

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Indonesia: Truth, justice and reparation vital for victims and families of *Jambo Keupok*

On 17 May victims and families will commemorate the 13th anniversary of *Jambo Keupok* killings where, according to the National Human Rights Commission (*Komnas HAM*), 16 men were unlawfully killed by members of the security forces in South Aceh district in 2003. Amnesty International reiterates its call on the Indonesian authorities to fulfil their obligation to ensure truth, justice and full reparation to victims and families, including their commitment to establish a truth commission in Aceh.

On the morning of 17 May 2003, dozens of soldiers including the Special Army Forces (*Kopassus*) and Raider units arrived in three trucks at the village of Jambo Keupok in South Aceh district. After rounding up everyone at the village and separating the men from the women and children, soldiers shot and killed four villagers. Twelve men, who were also beaten, had their hands tied and were taken to a house nearby, locked up and the house set alight. The women and children, who were locked up in a school building, were able to leave once the military had left.

The right to life is a key human right, provided for in treaties which Indonesia has ratified and is therefore legally bound to apply, including the International Covenant on Civil and Political Rights. The Geneva Conventions - treaties applicable to times of armed conflict, whether international or internal - which applied at the time to the situation in Aceh, strictly prohibit the killing of persons captured during military operations. Under both human rights law and international humanitarian law, unlawful killings must be investigated and those responsible brought to justice.

In March 2016, the National Human Rights Commission's inquiry team completed their investigation into the incident and found that there was sufficient evidence to conclude that crimes against humanity, as defined in Law No. 26/2000 on Human Rights Courts, occurred in Jambo Keupok. According to the Law, it is the duty of the Attorney General to complete the judicial investigation and prepare prosecutions for those suspected of being responsible in the case.

Amnesty International calls on Indonesia to investigate and, if sufficient admissible evidence is gathered, prosecute those suspected of responsibility for grave human rights violations and crimes under international law, in a civilian court, in fair trials and without recourse to the death penalty. Further, the Indonesian authorities should provide the victims and their families' full and effective reparation to address the harm they have suffered.

Last year marked the 10th anniversary of the 2005 Helsinki Peace Agreement signed by the Indonesian government and the armed pro-independence movement, the Free Aceh Movement (*Gerakan Aceh Merdeka*, GAM). The peace agreement ended a violent 29 year conflict across the province between 1976 and 2005 where between 10,000 to 30,000 people were killed, many of them civilians.

A key element of the peace agreement was the establishment of a truth commission for Aceh. The establishment of a truth commission, including a full, independent and impartial investigation into incidents such as Jambo Keupok, is vital in providing a full account of past human rights violations during the conflict, contributing to their investigation and, where there is sufficient evidence, eventual prosecution of suspected perpetrators. A truth commission would also help ensure that such violations and crimes are not repeated and that the victims and their relatives are provided with full and effective reparation.

In December 2013 the Aceh legislative council passed the Aceh Truth and Reconciliation (TRC) bylaw to establish a truth commission which had been expected to operate between 2016 and 2021, offering hope for victims and their family members. At the end of 2015, a selection team by the Aceh House of People's Representatives (*Dewan Perwakilan Rakyat Aceh*, DPRA), was established to appoint commissioners for the Aceh Truth and Reconciliation Commission and the selection process is still on going.

President Joko Widodo's government must fulfil its obligations under international law and deliver on its promise to establish this truth commission in Aceh which was an integral part of the 2005 Helsinki peace agreement.

The commitment to address all past serious human rights abuses was a key element of the President's campaign in 2014 and must be implemented. Addressing past crimes in Aceh, such as Jambo Keupok, would not only contribute to healing the open wounds of the civilian population, it would also help strengthen the rule of law in the country, and help secure the Aceh peace process in the long-term.