



INDONESIA

REPUBLIC OF INDONESIA

Head of state and government: Susilo Bambang Yudhoyono

Death penalty: retentionist

Population: 232.5 million

Life expectancy: 71.5 years

Under-5 mortality (m/f): 37/27 per 1,000

Adult literacy: 92 per cent

The security forces tortured and otherwise ill-treated detainees, and used excessive force against protesters, sometimes leading to death. No adequate accountability mechanisms were in place to ensure justice or act as an effective deterrent against police abuses. The criminal justice system remained unable to address ongoing impunity for current and past human rights violations. Restrictions on freedom of expression were severe in areas such as Papua and Maluku. Religious minorities and lesbian, gay, bisexual and transgender groups faced violent attacks and discrimination. The maternal mortality ratio remained among the highest in the East Asia and Pacific region. No one was executed during the year.

Torture and other ill-treatment

The security forces tortured and otherwise ill-treated detainees, particularly criminal suspects from poor and marginalized communities, and those suspected of pro-independence activities in Papua and Maluku provinces. Accountability mechanisms put in place to deal with violations remained inadequate.

- Two videos emerged during the year showing members of the police and military torturing and otherwise ill-treating Papuan men. The first video showed Yawan Wayeni, a Papuan political activist, just before his death in August 2009. Despite severe abdominal injuries, he was denied medical assistance by the police, who accused him of being an insurgent. He had been arrested earlier by members of the Police Mobile Brigade at his house in Yapen Island, Papua. The second video published online in October showed Papuans being kicked and otherwise physically abused by members of the Indonesian military, and two Papuan men being tortured during interrogation. Indonesian officials confirmed the authenticity of both videos.
- Yusuf Sapakoly, 52, died of kidney failure in a hospital in Ambon, Maluku province, after being refused access to adequate medical assistance by prison authorities. The father of four was arrested in 2007 for assisting a group of peaceful political activists who unfurled the “Benang Raja” flag, a symbol of South Maluku independence, in front of the Indonesian President. Yusuf Sapakoly required dialysis for kidney failure but was consistently denied treatment by authorities at Nania prison. He also said he did not receive adequate treatment for rib injuries he had suffered in detention.

Excessive use of force

The police used excessive force during arrests and to quell demonstrations, sometimes killing people.

- In August, police opened fire on protesters, killing seven and injuring 20, at the Biau sectoral police station in Central Sulawesi province. The protesters had raided the police station, attacking police officers and burning motorcycles parked outside, in response to the death in custody of Kasmir Timumun. Several police officers were injured during the incident. According to local sources, Kasmir Timumun, aged 19, was found hanging in his cell on 30 August after being held for allegedly

speeding and injuring a police officer. The police claimed that he had committed suicide, but his family alleged that there were signs of torture or other ill-treatment including bruises on parts of his body and neck. The family were denied access to his autopsy report.

There were concerns that counter-terrorism operations by the police that led to the deaths of at least 24 suspects did not meet national and international standards on the use of force.

Freedom of expression

Freedom of expression continued to be suppressed in some cases, with human rights defenders, journalists and other activists intimidated, harassed and sometimes killed.

- In July, Tama Satrya Langkun, a Jakarta-based anti-corruption activist, was severely beaten by unknown persons in an apparent move to silence him. That same month, Ardiansyah Matra, a journalist covering corruption and illegal logging in Papua, was found dead in the province.
- At least 100 political activists were in prison for peacefully expressing their views in areas seeking independence such as Maluku and Papua.
- Prisoner of conscience Yusak Pakage, sentenced to 10 years' imprisonment, was released in July following a Presidential Decree. However, Filep Karma who was arrested at the same time and sentenced to 15 years' imprisonment, remained in prison. The two men were convicted in 2005 for raising the "Morning Star" flag.
- In August, 23 men were arrested in Maluku province for their peaceful political activities. At the end of the year, 21 remained detained. They were facing trial on charges of rebellion which carries the threat of life imprisonment.

Discrimination

Religious minorities and lesbian, gay, bisexual and transgender (LGBT) groups faced violent attacks and discrimination. The police failed to take adequate measures to guarantee their security. An LGBT regional conference due to be held in Surabaya in March was cancelled after threats of violent reprisals by radical Islamist groups. The Ahmadiyya community were targeted for abuse and discrimination. In August, the Minister of Religion called for the community to be disbanded. An estimated 90 Ahmadis displaced in 2006 after arson attacks on their homes, continued living in temporary housing in Mataram, Lombok. At least 30 churches were attacked or forced to close down during the year. In April, the Constitutional Court upheld legal provisions criminalizing blasphemy. At least 14 people were in prison on blasphemy charges by the end of the year.

Sexual and reproductive rights

Laws restricting sexual and reproductive rights hampered the government's efforts to tackle maternal mortality. These included laws that support gender stereotyped roles, particularly regarding marriage and childbearing, and laws that criminalize certain types of consensual sex and the provision of information on sexuality and reproduction. Some laws and policies denied unmarried women and girls full access to reproductive health services. It was illegal for married women and girls to access certain reproductive health services without their husband's consent. Abortion was criminalized in all cases except when the health of the mother or foetus is endangered, or in the case of rape victims.

Many women and girls were at risk of unwanted pregnancies, which left them vulnerable to a range of health problems and human rights abuses, including being forced to marry young or drop out of school.

Some sought an abortion, often in unsafe conditions. According to official government figures, unsafe abortions accounted for between five and 11 per cent of maternal deaths in Indonesia. The maternal mortality ratio remained among the highest in the East Asia and Pacific region, with an estimated 228 maternal deaths per 100,000 live births.

Domestic workers

Domestic workers – an estimated 2.6 million people – the vast majority of whom were women and girls, were denied the full range of legal protection available to other workers under the Manpower Act. A bill on domestic

workers was discussed within the Parliamentary Commission on Manpower, Transmigration, Population Affairs and Health. However, the law had yet to be passed by the end of the year.

- In December 2009, Lenny, a 14-year-old girl from Java, was tricked by a recruitment agent who, instead of employing her as a domestic worker, brought her to his home and “sold” her to her new employers for 100,000 Indonesian rupiah (US\$11). Lenny was drugged and taken hundreds of miles away to Aceh. She spent three months working from 4am to 11pm each day, without pay. During that time, she suffered multiple forms of physical and psychological abuse. Lenny finally managed to escape in February, and brought a case against her employers that same month. The case was ongoing at the end of the year.

Impunity

Impunity for past gross human rights violations in Aceh, Papua, Timor-Leste and elsewhere continued. The government continued to promote reconciliation with Timor-Leste at the expense of justice for crimes during the Indonesian occupation of East Timor (1975-1999). Most past human rights violations against human rights defenders, including torture, murder and enforced disappearances, remained unsolved and those responsible were not brought to justice. In September, the government signed the International Convention against enforced disappearance.

- In 2009, Parliament recommended that an ad hoc human rights court be created to try those responsible for enforced disappearances in 1997-1998. However, the government had not acted on the recommendations by the end of the year.
- Although two people were convicted of involvement in the 2004 murder of prominent activist Munir Said Thalib (known as “Munir”), credible allegations were made that those responsible for ordering his murder were still at large

Death penalty

No executions were reported. However, at least 120 people remained under sentence of death.

Amnesty International visits/reports

- Amnesty International delegates visited Indonesia in February, March, October and November
- Displaced and forgotten: Ahmadiyya in Indonesia (ASA 21/006/2010)
- Indonesia: Left without a choice – Barriers to reproductive health (ASA 21/013/2010)