

EXTERNAL (for general distribution)

AI Index: ASA 21/21/92

Distr: UA/SC

30 November 1992

Further information on UA 366/92 (ASA 21/17/92, 23 November 1992) - and follow-ups
ASA 21/19/92 of 24 November 1992 and ASA 21/20/92 of 26 November 1992 - Legal
Concern/Fear of Torture

INDONESIA/EAST TIMOR: Xanana Gusmão, 45

Rufina Conceição Araujo (female), 74
Augusto Pereira, 43) husband and
Aliança de Araujo (female), 40) wife
Ligia de Araujo (female), 22
Jorge Manuel Araujo Serrano, 21
Regina Conceição Araujo Serrano (female), 18
Francisco Almeida Araujo, 17

Armandina Gusmão dos Santos (female)] note full
Gilman Exposto dos Santos] names

Olandina Caceiro Alves (female)
(friend of Armandina Gusmão)
Oscar Lima (friend of Olandina Caceiro)
Americo

Xanana Gusmão, the East Timorese resistance leader arrested in Dili on 20 November, is reported to be in the custody of Indonesian military intelligence authorities in Bali. Amnesty International remains seriously concerned for his safety. At least twelve other people arrested since 20 November, including two of Xanana's relatives, are believed to remain in incommunicado detention in Dili. There continue to be fears that they may be tortured or ill-treated under interrogation.

Indonesian authorities have provided conflicting accounts of Xanana's precise whereabouts, but unofficial sources indicate that he is currently held incommunicado at the Wisma Bayung, the eastern Indonesia headquarters of the Armed Forces Strategic Intelligence Agency (BAIS-ABRI). The Wisma Bayung is located near the airport outside Denpasar, Bali. On 26 November a military spokesperson said that Xanana was in police custody in Bali, but when asked for confirmation, the Regional Police Chief responsible for Bali said he "had not yet received any official report that Xanana had been handed over to the police." In a separate statement to the press, the Indonesian Foreign Minister reportedly claimed that Xanana was well and in Dili.

Military authorities have stated that Xanana will be tried under Indonesian law, either in Denpasar or Dili, but they have provided no details on the charges to be brought. According to press reports, the Minister for Defence said on 26 November that Xanana was "just a street criminal." However, the evident involvement of military

intelligence operatives in his interrogation, and the inclusion of Armed Forces personnel on the team established to investigate his case, strongly suggest that he will be charged with political crimes.

At least 12 other people arrested since 20 November, including two of Xanana's relatives, are believed to remain in custody in Dili. Xanana's sister, Armandina Gusmão dos Santos and her husband, Gilman Exposto dos Santos, an employee of the Catholic Relief Service, are reportedly held at police headquarters in Komoro. They are said to have been subjected to intensive questioning over the last four days, although they are not known to have been charged with an offence. Police

Page 2 of 3FU 366/92

authorities have prevented relatives from visiting the couple in detention, and there are fears that the detainees may be subjected to torture or ill-treatment. Two of their children, previously reported as arrested, are said to be staying with relatives in Dili.

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

- urging the government in the strongest possible terms to immediately clarify the whereabouts of Xanana Gusmão and the other detainees named above;

- expressing concern for members of the Araujo and Gusmão families and others detained in the wake of Xanana's capture;

- reiterating the call for representatives of the International Committee of the Red Cross and independent lawyers to be granted immediate access to Xanana Gusmão and the other detainees, as required by Indonesian and international law;

- seeking clarification of the precise charges to be brought against Xanana Gusmão, and urging the government to release immediately and unconditionally all those detained solely for their peaceful political views.

APPEALS TO:

For appeals regarding Xanana Gusmão only:

1. Lt Col Hasibuan
Wisma Bayung
Denpasar, Bali
Indonesia

Salutation: Dear Lt Col Hasibuan

Telegrams: Lt Col Hasibuan Wisma Bayung, Denpasar, Indonesia

For appeals regarding all the detainees, including Xanana Gusmão:

2. Brig Gen Theo Syafei
Markas Besar KOREM 164
Dili, East Timor

Salutation: Dear Brig Gen Syafei

Telegrams Brig Gen Syafei, Dili, East Timor

3. General Try Sutrisno
Commander of the Armed Forces
Markas Besar ABRI

Salutation: Dear General Sutrisno

Cilangkap, East Jakarta, Indonesia

Telegrams: Gen Try Sutrisno Jakarta, Indonesia

**Faxes: + 62 21 36 1471 (Armed Forces HQ);
+ 62 21 37 8144 (Army HQ); + 62 21 35 6404**

4. Maj Gen Suwardi (note corrected name)

Salutation: Dear Maj Gen Suwardi

Markas Besa KODAM IX

Udayana, Denpasar

Bali, Indonesia

**Telegrams: Maj Gen Suwardi, Markas Besar ABRI, Udayana, Denpasar, Bali,
Indonesia**

COPIES OF YOUR APPEALS TO:

Indonesian Legal Aid Foundation (LBH)

Jl. Diponegoro 74

Jakarta 10320

Indonesia

and to diplomatic representatives of Indonesia/East Timor accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 11 January 1993.