Item 6: Racism, racial discrimination, xenophobia and all forms of discrimination — Indonesia: Five years after May 1998 rights, those responsible for the atrocities remain at large

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Indonesia: Five years after May 1998 rights, those responsible for the atrocities remain at large

Statement read by Timothy R. Gill of the Asian Legal Resource Centre

Mr. Chairperson,

I speak on behalf of the Asian Legal Resource Centre.

In May 1998, thousands of Indonesian citizens were murdered and raped, and vast amounts of property destroyed during racist riots against the Chinese community in Jakarta. Five years later, those responsible for the atrocities remain at large.

The Joint Fact Finding Team established to inquire into the 1998 massacres found that there were serious and systematic human rights violations throughout Jakarta. The Team also found that rioters were encouraged by the absence of security forces, and that the military had played a role in the violence. The Team identified particular officials who should be held to account.

The Special Rapporteur on violence against women also visited Indonesia in 1998. She likewise concluded that massive sexual violence had been committed against the women of ethnic Chinese communities in Jakarta. She also pointed to evidence suggesting that the riots had been organized (E/CN.4/1999/68/Add.3, para. 45).

However, the Government of Indonesia has to date not seriously followed up on any of these findings. On the contrary, one commander implicated by the Joint Fact Finding Team has since been promoted to a senior position. Others have continued to hold their posts or move into different areas without fear of repercussions. The government has also rejected outright the detailed observations of the Special Rapporteur.

The Government of Indonesia has failed to act against the perpetrators of the May 1998 massacres because many of its officials operate within a climate of impunity. These people have no interest in seriously pursuing and prosecuting others responsible for human rights violations, as they themselves may be implicated in past events, and restricted in their future actions.

Clearly, the Government of Indonesia lacks the political will to act against those responsible for the riots of May 1998. Without international pressure, the guilty parties will continue to operate with impunity, and gross violations of human rights will continue unabated in Indonesia.

The Commission must address this situation. It must insist that the Government of Indonesia adopt the detailed recommendations of the Special Rapporteur on violence against women (E/CN.4/1999/68/Add.3, paras 111-124). It must insist that the Government of Indonesia permit further international investigation of the 1998 massacres. And it must condemn any failure to bring those responsible for this tragedy to justice. This is a matter of urgency not merely for the victims of 1998, but also current and future generations of Indonesians, who continue to live under the shadow of racially motivated violence and state impunity.

Thank you, Mr. Chairperson.

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