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# *amnesty international*

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## £INDONESIA

### @Labour activists detained

10 FEBRUARY 1994

SUMMARY

AI INDEX: ASA 21/06/94

DISTR: SC/CO/GR

At least nineteen trade union activists have been detained in the past three days, on the eve of a general strike called by their union for 11 February. Three labour leaders were arrested on 9 February in Semarang, Central Java, during a meeting of some forty activists which the authorities said was illegal. The three have been charged with political crimes. Four others, arrested between 7 and 9 February, have been held for questioning in Bekasi, West Java. Twelve more union officials and members were reportedly detained on 10 February. Amnesty International believes that all nineteen are prisoners of conscience, detained solely for their peaceful trade union activities, in violation of their rights to freedom of expression, association and assembly and is therefore calling for their immediate and unconditional release. The organization is also urging the Indonesian government to stop the use of short-term detention and threats of legal action against those undertaking trade union and other peaceful political activities.

Three of the nineteen - **Mochtar Pakpahan**, the national chairman of the union calling the strike, the Indonesian Prosperous Labour Union (*Serikat Buruh Sejahtera Indonesia*, SBSI); **Sunarty**, a member of SBSI's national executive council; and **Trisjanto**, chairman of the SBSI's executive council in Central Java - were arrested on 9 February 1994 by the police in Semarang, Central Java. They are being held under Article 155 of the Criminal Code which prohibits the dissemination of materials expressing feelings of hostility, hatred, or contempt toward the government, and provides a maximum punishment of four-and-a-half years' imprisonment.

Four others - **Muchsin**, **Wandi**, **Lodang** and **Rohman** - all SBSI activists from Bekasi, West Java, are reported to have been under interrogation by the Bekasi police (POLRES Bekasi) for the past two days, also in connection with the general strike.

Twelve more SBSI officials and members were reportedly detained at about 9pm (local Indonesian time) on 10 February, during a meeting at the SBSI's office in Tangerang, West Java. Among those arrested were **Raswan**, chairman of the SBSI's Tangerang branch and **Sudjono** and **Kojaksi**, two members of the union. All twelve are understood to have been taken

to the District Military Command (KODIM) in Tangerang. It is not known whether they have been formally charged.

## **BACKGROUND**

There is only one officially recognized trade union federation in Indonesia, the All Indonesia Workers Federation (SPSI), which is government-sponsored. The government has refused to recognize the SBSI which was set up in June 1992.

Despite heavy restrictions imposed on the right to strike and to organize, strikes have become increasingly common in Indonesia in the past three years. According to the SBSI the proposed national strike is aimed at doubling the daily minimum wage to 7,000 rupiah (\$3.30), improving working conditions, permitting workers to organize and securing government recognition for the SBSI. The strike comes at a critical time for the Indonesian government. On 15 February the United States government will decide whether or not to continue granting tariff benefits given to Indonesian exports to the United States under the Generalized System of Preferences (GSP) programme. The United States government is considering suspending trade privileges because of restrictions on labour rights in Indonesia.

The Indonesian government has taken some initiatives in recent months to improve labour rights in response to strong domestic and international criticism. In January it announced the repeal of Decree No. 342 of 1986 which authorized military interference in the settlement of labour disputes. Labour activists and human rights lawyers had repeatedly called for its repeal. While a welcome step, the repeal of the Decree has not put an end to military intervention in labour disputes.

Military intervention in labour disputes has resulted in activists facing arrest, intimidation, ill-treatment and even torture. In at least one case it has led to death. In May 1993 a 25-year-old factory worker, **Marsinah**, was tortured, raped and killed in East Java because of her role as a labour activist. There was clear evidence that the murder was planned and carried out with the knowledge and acquiescence of at least one military officer, and possibly others.

The article under which Mochtar Pakpahan, Sunarty and Trisjanto have been charged, Article 155 of the Criminal Code, is one of the so-called *Haatzaii Artikelen* (Hate-sowing Articles). The *Haatzaii Artikelen* are a series of articles which prohibit public criticism of the government. They were introduced by the Dutch colonial administration in the early 1900s and incorporated into Indonesia's Criminal Code after independence in 1949. The *Haatzaai Artikelen* have often been used by the Indonesian authorities to imprison, or to threaten, alleged political opponents. Those targetted in this way include not only trade unionists, but students, farmers and human rights activists. Most recently 21 students were arrested following a peaceful demonstration in Jakarta in December and charged under Article 154 which prohibits the public expression of feelings of hostility, hatred or contempt toward the government. If brought to trial and found guilty they may face up to seven years' imprisonment.

**RECOMMENDED ACTION:** Please send airmail letters either in English or in your own language:

- expressing concern that nineteen labour activists have been detained solely because of their peaceful trade union activities in violation of the rights to freedom of expression, association and assembly;
- expressing concern that three of them have been charged under Article 155 of the Criminal Code;
- urging that they all be immediately and unconditionally released;
- urging that those involved in peaceful protests be permitted to express their non-violent opinions freely and without interference.

**APPEALS TO:**

Susilo Sudarman  
Coordinating Minister for  
Political/Security Affairs  
Jl. Merdeka Barat No. 15  
Jakarta, Indonesia

Abdul Latief  
Minister for Manpower  
Jl. Jend. Gatot Subroto Kav 51  
Jakarta Selatan  
Indonesia

**COPIES OF YOUR APPEALS TO:**

General Feisal Tanjung  
Commander of the Armed Forces (ABRI)  
Jl. Merdeka Barat 13  
Cilangkap, East Jakarta  
Indonesia

**KEYWORDS:** TRADE UNIONISTS / PRISONERS OF CONSCIENCE / STRIKES / BANNING /  
CENSORSHIP /

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