

EXTERNAL (for general distribution)

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Arbitrary detention / Fear of torture

22 June 1994

INDONESIA

Jannes Hutahaen, workers' rights activist
Parlin Manihuruk, workers' rights activist
Mughtar Pakpahan, trade union leader
Maiyasyak Johan, human rights lawyer

The four men named above, all of them officials of non-governmental organizations campaigning for workers' rights, have recently been accused of "incitement" in connection with a wave of labour unrest in Medan, North Sumatra in April 1994. It is expected that all four will be charged under Article 160 of the Indonesian Criminal Code, which carries a maximum sentence of six years in jail.

Jannes Hutahaen and Parlin Manihuruk were abducted in Jakarta on the evening of 13 June by police officers from Medan, but it is not known where they are being held. Amnesty International fears that they may be denied access to legal counsel during interrogation, and may therefore be subjected to ill-treatment or other forms of duress. Mughtar Pakpahan was questioned by Medan police for three days starting on 14 June; he has now been temporarily released but is due to report for further questioning on 23 June. Maiyasyak Johan has been under intensive interrogation at Medan police headquarters (Poltabes Medan) since 18 June. He has been accompanied by lawyers throughout and there have been no reports of ill-treatment.

Amnesty International fears that the charges against the four may have been brought in order to prevent them from carrying out their non-violent activities on behalf of workers, and to intimidate others from engaging in similar work. It believes that, if convicted, they would be prisoners of conscience.

BACKGROUND INFORMATION

Maiyasyak Johan is a human rights lawyer and Executive Director of the Indonesian Institute for Children Advocacy (LAAI), which works on behalf of child labourers and other workers. Mughtar Pakpahan is the National Chairman of an independent trade union (SBSI) not recognized by the government, many of whose members have been subjected to intimidation and arbitrary arrest in recent months. Jannes Hutahaen is an officer of the Medan-based labour rights organization *Kelompok Pelita Sejahtera*, and Parlin Manihuruk is an officer of a non-governmental organization called *Pondokan* also based in Medan.

The four men join more than 80 other workers and activists from the Medan area charged in connection with the labour unrest in mid-April. Those in custody include five officials of SBSI-Medan whom Amnesty International believes may be prisoners of conscience arrested solely for their non-violent trade union activities. (For further information see *Indonesia: Labour Activists Under Fire*, ASA 21/10/94) May 1994.)

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

- expressing concern that Maiyasyak Johan, Mughtar Pakpahan, Jannes Hutahaen and Parlin Manihuruk have been detained and may be charged with "incitement" under Article 160 of the Criminal Code (KUHP), apparently in connection with their non-violent activities on behalf of workers;
- asking where Jannes Hutahaen and Parlin Manihuruk are being detained, and

seeking assurances that they are accompanied by legal counsel of their choice at all stages of interrogation, as required under the Indonesian Code of Criminal Procedure (KUHAP), and that they are being treated in accordance with international standards while in detention;

- urging that all those detained in the Medan area since April 1994 solely for their non-violent trade union activities be released promptly and unconditionally.

APPEALS TO

Kolonel (Pol.) Drs Chairuddin Ismail
Kapoltabes Medan
Jalan Durian
Medan, Sumatera Utara
Indonesia

Telegrams: Kapoltabes Medan, Sumatera Utara, Indonesia

Salutation: Dear Colonel

Mayjen (TNI) A. Pranowo
Panglima KODAM I/BB
Jalan Binjai
Medan, Sumatera Utara
Indonesia

Telegrams: Pangdam I/BB, Medan, Sumatera Utara, Indonesia

Salutation: Dear Major General

Ali Said S.H.
Ketua Komisi Nasional Hak Azasi Manusia
Jalan Veteran No.11
Jakarta
Indonesia

Faxes: +62-21-3141625

Telegrams: Ketua KOMNAS HAM/Jakarta/Indonesia

Salutation: Dear Chairman

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 3 August 1994.