

Indonesia: Mysterious shootings investigation stalls, TNI and police witnesses uncooperative

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Jakarta — The National Human Rights Commission (Komnas HAM) has revealed that resistance by retired TNI (Indonesian military) and Polri (Indonesian police) officers to testify has resulted in the investigation into the 1980s mysterious shootings (petrus) tragedy stalling.

In the process of investigating cases of gross human rights violations which occurred over the period 1982-1985, Komnas HAM has asked for testimonies from some 115 people. Out of this total, two are from the TNI and Polri respectively.

“Indeed there has been obstacles. First, resistance from retired TNI and Polri officers to fulfill Komnas HAM summons to give testimony”, said Komnas HAM Commissioner Beka Ulung Hapsara during a virtual discussion on Thursday February 3.

The other obstacle has been intimidation against victims who want to testify. Hapsara admitted that it is difficult to convince victims to give evidence because those who speak out have been intimidated by the authorities.

“Evan if they are prepared to testify, there is intimidation which makes it difficult and even ends in the testimonies falling through”, he said.

Hapsara explained that the petrus tragedy resulted in many victims. He is convinced that the number of victims reached as many as 3,000 people.

“Some say 3 thousand, 2 thousand, but my estimates are that it could be many more because [of difficulties with] identification and then their burials”, he said.

“There were a great many [forced] disappearances also. So I’m convinced that there were more than 3 thousand victims”, he said.

In relation to resolving the mysterious shootings case, the Komnas HAM formed an ad hoc team in 2008 based on an agreement with the House of Representatives (DPR) which referred to Law Number 26/2000 on a Human Rights Court.

“The mechanism was that there would be a human rights court for cases of gross human rights violations which occurred after 2000. This is what is termed rights violations, then an ad hoc [human] rights court for cases of rights violations which occurred before 2000”, he explained.

To this day however, said Hapsara, these cases have yet to be resolved. He noted that the victims have yet to obtain justice, let alone an apology from government officials.

“And the issue of responsibility right now is still zero”, he said.

As has been reported, the government has a list of 13 cases of past gross human rights violations. Out of these 13 cases, nine cases occurred before 2000 and four occurred after 2000, including the Paniai case in Papua.

The government claims it can only resolve these four cases. This is because Article 43 of Law Number 26/2000 on a Human Rights Court states that gross human rights crimes which occurred before 2000 can only be tried by an ad hoc Human Rights Court.

Coordinating Minister for Security, Politics and Legal Affairs Mahfud MD has explained that this type of court was formed based on a proposal by the House of Representatives (DPR).

Then out of the four cases which occurred after 2000, only one has reached the criminal investigation state at the AGO, namely the bloody Paniai incident in Papua.

The bloody Paniai case was an incident which occurred on December 8, 2014. At the time, local people were holding a protest action over an assault by TNI personnel against a youth at the Karel Gobai Square in Enarotali, Paniai.

Notes

Known as penembakan misterius (mysterious shootings), or Petrus, the incidents revolved around the extrajudicial execution of alleged criminals without trial between 1983 and 1985, which then president Suharto said in his biography was “shock therapy” he himself condoned. Almost every day, corpses with gunshot wounds were found in streets, rivers, forests or open spaces for the public to see during the anti-crime drive.

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