

EXTRA 73/00

Risk of torture/ill-treatment

1 September 2000

Jalaluddin Harahap (32)
Anwar Sadikin Hasibuan (21)
Parno (37)
Khoiruddin Nasution (24)
Maranaga Hasibuan (28)
Syaiful Tanjung (55)
Hamiruddin Nasution (28)
Gumri Hasibuan (31)
Atar Pasaribu (45)
Badoar Lubis (57)
Goloman Hasibuan (31)
Four others - names unknown

Amnesty International is concerned that 15 people in custody in North Sumatra are at risk of torture or ill-treatment. Police have refused them medical treatment, although one has reportedly been injured by a rubber bullet and others are said to have been injured by beatings with rattan canes.

The 15 people were arrested on 27 August in connection with a land dispute between villagers belonging to the Sosa indigenous group and a privately-owned plantation company. They are in custody at the Police Resort (Polres) in Padang Sidempuan, the capital of Tapanuli Selatan District.

On 24 August, villagers from Panyabungan village, in the Sosa Sub-district of Tapanuli Selatan District, had occupied land they said the plantation company PT PHS (*Permata Hijau Sawit*) Mananti had taken from them. A meeting between the villagers and the company was arranged the following day, but when the villagers arrived at the PT PHS Mananti factory a group of unidentified men tried to abduct villager Ali Sati.

When they heard about this, people from other nearby villages gathered at the factory. At around 5pm Police Mobile Brigade (Brimob) officers arrived and opened fire on the crowd. Nineteen-year-old Pebriadi Nasution was reportedly killed, and at least three others were injured, including Atar Pasaribu, who was hit by a rubber bullet.

On 27 August the police went into Panyabungan village and arrested 33 people suspected of involvement in the dispute. Lawyers managed to visit the remaining 15 for the first time on 1 September, by which time they had already been interrogated. Police were present throughout the interviews and the lawyers said the 15 were too frightened to talk openly. The lawyers are concerned that they may not be permitted to visit their clients again.

A Sosa man from Pasir village, Sahrial Hasibuan, was arrested and beaten when he went to the factory on 25 August after the attempted abduction of Ali Sati. He has since been released, but needed medical treatment for head injuries: he had been hit on the forehead with a rifle butt and beaten on the back of the head.

The police are now said to be looking for leaders of the People's Forum for Sosa Customary Law (*Forum masyarakat adat Sosa - Formasa*) and the North Sumatra Peasants' Union (*Serikat Petani Sumatra Utara - SPSU*). Both organizations are involved in supporting the rights of indigenous people. One of the leaders of Formasa is the Panyabungan village head, Nasruddin Hasibuan. He has been missing since 28 August, when police ransacked his house. He is thought to be in hiding.

The people of Panyabungan village are reported to have fled to the forest in the face of police intimidation.

BACKGROUND INFORMATION

The Sosa are an indigenous people living in around 84 villages in the Sub-district of Sosa. Like other indigenous peoples in Indonesia they have their own *adat* (customary law) system. According to the Sosa *adat* system, ancestral land cannot be sold.

The Sosa people are involved in disputes with both private and state-owned plantation companies which have taken over land in the area. In August 1998, a farmer was shot and killed during a dispute with a state owned plantation company, PTPN IV in the Prinarik area of Sosa sub-district. Approximately 23 people were arrested and sentenced to up to a year in prison.

The Sosa people set up Formasa a year later, to campaign for the recognition of their *adat* laws and traditions by the central government, and assert their right to their ancestral lands.

RECOMMENDED ACTION: Please send faxes/express/airmail letters in English, Bahasa Indonesia or your own language:

- seeking guarantees that the 15 detainees will not be tortured or ill-treated in custody;
- urging the authorities to immediately allow them medical attention and confidential access to their lawyers;
- urging the authorities to release all 15 if they are not to be charged with a recognizably criminal offence;
- urging the authorities not to arrest anyone solely for exercising their right to the peaceful expression of their opinions and to peaceful assembly and association;
- calling for an immediate, thorough and impartial investigation into the killing of Pebriadi Nasution.

APPEALS TO:

Head of Police for North Sumatra
 Brigadier General Sutanto
 Kapolda Sumatra Utara
 Jalan Medan Tanjung Merawa
 Medan, North Sumatra
Fax: + 62 61 7879372
Salutation: Dear Brigadier General

NATIONAL POLICE CHIEF
 Gen. Rusdihardjo
 Kapolri
 Markas Besar Kepolisian RI
 Jl. Trunojoyo 3
 Kebayoran Baru
 Jakarta Selatan, Indonesia
Fax: + 62 21 720 7277
Salutation: Dear General Rusdihardjo

COPIES TO:

MINISTER OF DEFENCE AND SECURITY
 Prof Dr Mahfud MD
 Menteri Pertahanan dan Keamanan
 Jl. Medan Merdeka Barat No.13-14
 Jakarta Pusat 10110
 Indonesia
Fax: + 62 21 381 4535/ 384 5178
Salutation: Dear Minister

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 13 October 2000.