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Indonesia: Amnesty International welcomes President's commitment on accountability in Papua

Amnesty International welcomes the acknowledgement by Indonesian President Susilo Bambang Yudhoyono that security forces have committed human rights violations in the region of Papua. The President said further that he wants an end to repressive actions by the military and police in Papua.

In turning his words into action, the President should ensure that all investigations into human rights violations by security forces are conducted in a thorough, independent and impartial manner. This should include the investigation and prosecution of past human rights violations. Suspects should be prosecuted in proceedings which meet international standards of fairness and victims should be granted reparations.

In a 16 February meeting with diplomats at the Foreign Ministry, the President acknowledged that both police and military personnel had committed human rights violations and that these cases would be legally processed and perpetrators penalized. According to media reports, he stated that military trials would be held for military officers suspected of committing violations. He also stressed that the military and police in Papua were there to maintain security and were not part of a military operation.

Amnesty International welcomes this positive step by the President in publically recognizing the ongoing violations in Papua and the need to take decisive action to hold perpetrators to account.

Credible reports of human rights violations committed by the security forces continue to emerge in the provinces of Papua and West Papua, including torture and other ill-treatment, unnecessary and excessive use of force and firearms and possible unlawful killings. Investigations into reports of police abuses are rare and only few perpetrators have been brought to justice.

Most recently in October 2011, police and military violently dispersed a peaceful gathering in Papua which left at least three people dead and dozens injured. An investigation by the National Human Rights Commission (Komnas HAM) found a range of human rights violations allegedly committed by the Indonesian security forces, including opening fire on participants and beating and kicking them. While a number of internal disciplinary hearings were held, the officers were only given administrative penalties.

Amnesty International is not aware of any criminal investigation into the deaths of the three people, or the ill-treatment of participants of the gathering. Most human rights violations committed by police officers never reach civilian courts, but are dealt with through in-house disciplinary hearings.

Amnesty International is also concerned by the President's statement that military officers charged with human rights-related offences would be tried in military courts. Human rights organizations have highlighted the lack of independence and impartiality of these trials and that military officers suspected of such offences are often charged with disciplinary rather than criminal offences.

Three soldiers who were caught on camera burning and kicking Papuan villagers were sentenced to prison terms of between eight and 10 months by a military court in Papua in January 2011. The video was widely circulated via YouTube. The victims were too frightened to testify in person due to the lack of adequate safety guarantees.

The Indonesian authorities must revise the Law on Military Tribunals (Law No. 31/1997) so that military officers suspected of human rights violations can be investigated and tried in an independent civilian judicial system and victims and witnesses provided with adequate protection.

Amnesty International believes that the lack of independent and impartial monitoring of the human rights situation in Papua contributes to the climate of impunity there. The Indonesian authorities should allow international observers, non-governmental organizations and journalists unrestricted and ongoing access to the provinces of Papua and West Papua.