

# AMNESTY INTERNATIONAL

## PUBLIC STATEMENT

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### **Indonesia: Continued failure to investigate torture of political activists in Maluku**

The Indonesian government must immediately initiate an independent and impartial investigation into the allegations of torture and other ill-treatment of political activists during August 2010 in Maluku province. The failure to properly investigate such serious allegations, nearly a year after the alleged human rights violations occurred, perpetuates the ongoing culture of impunity for the security forces in Indonesia.

Police officers from the Ambon and Lease Islands District Police, the Saparua Sub-district Police and the Special Detachment-88 anti-terrorist unit arrested 21 peaceful political activists in the province of Maluku in early August 2010. Some of the activists had been planning to disseminate materials related to human rights violations produced by local and international organizations, including Amnesty International.

At least 15 of them were reportedly tortured and otherwise ill-treated by the police, including Special Detachment-88, during their arrest, detention and interrogation in order to force them to confess.

At the time of their arrest, police kicked, slapped and beat the detainees on different parts of their bodies, including the face, head, chest, ribs and abdomen. During their interrogation, some of the activists had their eyes covered and their hands tied with duct tape while they continued to be beaten. Two of them were also forced to kiss each other. When they refused, police forced them to stand upside down on their hands and then beat them with pistol butts. One of the detainees was burned with a cigarette while another was forced to eat dozens of chillies. Their interrogation took place at the Special Detachment-88 base in Tantui, the home of the local Saparua Sub-district Head, and also the Saparua Sub-district Police Station.

There is an absolute prohibition on torture and other ill-treatment under international law. As a state party to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT), Indonesia is legally bound to prohibit torture and other ill-treatment in all circumstances. The Indonesian Constitution and the 1999 Human Rights Act also prohibit torture.

On 20 June 2011, two police officers from the Ambon and Lease Islands District police and Saparua Sub-district police were found guilty in disciplinary proceedings of violating the Police Ethical Code (Law No. 7/2006). Their punishment is re-training and a transfer to another area. However this internal disciplinary process must never replace bringing those suspected of offences involving human rights violations, including torture and other ill-treatment, before civilian courts.

All 21 detainees were charged in with "rebellion" under Articles 106 and 110 of the Indonesian Criminal Code, with sentences between nine months' and three years' imprisonment. Four have since been released after completing their sentences. Amnesty International believes that all those still detained have been imprisoned solely for peacefully expressing their views and calls for their immediate and unconditional release.

Amnesty International also calls on the Indonesian House of People's Representatives to ensure that provisions expressly prohibiting acts of torture are incorporated into the revised Indonesian Criminal Code, which will reportedly be submitted to the House of People's Representatives in July. These provisions should be passed into law as a matter of priority.