

PUBLIC

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Possible "disappearance" / Fear for safety 29 April 1998

INDONESIA Cut Sari, aged around 54 [f]

M. Hasyim, aged around 50

There are fears that both Cut Sari and M Hasyim, who have recently "disappeared", are being held in secret military custody in Aceh province and that their safety could be at grave risk.

Cut Sari -- whose full name may be Cut Sariwati Mahmud -- has not been seen since her arrest from her home in Dayah Lampoh Awe village, Simpang Tiga Sub-district in Pidie, Aceh, on 12 April 1998. Attempts by her family to trace her in several major military detention facilities, including a Detention Centre of the Indonesian Special Forces (Kopassus) called Rumoh Gedong in Glumpang Tiga, and Rancung Detention Centre in Lhokseumawe, have so far failed. She is believed to have been arrested for her alleged links to Acehese secessionists.

M. Hasyim was abducted from his home in Tumpok Teungoh, Banda Sakti, Lhokseumawe, North Aceh, on 27 March by four men. The men apparently claimed that they were police from Police Resort in North Aceh and that they needed him to come to the police station to see a relative there who had been in a traffic accident. There has been no news of his whereabouts since.

It is believed that M. Hasyim's family have reported his "disappearance" to the police in North Aceh but that they have denied he is in their custody. There are fears that he is being held in secret military custody. The reason for M. Hasyim's arrest is not clear.

BACKGROUND INFORMATION

Aceh is located at the northern tip of the island of Sumatra. Access to the area for independent human rights monitors and foreign journalists is restricted. Serious human rights violations including torture, "disappearances" and extrajudicial executions, occurred during the security forces quelling of the armed separatist Free Aceh Movement (*Aceh Merdeka*) from the late 1980s to 1993. A recently reported resurgence of activities by Aceh Merdeka had led to clashes with the Indonesian Armed Forces - particularly in the Pidie region - which have resulted in arrests and trials of those suspected of involvement with the armed secessionists. Many of those taken into custody have been held in incommunicado military detention and some are alleged to have been tortured or ill-treated.

Torture of detainees in both military and police custody is common throughout Indonesia, in particular when individuals are denied access to their families and lawyers. Indonesia's Code of Criminal Procedures provides some protection of detainees' rights, including the right to independent legal representation, but these rights are frequently ignored in practice. Under the code, the Indonesian Armed Forces have no legal authority to conduct arrests. Those arrested by the military are therefore placed at a high risk of human rights violations, including torture and ill-treatment.

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

- urging the authorities to clarify the whereabouts of Cut Sari and M. Hasyim following their arrest on 12 April 1998 and 27 March respectively and, if in

detention, to provide information on the precise reason for their arrest and continued detention;

- urging the authorities to ensure that if they are in detention, that they have immediate and regular access to independent legal counsel, their families and medical professionals;

- urging the authorities to ensure that they are not at risk of torture or ill-treatment in custody.

APPEALS TO:

**MILITARY COMMANDER REGION I/BUKIT BARISAN
(covers North & West Sumatra and Aceh)**

Major General T Rizal Nurdin
Pangdam I/Bukit Barisan
Markas Besar KODAM I
Medan
Sumatra Utara
Indonesia

Telegrams: Major General Nurdin, Sumatra, Indonesia

Salutation: Dear Major General

COPIES TO:

MINISTER OF JUSTICE

Prof. Dr. Muladi SH
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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 10 June 1998.