

URGENT ACTION

PRISONER OF CONSCIENCE BEATEN

Prisoner of conscience Johan Teterissa is at risk of further torture and other ill-treatment in Batu Prison, Nusakambangan island, Indonesia following a transfer from Madiun Prison, East Java. On arrival at Batu Prison, he was beaten with electric cables. He has not received medical treatment.

Johan Teterissa was arrested in June 2007 after taking part in a peaceful demonstration in the city of Ambon, the capital of Maluku province, and is currently serving a 15 year prison sentence. He was transferred to Batu Prison, Nusakambangan island on 21 July from Madiun Prison, East Java, along with prisoner of conscience Joni Sinay and other inmates, reportedly due to overcrowding. His lawyers were not informed about the transfer beforehand. According to credible sources, soon after his arrival at Batu Prison he and the other prisoners transferred from Madiun Prison were reportedly kicked and beaten by prison guards. The guards whipped Johan Teterissa's back with electric cables causing him to bleed. He has not received any medical treatment following the beating.

Johan Teterissa has been tortured or otherwise ill-treated in the past. Following his arrest in June 2007 he and 21 other peaceful political activists were tortured by the police, including officers from the anti-terrorist unit Detachment-88, during their initial interrogation and pre-trial detention. Johan Teterissa was not provided with adequate medical treatment at the time and continues to suffer from the injuries he sustained. In June 2012 Amnesty International received credible information that he and other prisoners at Madiun Prison did not have adequate access to clean drinking water and that the prison authorities were limiting the amount of water available to him and other prisoners for bathing.

Please write immediately in English, Indonesian or your own language:

- Ensure that Johan Teterissa is not tortured or otherwise ill-treated while in detention;
- Ensure that Johan Teterissa has access to medical treatment, and to lawyers of his choosing. Ensure that prison conditions, conditions in detention facilities, and the treatment of prisoners meet standards provided for in Indonesian law as well as UN Standard Minimum Rules on the Treatment of Prisoners;
- Immediately and unconditionally release Johan Teterissa and all other prisoners of conscience in Indonesia;
- Order an effective and independent investigation into the allegations of human rights violations by prison guards in Batu Prison, Nusakambangan island, and to bring those responsible to justice in fair trials.

PLEASE SEND APPEALS BEFORE 19 SEPTEMBER 2012 TO:

Head of Batu Prison

Nusakambangan
Hermawan Yunianto
Lembaga Pemasyarakatan Klas I Batu
Nusakambangan
Tambakreja, Cilacap Selatan,
53213, Cilacap, Central Java, Indonesia
Fax: + 62 282 534057
E-mail: lapasbatu@yahoo.co.id
Salutation: Dear Hermawan Yunianto

Director General of Prisons

Sihabuddin
Director General of Prisons
Ministry of Justice and Human Rights
Jl. Veteran No. 11
Jakarta Pusat,
Indonesia
Fax: +62 21 384 1711
Salutation: Dear Sihabuddin

And copies to:

Minister of Justice and Human Rights
Amir Syamsuddin
Jl. H.R. Rasuna Said Kav No. 4-5
Kuningan, Jakarta Selatan 12950,
Indonesia
Fax: +62 21 525 3095

Also send copies to diplomatic representatives accredited to your country.

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ADDITIONAL INFORMATION

Johan Teterissa was arrested on 29 June 2007 after he and 22 other political activists took part in a peaceful demonstration in front of President Susilo Bambang Yudhoyono, who was attending a government-organized ceremony in the city of Ambon, the capital of Maluku province. During the ceremony, Johan Teterissa led other activists – most of whom were teachers or farmers – onto the field and performed a traditional war dance in front of the President. At the end of the dance the activists unfurled the “Benang Raja” – a banned regional flag.

The police and presidential guards responded by escorting Johan Teterissa and 21 of the activists from the field, punching them and beating them with rifle butts once they were out of sight of the President. The 22 activists were then tortured by police – including officers from the anti-terrorist unit Detachment-88 (Densus-88) – during their detention and interrogation. They were beaten, forced to crawl on their stomachs over hot asphalt, whipped with electric cables and had billiard balls forced into their mouths. To date, no independent investigation has been carried out into the allegations of torture and none of the police officers has been held to account.

Johan Teterissa and the other activists were eventually charged with “rebellion” (*makar*) under Articles 106 and 110 of the Indonesian Criminal Code – laws which are often used by the Indonesian authorities to imprison peaceful political activists. Johan Teterissa was initially sentenced to life imprisonment on 4 April 2008; however, this was reduced on appeal to 15 years three months later. The 21 other activists were sentenced to between seven and 20 years’ imprisonment. A twenty-third activist was arrested in June 2008 and was sentenced to four years’ imprisonment in March 2009.

Johan Teterissa is currently imprisoned far away from his family in Maluku and has told his lawyers that he wants to be moved to a prison closer to them. In March 2009 he was transferred from Ambon prison, Maluku to Lowokwaru Prison, East Java. On 5 July 2011 he was again transferred, this time to Madiun Prison also in East Java. Following his recent prison transfer on 21 July, he is now being held in Batu Prison, Nusakambangan island.

In November 2008 the UN Working Group on Arbitrary Detention (WGAD) declared Johan Teterissa’s detention to be arbitrary on the grounds that he was imprisoned for the exercise of his rights to freedom of expression and peaceful assembly – Opinion No. 41/2008 (Indonesia). These rights are guaranteed in the International Covenant on Civil and Political Rights (ICCPR), to which Indonesia is a state party, and in the Indonesian Constitution. The WGAD also found Johan Teterissa’s detention to be arbitrary because he had received an unfair trial. Article 14 of the ICCPR guarantees the right to a fair and public hearing by a competent, independent and impartial tribunal established by law.

Amnesty International takes no position whatsoever on the political status of any province of Indonesia, including calls for independence. However the organization believes that the right to freedom of expression includes the right to peacefully advocate referendums, independence or any other political solutions that do not involve incitement to discrimination, hostility or violence.

The ICCPR and the Indonesian Constitution guarantee the rights to freedom of expression, opinion, association and peaceful assembly. While the Indonesian government has the duty and the right to maintain public order, it must ensure that any restrictions to freedoms of expression and peaceful assembly are no more than is permitted under international human rights law.

Name: Johan Teterissa

Gender m/f: M

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