



Australian Government
Refugee Review Tribunal

Country Advice

Indonesia

Indonesia – IDN37849 – Police – State
protection – Ethnic minorities

1 December 2010

1. Do police protect ethnic minorities?

According to information provided by Minority Rights Groups International in its report ‘State of the World’s Minorities and Indigenous Peoples 2010’, there is continuing adverse treatment of religious minorities. It also indicates that in resource-rich Papua authorities clamp down on indigenous people’s activists who seek greater autonomy or independence; however, it makes no specific mention of the state failing to provide adequate protection to minority groups.¹

Amnesty International in its Annual Report for 2010 indicated that the police had been reported to have at times used unnecessary or excessive force. It also noted that in January 2009, the police issued a new regulation on the use of force in police action (No.1/2009), based on the UN Basic Principles on the Use of Force and Firearms. Moreover, in June 2009, the police issued a regulation on the implementation of human rights principles (No.8/2009). It assessed that nevertheless, internal and external accountability mechanisms to deal with police abuse remained weak.²

The yearly report by Human Rights Watch states that ‘impunity remains the rule for members of the security forces responsible for abuses’. It noted that the government has taken steps to combat corruption, although serious obstacles remain. It notes that ethnic groups involved in separatist movement have been harshly treated by police.³

The US Department of State Report for 2010 found that Indonesia has achieved progress in strengthening democracy and cites as an example the fact that:

The Indonesian National Police adopted a use of force policy that strictly proscribes the use of deadly force and allows it to track and minimize the use of force by police. The government also continued the prosecutions of high-level officials for corruption.⁴

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The Internal Affairs Division and the National Police Commission within the INP investigate complaints against individual police officers.⁵

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¹ Minority Rights Groups International, *State of the World’s Minorities and Indigenous Peoples 2010. Events of 2009* - Attachment 1

² Amnesty International 2010, *Amnesty International Report. Indonesia*, 28 May - Attachment 2

³ Human Rights Watch 2010, *World Report. Country Summary. Indonesia*, January - Attachment 3

⁴ US Department of State 2010, *2009 Human Rights Report: Indonesia*, 11 March - Attachment 4

⁵ US Department of State 2010, *2009 Human Rights Report: Indonesia*. Section 1 - d. Arbitrary Arrest or Detention. Role of the Police and Security Apparatus. 11 March - Attachment 4

On June 25, the INP implemented regulations that standardized human rights regulations in the normal course of police duties. However, impunity and corruption remained problems in some provinces. Police commonly extracted bribes ranging from minor payoffs in traffic cases to large bribes in criminal investigations.⁶

It noted, however, that widespread corruption throughout the legal system was prevalent and had an adverse impact on due process of civil and criminal cases. The National Ombudsman had received 166 complaints of judicial corruption involving the judiciary, clerks and lawyers. As a result the President had appointed a taskforce to eradicate judicial mafias.⁷

Freedom House in its 'Freedom in the World' report on Indonesia corroborated these facts and stated that the police in Indonesia remained rife with corruption and other abuses. The head of the national police's legal division revealed in August 2009 that some 350 officers are dismissed annually for rights violations. The national police issued a new set of law enforcement standards in June 2009.⁸

Attachments

1. Minority Groups International, *State of the World's Minorities and Indigenous Peoples 2010. Events of 2009*.
2. Amnesty International 2010, *Amnesty International Report. Indonesia*, 28 May.
3. Human Rights Watch 2010, *World Report. Country Summary. Indonesia*, January.
4. US Department of State 2010, *2009 Human Rights Report: Indonesia*, 11 March.
5. Freedom House 2010, *Freedom in the World – Indonesia (2010)*, June
<http://www.freedomhouse.org/template.cfm?page=22&year=2010&country=7841> – Accessed 10 September 2010.

⁶ US Department of State 2010, *2009 Human Rights Report: Indonesia*. Section 1 d. Arbitrary Arrest or Detention. Role of the Police and Security Apparatus. 11 March - Attachment 4

⁷ US Department of State 2010, *2009 Human Rights Report: Indonesia*. Section 1 e. Denial of Fair Public Trial; Civil Judicial Procedures and Remedies. 11 March - Attachment 4

⁸ Freedom House 2010, *Freedom in the World – Indonesia (2010)*, June
<http://www.freedomhouse.org/template.cfm?page=22&year=2010&country=7841> – Accessed 10 September 2010 - Attachment 5