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Indonesia: Attacks in Papua cannot justify violations of human rights

Following an armed attack in Papua Province on Saturday 31 August in which three people were killed, Amnesty International today called upon the government of Indonesia to respect human rights in its efforts to arrest those responsible.

One Indonesian and two US citizens were killed when armed men opened fire on the vehicles in which they were travelling near the large US owned PT Freeport Indonesia gold and copper mine in Tembagapura, Mimika District, Papua Province (formerly known as Irian Jaya). The three were reportedly teachers at an international school for Freeport employees. At least ten other people were injured in the attack. One person, who according to local human rights monitors may have been a civilian and not a member of the armed group, has already been killed in the military operation to find the attackers.

Amnesty International condemned the attack -- as it condemns the targeting of any civilians by armed groups or members of state security forces. The Indonesian authorities have an obligation to bring those responsible to justice. However, the organization warned against using the incident as justification for indiscriminate operations against Papuan civilians, including independence activists. Armed attacks in the past have resulted in gross human rights violations against civilians by the Indonesian armed forces.

The Indonesian authorities have accused the armed opposition group, the Free Papua Movement (OPM), of responsibility for the attack and have launched military operations to capture those responsible. According to unconfirmed media reports 15 people have already been detained. Torture of detainees is routine in Papua and there are grave fears for the safety of anyone arrested during the course of this operation.

The OPM has denied involvement in the 31 August killings. Some local observers have also expressed doubts about their involvement, including because the OPM -- whose members are in the most part armed with simple weapons such as bows and arrows -- is not thought to have a sufficient supply of arms or ammunition to carry out such an attack. According to media reports, M16 and SS1 automatic rifles, both of which are standard issue for the Indonesian security forces, were used in the attack.

The possibility that the military were behind the attack has been suggested. It would not

be the first time that the Indonesian military has been suspected of provoking armed attacks or other disturbances in Papua or elsewhere in Indonesia in recent years.

The lack of clarity over the circumstances of the killings points to the need for an immediate, impartial and effective investigation into the incident. Any suspects should be charged with a recognizable criminal offence and brought to trial in a manner which is consistent with international standards for fair trial.

Freeport also has a responsibility to ensure that an effective and independent investigation takes place, and should press the Indonesian government to ensure that the investigation team has the necessary mandate, resources and expertise. In view of concerns about the credibility of past investigations by the Indonesian authorities, emphasis must be placed on ensuring that members of the investigation team are impartial. The inclusion of independent international experts would lend credibility to such an investigation. The results of the investigation should be made public.

Freeport must also use its influence to discourage the Indonesian security forces from committing human rights violations during the course of any operations to capture those responsible for the killing of the three teachers. It must ensure that members of the security forces providing security to its mining operation are trained in the practical implementation of human rights standards and must on no account provide equipment to the Indonesian security forces unless it can guarantee that it will not be used for, or linked in any way to, human rights violations.

Background

There has been opposition to Indonesian rule in Papua since the 1960s when authority for the Netherlands-run territory was transferred to Indonesia and subsequently confirmed in a United Nations-supervised referendum in 1969 which many Papuans believe was fraudulent. Counter-insurgency operations by the Indonesian security forces against the pro-independence activists have resulted in gross human rights violations, including extrajudicial executions, "disappearances", torture and arbitrary detentions.

The killing of nine people, including five members of the Police Mobile Brigade (Brimob), in Manokwari District last year resulted in a six-month long operation by Brimob during which at least seven people are believed to have been extrajudicially executed. One person died in custody as a result of torture and around 140 others were detained, tortured or otherwise ill-treated. Grave human rights violations were also committed during military operations which lasted for two years following the release of a group of international and national researchers who were taken hostage by the OPM in Mapnduma District in 1996.

The armed wing of the OPM, the National Liberation Army (TPN), has also committed human rights abuses in the past, including the 1996 kidnapping in Mapnduma District and killing of settlers from elsewhere in Indonesia in Wamena town in October 2000. It has also carried out occasional attacks on military and police posts. There have been a number of attacks on Freeport facilities over the years some of which the OPM has been blamed for. However, the killing of foreign nationals would represent a marked departure from its previous activities.

The exploitation of natural resources by national and transnational companies has fuelled demands for independence. The PT Freeport Indonesia mining facility has been at the centre of this controversy with frequent allegations that its operations have encroached on the rights of indigenous people and destroyed the environment. Evidence that the Indonesian

security forces based around the Freeport mine had committed human rights violations was widely publicised in the mid-1990s.

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