

EXTERNAL (for general distribution)

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Further information on UA 408/91 (ASA 21/26/91, 22 November 1991) - Legal Concern/Fear of Torture

INDONESIA/EAST TIMOR:

The following list of names supercedes the list provided in the original Urgent Action.

Jakarta:

Metodio Muniz  
Antonio Lopez  
Felipe da Silva  
Joao Sarmento  
Fausto Berhading  
Joao Travolta  
Agapito Cardoso\*  
Gregorio de Araujo  
Jose Maria Belo  
Avelino Maria  
Mario Canecas  
Egas Q Monteiro  
Franciso Vasco Ramos  
Joselius de Oliveira  
Sergio Dias Q  
Joao Freitas Camara  
Benevides C Barrol  
Domingos Barreto  
Judio da Costa  
Virgilio  
Antonio Soares  
Elder de Oliveira

Yogyakarta:

nine students, including:  
Jose Luis\*  
Elidio (Epidio)\*  
Diometrio  
Rogerio  
Flavio  
Pedrito

Bandung:

nine students, including:  
Agus Jaya (Ajay)  
Asep  
Novi  
Daniel  
Nurdin  
Pius

Denpasar:

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Jose Pompeia Saldanha Ribeiro\*  
Fernando de Araujo\*  
Clemente Soares  
Antonio Matos\*

More than 90 students and young people, most of them East Timorese, have been detained in various Indonesian cities during the last two weeks in connection with their political and human rights activities. At least 25, and possibly many more, remain in custody and some are being held in incommunicado detention. A number of Jakarta-based human rights activists have also been questioned by military intelligence agents. The arrests have followed an incident at a cemetery in Dili, East Timor, on 12 November 1991, in which an estimated 100 people were shot dead by Indonesian soldiers.

Amnesty International believes that some or all of those detained may

be prisoners of conscience. It further believes that the arrests may be intended to prevent the dissemination of information about the massacre and its aftermath, and to disrupt non-violent protests against Indonesian rule in East Timor. It is calling for the immediate release of anyone held solely for their non-violent political beliefs or activities. It is also urging the Indonesian authorities to grant immediate access to those in detention to their lawyers and relatives, in accordance with the Indonesian Code of Criminal Procedure (KUHAP) and international law.

Among those arrested are at least six students (indicated by an asterisk \*) who had been under surveillance by Indonesian military intelligence because of their alleged involvement in monitoring and disseminating information abroad about human rights and political developments. They were among 20 students named in a secret military intelligence document which described the human rights related and political activities of East Timorese student activists in various Indonesian cities. None of the activities described in the document was unlawful and none involved the use or advocacy of violence. In its statement to the United Nations Special Committee on Decolonization in August 1991, Amnesty International expressed concern that those named in the military document "may be in danger of detention on account of their non-violent activities." (See ASA 21/14/91)

Twenty-one students held at the Metropolitan Jakarta Police Station (listed above) were among a group of 70 people arrested on 19 November 1991 during a peaceful demonstration against the killings at the Santa Cruz cemetery in Dili one week earlier (See East Timor: The Santa Cruz Massacre, AI Index: ASA 21/23/91, 14 November 1991 and East Timor: After the Massacre, AI Index: ASA 21/24/91, 21 November 1991). The Commander of the Armed Forces said on 27 November that these 21 were "still under investigation". They may still be charged with "expressing feelings of hostility, hatred or contempt" toward the Indonesian Government, under Articles 154 and 155 of the Indonesian Criminal Code (KUHP). Forty-nine others were released on 26 November after being held for one week in incommunicado detention.

In a statement to the press on 20 November, the commander of the Greater Jakarta Military Command (KODAM JAYA), admitted that the 19 November demonstration had been "a small thing, of no great significance", and that none of the demonstrators had been carrying weapons of any sort. However, he said that the students had been "sponsored" by three people who were "hostile to the nation and to the government" and who "received funds from abroad to stir up trouble...". He went on to say: "I could not tolerate this so I ordered the arrest of the sponsors."

The same day, three human rights activists were called in for questioning by military intelligence authorities in Jakarta (BAKORSTANASDA). Haji Ponke Princen, Director of the Institute for the Defence of Human Rights (LPHAM) and Indro Tjahjono of the human rights organization "Infight" have since then been required to report daily to the military authorities for questioning. The third, Yopie Lasut of the New Life Prison Fellowship (*Hidup Baru*), is believed to have gone into hiding. Haji Princen was one of a group of human rights activists and lawyers who had planned to travel to Dili in order to conduct independent investigations into the Santa Cruz incident.

A team of human rights lawyers and advocates, led by the Legal Aid Institute (LBH), tried to visit the detainees on 22 November but were told that they could not do so until the police had completed their interrogation.

When the team returned on 26 November, they were again denied permission to meet the students alone in their cells. They were allowed to meet one student, Joao Freitas Camara, who was being held separately in the Intelligence section of the police station, but they were accompanied by two police officers. They met two others in the office of a police Major shortly before they were to be released.

Six East Timorese students were arrested in Denpasar, Bali, on 23 November and held at police headquarters (POLDA NUSRA), in connection with their political and human rights activities. Jose Paulo da Silva and Joaquim da Costa Freitas\* were released at 11 pm on 25 November but the four others remained in custody as of 28 November. According to reports, one of the students, Clemente Soares, was punched by police while being interrogated, but the others have not been ill-treated.

Nine students were reportedly arrested in the city of Yogyakarta on or about 23 November 1991. According to unconfirmed reports, nine more students were detained by Indonesian security forces on 20 November 1991, during a demonstration about East Timor on the campus of Parahyangan University in Bandung. Amnesty International has not been able to confirm or to obtain further details about the arrests in Yogyakarta and Bandung.

**FURTHER RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters:**

- expressing concern that 21 East Timorese students remain in custody in the Metropolitan Jakarta Police Station after being arrested at a peaceful demonstration on 19 November 1991;
- expressing concern that police authorities have denied lawyers access to the detainees in contravention of the Indonesian Code of Criminal Procedure and international law;
- expressing concern about the reported detention of dozens of other students in Denpasar, Yogyakarta and Bandung, for their alleged political or human rights related activities;
- expressing concern that the students may be charged under legislation which appears to contravene international human rights law guaranteeing freedom of expression and opinion;
- calling on the government to release all those detained solely for the peaceful expression of their political views or activities.

**APPEALS TO:**

1. Minister of Justice:

Let. Ismail Saleh

**Your Excellency**

Jalan Rasuna Said, Kav 6-7

Kuningan, Jakarta Selatan, Indonesia

**Telegrams: Justice Minister, Jakarta, Indonesia**

**Telexes: 44404 DITJENIM IA**

**Faxes: + 62 21 32 1625**

2. Chief of the National Police:

General Kunarto

**Dear General**

Kepala Kepolisian RI  
 Markas Besar Kepolisian RI Jl. Trunojoyo 13  
 Kebayoran Baru, Jakarta Selatan, Indonesia  
**Telegrams: General Kunarto, Kepala Kepolisian RI, Jakarta, Indonesia**

3. Personal Secretary to Jakarta Chief of Police:

Sespri Kapolda Jaya **Dear Letkol Tryono S.**  
 Letkol Tryono S.  
 Markas Besar Kepolisian Jaya  
 Jakarta, Indonesia  
**Telegrams: Sespri Kapolda Jaya, Kepala Kepolisian RI, Jakarta, Indonesia**

4. Director General of Corrections:

Prof Dr Baharuddin Lopa **Dear Sir**  
 Department of Justice  
 Jl. Veteran No. 11, Jakarta Pusat, Indonesia  
**Telegrams: Director General of Corrections, Justice Department, Jakarta, Indonesia**  
**Faxes: + 62 21 32 1625**

**COPIES TO:**

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 Jl. Diponegoro 74  
 Jakarta 10320, Indonesia

Jakarta Post (newspaper)  
 PO Box 85  
 Jakarta 11001, Indonesia  
**Faxes: + 62 21 549 2685**

and to diplomatic representatives of Indonesia in your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 10 January 1992.