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Indonesia: Authorities must ensure accountability for police violence in South Sumatra

The Indonesian authorities must ensure accountability for human rights violations by the police in South Sumatra province and conduct a thorough review of police tactics during public order policing with a view to ensure they meet international standards.

At least three separate incidents since July 2012 involving farmers from the Ogan Ilir district highlight how the Indonesian police are failing to handle public order operations without resorting to excessive, and even lethal force.

On 29 January 2013 a group of about 500 farmers from Ogan Ilir district, accompanied by activists from the South Sumatra branch of the Indonesian environmental organization WALHI (Friends of the Earth), marched to the South Sumatra regional police headquarters (*Polda, Polisi Daerah*) in Palembang.

According to credible reports, police used unnecessary and excessive force to disperse the protesters, who were trying to enter the police compound. Some of them were punched by the police while others were beaten with truncheons. Dozens of protesters were injured, and at least one human rights defender from WALHI suffered head injuries. Twenty-six protesters, including two activists, were then arrested by the police.

All but three of the protesters have since been released. Anwar Sadat, the head of WALHI South Sumatra, Dede Chaniago, a WALHI activist and Kamaludin, a farmer, all remain in police custody and have now been charged with incitement to commit violence against the government, violence against a person or property, and maltreatment respectively. These charges carry up to six years of imprisonment.

The demonstrators were protesting against police actions on 25 January 2013. On that day, the Ogan Ilir district police and other unknown persons reportedly entered the village of Betung and demanded that the villagers leave their land. Credible sources indicate that the police destroyed a place of worship in Betung village before leaving. There has been an ongoing land dispute between farmers and a state-owned plantation company in Ogan Ilir district since 1982.

In a previous incident in July 2012 the police Mobile Brigade (Brimob) and Ogan Ilir district police opened fire on a crowd of farmers killing a 12 year old boy and injuring four other people in Limbang Jaya village. According to the National Human Rights Commission (Komnas HAM), the police had fired live bullets into the crowd while the National Police Commission found that the police had violated police procedures. Six police officials were subsequently given written disciplinary warnings. Amnesty International is not aware of any criminal investigation.

Amnesty International is concerned about what appears to be a pattern of police abuse against farmers from Ogan Ilir district, and recommends that an independent investigation be conducted immediately. Those suspected of being responsible, including persons with command or superior responsibility irrespective of rank, must be brought to justice in civilian courts and victims provided with reparations.

In handling public order operations, the police must respect the right to life which is guaranteed in Article 6 of the International Covenant on Civil and Political Rights (ICCPR), to which Indonesia is a state party. Law enforcement officials must apply non-violent means before resorting to the use of force and firearms. Intentional lethal use of firearms may only be used when strictly unavoidable in order to protect life. The police must also respect the rights to freedom of expression and peaceful assembly which are provided for in Articles 19 and 21 of the ICCPR.

Amnesty International continues to be concerned about ongoing violence, threats and harassment against human right defenders in Indonesia. Under Article 2 of the UN Declaration on Human Rights Defenders, each state has a duty to create the conditions necessary to defend human rights within their jurisdictions. The organization calls on the Indonesian government to ensure an environment in which it is possible to defend human rights without fear of reprisal and intimidation.