

# **TAPOL regrets supreme court's failure to overturn acquittal of East Timor crimes suspect**

And condemns acquittals of police officers in West Papua

Saturday 3 December 2005, by [Tapol](#) (Date first published: 16 September 2005).

This week's decision by Indonesia's Supreme Court not to reverse the acquittal of a police officer charged with gross human rights abuses in East Timor is the latest confirmation that impunity is still alive and well in Indonesia, says TAPOL the Indonesia Human Rights Campaign.

The former senior police officer, Hulman Gultom, had been found guilty by the country's human rights court in 2003 and sentenced to three years imprisonment for failing to prevent two attacks by army-backed militias during the mayhem that engulfed Dili in April and in September 1999 before and after the referendum which resulted in the Timorese voting overwhelmingly for independence. The guilty verdict was subsequently overturned by a high court and now the Supreme Court has rejected a request from the prosecution to reverse the acquittal.

The decision came a week after the acquittal by an Indonesian human rights court of two senior police officers who were in command in Jayapura in December 2000 when student dormitories in nearby Abepura were raided and one student was shot dead. Over one hundred students were taken into custody, tortured and beaten.

The acquittal of the two officers, Johny Wainal Usman and Daud Sihombing, followed five years of investigations into the incident by the National Human Rights Commission, during which witnesses were subjected to systematic intimidation. Although the Commission's investigations listed 25 suspects, only two persons were charged with no explanation of what action, if any, would be taken against the two dozen others.

Carmel Budiardjo of TAPOL said: 'Even under a political system where democracy and justice are supposed to prevail, the Indonesian legal system still perpetuates impunity. It is shameful that human rights abuses by the Indonesian military in East Timor six years ago and a year later by the police in West Papua will go unpunished. This shows a lack of political will to change from the bad old days of the Suharto regime and sets a precedent for more verdicts protecting human rights abuses.'

The Abepura incident occurred on 7 December 2000, when unidentified assailants attacked a police station and two officers and a security guard were killed. Although there was no evidence that students had been involved in the attack, the police made retaliatory raids on student dormitories. During the raid, a student named Elkius Suhuniab was fatally wounded, and more than a hundred students were detained and subjected to extreme brutality. Two more students died later in custody.

TAPOL urges the government of President Susilo Bambang Yudhoyono to pay serious attention to these regrettable verdicts and seek to review the way in which its human rights courts are functioning.

TAPOL believes that without firm action by the authorities, Indonesia's reputation as a country in which aspires to uphold the rule of law will be gravely damaged.

ENDS