

PUBLIC

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07 April 2003

UA 92/03 Fear of torture / Possible prisoners of conscience

INDONESIA Susyanti Kamil (f), aged 22, student
 An'am Jaya (f), aged 24, worker
 Sahabuddin (m), aged 23, student
 Ansar Suherman (m), aged 21, student
 Hariansyah (m), aged 22, volunteer
 Muhammad Akman (m), aged 24, student

Amnesty International is concerned for the safety of six non-violent protestors who have reportedly been tortured and ill-treated by police while held in detention in Indonesia.

The six people named above were all detained on 25 January 2003 in Sulawesi Tenggara Province. Two days previously they had participated in a peaceful demonstration organized by a coalition of Indonesian organizations known as the Governing Front of the Poor (*Front Pemerintah Rakyat Miskin*, FPRM) in Kendari Town, Kendari Sub-district.

The protestors were initially detained at Kendari Police Resort (*Polres Kendari*). They are reported to have been beaten and kicked, including on their genitals, and to have had objects thrown at them. Complaints from lawyers about their ill-treatment reportedly resulted in one police officer being transferred.

Police officers also reportedly restricted the activists' access to lawyers. The detainees were questioned without their legal representatives being present because police claimed that they were unable to contact them, and because questioning was carried out at night.

On 19 March, the activists were moved to Kendari Prison (*Rumah Tahanan Kendari*) where they are reported to have been beaten. They suffered bruises on their foreheads, arms and legs. They are believed to have access to medical attention, but concern remains that they could be at further risk of ill-treatment.

The six activists are believed to have been charged under articles of the Indonesian Criminal Code which punish "insulting the President and Vice-president" (Article 134) and "hate-sowing" (Articles 154 and 155) with up to six and seven years' imprisonment respectively. These articles are used to detain prisoners of conscience and Amnesty International has called for them to be repealed.

Detainees who have been detained solely in connection with their peaceful and legitimate political activities, are considered by Amnesty International to be prisoners of conscience.

BACKGROUND INFORMATION

Detentions and imprisonment of prisoners of conscience were commonplace under former President Suharto's regime (1965-1998), but following his forced resignation in 1998 all prisoners of conscience were released in a series of presidential amnesties. However, repressive legislation which limits freedom of expression was not repealed and has once again come back into use against political activists, labour rights activists, human rights activists and others.

At least 13 people are currently detained in Indonesia for their peaceful and legitimate exercise of the right to freedom of expression. They include Muzakkir (m) and Nanang Mamija (m) who are currently serving one-year prison sentences in Jakarta after being found guilty of "insulting the President and Vice-president"

during a peaceful demonstration at which they smeared rice on official portraits of the two. The remaining 11 are awaiting trial. Four others, whose prison sentences have been suspended pending appeal, will be considered prisoners of conscience if their sentences are not overturned.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Bahasa Indonesia or English or your own language:

- expressing concern for the safety of Susyanti Kamil, An'am Jaya, Sahabuddin, Ansar Suherman, Hariansyah and Muhammad Akman, who were detained on 25 January 2003 in Kendari town, and urging the authorities to ensure that they are not tortured or ill-treated;
- expressing concern that the six activists have been detained solely on account of their peaceful political activities and that if this is the case, that they should be immediately and unconditionally released;
- urging the authorities to ensure that they are given full access to legal advice;
- urging the Indonesian government to release all prisoners of conscience including Muzakkir and Nanang Mamija who are being detained in Jakarta.

APPEALS TO:

National Police Chief

Com. Gen. D'ai Bachtiar, Kapolri
Markas Besar Kepolisian RI
Jl. Trunojoyo 3
Kebayoran Baru, Jakarta Selatan
Indonesia

Telegram: Kapolri, Markas Besar Kepolisian, Jakarta Selatan, Indonesia

Fax: +62 21 720 1402

Salutation: Dear Commander General

Attorney General

Muhammad Abdul Rachman, Jaksa Agung
Jl. Sultan Hasanuddin No.1
Kebayoran Baru, Jakarta Selatan 12130
Indonesia

Fax: +62 21 720 8557 / 725 0213 / 739 2576

Salutation: Dear Attorney General

COPIES TO:

National Human Rights Commission (Komnas HAM)

Mr. Gembong Priyono, Secretary General
Jl Lathuhary No. 4B, Menteng
Jakarta Pusat 10310
Indonesia

Fax: +62 21 3925227

Salutation: Dear Secretary General

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 19 May 2003.