
amnesty international

INDONESIA @Trade unionists arrested

28 NOVEMBER 1995

AI INDEX: ASA 21/59/95

DISTR: SC/CO/GR

Independent labour leader, **Muchtar Pakpahan**, and up to 35 other labour activists have been arrested after participating in training meetings on labour rights in Medan, North Sumatra. While all those detained have been released, Amnesty International is concerned that the arrests indicate a hardening in the government's response to peaceful labour activities. The organisation is calling on the Indonesian Government to prevent the practice of arbitrary detention of peaceful labour activists.

Within the past week, the security forces have broken up two labour meetings organised by the independent trade union, *Serikat Buruh Sejahtera Indonesia* (SBSI), the Indonesian Prosperous Workers' Union, on the grounds that the meetings did not have proper authorization and that they could "disturb public order". The training seminars were being held in Sibolangit, around 40km west of Medan, North Sumatra. On 24 November police broke up one of the meetings and are believed to have arrested 35 participants, including SBSI officials Riswan Lubis, Amosi Telaumbanua, Hayati (female), Tohap and Rekson Silaban. They were all subsequently released at around 11.30 pm on the same night. On 27 November, again it is believed that the same 35 activists were arrested, and released after 10 hours in police custody.

On 28 November, at around 9am Muchtar Pakpahan was believed to have been arrested and was questioned in police headquarters in Medan. He was released during the afternoon of the same day. The arrest of Muchtar Pakpahan and the other labour activists is clearly intended to serve as a warning against holding future sessions, particularly as Muchtar Pakpahan was expected to speak at a labour meeting on 1 December. The Regional Military Commander and Head of the Coordinating Body for Defence and Security (*Bakorstanasda*) for Northern Sumatra, Major General Sedaryanto, was quoted on 28 November as saying that all SBSI activities in his region have been banned because they could disturb order.¹

¹Republika, 28 November 1995.

The authorities are reported to have claimed that the SBSI meetings were illegal because the union did not seek prior permission from the police, as required under Article 510 of the Indonesian Criminal Code. The punishment for those in breach of this article is two weeks' imprisonment or a nominal fine. Although in August 1995, the government announced that it would lift the restrictions on public gatherings under Article 510, they did not clarify exactly what would replace the existing system. The government stated that prior notification to the police was still needed and that political gatherings could be subject to unspecified sanctions. The fears of sceptical observers have been confirmed by the breaking up of the SBSI training meetings and the arrests of the labour activists. Peaceful gatherings perceived by the authorities to be political continue to be subject to intimidation and the participants at risk of arrest.

Amnesty International is concerned that following the arrests and the recent statement by the regional military commander, SBSI activists in Northern Sumatra are at an increased risk of arbitrary detention. The organisation considers that the arrest of Mughtar Pakpahan and other trade union activists is being used to prevent peaceful labour activism and is a violation of the right to freedom of association and expression guaranteed under international human rights standards and under Indonesia's own constitution.

BACKGROUND INFORMATION

Only one official trade union is permitted in Indonesia. Over the last four years, a number of independent unions and workers' organizations have emerged, none of which has been given official recognition by the government. The most prominent is SBSI. The organization, like other independent organizations in Indonesia, operates under severe restrictions and is subject to frequent criticism by government officials. Several SBSI officials - including Mughtar Pakpahan - were imprisoned for their alleged involvement in widespread labour riots which took place in Medan in April 1994.²

In May 1995, the Supreme Court released Mughtar Pakpahan pending an appeal on his conviction and in October he was acquitted. More recently, however, he has been named by Indonesian Armed Forces (ABRI) Chief of General Affairs Lieutenant General Soeyono, as one of three individuals behind the alleged reemergence of communism - banned under the New Order Government - in the form of "shapeless organisations". Amnesty International is concerned that the recent arrests and the accusation against Mughtar Pakpahan indicate that the Indonesian authorities are not relaxing restrictions on labour activism and that those engaging in labour activists are at risk of arbitrary arrest.

~~~~

---

<sup>2</sup> For further details, see Indonesia: Labour Activists Under Fire (ASA 21/10/94), May 1994 and Indonesia: Workers' rights still challenged (ASA 21/29/95), June 1995.

**WHAT CAN YOU DO:** Please send telegrams / telexes / faxes / express and airmail letters either in English, Bahasa Indonesia, or in your own language:

*✉ urging the government to stop the practice of arbitrary detention and intimidation of peaceful trade union activists;*

*✉ urging the Indonesian Government to ensure that those peacefully expressing their right to freedom of association do so free from intimidation and the threat of imprisonment.*

**WHO TO SEND APPEALS TO:**

⇒ Minister of Manpower

*Drs Abdul Latief*

*Menteri Tenaga Kerja*

*Jalan Jenderal Gatot Subroto*

*Jakarta*

*Indonesia*

*Fax: +62 21 840 2746*

⇒ Military Commander Region I / Bukit Barisan

*(covers North & West Sumatra and Aceh)*

*Maj. Gen. Sedaryanto*

*Pangdam I / Bukit Barisan*

*Markas Besar KODAM I*

*Medan, Sumatra Utara*

*Indonesia*

⇒ Chief of Police for North Sumatra

*Brig. Gen. (Pol.) Subandy*

*Kapolda Sumatra Utara*

*Medan, Sumatra Utara*

*Indonesia*

**ALSO SEND COPIES OF YOUR APPEALS TO:**

⇒ Secretary General, National Commission on Human Rights

*Prof. Dr. Baharuddin Lopa*

*Sekretaris Jenderal, Komisi Nasional Hak Azasi Manusia (KOMNAS HAM)*

*Jl. Pemuda No. 104*

*Arawamangun*

*Jakarta Timur*

*Indonesia*

*and to diplomatic representatives of Indonesia accredited to your country.*

***Please send appeals immediately***

**KEYWORDS:** TRADE UNIONISTS1 / ARBITRARY ARREST