

Perpetrators of the violence indicated in the media that members of the ruling Bharatiya Janata Party (BJP) were implicated in the violence, yet no substantive investigation was carried out.

Little action was taken over an official report that more than 5,000 displaced families continued to live in “sub-human” conditions in Gujarat. Several key cases relating to killings and sexual assault of Muslim women were still pending before the Supreme Court.

In May, Gujarat authorities admitted that senior police officials had been involved in the unlawful killing of Sohrauddin Shaikh and his wife, Kausar Bi, in November 2005. Following this development, relatives of at least three other people killed by the police in previous years sought fresh investigations.

Punjab

A majority of police officers responsible for serious human rights violations during the 1984-94 civil unrest in Punjab continued to evade justice. The findings of a Central Bureau of Investigation probe into allegations of unlawful killings of 2,097 people who were cremated by the police had still not been made fully public, nine years after the investigation was launched. The National Human Rights Commission (NHRC) awarded compensation to the relatives of 1,298 victims of such killings in one district, Amritsar. However, the NHRC was criticized for the slow pace of its investigations, and a commission appointed by the NHRC in 2006 to examine compensation claims was criticized in October by human rights organizations for various failings.

In May, the government ordered an investigation into three unlawful killings by the police in Punjab in 1993-94, after reports that three people, listed as among those killed, surfaced in their native villages.

Karnataka/Tamil Nadu

Eleven years after allegations of unlawful killings, torture, sexual assault and illegal detention of *adivasis* were first levelled against a joint Tamil Nadu-Karnataka force established to catch sandalwood smugglers, the NHRC had failed to initiate charges against any of the 38 officials cited as perpetrators of the abuses. In January, the NHRC ordered interim compensation for 89 of the 140 victims and their relatives who had made the allegations.

Assam

A commission of inquiry into the unlawful killings between 1998 and 2001 of 35 individuals associated with the United Liberation Front of Asom published its findings in November. It concluded that the killings were

carried out by surrendered members of the organization at the behest of a former chief minister and the state police. It remained unclear if anyone would be brought to justice.

Death penalty

At least 100 people were sentenced to death although no executions took place. In December, India voted against a UN General Assembly resolution for a moratorium on the death penalty.

Amnesty International visits/reports

✈️ Amnesty International delegates visited India in August and November and met government officials and civil society organizations.

📄 Need for effective investigations and prosecutions as political violence continues in West Bengal (ASA 20/020/2007)

📄 Indian helicopters for Myanmar – making a mockery of embargoes? (ASA 20/014/2007)

📄 A pattern of unlawful killings by the Gujarat police – urgent need for effective investigations (ASA: 20/011/2007)

📄 Five years on – the bitter and uphill struggle for justice in Gujarat (ASA 20/007/2007)

INDONESIA

REPUBLIC OF INDONESIA

Head of state and government:	Susilo Bambang Yudhoyono
Death penalty:	retentionist
Population:	228.1 million
Life expectancy:	69.7 years
Under-5 mortality (m/f):	46/37 per 1,000
Adult literacy:	90.4 per cent

Torture, excessive use of force and unlawful killings by police and security forces were reported. Most perpetrators of gross human rights violations in the past, including in Nanggroe Aceh Darussalam (NAD), Papua, and Timor-Leste, continued to enjoy impunity. The situation in Papua remained tense with increasing targeted attacks and threats against human rights activists and church leaders. The number of possible prisoners of conscience increased sharply with up to 76 people detained for peacefully expressing their political or religious views.

Police and security forces

Human rights violations by police and military personnel included excessive use of force during demonstrations and arrests, fatal shootings and torture.

■ In January, two gay men were reportedly beaten, kicked and verbally abused by neighbours before being arbitrarily detained by police. They were taken to Banda Raya police post, Aceh province, where they suffered further sexual abuse and other forms of torture and ill-treatment. It appears the men were targeted solely because of their sexual orientation.

■ In May, four people, including a pregnant woman, were shot and killed during a clash between marines and villagers over disputed land. A further eight, including a four-year-old child, were injured. In July, the National Human Rights Commission (Komnas HAM) asked the military to allow residents to continue using the disputed land in Pasuruan while awaiting a permanent court ruling, and urged the government and the military to compensate the victims for the losses they and their families have suffered. Thirteen marines were named as suspects in the shootings. By the end of the year, none had been prosecuted and all had resumed their duties.

In November, the Special Rapporteur on torture, Manfred Nowak, visited Indonesia. He concluded that given the lack of legal and institutional safeguards and the prevailing structural impunity, people deprived of their liberty were extremely vulnerable to torture and other ill-treatment.

Freedom of expression

Freedom of expression continued to be severely restricted. There was a sharp increase in attacks and threats against human rights defenders following the visit in June of Hina Jilani, the UN Special Representative of the Secretary General on Human Rights Defenders. The UN Special Representative expressed concerns over the persistent impunity for past violations committed against human rights defenders, and the lack of concrete initiatives by the government to protect defenders including specific protection for defenders working on lesbian, gay, bisexual and transgender (LGBT) rights and HIV/AIDS. She highlighted the continuing harassment and intimidation of defenders by the police, military and other security and intelligence agencies and the restrictions on access to victims and sites of human rights violations, particularly in Papua.

Up to 63 people were arrested and detained for peacefully expressing their views. An additional 13, imprisoned in previous years, remained in jail.

■ In June, at least 21 people were arrested in Ambon, Maluku province, following a visit by the President. According to reports, dancers performing a traditional local dance in front of the President were arrested after they raised the Maluku independence flag. During interrogation they were allegedly beaten and threatened. Most of them were charged with “rebellion” under Articles 106 and 110 of the criminal code that is punishable by a maximum sentence of life imprisonment. They were possible prisoners of conscience.

In July, the Constitutional Court ruled unconstitutional Articles 154 and 155 of the Criminal Code commonly known as the ‘hate sowing’ offences. The Articles criminalized “public expression of feelings of hostility, hatred or contempt toward the government” and prohibited “the expression of such feelings or views through the public media”. These offences had often been used by the government to restrict peaceful criticism and jail political opponents, critics, students and human rights defenders. The ruling was widely welcomed, although it did not apply retroactively. Prisoners of conscience Filep Karma sentenced to 15 years, and Yusak Pakage sentenced to 10 years, remained in jail. Both were convicted partly under these articles in May 2005 for raising the Papuan flag.

Papua

The low-level conflict between the security forces and pro-independence militants in Papua continued. The military repeatedly threatened local community members who supported independence through peaceful means. An army official who had been indicted for crimes against humanity in Timor-Leste, but had yet to face trial, was nominated as military commander in the Papuan capital, Jayapura. Reported human rights violations by security forces included extrajudicial executions, torture and excessive use of force.

■ Albert Rumbekwan, director of the National Human Rights Commission (Komnas HAM) in Papua, received death threats and was kept under surveillance following the visit by the UN Special Representative on Human Rights Defenders.

Death penalty

In April Ayub Bulubili was executed by firing squad for the premeditated murder of a family of six. At least 115 people were known to be under sentence of death at the end of 2007.

In February, a group of Indonesian lawyers filed for a judicial review of the 1997 Narcotics Law before the Constitutional Court. They argued that its provision of death sentences for drug offences contradicted the 1945 Constitution, which guarantees the right to life. Their lawyers represented five people who had been sentenced to death for drug-related offences – Edith Yunita Sianturi, Rani Andriani (Melisa Aprilia), and three Australian citizens, Myuran Sukumaran, Andrew Chan and Scott Anthony Rush. The Constitutional Court rejected the appeal in October.

Impunity

In May, the new Attorney General, Hendarman Supandji, filed for a Supreme Court review of the 2004 murder of human rights activist Munir Said Thalib, for which no one had been held to account.

The Commission of Truth and Friendship (CTF) established jointly by Indonesia and Timor-Leste to document crimes committed in Timor-Leste in 1999 and to promote reconciliation, began its fact-finding work through public and closed hearings in February. In July, the UN Secretary General instructed UN officials not to testify before the CTF unless the terms of reference were revised to comply with international standards, noting that the UN did not endorse or condone amnesties for genocide, crimes against humanity, war crimes or gross violations of human rights, nor should it do anything that might foster amnesties. Concerns were also expressed by national and international observers about the CTF's treatment of victims during hearings and possible biased weighting of the testimonies of military officials, militia members and bureaucrats over those given by victims. The CTF mandate was extended until early 2008.

Discrimination and violence against women

In March, the Human Trafficking Criminal Actions Eradication Draft Bill (anti-trafficking bill) became law. Local NGOs welcomed the inclusion of a definition of sexual exploitation, provisions on the facilitation of trafficking, and immunity for victims. However, they

noted insufficient provisions to prevent child trafficking and in particular the need to make this abuse distinct from other provisions related to human trafficking.

Women domestic workers, who are excluded from the national Manpower Act, suffered violations of labour rights as well as physical and psychological abuse, including of a sexual nature, in the workplace. Although the Ministry of Manpower prepared draft legislation on domestic workers in June 2006, no steps were taken to enact the law. Domestic workers therefore remained excluded from legal enforcement of maximum hours of work, a minimum wage and specific protections for female employees covered for other workers in the Manpower Act.

Health

Indonesia has one of the highest rates of maternal mortality in southeast Asia, an estimated 230-310 women die each year for every 100,000 births. In February, the WHO highlighted the main causes, which included female genital mutilation (FGM); marriages at an early age; lack of access to sexual and reproductive health information, education and services; lack of access to professional health services during pregnancy and childbirth; lack of knowledge about sexually transmitted disease, HIV/AIDS and contraceptive services; and the high incidence of unsafe abortions.

In February, a joint study by the Health Ministry and the WHO highlighted the rapid spread of HIV/AIDS among high-risk groups, including drug users, transsexuals and sex workers, particularly in parts of Indonesia with inadequate healthcare services. A government-sponsored survey found that over two per cent of people in Papua were infected with HIV, compared to 0.2 per cent of the general populace in Indonesia. In November, for the first time, a national campaign to promote condom use was launched.

Amnesty International reports

- Indonesia: Exploitation and abuse – the plight of women domestic workers (ASA 21/001/2007)
- Indonesia (Aceh): Torture of gay men by the Banda Raya police (ASA 21/004/2007)
- Indonesia: Briefing to the UN Committee on the elimination of discrimination against women – women and girl domestic workers (ASA 21/007/2007)

Indonesia: Amnesty International deplors death penalty for drug offences (ASA 21/020/2007)

Indonesia: Submission to the UN Universal Periodic Review – First session of UPR Working Group 7-18 April 2008 (ASA 21/021/2007)

IRAN

ISLAMIC REPUBLIC OF IRAN

Head of state:	Leader of the Islamic Republic of Iran: Ayatollah Sayed 'Ali Khamenei
Head of government:	President: Dr Mahmoud Ahmadinejad
Death penalty:	retentionist
Population:	71.2 million
Life expectancy:	70.2 years
Under-5 mortality (m/f):	32/31 per 1,000
Adult literacy:	82.4 per cent

The authorities continued to suppress dissent. Journalists, writers, scholars, and women's rights and community activists were subject to arbitrary arrest, travel bans, closure of their NGOs and harassment. Armed opposition, mainly by Kurdish and Baluchi groups, continued, as did state repression of Iran's minority communities. Discrimination against women remained entrenched in law and practice. Torture and other ill-treatment were widespread in prisons and detention centres. A security clampdown announced in April was marked by a sharp rise in executions; at least 335 people were executed, among them seven child offenders. Sentences of stoning to death, amputation and flogging continued to be passed and carried out.

Background

Iran's uranium enrichment programme continued to be a focus of international tension. Israeli and US authorities refused to rule out the possibility of military action against Iran. In March, the UN Security Council imposed further sanctions. In September, the US government designated Iran's Revolutionary Guards a "terrorist organization" for allegedly supporting insurgents in Iraq and Afghanistan. In December, US intelligence agencies published a report stating that Iran had ended any nuclear weapons programme in 2003. The same month the

UN General Assembly condemned the human rights situation in Iran.

Ayatollah Meshkini, Head of the Assembly of Experts that oversees the appointment of the Supreme Leader, died in July. He was replaced by former President Hashemi Rafsanjani.

Increasing numbers of Iranians faced poverty as the economic situation deteriorated. In June rioting followed the introduction of petrol rationing. A three-month strike by workers at the Haft Tapeh Sugar Plant in Khuzestan Province over unpaid wages and benefits was forcibly broken up by security forces in October. Haft Tapeh and other workers and teachers staged large demonstrations, and arrests were made.

Freedom of expression

Vaguely worded laws and harsh practices resulted in widespread repression of peaceful dissent. Demonstrations frequently led to mass arrests and unfair trials. The authorities maintained tight restrictions on internet access. Journalists, academics and bloggers, including some dual nationals, were detained and sentenced to prison or flogging and several publications were closed down. In April, the Minister of Intelligence, Gholam Hossein Eje'i, publicly accused students and the women's movement of being part of an attempt to bring about the "soft overthrow" of the Iranian government.

■ Ali Farahbakhsh, a journalist, was granted an early conditional release in October after 11 months in detention. He was convicted of "espionage" and "receiving money from foreigners" in connection with his attendance at a media conference in Thailand.

Human rights defenders

Independent human rights groups and other NGOs continued to face long delays, often lasting years, in obtaining official registration, leaving them at risk of closure for carrying out illegal activities. Students campaigning for greater respect for human rights faced reprisals, including arbitrary arrest and torture. Individual human rights defenders were persecuted for their work; some were prisoners of conscience.

■ Emadeddin Baghi, Head of the Association for the Defence of Prisoners and a leading campaigner against the death penalty, was detained in October following a summons relating to accusations of "endangering national security". While the family was posting bail, they were told that he now had to serve a suspended sentence imposed in 2003, including for "printing lies".