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Indonesia: first political trial under “reformist” government

Amnesty International today condemned the decision by the Indonesian authorities to proceed with the trials of political activists in Papua and Aceh. If found guilty, they will be the first prisoners of conscience to be convicted since the demise of the Suharto regime, a development described by the human rights organization as "very concerning."

The five Papuans, Rev Obed Komba, Rev Yudas Meage, Yafet Yelemaken, Murjono Murib and Amelia Yigibalom, are members of the pro-independence Papua Council Presidium. They have been accused of "masterminding" a series of violent incidents that took place in Wamena in October 2000, in which over 30 people were killed. There is no evidence that the five were involved. In fact, there are reports that at least some of the defendants attempted to calm the situation.

*In Aceh, the trial of Muhammad Nazar, the chair of the Information Centre for a Referendum in Aceh (*Sentral Informasi Referendum Aceh*), is due to start imminently. He was arrested on 20 November 2000 in connection with his role in organizing pro-independence protests in the province.*

Among the charges against Muhammad Nazar and the five Wamena activists are “expressing feelings of hostility, hatred or contempt towards the government” under the so-called “Hate-sowing Articles” of the Indonesian Criminal Code. These articles were widely used to imprison and intimidate political opponents during Suharto’s 32 years in power.

"We are dismayed to see these articles being used once again against political activists," Amnesty International said. "It undermines the positive process of legal and judicial reform and suggests a lack of serious commitment by the authorities to finding a peaceful political solution to problems in Aceh and Papua."

The Criminal Code is currently under review and Amnesty International has campaigned for the abolition of the "Hate-sowing Articles". In recent years they had dropped out of use, while all prisoners of conscience were released in 1998 following Suharto's fall.

Amnesty International considers the Wamena activists and Muhammad Nazar to be prisoners of conscience and is calling for their immediate and unconditional release.

The trials take place amid increased repression against pro-independence activists in both Aceh and Papua. Efforts by the government to pursue a more conciliatory approach have been undermined by the actions of the security forces who continue to commit serious violations, including unlawful killings, torture and arbitrary detentions in both provinces.

"In Aceh and Papua, it is becoming increasingly difficult to distinguish between the current government and that of President Suharto," Amnesty International added. "Agents of the state are resorting to the same tactics of intimidating, imprisoning, torturing and killing those suspected of opposing Jakarta's rule."

A total of ten people are currently detained and charged under the "Hate-sowing Articles". The other four are also Papuan pro-independence activists. They were arrested in Jakarta after after taking part in pro-independence demonstrations outside the Dutch and

US Embassies on 1 December last year. Five other members of the *Papua Council Presidium*, including the Presidium's leader, Theys Eluay, are also in detention and have been charged with separatism.

“The authorities must reject hard line tactics, including arbitrary arrests, torture and intimidation, in favour of peaceful dialogue to resolve the problems in Aceh and Papua.” Amnesty International said. “But it is hard to see how dialogue can proceed if leading activists in the two provinces are silenced behind prison bars.”

Background notes

The five Wamena activists were detained on 13 December 2000, three months after violence erupted in Wamena when the security forces killed two people during an operation to forcibly remove pro-independence flags flying in the town. During the violence, 11 more people were shot dead by the security forces and 19 migrants from other parts of Indonesia died at the hands of locals.

Seventeen other people, the majority believed to be members of the pro-independence militia group *Satgas Papua*, are also on trial in Wamena for allegedly taking part in the violence. They were kicked and beaten in police custody and interrogated without legal representation. Local non-governmental organizations have reported a heavy armed police presence around the courtroom which is making local people afraid to attend the trial.

Muhammad Nazar was arrested shortly after helping to organize a pro-independence rally in Banda Aceh, the capital of Aceh province, in November 2000. Over 20 people are believed to have been unlawfully killed during a province-wide operation by the security forces to stop people attending the rally. The precise charges against Muhammad Nazar

relate to his involvement in pro-independence activities earlier in the year.

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