



Basrief Arief
Attorney General of the Republic of Indonesia
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Dear Basrief Arief,

OPEN LETTER TO THE INDONESIAN ATTORNEY GENERAL ON THE SEVENTH ANNIVERSARY OF THE KILLING OF MUNIR

Ahead of the seventh anniversary of the killing of prominent human rights activist Munir bin Thalib (Munir), we are writing to you to express our concern at the continuing lack of accountability for his death. In this regard we urge you as the Attorney General to initiate a new investigation into the case as a matter of priority. The lack of accountability in Munir's case contributes to an ongoing sense of fear among human rights defenders in Indonesia and calls in to question the government's commitment to protecting human rights defenders.

Munir was found dead on a Garuda Airlines flight from Jakarta to the Netherlands on 7 September 2004. An autopsy carried out by the Dutch authorities showed that he died as a result of arsenic poisoning. Although two people have now been convicted of the killing, there are credible allegations that those responsible at the highest levels have not yet been brought to justice.

On 31 December 2008, Muchdi Purwoprandjono, a former deputy of the state intelligence agency, was acquitted of soliciting and assisting in the killing of Munir. At the time human rights groups said that the trial did not meet international standards of fairness after key prosecution witnesses retracted their sworn testimonies. In a report submitted to the UN Special Rapporteur on the situation of Human Rights Defenders in 2009, the Action Committee in Solidarity with Munir, KASUM, concluded that Muchdi's acquittal "was a setback ... for the enforcement of human rights and the protection of other human rights defenders more broadly". In February 2010, a special National Human Rights Commission (Komnas HAM) team identified flaws in the police investigation, prosecution and trial of Muchdi Purwoprandjono and recommended a new police investigation. A 2005 report by an independent fact-finding team established by President Susilo Bambang Yudhoyono has yet to be made public, although this had been recommended by the presidential decree that established the team.

Munir was a well known human rights campaigner in Indonesia, who took up the cause of dozens of activists who had been subjected to enforced disappearances during the last months of the Suharto government in 1998. He also played a significant role in uncovering evidence of military responsibility for human rights violations in Aceh and Timor-Leste.

The continuing lack of accountability for Munir's killing provides a chilling reminder to human rights defenders in Indonesia that their work remains under threat and that impunity persists for those who are responsible for past human rights violations, including torture, unlawful killing, and enforced disappearances of human rights defenders. Amnesty International continues to receive credible allegations of human rights abuses against human rights defenders in Indonesia.

The Indonesian government has an obligation under both international and national law and standards to ensure that all those suspected of committing human rights violations are brought to justice in proceedings which meet international standards of fairness. It also has the obligation to ensure that human rights

defenders are able to carry out their work in line with the United Nations General Assembly Declaration on Human Rights Defenders and their right to freedom of expression guaranteed by the Indonesian Constitution.

We therefore urge you, as the Attorney General, to take the following steps as a matter of priority:

- Initiate a new, independent investigation into the murder of Munir and bring perpetrators at all levels to justice in accordance with international human rights standards;
- Conduct a review of past criminal proceedings into Munir's killing, including alleged violations of international human rights standards; in particular, investigate reports of witness intimidation and bring those suspected of committing them to justice;
- Call for the 2005 report of the fact-finding team into Munir's killing to be made public, as a key step towards establishing the truth;
- Take effective steps to ensure that human rights violations committed against human rights defenders are promptly, effectively and impartially investigated and that those responsible are brought to justice in fair trials; and
- Support the passage of specific legislation aimed at providing better legal protection for human rights defenders.

We express our sincere hope and confidence that you will consider and express support for these recommendations.

Yours sincerely,

Peter Thomas
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