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Indonesia: Investigate security forces' use of lethal force against Papuans in Paniai

Amnesty International is extremely concerned about reports that Indonesian security forces opened fire and killed at least five men, all students, in Paniai, Papua province. The new government must put an end to the climate of impunity for perpetrators of such abuses. Amnesty International is calling for an investigation into the killings.

Four men were killed and over a dozen injured when security forces, both police and military, allegedly opened fire in the morning of 8 December on a crowd that was protesting at the Karel Gobai field located near the Paniai District Military Command (*Koramil*). A fifth man died from the bullet injuries a few hours later in hospital. The crowd had reportedly gathered to protest against soldiers from the Special Team Battalion 753, who had allegedly beaten a child from Ipakije village the night before, who had to be hospitalised. Before the shooting, the protesters reportedly destroyed the vehicle in which the soldiers had travelled in the night before.

Amnesty International calls for a prompt, independent and impartial investigation into the killings and apparent excessive use of force by the Indonesian security forces. Findings of the investigation must be made public and those responsible, including persons with command responsibility, must be prosecuted in civilian courts in proceedings which meet international fair trial standards, without recourse to the death penalty. Victims and their families must be provided with reparations.

While Amnesty International acknowledges the challenges related to the policing of public assemblies, the Indonesian security forces must only use force after non-violent means have proven ineffective and in strict compliance with the principles of necessity and proportionality.

States have the duty to respect the right to life, enshrined in relevant international human rights law and standards. Article 6 of the International Covenant on Civil and Political Rights (ICCPR), to which Indonesia is a state party, provides the right of every person to be free from the arbitrary deprivation of life, which places certain limitations to the use of force. This provision, as explained by the UN Special Rapporteur on Extrajudicial Executions, also requires states to conduct proper investigations where there is reason to believe that an arbitrary deprivation of life has taken place. The right to life is also provided for in Indonesia's Constitution.

Indonesian security forces must be adequately trained and equipped in non-violent methods of crowd control. Law enforcement officials and security forces must have non-lethal means of force at their disposal to disperse the protesters if necessary, in accordance with international human rights standards.

Amnesty International believes the climate of impunity aggravates the human rights situation. Far too many times, members of the security forces in Papua do not face prosecution or are just given a slap on the wrist for a range of human rights violations including torture and other ill-treatment, unnecessary and excessive use of force, and unlawful killings.

Amnesty International continues to demand accountability for the past killing of individuals by security forces. No one has yet been held accountable for the killing of three people at the Third Papuan People's Congress (October 2011), one at the mine strike in Timika (October 2011), three at a religious gathering in Sorong (May 2013) or the killing of political activist Mako Tabuni (June 2013).

The lack of accountability is exacerbated by the failure to revise the Law on Military Tribunals (Law No. 31/1997). Military personnel charged with offences involving human rights violations are currently tried in military courts. Amnesty International has expressed concern about the lack of independence and impartiality of these trials.

Amnesty International calls on President Joko Widodo to keep his election pledges and revise the Law on Military Tribunals so that military personnel suspected of offences involving human rights violations can be investigated and tried in an independent civilian judicial system, and victims and witnesses provided with adequate protection.