

PUBLIC

AI Index: ASA 21/014/2003

16 April 2003

Further Information on UA 95/03 (ASA 21/010/2003, 9 April) and follow-ups (ASA 21/011/2003, 11 April 2003 and ASA 21/012/2003, 14 April 2003) - Fear of torture New concern: Medical concern

INDONESIA

**Yapenas Murib (m), aged 35
Elias Tabuni (m)
Wim Logo (m)
Kanius Murib (m)
Sam Telingan (m)
Around 15 other men, names unknown**

Yapenas Murib reportedly died in military custody as a result of torture on 14 or 15 April. One other detainee, whose name is unknown, is said to be in Wamena General Hospital suffering from injuries, including knife wounds, inflicted through torture. According to the report he is being denied adequate medical attention.

According to a local human rights organization, Yapenas Murib and Kanius Murib, who were both arrested on 6 April, were taken by the military to Ilekma sub-village in Sinakma on 14 April. The two men were reportedly dragged the three kilometres from Wamena town to Ilekma. Kanius Murib was handcuffed, while Yapenas Murib had two ropes tied around his neck which were pulled from different directions by soldiers so that he fell over. He allegedly fell on several occasions and soldiers kicked him each time he fell. He was seen alive in Ilekma on the evening of 14 April, but is said to have died either that night or the following day in the Jayawijaya Military Command (Kodim 1702) in Wamena.

A local newspaper reports that the autopsy report on Yapenas Murib attributed his death to obstruction of the respiratory tract. It also quotes the Military Commander of Kodim 1702 as saying he died after suffering breathing problems while accompanying members of Kodim 1702 in a reconstruction of the 4 April attack on Kodim, in which two soldiers and one civilian died. The Commander reportedly said that members of Kodim 1702 attempted to provide medical assistance before taking Yapenas Murib to Wamena General Hospital, but he died before he reached the hospital. The newspaper states that military personnel forced members of Yapenas Murib's family to sign a letter agreeing not to hold the military responsible for his death before they permitted the family to take his body away for burial.

The local human rights organization states that medical personnel at Wamena General Hospital have only been permitted to treat the wounds of an unnamed detainee with iodine, although there is no information on what further treatment is required. There is also no further information on the other detainees held in Jayawijaya Kodim

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

- expressing grave concern at reports that Yapenas Murib was tortured to death by members of the military and that other detainees in Jayawijaya Military Command (Kodim 1702) have also been tortured;
- expressing concern that an unnamed detainee reported to be in Wamena General Hospital may be being denied adequate medical attention and urging that he is immediately provided with this;
- calling for assurances that detainees in Kodim 1702 will not be subjected to further torture or ill-treatment;
- urging the authorities to ensure that all detainees in Kodim 1702 are provided with immediate access to lawyers, relatives, and medical attention;
- calling on the authorities to transfer all detainees in Kodim 1702 to police custody immediately and charge them with a criminal offence, or release them;

- urging the government to take immediate measures, in accordance with its obligations under the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment which it has ratified, to undertake an immediate, effective and impartial investigation of the allegations of torture and to bring to justice anyone found to be responsible.

APPEALS TO:

Military Commander, Kodam VIII / XVII Trikora

Brig. Gen. Nurdin Zainal

Pangdam VIII/Trikora

Jl. Polimak Atas Jayapura

Papua

Indonesia

Telegram: Kodam VIII/XVII Trikora, Papua, Indonesia

Fax: + 62 967 531642/967 537743 (if someone answers ask for the fax: "saya mau kirim fax")

Salutation: Dear Brigadier General

Commander of the Armed Forces (Panglima TNI)

Lt. Gen. Endriartono Sutarto

Panglima TNI

Markas Besar TNI

Jl. Medan Merdeka Barat No 13

Jakarta Pusat

Indonesia

Telegram: Panglima TNI, Markas Besar TNI, Jakarta Pusat, Indonesia

Fax: + 62 21 845 6805 / 520 1636 (if someone answers ask for the fax: "saya mau kirim fax")

Salutation: Dear Lieutenant General

COPIES TO:

The Chairman

National Human Rights Commission (Komnas HAM)

Abdul Hakim Garuda Nusantara

Jl Latuharhary No. 4B

Menteng

Jakarta Pusat 10310

Indonesia

Fax: + 62 21 3925227

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 28 May 2003.