

PUBLIC

AI Index: ASA 21/22/98

UA 83/98 Incommunicado Detention / Fear of torture/ ill-treatment

13 March 1998

INDONESIAT Jamaluddin, alias Bit (aged around 40)

Muzarni (aged around 30)

Adnan (aged around 30)

The three above named men, arrested on 26 February 1998, appear to be held in incommunicado military detention and could be at risk of torture or ill-treatment

T Jamaluddin, Muzarni, and Adnan were arrested in Indrapuri, Aceh Besar, in northern Sumatra, by three men believed to be members of Indonesia's Special Forces Command, Kopassus, apparently in connection with allegations of criminal activity. Under Indonesia's Code of Criminal Procedures, only the police have the authority to conduct arrests.

They three men are now believed to be held at the Kopassus Headquarters in Lhokseumawe, known as Rancung. This was used as a detention facility between 1989 and 1993, the most intensive period of the Indonesian military's counter-insurgency operations against Aceh Merdeka, the armed Acehnese separatists. Suspected members of Aceh Merdeka detained in Rancung were frequently subjected to torture and ill-treatment.

BACKGROUND INFORMATION

Aceh is located at the northern tip of the island of Sumatra. Independent human rights monitoring in the area is restricted and foreign journalists are currently believed to be denied access.

Torture of detainees in both military and police custody is common throughout Indonesia, in particular when individuals are denied access to their families and lawyers of their choice.

Indonesia's Code of Criminal Procedures provides some protection of detainees' rights, including the right to independent legal representation, but these rights are frequently ignored in practice. Under the code, the Indonesian Armed Forces have no legal authority to conduct arrests. Those arrested by the military are therefore placed at risk of human rights violations, including torture and ill-treatment, because their arrest and detention is unlawful and conducted without the legal protection of the Code of Criminal Procedures.

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

- urging the authorities to ensure that all three men have immediate and regular access to lawyers of their choice and to their families;
- urging the authorities to ensure that the men are not at risk of torture or ill-treatment;
- urging the authorities to clarify the precise reasons for their arrests and continued detention.

APPEALS TO:

(Please note: Fax tones may be difficult to obtain.)

COMMANDER OF SPECIAL FORCES COMMAND (KOPASSUS)

Maj. Gen. Muchdi P.R.

Panglima Kopassus

Markas Besar ABRI

Cilangkap

Jakarta Timur

Indonesia

Telegrams: Major General Muchdi, Jakarta, Indonesia

Faxes: + 62 21 36 1471 (Armed Forces HQ) / 62 21 37 8144

Salutation: Dear Major General Muchdi

COPIES TO:

MINISTER OF JUSTICE

Haji Utoyo Usman S.H.

Menteri Kehakiman

Jl. H.R. Rasuna Said Kav. 6-7

Kuningan

Jakarta Selatan

Indonesia

Faxes: + 62 21 525 3095

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 29 April 1998.