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Indonesia: Acquittals Show Continuing Military Impunity

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Description:

The recent appeals court acquittal of twelve soldiers convicted last year of the 1984 massacre of demonstrators in Jakarta shows the almost complete failure of Indonesia's human rights courts, Human Rights Watch said today. The latest decision means that no one has been convicted for the so-called "Tanjung Priok" massacre, in which security forces killed at least 33 civilians in 1984.

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New York, July 12, 2005 -The recent appeals court acquittal of twelve soldiers convicted last year of the 1984 massacre of demonstrators in Jakarta shows the almost complete failure of Indonesia's human rights courts, Human Rights Watch said today. The latest decision means that no one has been convicted for the so-called "Tanjung Priok" massacre, in which security forces killed at least 33 civilians in 1984.

New York, July 12, 2005 -The recent appeals court acquittal of twelve soldiers convicted last year of the 1984 massacre of demonstrators in Jakarta shows the almost complete failure of Indonesia's human rights courts, Human Rights Watch said today. The latest decision means that no one has been convicted for the so-called "Tanjung Priok" massacre, in which security forces killed at least 33 civilians in 1984.

Human Rights Watch said that the appeals court decision was not made public, but was reported by the BBC, last Thursday, July 7.

The Tanjung Priok trials had represented Indonesia's most robust attempt to date to hold perpetrators accountable for Suharto-era abuses. But following the acquittals, Human Rights Watch said that victims and their families have no judicial redress for the 22-year-old killings in Jakarta.

The acquittals followed trials by the ad hoc human rights court on East Timor, which finished appeal hearings in 2004. All but one of the 18 defendants were acquitted for crimes against humanity. Only Eurico Guterres, an East Timorese militia commander, stands convicted at present, and he remains free pending final appeal to the Supreme Court.

"Whether it is a massacre from the Suharto era or killings in East Timor, these verdicts show that the Indonesian military continues to get away with murder," said Brad Adams, Asia director at Human Rights Watch. "There is clearly no political will in Indonesia to address this kind of impunity."

Fourteen active and retired military officers originally stood trial over the Tanjung Priok incident. Two other soldiers accused of taking part in the incident were acquitted last year, including the head of Indonesia's special forces, Major-General Sriyanto Muntrasan, who was then North Jakarta military commander. Human rights activists in Indonesia have long criticized the attorney general's office for not including in the original indictments two retired generals, Try Sutrisno, then-Jakarta military commander (and later vice-president), and Benny Moerdani, then-armed forces commander, whom many believe were implicated in the violence.

The Tanjung Priok killings took place on September 12, 1984, when government security forces fired at civilian protestors during anti-government demonstrations in the Tanjung Priok harbour area of north Jakarta. The protests followed the arrests of several individuals who were accused of giving anti-government sermons at Tanjung Priok Rawa Badak Mosque.

In 2000, Komnas HAM (Indonesia's National Commission on Human Rights) completed its inquiry into extrajudicial executions and disappearances which took place in Tanjung Priok. The inquiry listed 23 suspects, including many who are now senior Indonesian military officers.

"Because President Yudhoyono was elected democratically, many now wrongly believe that Indonesia's military has

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been reformed," said Adams. "This is not the case. The military remains above the law, apparently too powerful for the courts to tame."

Based on a law passed by the Indonesian parliament in 2000 establishing special human rights courts on April 23, 2001, Indonesian President Abdurrahman Wahid enacted a presidential decree establishing an ad hoc human rights court to try gross violations of human rights in East Timor in 1999 and in Tanjung Priok in 1984.

Four regional human rights courts were also established by the 2000 law, including one in Makassar, Sulawesi. The Makassar court is expected to issue a ruling soon in the cases of two police officers on trial for the 2000 Abepura case, in which Indonesian police shot dead one student, tortured to death two more, and arbitrarily detained, tortured and ill-treated approximately 100 others.