

General allegation

101st session (4–13 November 2013)

Indonesia

72. The Working Group received information from credible sources concerning obstacles encountered in the implementation in Indonesia of the Declaration on the Protection of All Persons from Enforced Disappearance.

73. The source reported that on 30 September 2009, the Parliament of Indonesia had issued a recommendation to the President and the Government to implement the following recommendations of the National Commission on Human Rights (Komnas HAM):

(a) That the President establish an ad hoc human rights court for the cases of disappearances of activists in 1997–1998;

(b) That the President and related institutions seek and locate the whereabouts of the 13 still missing activists;

(c) That the Government provide compensation and rehabilitation to the families of victims;

(d) That the Government ratify the International Convention for the Protection of All Persons from Enforced Disappearance.

74. The source alleges that, although a process is currently under way to ratify the Convention, the three other recommendations have not yet been implemented. It is alleged that, acting at the request of the families of the disappeared, the Ombudsman of the Republic of Indonesia has established that the President had committed maladministration and violated the principle of good governance in not providing follow-up to the Parliament's recommendations.

75. The source alleges that this failure to implement the Parliament's recommendations is a violation of the Declaration on the Protection of All Persons from Enforced Disappearance and is obstructing the rights to truth, justice and redress of the relatives of the disappeared persons.