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ASEAN: Tougher measures urgently needed

Amnesty International welcomes efforts by Indonesia to secure the release of Myanmar's opposition leader, Daw Aung San Suu Kyi, before the October summit of the Association of Southeast Asian Nations (ASEAN). The organization calls on ASEAN members to address other human rights concerns in the region, including allegations of grave human rights violations in the Indonesian province of Nanggroe Aceh Darruslam (NAD) where a military emergency has been in force since May 2003.

"This is the moment for ASEAN to demonstrate both its consistency and its human rights credentials by confronting other human rights problems in the region, most notably the dramatic deterioration in the human rights situation in NAD since the Indonesian government imposed a military emergency in mid-May," Amnesty International said today.

In a departure from the ASEAN policy of "non-interference", the grouping issued a statement calling for the early release of Daw Aung San Suu Kyi and other National League for Democracy (NLD) members during their July Ministerial Meeting in Phnom Penh. ASEAN concern followed a Myanmar government-backed attack on Daw Suu and hundreds of other political activists, where an unknown number of people were killed or injured.

Indonesia, the current chair of ASEAN and host of the ASEAN summit in Bali on 7 and 8 October, also sent a senior diplomat - the former foreign minister, Ali Alatas - to Myanmar in late September in an unsuccessful attempt to bring about Aung San Suu Kyi's release before the Bali meeting. The visit came shortly after news that the opposition leader and prisoner of conscience had undergone major surgery. She is now held virtually *incommunicado*, in *de facto* house arrest under the care of her physician.

While ASEAN has criticized Daw Aung Sang Suu Kyi's latest detention, it has been entirely silent on other human rights issues in the region, even though the poor record of other countries within ASEAN continues to tarnish the reputation of the whole grouping.

Indonesia, the largest and among the most powerful of the ASEAN member states, has been particularly free from criticism even though its counter-insurgency operations in NAD, which are characterised by their brutality, impact on its neighbours, particularly Malaysia, where hundreds of Acehnese have fled to escape the violence.

Malaysia, rather than expressing concern at the causes of the refugee outflow, has recently rounded up over 250 Acehnese who were attempting to register with the United Nations High

Commissioner for Refugees (UNHCR) in Kuala Lumpur. At least 19 have already been deported to Indonesia, at least seven of whom had expressed their intention to seek asylum. Their return violates the internationally recognized principle of *non-refoulement*, which prohibits forcible return of an individual to a country where they would face grave human rights abuses. Those remaining are held in a detention camp where conditions are reported to be poor and unsanitary.

"ASEAN's proactive stand on the latest problems in Myanmar is commendable and demonstrates the potential for constructive criticism on human rights issues. Ignoring other major problems in the region will not make them go away and ultimately risks bringing instability to the region and discredit to ASEAN as an organization," Amnesty International said.

Amnesty International urged that the issue of NAD be placed on the agenda of the ASEAN summit in Bali and calls upon member states to raise the following points:

- call on Indonesia to allow full and safe access to both national and international humanitarian workers to an independent human rights monitors and NAD;
- call on the Indonesian authorities to allow a full and independent assessment of the impact of the military emergency on the human rights situation in NAD in advance of the mid-November deadline to renew the military emergency, and for the information from such an assessment to inform this decision;
- call upon Indonesia to respect international humanitarian law in its conduct of military operations in NAD.

Background

In Myanmar scores of people were arrested in the context of the 30 May violence against the NLD, joining some 1300 other political prisoners there. Daw Aung San Suu Kyi and the entire NLD senior leadership have been detained since then, amid international outcry at the violence and the subsequent repression of peaceful political opposition there. In late August the State Peace and Development Council (SPDC, Myanmar's military government) was reshuffled and a 7 point "roadmap" was announced by the newly-appointed Prime Minister General Khin Nyunt. However this roadmap did not include a plan for improving the grave human rights situation in the country. The serious deterioration in human rights and apparent collapse of discussions between the SPDC and the NLD have provoked ASEAN concern, particularly in light of Myanmar's assumption of the role of ASEAN Chair in 2006.

In Indonesia, the existing pattern of grave human rights abuses has intensified since a military emergency was declared in NAD by the government on 19 May 2003. The Indonesian military claims to have killed over 800 people which it describes as members of the Free Aceh Movement (GAM) - the armed pro-independence opposition group which the military emergency is aimed at eliminating. Unofficial sources claim that there are many civilians among the dead. Other violations are reported to have been committed, including torture, "disappearances" and unlawful detentions. Tens of thousands of people have been displaced by the violence, but are being denied adequate assistance because of tight restrictions placed on the work of humanitarian agencies. Protection is also denied because of the government's efforts to prevent both national and international human rights monitors from carrying out their work. There are also allegations that GAM has committed human rights abuses, including kidnappings and unlawful killings. Restrictions on the activities of independent human rights monitors makes such reports difficult to verify.

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