

UA 316/94

Legal Concern

26 August 1994

INDONESIAMunir SH, human rights lawyer

Amnesty International is concerned at the recent arrest of human rights lawyer, Munir, in Malang, East Java. It believes that the authorities may have arrested Munir to prevent him from representing his clients in lawfully challenging their employer's actions, and to intimidate others from undertaking similar work. Amnesty International is concerned that Munir may face further short-term detention or intimidation by military and police forces.

Munir is a lawyer at the Surabaya office of the Indonesian Legal Aid Institute, LBH, (Lembaga Bantuan Hukum), an independent human rights organization. He was arrested at about 11pm on 19 August in the town of Malang, East Java, during a meeting with 14 workers from a company in Malang (PT Sido Bangun Lawang) whose case LBH was assisting. Munir was taken to a local police station (Polsekta Blimbing, Malang) where he was interrogated for approximately two hours before being released. He was accused of organising a meeting without first obtaining police permission, an offence under Article 510 of the Indonesian Criminal Code. He was summoned for further questioning by Malang police on the morning of 25 August.

Munir's detention appears to have been directly related to his successful work on behalf of the 14 workers of PT Sido Bangun Lawang. In 1990, they had been dismissed after protesting before the local legislature (DPRD Kabupaten Malang) about wage cuts and working conditions. With the assistance of the LBH, the workers took the company to court to seek redress for what they considered to be unfair dismissal. In April this year the Supreme Court found in their favour. The company is now seeking to challenge the decision. The meeting with Munir on the night of 19 August was to discuss the lawsuit.

BACKGROUND INFORMATION

The Indonesian Government continues to use repressive laws and regulations to hinder and prevent lawful dissent and political opposition activities. The government frequently resorts to intimidation, short term interrogation in custody, imprisonment and detention to stop peaceful expressions of protest. The victims of such violations have often been those, such as human rights activists and lawyers, organising groups or individuals to challenge government actions through legal avenues or peaceful demonstrations.

Article 510 of the Criminal Code states that official permission must be obtained prior to organising public demonstrations. The penalty for infringing the article is either a nominal fine or up to two weeks in detention. Amnesty International is concerned that this article is used by the authorities to justify the short-term arrest of human rights lawyers and activists, thereby preventing them from carrying out lawful non-violent activities.

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

- expressing concern at the arrest on 19 August 1994 of human rights lawyer, Munir in connection with lawful legal defence work on behalf of the group of 14 workers;
- urging that Munir be able to continue his legal defence work without the threat of further short term detention or other sanction by military or police

forces.

APPEALS TO

Minister of Justice
 Haji Utoyo Usman SH
 Menteri Kehakiman
 Jl Rasuna Said Kav 6-7
 Kuningan
 Jakarta Selatan, Indonesia
Telegrams: Menteri Kehakiman, Jakarta, Indonesia
Salutation: Dear Minister Utoyo Usman;

Military Commander East Java
 Maj Gen Haris Sudarno
 Pangdam V/Brawijaya
 Markas Besar KODAM V Brawijaya
 Surabaya
 Jawa Timur, Indonesia
Telegrams: Pangdam V/Brawijaya, Surabaya, Indonesia
Salutation: Dear Maj Gen Sudarno;

Chief of National Police
 Maj Gen Banurusman Atmosumitro
 Kepala Kepolisian RI
 Markas Besar Kepolisian RI
 Jl Trunojoyo 3
 Kebayoran Baru
 Jakarta Selatan, Indonesia
Telegrams: Kapolri, Jakarta, Indonesia
Salutation: Dear Maj Gen Banurusman Atmosumitro;

COPIES OF YOUR APPEALS TO:

Ali Said SH
 Ketua Komisi Nasional Hak Azasi Manusia
 Jalan Veteran No 11
 Jakarta
 Indonesia
Faxes: + 62 21 314 1625

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 7 October 1994.