



## INDONESIA

### REPUBLIC OF INDONESIA

Head of state and government: Susilo Bambang Yudhoyono

Death penalty: retentionist

Population: 242.3 million

Life expectancy: 69.4 years

Under 5-mortality: 38.9 per 1,000

Adult literacy: 92.2 per cent

Indonesia assumed the chair of ASEAN and in May was elected to the UN Human Rights Council for a third consecutive term. The government strengthened the national police commission but police accountability mechanisms remained inadequate. The security forces faced persistent allegations of human rights violations, including torture and other ill-treatment and use of unnecessary and excessive force. Provincial authorities in Aceh increasingly used caning as a judicial punishment. Peaceful political activities continued to be criminalized in Papua and Maluku. Religious minorities suffered discrimination, including intimidation and physical attacks. Barriers to sexual and reproductive rights continued to affect women and girls. No executions were reported.

### Torture and other ill-treatment

Security forces faced repeated allegations of torturing and otherwise ill-treating detainees, particularly peaceful political activists in areas with a history of independence movements such as Papua and Maluku. Independent investigations into such allegations were rare.

- In January, three soldiers who had been filmed kicking and verbally abusing Papuans were sentenced by a military court to between eight and 10 months' imprisonment for disobeying orders. A senior Indonesian government official described the abuse as a "minor violation".
- There were no investigations into allegations of torture and other ill-treatment of 21 peaceful political activists by Special Detachment-88 (Densus-88), a police counter-terrorism unit. The 21 had been tortured during arrest, detention and interrogation in Maluku in August 2010.

Caning was increasingly used as a form of judicial punishment in Aceh. At least 72 people were caned for various offences, including drinking alcohol, being alone with someone of the opposite sex who is not a marriage partner or relative (*khalwat*), and for gambling. The Acehese authorities passed a series of bylaws governing the implementation of Shari'a law after the enactment of the province's Special Autonomy Law in 2001.

### Excessive use of force

The police used unnecessary and excessive force against demonstrators and protesters, especially in land dispute cases. In the rare instances where investigations took place, little progress was made in bringing perpetrators to justice.

- In January, six palm oil farmers were seriously injured in Jambi Province after Police Mobile Brigade (Brimob) officers fired rubber bullets at them in an attempt to evict them from a plantation they were working on. The plantation was the subject of an ongoing land dispute between the farmers and a palm oil company.

- In April, police in Papua shot Dominokus Auwe in the chest and head, killing him, and wounded two others in front of the Moanemani sub-district police station. The three men had approached the station peacefully to inquire about money the police had seized from Dominokus Auwe earlier that day.
- In June, security forces used unnecessary and excessive force while attempting to forcibly evict a community in Langkat district, North Sumatra. The community had been involved in a land dispute with the local authorities. When the community protested against the eviction, police officers fired on the crowd without warning, injuring at least nine people. Six others were kicked and beaten.

### **Freedom of expression**

The government continued to criminalize peaceful political expression in Maluku and Papua. At least 90 political activists were imprisoned for their peaceful political activities.

- In August, two Papuan political activists, Melkianus Bleskadit and Daniel Yenu, were imprisoned for up to two years for their involvement in a peaceful political protest in Manokwari town in December 2010.
- In October, over 300 people were arbitrarily arrested after participating in the Third Papuan People's Congress, a peaceful gathering held in Abepura town, Papua province. Although most were held overnight and released the next day, five were charged with "rebellion" under Article 106 of the Criminal Code. The charges could carry a maximum life sentence. A preliminary investigation by the National Human Rights Commission (Komnas HAM) found that the security forces had committed a range of human rights violations, including opening fire on participants at the gathering, and beating and kicking them.

Some human rights defenders and journalists continued to be intimidated and attacked because of their work.

- In March, journalist Banjir Ambarita was stabbed by unidentified persons in the province of Papua shortly after he had written about two cases of women who were reportedly raped by police officers in Papua. He survived the attack.
- In June, military officers beat Yones Douw, a human rights defender in Papua, after he tried to monitor a protest calling for accountability for the possible unlawful killing of Papuan Derek Adee in May.

### **Discrimination**

Attacks and intimidation against religious minorities persisted. The Ahmadiyya community was increasingly targeted and at least four provinces issued new regional regulations restricting Ahmadiyya activities. By the end of the year, at least 18 Christian churches had been attacked or forced to close down. In many cases the police failed to adequately protect religious and other minority groups from such attacks.

- In February, three Ahmadis were killed after a 1,500-person mob attacked them in Cikeusik, Banten province. On 28 July, 12 people were sentenced to between three and six months' imprisonment for their involvement in the incident. No one was charged with murder and local human rights groups raised concerns about the weak prosecution.
- The Mayor of Bogor continued to defy a 2010 Supreme Court ruling ordering the authorities to reopen the Taman Yasmin Indonesian Christian Church. The congregation was forced to conduct its weekly services on the pavement outside the closed church, amid protests from radical groups.

### **Sexual and reproductive rights**

Women and girls, especially those from poor and marginalized communities, were prevented from fully exercising their sexual and reproductive rights. Many continued to be denied the reproductive health services provided for in the 2009 Health Law, as the Ministry of Health had yet to issue the necessary implementing regulation. The government failed to challenge discriminatory attitudes and cruel, inhuman and degrading practices, including female genital mutilation and early marriages.

- In June, the Minister of Health defended a November 2010 regulation permitting specifically defined forms of “female circumcision” when performed by doctors, nurses and midwives. The regulation legitimized the widespread practice of female genital mutilation. It also violated a number of Indonesian laws and contradicted government pledges to enhance gender equality and combat discrimination against women.

The maternal mortality ratio remained one of the highest in the region.

### **Domestic workers**

In June, the President expressed support for the new ILO No. 189 Domestic Workers Convention. However for a second successive year, parliament failed to debate and enact legislation providing legal protection for domestic workers. This left an estimated 2.6 million domestic workers – the vast majority of them women and girls – at continued risk of economic exploitation and physical, psychological and sexual violence.

### **Impunity**

Perpetrators of past human rights violations in Aceh, Papua, Timor-Leste and elsewhere remained free from prosecution. The Attorney General’s office failed to act on cases of serious human rights violations submitted by the National Human Rights Commission (Komnas HAM). These included crimes against humanity committed by members of the security forces.

- A Memorandum of Understanding between Komnas HAM and the Timor-Leste Provedor (Ombudsman for Human Rights and Justice) which called, among other things, for information on people who disappeared in 1999 in Timor-Leste, lapsed in January and was renewed in November. No progress was reported.
- In September, the Attorney General reportedly declared the case of murdered prominent human rights defender Munir “closed”. There remained credible allegations, despite the conviction of three people for their involvement in his death, that not all the perpetrators had been brought to justice.
- The government had yet to implement the 2009 recommendations of parliament to investigate and prosecute those responsible for the abduction and enforced disappearance of 13 political activists in 1997-1998.

### **Death penalty**

For a third successive year no executions were reported. However, at least 100 people remained under sentence of death.

### **Amnesty International visits/reports**

- Amnesty International delegates visited Indonesia in April, May, September, October, November and December.
- Making the fair choice: Key steps to improve maternal health in ASEAN – Briefing to the ASEAN Intergovernmental Commission on Human Rights (ASA 03/001/2011)
- Open letter to Head of National Police on failure of police accountability in Indonesia (ASA 21/005/2011)
- Indonesia: Open letter on human rights violations against the Ahmadiyya in West Java (ASA 21/032/2011)