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Further information on UA 217/92 (ASA 28/09/92, 29 June 1992) - Fear of forcible return

MALAYSIA: Asylum-seekers from Aceh, Sumatra, Indonesia

Amnesty International continues to be concerned for the safety of Acehese asylum-seekers in Malaysia who may be forcibly returned to Indonesia. Two groups of Acehese may be particularly at risk of human rights violations if returned: 43 asylum-seekers currently occupying the premises of the United Nations High Commissioner for Refugees (UNHCR) in Kuala Lumpur; and some 400 others, detained for more than a year and denied permission to receive visits by UNHCR officials. Amnesty International believes that some or all the Acehese asylum-seekers risk ill-treatment, torture and possible extrajudicial execution if returned to Indonesia.

Malaysian Deputy Prime Minister, Ghafar Baba, reportedly stated on 22 July that Malaysia would not grant asylum to the 43 Acehese. He said the authorities were trying to persuade them to return home. Minister Ghafar Babar said the Malaysian Government had received assurances from Indonesia that the Acehese could return safely and that the government had "no reason to believe that the situation is that bad in Indonesia". The minister said, however, that the Acehese in Malaysia would not be asked to leave the country immediately.

The Indonesian Government has continued to assert that no human rights violations are committed in Aceh and that all the Acehese in Malaysia are illegal immigrants. On 26 June Indonesian Foreign Minister, Ali Alatas, stated that it would be inappropriate for UNHCR officials to assess the cases of any Acehese in Malaysia. He added that the Acehese would soon be convinced that return to Indonesia posed no threat to their well-being.

However, available information indicates that severe human rights violations continue to occur in Aceh, and Amnesty International considers that the safety of asylum-seekers forcibly returned to Indonesia cannot be satisfactorily guaranteed. Fears for the safety of those returned are heightened by the fact that effective human rights monitoring is virtually impossible in Aceh. The media and other information sources in the region are tightly controlled and visits to the province by national and international human rights organizations have been severely restricted or denied outright by the Indonesian Government.

FURTHER RECOMMENDED ACTION:

This case has now been re-issued as a new Urgent Action (see UA 257/92, AI Index, ASA 28/22/92 of 6 August 1992 for further details and recommended actions) therefore no further action is required under UA 217/92. Many thanks to all

those who sent appeals.