



# JOINT PUBLIC STATEMENT

6 September 2017

## Indonesia: Government must make public the 2005 fact-finding report on Munir's case

In commemorating the thirteen years after the killing of human rights defender Munir Said Thalib, 7<sup>th</sup> of September 2017, the undersigned regional and international human rights organizations call on the Indonesian President Joko Widodo to take decisive and concrete action to ensure those responsible – including those at the highest levels – are brought to justice. As a first key step towards establishing the truth, President Widodo must release the 2005 report prepared by an official fact-finding team into Munir's killing. Munir was a prominent Indonesian human rights campaigner who took up the cause of dozens of activists who had been subjected to enforced disappearances during the last months of the Suharto's regime in 1998.

As a human rights defender, Munir played a significant role in uncovering evidence of security forces' responsibility for human rights violations in Aceh, Papua and Timor-Leste. He received numerous threats as a result of his human rights work. In August 2003, a bomb exploded outside his home in Jakarta. In 2002 and 2003, the KontraS (the Commission for the Disappeared and Victims of Violence) office where he worked was attacked by a mob, who destroyed office equipment and forcibly took files containing information about ongoing human rights investigations.

Munir was found dead on a Garuda Airlines flight from Jakarta to Amsterdam on 7 September 2004. An autopsy carried out by the Dutch authorities showed that he died as a result of arsenic poisoning. In December 2004 the Indonesian authorities formed an official fact-finding team to investigate the murder. Although three Garuda Airlines staff were convicted of the killing, there are credible allegations that those responsible at the highest levels of government have not yet been brought to justice. In 2008, Muchdi Purwoprandjono, a former deputy director of the state intelligence agency, was acquitted of soliciting and assisting in the killing of Munir. Indonesian law scholars and human rights groups found that the trial was fundamentally flawed. Key prosecution witnesses retracted their sworn testimonies and failed to testify in court. In February 2010, the National Human Rights Commission (Komnas HAM) also identified flaws in the police investigation, prosecution and trial of Muchdi Purwoprandjono and recommended a new police investigation.

In September 2016, President Widodo made a public pledge to resolve the case of Munir. But the Indonesian authorities have still not published the 2005 report of the independent fact-finding team on Munir's killing, whose finding reportedly implicated senior intelligence officers. This violates the Presidential Decree No. 111/2004 on the establishment of the fact finding team on Munir's killing which obliged the government to make the report public.

In October 2016, the Public Information Commission ruled that the 2005 report should be made public after Suciwati, Munir's wife, filed a public information request to the Commission. However, in February 2017, the Administrative Court repealed the Commission's decision on the grounds that the current government under the administration of President Widodo had not received the report from the previous government and therefore did not possess the document. Subsequently, in August 2017, the Supreme Court upheld the Administrative Court's decision and the report has yet to be made public.

Our organizations believe that Munir's case cannot be seen in isolation, but is indicative of the wider culture of impunity surrounding attacks and harassment of human rights defenders in the country. The lack of full accountability in Munir's case contributes to an ongoing climate of fear among human rights defenders.

We, the undersigned regional and international civil society organizations therefore urge the President of Indonesia Joko Widodo to take the following steps as a matter of priority:

- Publish the 2005 report of the fact-finding team into Munir's killing as a key step towards establishing the truth;
- Establish a new, independent investigation into the murder of Munir to ensure that all those suspected of being responsible, at all levels, are brought to justice in proceedings that adhere to international human rights standards;
- Review the past criminal proceedings conducted by the Attorney General into Munir's killing, including alleged violations of international human rights law; in particular, investigate reports of witness intimidation and bring those suspected of committing them to justice;
- Take effective steps to ensure that human rights violations committed against all human rights defenders are promptly, effectively and impartially investigated and that those responsible are brought to justice in fair trials; and
- Create a safe and enabling legal environment for human rights defenders by enacting laws on the protection of human rights defenders.

**This joint statement is endorsed by:**

Amnesty International Indonesia

AHRC (Asian Human Rights Commission)

AFAD (Asian Federation Against Involuntary Disappearances)

AJAR (Asia Justice and Rights)

ETAN (East Timor & Indonesia Action Network)

OBS (The Observatory for Protections of Human Rights Defender OBS)

FORUM-ASIA (Asian Forum for Human Rights and Development)

Human Rights First

Human Rights Watch

Protection International

TAPOL UK

Watch Indonesia!

For more information on Munir, please see: <https://hrdmemorial.org/hrdrecord/munir-said-thalib/>