

PUBLIC

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UA 20/99

Arbitrary arrest/fear of torture

2 February 1999

EAST TIMORCustodio da Silva Nunes

Custodio da Silva Nunes, an East Timorese member of the East Timor regional parliament, was reportedly detained and beaten on 2 February 1999. He was arrested by members of *Ratih*, a civilian militia trained and armed by the Indonesian armed forces (ABRI). Under Indonesia's Code of Criminal Procedure (*Kuhap*) only the police have the power of arrest. He is now apparently in police custody in Maubara, Liquica District. The reason for his detention is not known.

BACKGROUND INFORMATION

Custodio da Silva Nunes's detention comes at a time of rising tension in East Timor. Although there is now a more open political atmosphere, and the Indonesian authorities appear more willing to work towards a solution to the problem of East Timor, recently expressing a willingness to consider independence, these positive developments have been undermined by continuing human rights violations. There is particular concern that civilian militias and paramilitary groups armed and trained by ABRI are being used to harass and intimidate supporters of East Timorese independence.

In the past week *Ratih*, together with ABRI, has been responsible for the killing of at least four people in the sub-district of Zumalai in the west of East Timor. Another three people from this area are currently being detained by *Ratih* and there are reports that at least one of them has been beaten (see UA 18/99, 28 January 1999, and follow up, 2 February 1999).

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

- urging the authorities to clarify the reasons for the detention of Custodio da Silva Nunes and, if he is not to be charged with a recognizably criminal offence, to release him;
- urging the authorities to guarantee that he will not be subjected to further ill-treatment or torture, that reports that he has been beaten are immediately and independently investigated, and those responsible are brought to justice;
- urging the authorities to immediately regularise or disband all civilian militia and paramilitary groups in East Timor;
- reminding the government of Indonesia of its commitment to the Universal Declaration of Human Rights, in particular Article 9: "No one shall be subjected to arbitrary arrest, detention or exile".

APPEALS TO:

Commander Resort Military Command (KOREM) 164/Wiradharma (covers East Timor)
Colonel Tono Suratman
Markas KOREM 164/Wiradharma
Dili, East Timor, Indonesia

Telegrams: Colonel Suratman, East Timor, Indonesia

Faxes: + 62 390 321 624 (if voice, please request fax tone)

Salutation: Dear Colonel Suratman

COPIES TO:

Minister of Defence and Security/Commander of the Armed Forces
General Wiranto
Menteri Pertahan dan Keamanan
Jl. Medan Merdeka Barat No 13-14
Jakarta 10110, Indonesia
Faxes: + 62 21 381 4535

Minister of Foreign Affairs
Ali Alatas SH
Menteri Luar Negeri
Jl Medan Taman Pejambon No 6
Jakarta, Indonesia
Faxes: + 62 21 380 5511/345 7782/360 541/724 5354

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 16 March 1999.