a bank. One man was shot dead by ABRI and two others were wounded during military attempts to quell the disturbance. The circumstances of the ABRI shooting remain unclear.

The following day, in the village of Pusong, Lhokseumawe, 15 men were arrested by ABRI, allegedly from the village mosque. The 15 men have been accused of being the followings of an alleged *Aceh Merdeka* leader, Ahmad Kandang, who ABRI claim to have orchestrated the recent violent incidents.

Referring to the high death toll of 3 January, ABRI maintain that they were confronted with members of *Aceh Merdeka*, and that one of those killed had been carrying a rifle. They also claim that during the confrontations on the day, members of *Aceh Merdeka* used women and children as human shields. Amnesty International has not been able to independently confirm these claims but would condemn any abuse by *Aceh Merdeka* of international humanitarian law.

While the circumstances of the shootings remain unclear, the killing of civilians raises concerns that the security forces may have used lethal force excessively. In view of this, there is an urgent need for an independent and thorough investigation into the deaths. Amnesty International is encouraged that Indonesia's National Commission on Human Rights (*Komisi Nasional Hak Asasi Manusia, Komnas HAM*) is sending a four person team to the area to investigate the recent events. Amnesty International is concerned however that given the inadequate resources of Komnas HAM, the difficulties it has faced in investigating human rights violations in areas of military operations in the past and the fact that the Indonesian Government has systematically failed to implement its recommendations, that more is needed to ensure that the facts are independently and fully investigated and that the perpetrators of any human rights violations are brought to justice.

Amnesty International acknowledges that there have been violent and at times lethal attacks on military personnel since the DOM was lifted. While not condoning these attacks, it is important to acknowledge that a significant contributing factor has been the sense of injustice felt by many Acehnese because of past human rights violations and a desire to seek redress. ABRI claims that such attacks have been carried out by *Aceh Merdeka* and that there has been an increase in the movement's activities since the DOM was lifted. As with ABRI's claims regarding the strength of *Aceh Merdeka* during the DOM, it is impossible to independently verify these allegations. Amnesty International acknowledges that there may have been involvement by *Aceh Merdeka* in some of the recent events. The organization notes however that there are also allegations of military involvement in provoking some recent disturbances which ABRI has subsequently blamed on *Aceh Merdeka*. For example, in late August and early September 1998 riots took place in Lhokseumawe following the withdrawal of combat troops from Aceh which, according to observers were in part provoked by the military. A member of the Subdistrict Military Command was one of those arrested by police during the riots and some youths taken into police custody told human rights lawyers that they had been pressured into organizing others youths to participate in the riots.

Amnesty International is concerned that the return of combat troops to Aceh could lead to a return of the conditions of terror which existed in the province from 1990 to 1998. Such conditions are likely to bring an increase in human rights violations and ultimately to contribute to greater resentment and frustration of the Acehnese which would only perpetuate a cycle of violence in the province.

On coming to power in May 1998, President Habibie showed some signs of understanding the need for changes in Aceh. The DOM was lifted, combat troops were withdrawn and the Chief of the Armed Forces, General Wiranto, apologised for human rights violations which had occurred during the DOM. A national parliamentary fact-finding team was sent to Aceh to investigate reports of human rights violations, and as a result, regional human rights monitoring posts were established in several districts of the province by Aceh's regional parliament.

While welcoming these actions, Amnesty International is concerned that it now appears that the authorities' efforts at redressing the injustices of the DOM in Aceh have gone no further. Amnesty International believes that the Indonesian Government must immediately ensure that there is a full and independent investigation into the killings in Aceh of the last weeks and also into the human rights violations which took place in Aceh during the DOM, that those believed responsible for human rights violations are brought to justice and that the victims and their families are adequately compensated. The organization also believes that the authorities must take the necessary steps to ensure that human rights are protected in the future, in particular by establishing an independent judiciary, holding systematic independent and full investigations into human rights violations and bringing the perpetrators of human rights violations to justice.

In light of recent events in Aceh, Amnesty International urges members of the international community to:

- arrange a joint mission to Aceh by representatives from foreign embassies in Jakarta to investigate the recent events. Such a mission should endeavour to meet

with a broad range of representatives from Acehnese civil society, including human rights organizations, media and community representatives;

- urge the Habibie Government to ensure that ABRI acts in accordance with international human rights standards in particular on the use of force and firearms during its efforts to apprehend those responsible for the killing of the soldiers;
- urge the authorities to ensure that the reports of civilian deaths be thoroughly and independently investigated and that any members of the security forces found to have committed human rights violations be brought to justice;
- support the efforts of Komnas HAM and of non-governmental human rights organizations to investigate the recent events;
- urge the Indonesian authorities to ensure that all of those taken into custody in connection with the recent events are given immediate and on-going access to lawyers of their own choice, access to members of their families and to medical professionals and that steps are taken to ensure that they are not at risk of torture or ill-treatment in custody;
- urge the Indonesian authorities to allow for the full and independent investigation of human rights violations which occurred during ABRI's counter-insurgency operations in Aceh, that the perpetrators be brought to justice and that the victims and their families receive adequate compensation.

INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 8DJ, UNITED KINGDOM