

INDONESIA

- **IDN-13:** Tengku Nashiruddin Daud
- **IDN-14:** 1 parliamentary [CONFIDENTIAL CASE]



Inter-Parliamentary Union

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Indonesia

Decision adopted by the Committee on the Human Rights of Parliamentarians at its 163rd session (virtual session, 1 to 13 February 2021)



People carry the coffin of Indonesian member of parliament, Nashiruddin Daud at Darussalam, Aceh Besar, 1 February 2000. AFP photo/Matnoor AL-FARISI /AFP

IDN-13 – Tengku Nashiruddin Daud

Alleged human rights violations

- ✓ Murder
- ✓ Impunity

A. Summary of the case

Mr. Daud was found murdered, bearing signs of torture, on 25 January 2000. The police concluded early on that three members of the former Free Aceh Movement (*Gerakan Aceh Merdeka – GAM*) – one of whom is now deceased – were responsible for the murder. To date, the two remaining suspects appear not to have been apprehended. The Indonesian National Human Rights Commission, the then Governor of Aceh, the complainant and others have contested the GAM's involvement, claiming that Mr. Daud's murder is far more likely to be linked to his outspoken criticism of government policies in Aceh and his condemnation of human rights abuses committed by the military in Aceh. During the Committee's on-site visit in September 2008, parliament and other authorities stated their commitment to lending impetus to the investigation.

A 2016 report from the Indonesian Parliament stated that the investigation was ongoing, with members of the GAM still the prime suspects in the murder. According to police reports, the investigation had been hindered by several factors, including the destruction caused by the 2006 tsunami. Parliament urged the police to expedite their investigation, given that the statute of limitations on murder in Indonesia is 18 years.

Case IDN-13

Indonesia: Parliament affiliated to the IPU

Victim: A male opposition member of parliament

Qualified complainant(s): Section I.(1)(a) and (d) of the [Committee Procedure](#) (Annex I)

Submission of complaint: October 2000

Recent IPU decision: January 2014

IPU mission: September 2008

Recent Committee hearing(s): - - -

Recent follow-up:

- Communications from the authorities: Letters from the Secretary General of the House of Representatives, February 2016 and April 2019
- Communication from the complainant: March 2020
- Communication addressed to the authorities: Letter to the Speaker of the House of Representatives (January 2021)
- Communication addressed to the complainant: January 2021

Attempts have regularly been made to re-establish contact with Mr. Daud's family in light of the lack of new information from the original complainant. The latest attempt is still ongoing, as the new complainant in the case is endeavouring to liaise with family members.

It is not clear whether Mr. Daud's case has been included in the Indonesian Human Rights Commission's *pro justitia* inquiry into human rights abuses during the Aceh conflict that it opened in 2013, as well as in the ongoing work of the Aceh Truth and Reconciliation Commission since its establishment in 2016. The Secretariat has reached out to the Commission, but no response has been forthcoming.

B. Decision

The Committee on the Human Rights of Parliamentarians

1. *Expresses grave concern* over the persistent impunity in this case, 21 years after Mr. Tengku Nashiruddin Daud was tortured and murdered;
2. *Reiterates* its request for updated information on progress made in the pursuit of justice in this case since November 2019; *acknowledges* the commitment previously expressed by the Indonesian Parliament – in line with its duty, authority and function – to do its utmost to facilitate the resolution of this case; *regrets* that, in spite of past endeavours by the parliamentary authorities, its efforts have not resulted in concrete progress being made in this case;
3. *Recalls* the doubts it has consistently expressed as to the evidence on the basis of which the police concluded early on that members of the former Free Aceh Movement (*Gerakan Aceh Merdeka* – GAM) were responsible for the murder; *reiterates its concern* regarding the fact that the investigating authorities have systematically refused to consider the possible lead that Mr. Daud's murder is linked to his condemnation of human rights abuses committed by the military in Aceh; *points out* that its concerns in this respect have remained unanswered to this day;
4. *Wishes* to receive information from parliament on: (i) the steps that have been taken to advance the investigation since its last decision (January 2014); (ii) whether the matters raised by the then Governor of Aceh in his letter of July 2007 to the IPU Secretary General have been fully addressed; (iii) what action the House of Representatives is currently taking to monitor the police investigation; (iv) whether the Indonesian National Human Rights Commission's *pro justitia* inquiry also focused, directly or indirectly, on Mr. Daud's murder; (v) and what action has been taken by the Aceh Truth and Reconciliation Commission to shed light on the murder and ensure that justice is done;
5. *Calls on* the parliamentary authorities to help ensure an end to impunity in this case and therefore to do everything possible to promote accountability for Mr. Daud's torture and murder, including by facilitating action by the executive and judicial authorities, the Aceh Truth and Reconciliation Commission, the Indonesian National Human Rights Commission and other relevant stakeholders to this end;
6. *Requests* the Secretary General to convey this decision to the parliamentary authorities, the complainant and any third party likely to be in a position to supply relevant information;
7. *Decides* to continue examining this case.