
No : 03/SK-KontraS/X/2023
Subject : Open Letter to Komnas HAM in regard to the Alleged Provision of Arms and Equipment from PT. Pindad, PT. PAL, and PT. Dirgantara Indonesia to Myanmar Military Junta

For

Ms. Atnike Nova Sigiro

Commissioner of The Indonesian National Human Rights Commission (Komnas HAM)

The Coalition of Civil Society Organizations for Myanmar/Burma Solidarity support and confirm the report sent by Marzuki Darusman (former Head of the Independent Fact-Finding Mission for Myanmar), Feri Amsari (Lecturer from Andalas University, Padang, Indonesia), Myanmar Accountability Project (MAP), and Za Uk Ling (Deputy Executive Director of Chin Human Rights Organization) to the National Human Rights Institution of Indonesia (Komnas HAM) in regard to the alleged involvement of PT. Pindad, PT. PAL, PT. Dirgantara Indonesia in the trade and provision of arms and equipment to the military junta.

In response to the allegations, the three enterprises' holding company–Defend ID–claimed that it has never been involved in providing defense and security equipment to the military junta. Defend ID also stressed its compliance with the United Nations General Assembly Resolution 75/287¹, which prohibits the provision of weapons to Myanmar.

Likewise, Mr. Abraham Rose, Director of PT. Pindad, denied the company's alleged involvement in the provision of weapons to the military junta. PT. PAL followed suit in denying allegations of having provided contributions to the military junta, emphasizing the lack of signed and implemented contracts. The Executive Director of PT. Dirgantara Indonesia, Gita Amperiawan, also denied the allegations.

Such denials, however, are in contrast to the information PT. Pindad shared on its very own website regarding President Joko Widodo's visit to the company's production facilities in Turen, Malang on 24 July 2023². Through the press statement, PT. Pindad confirmed that it had transferred ammunition to the US and various Asian countries, including Myanmar.

Based on UN News published on 26 September 2023, the military junta conducted 687 airstrikes from April 2022 to May 2023. Villages were burnt and mass killings continue to take place. Although the failed coup attempt in Myanmar/Burma in 2021 has been categorically rejected by Myanmar populations domestically and widely condemned internationally, there has been a lack of substantive actions against the military junta and its ongoing atrocity crimes. Apart from the obvious fact that this illegal military body–which wages nationwide war against the people of

¹ <https://daccess-ods.un.org/tmp/7000575.06561279.html>

² <https://pindad.com/presiden-tinjau-divisi-munisi-dan-apresiasi-kemampuan-lini-produksi-pt-pindad>

Myanmar–fails to gain control of the country, the people of Myanmar already recognize the National Unity Government as their legitimate representative. Condemnation of its actions belies the fact that many countries continue to maintain trade relations with junta-controlled or -linked businesses.

Even prior to the attempted coup in 2021, the military junta has already displayed its violent streak and complete disregard for human rights. In 2018 and 2019, the UN found that minor ethnic groups in Myanmar–such as Rakhine, Kachin, Chin, and Shan–have experienced extrajudicial killings, sexual assault, torture, and forced displacement under the hands of the Tatmadaw which is part of the military junta. During this time, the Indonesian Government–through the Director General of the Ministry of Defense, Bondan Tiara Sofyan–welcomed Senior General Min Aung Hlaing, the Commander of the Armed Forces, with the hopes of further collaborating with PT. Pindad. In 2014, the company sought to join the official visit of the Indonesian Deputy Minister of Defense, Lieutenant General Sjafrie Sjamsoeddin, to Myanmar.

Despite international sanctions against the military junta– as initiated by the US, the European Union, Canada, among several others–third-party countries like Indonesia are still lending support to the military junta. In the case of Indonesia, it is guilty of prioritizing profit over human rights as it continues to support the military junta by providing the latter with military equipment.

Profits must never come at the expense of the people

Call to Action

The Coalition of Civil Society Organizations for Myanmar/Burma Solidarity proposes the following recommendations for Komnas HAM:

1. For Komnas HAM to use its mandate stipulated in Article 1 Number 7 of the Law No.39 of 1999 that Komnas HAM shall exercise its independence to implement human rights assessment, research, counseling, monitoring, and mediation which heavily applies to the current situation in Myanmar and the alleged acts from PT. Pindad, PT. PAL, and PT. Dirgantara Nusantara
2. For KOMNAS HAM immediately urge the Ministry of Defense, Indonesian Army (TNI AD), and the Ministry of State-Owned Enterprises to permanently stop arms trade with military junta
3. To file a the case against the alleged actors to the Human Rights Court as an exercise of Komnas HAM's mandate stipulated on Law No.26 of 2000

Jakarta, 10 October 2023

Sincerely,

The Coalition of Civil Society Organizations for Myanmar/Burma Solidarity

The Commission for the Disappeared and Victims of Violence (KontraS)

Initiatives for International Dialogue (IID)

Protection International (PI)
Banglar Manabdhikar Suraksha Mancha (MASUM) India
The Indonesia Legal Aid Foundation (YLBHI)
Indonesian Legal Aid and Human Rights Association (PBHI)
CENTRA Initiative Indonesia (CII)
The Indonesian Human Rights Monitor (IMPARSIAL)
Friend of The Earth Indonesia (WALHI)
Migrant CARE
Independent Election Monitoring Committee (KIPP)
ALTSEAN-Burma
Asian Forum for Human Rights and Development (FORUM-ASIA)
Southeast Asia Freedom of Expression Network (SAFEnet)
Manushya Foundation
Milk Tea Alliance Indonesia (IDMilkTea)
Milk Tea Alliance Thailand (MTAT)
U.S. Campaign for Burma
Progressive Voice
Rohingya Action Ireland (RAI)
The European Rohingya Council (ERC)
Burma Action Ireland (BAI)
Info Birmanie (IB)
Blood Money Campaign
Muslim Youth Network
Sitt Nyein Pann Foundation
Southern Dragon Myanmar
General Strike Coordination Body - GSCB