KontraS
Komisi untuk Orang Hilang
dan Korban Tindak Kekerasan

ajar
asia justice and rights

INDONESIA

Submission to the Universal Periodic Review
of the United Nations Human Rights Council (Third Cycle)

IMPUNITY OF PAST HUMAN RIGHTS VIOLATIONS

Commission for the Disappeared and Victims of Violence (KontraS)
Asia Justice and Rights (AJAR)

September 20, 2016

I. Overview

1. The Commission for the Disappeared and Victims of Violence (KontraS) and Asia Justice and Rights (AJAR) submit this report for the Universal Periodic Review (UPR) of Indonesia that will take place in May 2017.

2. KontraS is a national human rights non-governmental organization based in Jakarta, Indonesia. Its main activities are geared towards support for the victims of human rights violations. It seeks to improve respect and protection for human rights within Indonesia through advocacy, investigations, campaigns, and lobbying activities. KontraS monitors several issues such as enforced disappearances, torture, impunity, and violations of civil, political, economic, social, and cultural rights.

3. AJAR is a regional human rights organization whose aim is to strengthen human rights and contribute to the alleviation of entrenched impunity in the Asia-Pacific region. Its work focuses on countries in transition from a context of mass human rights violations to democracy. Working together with partner organizations in these countries, AJAR strives to build cultures based on accountability, justice, and a willingness to learn from the root causes of mass human rights violations to help prevent the recurrgence of state-sanctioned human rights violations.

4. KontraS and AJAR have evaluated the implementation of recommendations made to Indonesia during its previous UPR in 2012, in particular recomendations related to impunity in Indonesia. We are concerned by the continued failure of Indonesia to ensure truth, justice, and reparations for the victims of past human rights violations and their families.

II. Transitional Justice Issues

5. Indonesia has made significant progress in some areas, such as amendments to the constitution and the legal framework for the protection of human rights, including the fulfillment of the right to remedy and guarantees for non-repetition through institutions such as the National Human Rights Commission (*Komnas HAM*) and ad hoc transitional justice mechanisms. However, the Indonesian Government has not shown a commitment to recognize the truth about widespread violence by state agents, or to prosecute perpetrators, prevent recurrence, and offer reparations to victims. Indonesia has yet to fully address its legacy of violations, while victims, their families, and civil society organizations face challenges to end impunity using a transitional justice framework, as outlined below.

6. **Truth seeking:** With the fall of the Suharto dictatorship in 1998, the way was open for major political reformation. The Government established ad hoc investigation teams for cases such as the May 1998 breakdown of law and order leading to widespread riots and sexual violence. *Komnas HAM* also established ad hoc *pro justicia* inquiries for ten cases of crimes against humanity, including violations during military operations in Aceh.[1] This commission recommended criminal investigations and prosecutions, but the Attorney General's Office (AGO) has done very little, claiming the files were administratively incomplete, a view that *Komnas HAM* has disputed. Investigations by *Komnas HAM* have made an important contribution to victims' right to truth. Similarly, the bilateral Timor-Leste and Indonesian Commission for Truth and Friendship (CTF) affirmed that systematic violations were committed by Indonesian security forces in Timor-Leste related to the 1999 referendum. However, the Timor-Leste and Indonesian Governments have not acted on the CTF recommendations.

7. Truth and Reconciliation Commission: In 2006, civil society and victims' groups sought a judicial review of Law No. 27/2004 on a national Truth and Reconciliation Commission (TRC). They challenged the requirement that victims must forgive perpetrators in order to receive reparations. However, the Constitutional Court then struck down the entire law, a move that has amounted to political defeat in the struggle against impunity. Pressure by civil society in Aceh led to a local TRC law in 2013. The Aceh parliament has appointed seven commissioners and the TRC process has just begun. Papua's 2001 Special Autonomy Law also provided for a TRC, but it has been stalled. In response to official indifference, civil society and victims' organizations

[1] The ten cases are: 1965-66 atrocities; summary killings (1982-1985); the Talangsari case (1989); disappearance of student activists (1997-1998); the May riots (1998); shooting of students at Trisakti, Semanggi I, and Semanggi II (1998-1999); Wasior case (Papua, 2001-2002); Wamena case (Papua, 2003); the Jambu Keupok case (Aceh, 2003); and the Simpang KKA case (Aceh, 1999). These cases were tried according to Law No. 26/2000 on the Human Rights Court which uses several measurements to define genocide and crimes against humanity such as *means rea* and widespread or systematic attack. Prior to its establishment, the government argued that the law was inspired by the Rome Statute of International Criminal Court. Yet, there are major obstacles to the full application of Law No. 26/2000, particularly regarding the realization of justice and accountability to the victims.

have begun documenting survivors' stories, and conducting public hearings and advocacy as alternative forms of truth seeking in Papua.

8. **Judicial proceedings**: Indonesia has enacted the Human Rights Law (No. 39 of 1999) and the Human Rights Court Law (No. 26 of 2000). Based on these laws, the human rights court heard three cases: the massacre of Tanjung Priok (1984), Timor-Leste (1999), and the Abepura case in Papua (2001) with evidence drawn from investigations conducted by *Komnas HAM* and the Attorney General's Office (AGO). Neverthelss, these three cases resulted in the acquittal of all defendants, either by the first ruling or on appeal.[2] This failure to deliver justice reveals systemic weakness in the judiciary and a lack of political will in the administration of justice. Taken with the AGO's refusal to follow up on *Komnas HAM* inquiries into other cases, it is clear that the Government is not pursuing justice for past gross human rights violations.

9. **Reparations**: In Indonesia, reparations are only provided if a court has acknowledged human rights violations. However, the national Witness and Protection Agency (LPSK) can provide referrals for urgent health and psychosocial services based on a recommendation from *Komnas HAM* granting a person's "legal status as a victim". Civil society organizations and torture survivors are also engaging local governments to provide assistance and social services, such as the apology and provision of services for torture survivors of the 1965 mass human rights violations by the former Mayor of Palu in Central Sulawesi.

10. **Security Sector Reform (SSR):** the police, military, and intelligence agencies were the main perpetrators of torture under the former authoritarian regime. After the fall of this regime, efforts to advance SSR were soon slowed and have now stalled. New laws that regulate the sector are problematic and have weak accountability mechanisms. For instance, the Law on Military Courts maintains impunity by blocking any external oversight, and many internal police and military mechanisms remain weak.[3] Without a policy for vetting security sector personnel linked to serious crimes, including those who have been prosecuted in human rights courts or military tribunals, these individuals continue to serve, receive promotions, and sit in elected office.

11. **Non-judicial measures**: President Joko Widodo has announced his intention to pursue non-judicial measures for past violations, closing the door to prosecutions. An inter-agency team was established to deal with the major cases already filed with the Attorney General.[4] Many victims lack faith in this partial strategy to deal with the past, and of an approach that seeks reconciliation without truth or including any judicial process. More recently,

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[2] See *Derailed: Transitional Justice in Indonesia since the Fall of Soeharto* (ICTJ-KontraS, 2011), https://www.ictj.org/publication/derailed-transitional-justice-indonesia-fall-soeharto-report.

[3] Chief of National Police Regulation on Human Rights, No. 8 of 2009 and Military Commander Regulation No. 73/IX/2010.

[4] The agencies are: Komnas HAM, the Coordinating Ministry for Political, Legal and Security Affairs, the Law and Human Rights Ministry, the Attorney General's Office, the police, and the State Intelligence Agency.

Former Coordinating Minister of Political, Legal, and Security Affairs, Mr. Luhut Binsar Panjaitan, announced that these past human rights cases might be resolved soon. Since this announcement, President Widodo has replaced Mr. Panjaitan with Mr. Wiranto, a controversial figure who he has been investigated and indicted for serious crimes in the past. More recently, Mr. Wiranto announced that the government would establish a non-judicial mechanism to 'resolve' all past human rights violations.

III. Implementation of 2012 UPR Recommendations on Impunity of Past Human Rights Violations

12. In the second cycle of UPR review in 2012, the Government accepted recommendations related to impunity for past human rights violations. These included recommendations to:
    - Follow through on its intention to ratify the Rome Statute of the International Criminal Court (ICC);[5]
    - Consider ratification of the International Convention for the Protection of All Persons from Enforced Disappearance (CPED);[6]
    - Extend a standing invitation to all UN special procedure mandate holders of the Human Rights Council,[7] including the Working Group on Enforced or Involuntary Disappearances;[8] and
    - Continue to combat impunity, among other means by strengthening laws and regulations as well as their implementation.

Settlement of past violations without justice

13. In 2014 the President-elect of Indonesia, Joko Widodo, expressed a commitment to resolve past violations with a variety of political promises. This commitment is also reflected in Indonesia's Mid-Term Development Plan (RPJMN) of 2015-2019 that has a section on the just resolution of cases involving human rights violations in the past. The document, based on *Nawacita* (the President-elect's political platform), states that a Presidential committee to ensure the settlement of past gross human rights abuses will be established. Despite these commitments, the Indonesian Government is only promoting a mechanism for resolution of past serious human rights violations that seeks reconciliation without justice and truth-seeking.

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[5] Human Rights Council, *Report of the Working Group on the Universal Periodic Review, Indonesia*, 5 July 2012, document A/HRC/21/7 recommendations No. 108.2 (Chile), 108.3 (Austria), 108.4 (Slovenia), 108.5 (Sweden), 108.6 (Switzerland), 108.7 (United Kingdom of Great Britain and Northern Ireland), 108.20 (Slovakia), 108.21 (Germany), 108.22 (Liechtenstein), 108.23 (Australia), 108.24 (Hungary), 108.25 (Latvia),

[6] Human Rights Council, *Report of the Working Group on the Universal Periodic Review, Indonesia*, 5 July 2012, document A/HRC/21/7 recommendations No. 108.1 (Iraq), 108.2 (Chile), 108.3 (Austria), 108.10 (Ecuador) 108.11 (Spain), 108.12 (Argentina), 108.13 (Mexico), 108.14 (Timor-Leste), 108.15 (Morocco)

[7] Human Rights Council, *Report of the Working Group on the Universal Periodic Review, Indonesia*, documents A/HRC/21/7 recommendations No.109.11 (Latvia), 109.12 (Austria) and 109.16 (Republic of Korea).

[8] Human Rights Council, *Report of the Working Group on the Universal Periodic Review, Indonesia*, documents A/HRC/21/7 recommendations No. 109.15 (Mexico).

14. *Komnas HAM* (National Human Rights Commission) recommended that ten cases of alleged crimes against humanity be submitted to the Attorney General (AG) for prosecution. Six of the cases were to proceed to the Ad Hoc Human Rights Court**,** namely: 1965-66 atrocities; summary killings (1982-1985); the Talangsari case (1989); enforce disappearance of student activists (1997-1998); the rape and killings during May riots (1998); and the shooting of students at Trisakti, and Semanggi I and II (1998-1999). The other four cases were to proceed to a permanent human rights court: two cases in Papua—Wasior (2001-2002) and Wamena (2003); the murder of 16 civilians in Aceh in 2003 (Jambo Keupok); and killings in Simpang KKA, Aceh (1999). Official inquiries were conducted by *Komnas HAM*; however, the AGO has refused to take further steps in the investigation process due to various political reasons. The Government is not pursuing justice for past violations cases, opting to take a non-judicial, reconciliation approach to them.[9]

15. The Indonesian Government continues to ignore recommendations made in September 2009 by the Indonesian Parliament regarding the case of enforced disappearances of student activists (1997 to 1998). The Parliament recommended that the Government establish an Ad Hoc Human Rights Court, seek information about the fate and whereabouts of activists who were still missing, provide compensation for families of the victims, and ratify the Convention against Enforced Disappearances. However, since signing the Convention in 2010, there has been no further progress towards ratifying this convention.

Stolen Timorese Children (Now Adults) Reunited with their Families

16. Approximately 4,000 East Timorese children were forcibly displaced during the Indonesian occupation of East Timor from 1975 to 1999. From our research, our data indicate that only a few survivors have enjoyed a good standard of living after their forced removal from Timor-Leste. The majority of the children were taken to Indonesia without the genuine consent of their parents and promises of getting a better education were never realized. Many were neglected, either by their "adopted" parents or by the organization in whose care they were placed. Others lived with families who could not afford to send them to school. Some were thrown out onto the streets to fend for themselves. Now, decades later, most of the survivors face economic hardship, live in sub-standard housing, do not own land, and are unable to get a well-paid job due to a lack of education. Almost all of these "stolen children" continue to deal with issues related to unresolved trauma.[10]

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[9] Constitutional Court Verdict No. 75/PUU-XIII/2015 http://www.mahkamahkonstitusi.go.id/public/content/persidangan/risalah/risalah_sidang_8773_Putusan%20Perkara%20Nomor%2075.128.PUU.XIII.2015%20dan%207.51.PUU.XIV.2016%2023%20Agustus%202016.pdf

[10] AJAR Policy Paper, *LONG JOURNEY HOME: Reuniting East Timor's Stolen Children Living in Indonesia with their Families in Timor-Leste*, 2016, http://www.asia-ajar.org/files/AJAR-%20Policy% 20Paper-LONG%20JOURNEY%20HOME.pdf

17. The Governments of Indonesia and Timor-Leste established the Commission for Truth and Friendship (CTF) in 2005 and in 2008 released its report with a number of recommendations to be implemented by the two countries. One recommendation was the formation of a Commission for Missing Persons to identify children who had been taken to Indonesia and reunite them with their parents in Timor-Leste. Until recently, the two countries had not implemented this recommendation. However, beginning in 2013, a group of civil society organizations in Indonesia and Timor-Leste (AJAR, KontraS, IKOHI, and Hak Association), in collaboration with the national human rights institutions of Indonesia and Timor-Leste, began looking for these stolen children, taken from East Timor between 1975-1999. As of mid-2016, the stories of 65 stolen children had been documented and 30 of them had participated in family reunion visits facilitated by this group of CSOs and human rights institutions in Indonesia and Timor-Leste.

Truth and Reconciliation Commission Process in Aceh

18. The decades-long conflict between the armed pro-independence movement, Free Aceh Movement (GAM), and the Indonesian Government left in its wake the impact of serious human rights violations of both civil and political rights, and violations of economic, social, and cultural rights. The Government of Indonesia and GAM signed the Helsinki Peace Memorandum of Understanding (MoU) in 2005. The Indonesian Parliament codified many of its MoU obligations in the Law of Governance of Aceh (LoGA) that was passed in August 2006 (Law No. 11/2006). Although LoGA established a Human Rights Court and TRC for Aceh, at the same time it limited the Court's jurisdiction to future abuses and made the Aceh TRC an "inseparable part" of an anticipated, but not yet existing, national TRC. In 2009, civil society groups in Aceh prepared a draft qanun (bylaw/local regulation in Aceh) for the establishment of a TRC in Aceh. Eventually, in 2013, the Aceh Parliament passed a law (Qanun 17/2013) to establish the Truth and Reconciliation Commission. As mandated by its qanun, the Aceh TRC aims to (1) strengthen peace through revealing the truth about past human rights violations; (2) facilitate reconciliation between individual and institutional perpetrators of human rights violations and the victims; and (3) recommend comprehensive reparations for victims of human rights violations according to universal standards of victims' rights.

19. In 2015, the independent selection committee started to recruit candidates for TRC commissioners. About 147 people registered and followed various steps of examination. Eventually, the selection committee submitted 21 candidates to Commission I of the Aceh Parliament. In early 2016, this commission conducted a fit and proper test of the candidates and then elected seven people—five men and two women—as commissioners of the Aceh TRC. After this selection, the commissioners should be ratified in a plenary session of the Aceh Parliament, and the governor of Aceh should inaugurate the commissioners, giving them the mandate to enact the regulations stipulated in the TRC qanun. This formal establishment of the Aceh TRC will allow the commissioners carry out their duties and functions effectively.

Munir Case: Deadlocked Legal Process

20. Human rights defender Munir Said Thalib, former Director of KontraS, was killed on 7 September 2004, while aboard a Garuda flight to Amsterdam. During an autopsy, Dutch authorities found a lethal dose of arsenic in his system. Munir played a critical role in discovering military participation in the disappearance of students in 1998, and the following year was actively involved in investigations into the violence that occurred in Timor-Leste. Munir's murderer, Pollycarpus Priyanto, was initially convicted, but later acquitted by the Supreme Court. His acquittal was reversed after a case review, and he was given a 20-year sentence. However, he was granted a number of remissions, and released early in 2014. Pollycarpus made more than 40 phone calls to a senior intelligence official, Muchdi Purwopranjono, around the time of Munir's murder and the release of the autopsy report. After sustained pressure by human rights groups on police and prosecutors, Muchdi was tried on the basis of the phone records and witness statements. The prosecutor alleged that Muchdi had ordered Pollycarpus to carry out the murder. However, some witnesses failed to appear in court, and others who had provided incriminating statements to police withdrew them at trial. Muchdi was acquitted on 31 December 2008.

21. In June 2009, the Supreme Court rejected the prosecutor's appeal of the Pollycarpus case. Also, former President Susilo Bambang Yudhoyono never published the recommendations of the Presidential fact-finding team (FFT) regarding the murder of Munir that were submitted to the President in 2005. Likewise, the current President is also not taking any action on the FFT recommendations. Civil society has asked the State Secretariat to publish the FFT report, but it has not responded. The dispute between civil society and the Government over release of government findings regarding Munir's death continues in the Public Information Commission.[11]

Non-Judicial Mechanisms in Dealing with 1965 Atrocities

22. In April 2016 the Government of Indonesia conducted a national symposium on the 1965 atrocities. Participants included not only victims, but also academics, journalists, practitioners, activists, victims' representatives, and, to some extent, military representatives and members of the accused groups who were part of the prolonged and extra-judicial violence of 1965-66. The aim of this symposium was to reflect on the impact of human rights violations related to the 1965 atrocities. Another aim was to recommend that the Government seek a comprehensive resolution to gross human rights violations related to the 1965 atrocities that would include rehabilitation, compensation, and other remedies.[12] However, several current and former high-ranking officials

[11] "Kontras demand [sic] government declassify Munir case," *The Jakarta Post*, 29 April 2016, http://www.thejakartapost.com/news/2016/04/29/kontras-demand-govt-declassify-munir-case. html.

[12] Febriana Firdaus, "Ke mana Simposium Nasional '65 akan bermuara?" *Rappler*, 13 April 2016, http://www.rappler.com/indonesia/129348-simposium-nasional-tragedi-1965.

speaking at the symposium, voiced their reluctance to apologize and acknowledge the violence of 1965. Some asked that the nation merely forget the past. With the participation of victims and their advocates, the symposium allowed an unprecedented exchange of opinions and open debate about the violence of 1965 and the following years.[13] Unfortunately, there was a strong backlash against the symposium, and its recommendations have yet to be implemented.

23. In fact, the Government of Indonesia has resisted any sytematic attempt to deal with this chapter of history. It has ignored recomendations on the 1965 investigations issued by *Komnas HAM* in 2012, and continues to deny the existence of mass graves related to 1965 atrocities.[14] According to a KontraS investigation, there are at least 122 mass graves in Central Java and Sumatra alone. However, KontraS and other civil society groups are reluctant to provide this information to the Government because the symposium did not result in a Presidential Decree to resolve the 1965 case.[15] Furthermore, authorities have tried to silence public discussions held in many areas of Indonesia, disbanding events, discussions and film showings on the issues.

24. Although President Widodo's administration has shown some political will for dialog on 1965, the strong backlash by the military and fundamentalist groups seems to have weakened its resolve. An international people's tribunal, organized by Indonesian civil society and held at The Hague in November 2015, stated that the Indonesian state is guilty of crimes against humanity and possibly genocide in its judgment. Although this initiative has quenched victims' thirst for truth, senior government officials have made statements refuting the people's tribunal findings. More recently, the current Coordinating Political, Legal, and Security Affairs Minister Wiranto recommended a non-judicial mechanism to address the atrocities of 1965.

Lack of Vetting of Government Officials

New Coordinating Minister of Politics, Law and Security

25. General Wiranto (Retired) was Commander of National Military Forces (ABRI) during the New Order Era. On 27 July 2016, President Joko Widodo appointed him as the new Coordinating Minister of Politics, Law, and Security. This appointment contradicts the President's promise not to appoint a leader of a political party as state minister, as Mr. Wiranto is the chair the

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[13] Asia Justice and Rights (AJAR), "Acknowledgement and Truth for 1965 Victims, A Call for Comprehensive Reparations in Indonesia: A Response to the Symposium on 1965 in Indonesia," 19 April 2016, http://asia-ajar.org/2016/04/acknowledgement-truth-1965-victims-call-comprehensive-reparations-indonesia/.

[14] Kate Lamb, "Indonesia urged to hold truth and reconciliation process over massacres," The Guardian, 13 April 2016, https://www.theguardian.com/world/2016/apr/13/indonesia-truth-and-reconciliation-process-communist-massacres?CMP=share_btn_tw.

[15] Isyana Artharini, "Apa isi rekomendasi tim perumus Simposium Tragedi 1965?" BBC Indonesia, 19 Mei 2016, http://www.bbc.com/indonesia/berita_indonesia/2016/05/160518_indonesia_hasil_rekomendasi_simposium65.

political party Hanura (*Hati Nurani Rakyat*). From a human rights perspective, Wiranto's appointment as a government minister is further problematic. He was indicted for crimes against humanity by a UN-sponsored tribunal in Timor-Leste. *Komnas HAM* also named him as a suspect in its inquiry of gross violations of human rights in East Timor surrounding the 1999 referendum, but he was never charged in Indonesia. He is also named in a *Komnas HAM* report as a suspect in several cases of crimes against humanity including: the attack on the office of the Indonesian Democratic Party (PDI; 27 July 1996); the riots of May 1998; the student shootings at Trisakti (1998-1999), Semanggi I (November 1998) & II (September 1999), enforced disappearance of pro-democracy activists in 1997-1998, and the Biak incident in Papua (July 1998). This regression of electing a major perpetrator of past gross human rights violations to public office raises a serious question about the President's commitment to resolve past human rights violations cases. Wiranto's appointment as a minister who will oversee the process of justice in Indonesia means that victims will continue to be neglected while a perpetrator holds a strategic position in the government.[16]

Chair of the National Intelligence Agency (BIN)

26. At the beginning of his presidency, Joko Widodo appointed Sutiyoso as Chair of the National Intelligence Agency (BIN). KontraS and other human rights organizations strongly urged the Parliemanet to reject this appointment because Sutiyoso is listed as one of the alleged perpetrators of human rights violations in the 27 July 1996 incident. At that time, Sutiyoso was Commander of the Military Command Area of Jakarta (Kodam Jaya) while he simultaneously served as the Governor of Jakarta. As governor, Sutiyoso frequently conducted forced evictions that resulted in the loss of fundamental rights for many of the poor citizens living in Jakarta and its suburbs. Before his term ended, Sutiyoso granted special amnesty to a criminal named Din Minimi in Aceh.[17] This action is in oppostition to the commitment of the 2005 Helsinki agreement because, according to KontraS Aceh, Din Minimi was involved in several criminal acts not related to the Aceh conflict.[18] In 2016, Joko Widodo replaced Sutiyoso with Budi Gunawan as the new Chair of the National Intelligence Agency (BIN). But, like Sutiyoso before him, Gunawan's appointment was not subjected to democratic civil control.[19] In 2015, civil society protested the appointment of Budi Gunawan as the Chief of National Police because of his alleged involvevement in corruption inside the Indonesian National Police. Instead of being appointed to a key position in the

[16] "KontraS protes keras terpilihnya Wiranto menjadi Menkopolhukam," *Tribun Rakyat*, 28 July 2016, http://www.tribunrakyat.com/2016/07/28/kontras-protes-keras-terpilihnya-wiranto-jadi-menkopolhukam/

[17] "Govt to grant amnesty to Din Minimi—led Aceh Armed Group," *The Jakarta Post*, 29 Desember 2015, http://www.thejakartapost.com/news/2015/12/29/govt-grant-amnesty-din-minimi-led-aceh-armed-group.html.

[18] "KontraS Aceh Anggap Jokowi Keliru Beri Amnesti Din Minimi," *Tempo*, 7 Januari 2015, https://m. tempo.co/read/news/2016/01/07/078733813/kontras-aceh-anggap-jokowi-keliru-beri-amnesti-din-minimi.

[19] "Hilangnya semangat rekam jejak dalam pergantian Kepala BIN," Siaran Pers KontraS, 7 September 2016, http://kontras.org/home/index.php?module=pers&id=2315.

national government, he should actually be investigated and, if found guilty, held accountable for economic crimes and any other violations he has committed.

IV. Recommendations to the Government of Indonesia:

- Immediately resolve the impasse between *Komnas HAM* and the AGO by establishing an effective mechanism for cooperation between the two institutions under the President's supervision.

- Establish a Presidential committee to ensure the settlement of past gross human rights abuses as stated in both the *Nawa Cita* state policy and Indonesia's Mid-Term Development plan (RJPMN) of 2015-2019.

- Revise the current human rights action plan to include redress for victims of serious crimes that ensure their rights to truth, justice and reparations, as well as measures to strengthen the independence and professionalism of the judiciary.

- Establish ad hoc human rights courts for enforced disappearances in 1997-1998 and all cases involving crimes against humanity committed prior to the passage of Law 26 of 2000 that have been determined by *Komnas HAM*.

- Accede to the Rome Statute of the International Criminal Court, in accordance with the commitment made in the National Human Rights Action Plan of 2011-2014.

- Ratify the Convention for the Protection of All Persons from Enforced Disappearances that has been signed since 2010.

- Ensure the effective establishment of the TRC in Aceh by acknowledging truth about the conflict, provide justice for victims and their families, and provide effective reparation for victims of the Aceh conflict in the framework of peace.

- Ensure that any non-judicial mechanism to address past human rights violations not be used as a substitute for the responsibility of the criminal justice system to investigate and prosecute those responsible for grave human rights violations and crimes under international law.

- Provide victims with comprehensive reparations that complement justice mechanisms, restore victims' trust, and provide social and economic programs, prioritizing rehabilitation for women, the elderly, children, and those living in geographically isolated locations.

- Ensure evaluation of national law, particularly considering the need for a solid criminal justice system able to combat impunity.

- Establish a bilateral commission with the Government of Timor-Leste to study and implement the recommendations of previous truth commissions (the Timor-Leste Commission for Reception, Truth, and Reconciliation/CAVR and the Indonesia and Timor-Leste Commission for Truth and Friendship/CTF) with focus on the separated children and the search for the disappeared.

- Invite the UN Special Rapporteur on the Promotion of Truth, Justice, Reparation, and Guarantees of Non Recurrence to Indonesia in order to give a sturdy recommendation on transitional justice issues to the Government of Indonesia.