Coalition says court's ruling reinforces impunity for May 1998 mass rapes

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Press conference on court ruling over May 1998 mass rapes – July 29, 2026 (Istimewa)

Jakarta – The Civil Society Coalition Against Impunity, along with plaintiffs/appellants Marzuki Darusman (/term/Marzuki%20Darusman) , Fatia Nadia, Kusmiyati, I Sandyawan Sumardi, the Indonesian Legal Aid Foundation (YLBHI (/term/YLBHI)), the Indonesian Chinese Youth Association (IPTI) and the Kalyanamitra (/term/Kalyanamitra) Foundation, have expressed their deep disappointment and filed an appeal against Jakarta High Administrative Court (PTTUN) Ruling Number 104/B/TF/2026/PT.TUN.JKT.

The decision, read out electronically on July 9, 2026, upheld Jakarta State Administrative Court (PTUN) ruling Number 335/G/TF/2025/PTUN.JKT, declaring the plaintiffs' lawsuit inadmissible.

In its deliberations, the Jakarta PTTUN panel of judges argued that the statement by Minister of Culture Fadli Zon (/term/Fadli%20Zon) on the May 1998 mass rapes (/term/May%201998%20mass%20rapes) did not create rights or obligations for others and was not individual in nature because it did not refer to a specific person, thus it did not qualify as a state administrative action.

The Coalition said that the ruling further demonstrates that administrative justice has become part of the infrastructure of impunity.

"By maintaining a narrow and formalistic interpretation of the object of a state administrative dispute, the court avoids examining the substance of the actions of public officials who deny the historical facts of gross human rights violations, specifically the mass rapes that occurred during the May 1998 affair", the Coalition said in a written statement in Jakarta on Wednesday July 29.

This approach not only ignores developments in administrative law that have expanded the scope for oversight of government actions, but also has the potential to block access to justice for victims and civil society groups fighting for recognition and accountability for gross human rights violations.

According to the Coalition, the PTUN and the Jakarta PTUN should view justice from a substantive perspective, not just in terms of narrow formality.

The Coalition said that the Minister of Culture's statement regarding the May 1998 mass rapes was not just a personal opinion, but rather a statement made by a state official in his official capacity, which had a far-reaching impact on the victims, their families and the community who has been fighting for recognition of historical truth.

The denial of facts that have become part of the official state record cannot be separated from the public responsibility of an official who uses state authority and power.

In this context, state administrative courts should be a forum for examining the use of state power, particularly when the actions of public officials impact or have the potential to impact on the rights of citizens, the public interest and the fulfillment of the state's obligations to victims of gross human rights violations.

The Coalition said that this ruling demonstrates that the court has chosen to maintain an approach that limits the scope for examining the actions of public officials.

Yet the actions of state officials must be subject to the principle of legality, the general principles of good governance (AUPB) and the state's obligation to respect, protect, and fulfill human rights.

In this case, Zon's statement as Minister of Culture is deemed to contradict the principles of human rights protection and AUPB, and to exceed the authority inherent in that position, as stipulated under Presidential Regulation Number 190/2024.

"As Minister of Culture, this authority does not include issuing an assessment that override or deny the findings of the May 1998 Joint Fact-Finding Team (TGPF (/term/TGPF)), the results of investigations by official state institutions regarding alleged gross human rights violations, or other state documents", said the Coalition.

Dangerous precedent

Furthermore, the ruling sets a dangerous precedent. If statements by public officials denying the facts of gross human rights violations can be exempted from legal review simply because they are considered general statements, then this opens space for state officials to avoid accountability for the use of their public authority and power, because the forums for citizens who want to challenge a public official's statement is increasingly narrow.

For the victims and civil society, this case is not simply about a statement, but rather part of the struggle to uphold historical truth and ensure that the state does not allow room for denial of the violence that occurred, especially when such denial is made by a public official.

Such actions have serious implications for victims, the recovery process and efforts to establish accountability for gross human rights violations.

Acknowledging the facts of gross human rights violations is a crucial part of victims' recovery and an effort to prevent similar incidents from happening in the future.

The Coalition emphasised that the struggle for truth, justice and victim reparation does not end with this appeal.

In response to the ruling, the plaintiffs/appellants will file an appeal with the Supreme Court to obtain a correction of the erroneous application of law in this case and to ensure that administrative courts continue to carry out their role as a control mechanism on the actions of state officials.

Coalition statement

Accordingly, the Civil Society Coalition Against Impunity declares that it:

1. Rejects PTTUN ruling Number 104/B/TF/2026/PT.TUN.JKT because it narrows the scope for legal protection for victims and civil society and ignored the principle of accountability of public officials in exercising their authority.

2. Affirms that this ruling further strengthens the infrastructure of impunity and weakens the function of administrative courts as an oversight instrument for government actions that impact citizens' rights and the public interest.

3. Declares that it will continue the legal fight by filing an appeal with the Supreme Court and requests that the Supreme Court correct the errors in this ruling and ensure that administrative courts remain a place for protecting citizens' rights and reviewing the actions of state officials.

4. Urges the Ministry of Culture of the Republic of Indonesia to retract all statements, press releases and official publications denying the facts of the May 1998 mass rapes and to apologise to the victims, their families and the Indonesian people.

5. Invite all elements of civil society to continue to monitor the victims' struggle to uphold historical truth, reject all forms of denial of gross human rights violations and work together to break the chain of impunity in Indonesia.

[Translated by James Balowski. The original title of the article was "Perkosaan Massal Mei 1998, Koalisi Masyarakat Sipil Ajukan Kasasi Terhadap Putusan PT TUN".]

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