

UA 108/99

Fea.

INDONESIANyak Wan, 17

Amnesty International is concerned for the safety of Nyak Wan, who was arrested on 10 May 1999 in Lhokseumawe, Aceh. He is in police custody in Lhokseumawe and has so far had no access to independent legal counsel.

Nyak Wan is in custody for his supposed involvement in a grenade attack on a military complex in Lhokeumawe which took place after his arrest, shortly after midnight on 11 May. The Indonesian Military, *Tentara Nasional Indonesia* (TNI), has already claimed that the grenade attack was carried out by the armed separatist group *Gerakan Aceh Merdeka* (GAM), Free Aceh Movement, but there has not been any independent confirmation of this. The TNI claim that the attack is evidence that GAM possess heavy weapons. Other people are believed to have been taken into custody but their names are not yet known.

The grenade attack followed the killing of at least 41 people by the TNI on 3 May in Krueng Geukueh, Dewantara District, 15 kilometres from Lhokseumawe, when the military fired on a crowd of villagers protesting against violence during operations in a nearby village. The TNI has claimed that they fired in self-defence when they were attacked by the crowd. Children and women were among those killed.

A team from Indonesia's National Commission on Human Rights, Komnas HAM, has travelled to Lhokseumawe to investigate the 41 killings.

BACKGROUND INFORMATION

From 1990 to August 1998, Aceh was given *Daerah Operasi Militer* (DOM), Area of Military Operations status. This enabled the government to justify what it called "counter-insurgency operations", apparently to quell revolt. These often included serious human rights violations.

Since President Habibie came to power in May 1998, there has been some improvement in the human rights situation in Aceh. In August 1998, the Commander of the Indonesian Armed Forces, General Wiranto, visited the region and apologized for violations committed by the Armed Forces during counter-insurgency activities. He also announced the withdrawal of combat troops - but not regular, territorial troops - from the area. DOM status was lifted and several investigations into past human rights violations were initiated, including a visit by a parliamentary fact-finding team to Aceh in July 1998.

Later that month, however, troop withdrawals were suspended after disturbances in Lhokseumawe during the withdrawal of special forces command (KOPASSUS) troops.

Over the last few months violence has returned to Aceh. On 29 December 1998, seven members of the Indonesian Armed Forces were captured and killed in Lhok Nibong, East Aceh. Subsequent military operations, known as *Satgas Wibawa 99*, to locate the captured soldiers and arrest those responsible for the deaths, have already resulted in at least 11 civilian deaths.

While it is not clear who killed the soldiers, Amnesty International is concerned that the event has been used to justify human rights violations in Aceh and

that earlier efforts to improve the human rights situation there are being undermined.

In response to the 11 May grenade attack, the TNI has announced that it is sending a special team of 34 military and police officers to conduct a security assessment of Aceh. There are concerns that the TNI is using the reported allegations of increased GAM activity to justify a return to a heavy military presence in that area which could lead to further human rights violations.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in Bahasa Indonesian or English or your own language:

- urging the authorities to ensure that Nyak Wan is given immediate, regular and continuing access to independent legal advice and to his family;
- asking for assurances that he will not be tortured or ill-treated;
- urging the government to clarify any charges brought against Nyak Wan;
- urging the government to clarify the number of people taken into custody and any charges brought against them.

APPEALS TO:

**Military Commander Region I/bukit Barisan
(covers North & West Sumatra and Aceh)**

Major General Abdul Rahman Gaffar
Pangdam I/Bukit Barisan
Markas Besar KODAM I
Medan
Sumatra Utara
Indonesia

Minister of Defense and Security

Gen. Wiranto
Menteri Pertahanan dan Keamanan
Jl. Medan Merdeka
Jakarta 10110
Indonesia
Fax: + 62 21 381 4535 / 384 5178
Salutation: Dear Minister

COPIES TO:

President Jusuf Habibie
Presiden RI
Istana Negara
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and to diplomatic representatives of Indonesia accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 25 June 1999.