

EXTERNAL

AI Index: 21/08/98

UA 47/98

Fear of torture/ill-treatment

12 February 1998

INDONESIAHaji Jafar bin Adam, 48, Islamic Preacher and trader

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Amnesty International is concerned for the safety of Haji Jafar bin Adam who has been held in military custody in the province of North Aceh, Indonesia, since 17 November 1997 where it is feared he may be at risk of torture and ill-treatment.

Haji Jafar bin Adam conducts prayer sessions at a mosque in his home village of Cot Meurak, Samalanga, in North Aceh ("Haji" is the title given to individuals who have completed the Islamic pilgrimage to Mecca in Saudi Arabia). An agreement was recently established between the local government and organizers of two local mosques concerning the scheduling of the Friday prayer services one of which is conducted by Haji Jafar bin Adam. It appears he was arrested, due to the local authorities' perception that the agreement had been breached, after work commitments prevented him from delivering his scheduled service.

He is believed to have been arrested in his home by members of Indonesia's Special Forces Command, Kopassus. It is thought that he was initially taken to a Kopassus post in Ulee Glee and then to Kopassus Headquarters in Rancung, Lhokseumawe where, according to the latest information, he is still being held.

The Kopassus Headquarters in Lhokseumawe was used extensively by the military between 1989 and 1993 - the most intensive period of the Indonesian military's counter-insurgency operations against Aceh Merdeka, the armed Acehnese separatists. Many suspected members of Aceh Merdeka were detained in Rancung where they were subjected to torture and ill-treatment.

It is not clear whether Haji Jafar bin Adam has been permitted access to independent lawyers or to his family or whether he has been formally charged with any offence.

#### **BACKGROUND INFORMATION**

Torture of detainees in both military and police custody is common in Indonesia, in particular when individuals are denied access to lawyers of their choice and to their families. Indonesia's Code of Criminal Procedures provides some protection of detainees' rights, including the right to independent legal representation, however these rights are frequently ignored in practice. Under the code, the Indonesian Armed Forces have no legal authority to conduct arrests.

Those who are arrested by the military are therefore placed at risk of human rights violations, including torture and ill-treatment, because their arrest and detention is unlawful and conducted without the legal protection of the Code of Criminal Procedures.

#### **RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in Bahasa Indonesia or English or your own language:**

- expressing concern at the arrest, on 17 November 1997, and detention of Haji Jarar bin Adam;
- urging the authorities to ensure that he has immediate and regular access to lawyers of his choice and to his family;
- urging the authorities to ensure that he is not at risk of torture or ill-treatment;
- urging the authorities to clarify the precise reasons for his arrest and continued detention and for him to be released if he is not being held for any recognisably criminal offence.

**APPEALS TO:**

**Note: Fax tones may be difficult to obtain due to erratic availability**

**COMMANDER OF SPECIAL FORCES COMMAND (KOPASSUS)**

Maj. Gen. Prabowo Subianto  
Panglima Kopassus  
Markas Besar ABRI  
Cilangkap  
Jakarta Timur  
Indonesia

**Telegrams: Major General Prabowo, Jakarta, Indonesia**

**Faxes: + 62 21 36 1471 (Armed Forces HQ) / 62 21 37 8144**

**Salutation: Dear Major General Prabowo**

**COPIES TO:**

**MINISTER OF JUSTICE**

Haji Utoyo Usman S.H.  
Menteri Kehakiman  
Jl. H.R. Rasuna Said Kav. 6-7  
Kuningan  
Jakarta Selatan  
Indonesia

**Faxes: + 62 21 525 3095**

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 27 March 1998.