

PUBLIC

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05 September 2006

Further Information on UA 234/06 (ASA 21/013/2006, 31 August 2006) - Fear of torture or ill-treatment/unfair trial New concerns: Fear for safety/death threats

**INDONESIA Nelson Rumbiak (m), aged 20
Ferdinando Pakage (m), aged 19
Fourteen other men imprisoned after an unfair trial
Aris Mandowen (m), and six other men currently on trial**

**New names: Johnson Panjaitan (m), lawyer
Ecoline Situmorang (f), lawyer
David Sitorus (m), lawyer
Aloysius Renwarin (m), lawyer
Adolf Stef Waramory (m), human rights defender
Frederika Korain (f), human rights defender
Yustina Haluk (f), human rights defender**

Seven lawyers and human rights defenders involved in the trials of 23 men arrested following violence in March in Papua province have been intimidated and have received death threats. Amnesty International is concerned that they may be in danger.

The seven lawyers and human rights defenders include Johnson Panjaitan, Ecoline Situmorang and David Sitorus from the Indonesia Legal Aid and Human Rights Association (*Perhimpunan Bantuan Hukum dan Hak Asasi Manusia Indonesia*, PBHI), Aloysius Renwarin and Adolf Stef Waramory from the Institute For Human Right Studies and Advocacy in Papua (*Lembaga Studi, Advokasi dan Hak Asasi Manusia*, ElSHAM Papua) and Frederika Korain and Yustina Haluk from the Secretariat for Justice and Peace (*Sekretariat Keadilan dan Perdamaian*, SPK). They have reportedly been followed and have received intimidating text (SMS) messages on their mobile phones. On 1 September, Ecoline Situmorang, David Sitorus and Aloysius Renwarin all received text messages saying: "You and your family will not see the sunlight again, because you are provocateurs. Satan is waiting for you." On the same day, stones were thrown at the home of Aloysius Renwarin.

The prosecutor's office at the Jayapura Police Station has filed a complaint against the seven lawyers and human rights defenders, accusing them of insulting the state, in violation of sections 311 and 335 of the Indonesian Penal Code. This follows a plea that the seven made on behalf of the seven defendants on 12 July. During this court hearing, the lawyers stated that the violence on 15 and 16 March in Abepura had been initiated by the police, and therefore that the defendants were themselves victims of violence.

On 31 August, the state prosecution office ordered the transfer of the seven detainees who are currently on trial from Abepura prison to the Jayapura Police Station (the provincial headquarters of the police force). Serious concerns were raised for their safety if the transfer went ahead, after Nelson Rumbiak, who has already been convicted in relation to the same violence, was reportedly beaten by police following a court appearance on 28 August. Pastors, students and other groups sat peacefully in front of the prison all night to prevent the transfer of the detainees to the Jayapura Police station. On 1 September, an agreement was reached between the seven defendants and the chief prosecutor. It was agreed that their trial would resume on 6 September, that staff from the prosecutor's office would accompany the defendants to the court and

back to the prison without police presence, and that the defendants would not be transferred to the Jayapura Police Station.

Nelson Rumbiak and 15 other men imprisoned after an unfair trial continue to be held in Abepura prison. All 23 detainees remain at risk of torture or ill-treatment.

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

- expressing concern for the safety of seven lawyers and human rights defenders (naming them), who are defending those accused of involvement in violent events of 15-16 March in Papua;
- calling on the authorities to investigate allegations that Ecoline Situmorang, David Sitorus and Aloysius Renwarin received a death threat via text message on 1 September, and that members of the legal team have been followed, and calling for those responsible for the threats and intimidation to be brought to justice;
- urging the authorities to take immediate, concrete measures to guarantee the safety of the detainees' legal team as well as the safety of other human rights activists in Papua;
- calling upon the authorities to guarantee that the 16 men already convicted and the seven detainees currently on trial will not be subjected to torture or ill-treatment, and that all necessary steps will be taken to ensure that they do not face reprisals from security forces personnel;
- urging the authorities to conduct an independent investigation into allegations of torture and ill-treatment during interrogation of the detainees, and into allegations that Nelson Rumbiak was attacked after leaving court on 28 August;
- calling for the authorities to ensure that all members of the police and military are made aware of the legitimate role of human rights defenders and their responsibility to protect human rights defenders under the UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

APPEALS TO: (Please note that fax numbers may be switched off outside office hours, 7 hours ahead of GMT. Please keep trying).

Head of Police District

Jl. Jend A. Yani,
Jayapura, Papua, Indonesia
Fax: + 62 96 7531027
Salutation: Dear Kapolres

Head of Police [Papua Province]

Jl. R. Samratulangi No.8, Jayapura, Papua, Indonesia
Fax: +62 967 537211
Salutation: Dear Kapolda

Prosecutor's office Papua

Jl. Anggrek No.6 , Base G Pasir II Tanjung Ria, Jayapura, Papua, Indonesia
Fax: + 62 967 541140
Salutation: Dear Sir

National Police Chief

General Sutanto, Jl. Trunojoyo 3, Kebayoran Baru, Jakarta Selatan, Indonesia
Fax: + 62 21 720 1402
Salutation: Dear General Sutanto

COPIES TO:

President Susilo Bambang Yudhoyono, Istana Merdeka, Jakarta 10110, Indonesia
Fax: + 62 21 345 2685 / 526 8726

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 17 October 2006.