

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Indonesia: Lack of truth, justice and reparation in Aceh for past abuses undermines peace process

Joint statement by Amnesty International and the Commission for the Disappeared and Victims of Violence (KontraS)

Nine years after the 2005 Helsinki peace agreement was signed to end the 29 year conflict in Aceh, Amnesty International and the Commission for the Disappeared and Victims of Violence (KontraS) join victims of the conflict and their families in calling again on the authorities to fulfil their obligations to ensure truth, justice and full reparation for the human rights violations and abuses that occurred, including by establishing a truth commission in Aceh that operates in line with international law and standards.

The continued delay in establishing such a commission, a key element of the 2005 peace agreement, highlights the lack of political will by both the local and central government in addressing impunity, and is prolonging the suffering of victims and their families.

On 27 December 2013, after eight years of campaigning by human rights groups and victims' organizations, the Aceh House of People's Representatives passed the Aceh Truth and Reconciliation bylaw (*qanun*). However, eight months later, no progress has been reported in implementing the bylaw, while Amnesty International and KontraS are also aware that Indonesia's Ministry of Home Affairs is opposing its establishment.

Victims and survivors of the conflict continue to demand to know the truth about the human rights violations and abuses they suffered. Thousands are still in the dark about the fate of "disappeared" loved ones, while only a handful of cases related to conflict abuses have been investigated, and not a single case has been prosecuted since 2005.

Further, the failure to prosecute those suspected of committing the violations and abuses is having grave consequences for the rule of law in Aceh today and a legacy of violence continues to persist.

Amnesty International and KontraS urge the National Human Rights Commission (Komnas HAM) to ensure that it completes ongoing *pro-justicia* investigations into five key cases of "gross human rights abuses" including the 1999 Simpang KKA incident in North Aceh when the military shot dead 21 protesters, and the Jamboe Keupok case in South Aceh where four people were shot dead and 12 burnt alive by soldiers in May 2003. Further, once their findings are submitted to the Attorney General's Office, these cases must be fully investigated without political interference. The results of numerous investigations by the government and Komnas HAM regarding human rights violations and abuses committed during the conflict have not been made public or led to any prosecutions.

Amnesty International and KontraS also call on President Susilo Bambang Yudhoyono, who oversaw the 2005 peace deal, to fulfil his commitment to ending impunity in Aceh by meeting the victims' demands before his term in office comes to an end in October 2014. A key step forward would be to offer a formal and public apology to victims of human rights violations committed by Indonesian forces and their auxiliaries in Aceh

Background

The Aceh conflict between the armed pro-independence movement Free Aceh Movement (*Gerakan Aceh Merdeka*, GAM) and the Indonesian government dated back to 1976, and peaked during military operations from 1989 until 2005.

It took a brutal toll on the population there, leaving between 10,000 and 30,000 dead, many of them civilians. Many of the violations and abuses committed by both sides in the context of the non-international armed conflict may amount to war crimes. Many of the violations directed by Indonesia's forces and their auxiliaries against civilians as part of the policy of suppressing the independence movement appear to have formed part of a widespread or systematic attack and may amount to crimes against humanity.