

PUBLIC

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UA 132/04 Fear of torture or ill-treatment/fear for safety

INDONESIA Bestari Raden (m), aged 55, human rights defender

Environmental and pro-democracy activist Bestari Raden was arrested by soldiers in Nanggroe Aceh Darussalam Province (NAD) on 23 March. He is said to be undergoing intensive interrogation. Torture and ill-treatment are routine in military custody in NAD, and there are serious concerns for his safety.

He was arrested by soldiers from the Aceh Tenggara District Military Command (Kodim 0108) in Lawe Pakam village, Babul Makmur Sub-district, Aceh Tenggara District. He is now held in Kodim 0108.

Bestari Raden is the coordinator of *Kaukus Lingkungan* (The Environmental Caucus) whose activities include advocacy and environmental and human rights education. He is also a member of the Indigenous People's Alliance of the Archipelago (*Aliansi Masyarakat Adat Nusantara*, AMAN) which campaigns for the rights of indigenous peoples. In the morning before his arrest, he had visited Kodim 0108 in his capacity as a member of a government team to review the controversial Ladia Galaska highway project, which is due to be built in NAD and North Sumatra and cuts through virgin rainforest in the Leuser National Park.

Bestari Raden has previously been accused of being a leader of the armed opposition group Free Aceh Movement (*Gerakan Aceh Merdeka*, GAM), and his name was reportedly included on a list of wanted persons issued by the police in 2000. There is concern that he may not actually be a member of GAM, but has been detained because of his activities in opposing government policies in NAD.

BACKGROUND INFORMATION

Thousands of civilians have been killed in the 27-year conflict between GAM and the Indonesian government in NAD. The Indonesian security forces have carried out grave human rights violations, including unlawful killings, "disappearances" and torture during operations against GAM. GAM has also been responsible for human rights abuses.

The government declared a military emergency on 19 May 2003, following the breakdown of a ceasefire agreement. Grave human rights violations, including extrajudicial executions of both adults and children, have since been reported. Around 1,300 people are reported to have been killed since the military emergency was declared.

The military has announced that it will arrest people it claims support or are connected to GAM. The Military Emergency Authority claims that some 2,000 members of GAM have been arrested or have surrendered since mid-May 2003. There is concern that some of those arrested may not be actual members of GAM, but merely sympathetic to its aims, or opposed to the military operations. The military has itself acknowledged that it has difficulty distinguishing between GAM members and civilians. Among those arrested are members of political organizations which campaign for independence for NAD, and members of human rights organizations.

According to Indonesian media reports, as of January 1994 people had been put on trial since the military emergency was declared. Local human rights organizations have expressed concern that the trials have fallen short of international standards for fair trial. Anyone detained by the police and military in NAD is at risk of torture, ill-treatment and other human rights violations.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Bahasa Indonesia, English or your own language:

- expressing concern for the safety of Bestari Raden, who was arrested by soldiers from Kodim 0108 on 23 March, and asking the authorities to guarantee that he will not be tortured or ill-treated;
- expressing concern that Bestari Raden may have been arrested solely because of his legitimate campaigning activities in defence of environmental protection, and urging the authorities to release him immediately and unconditionally unless he is to be charged with a recognizably criminal offence;
- urging them to give him immediate access to lawyers of his own choosing, his family, and adequate medical treatment;
- calling on the authorities to ensure that all members of the police and military are made aware of the legitimate role of human rights defenders and their responsibility to protect human rights defenders under the UN Declaration on the Right and Responsibility of Individuals and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental freedoms.

APPEALS TO:

South-east Aceh Military Commander
Komandan Kodim 0108/Aceh Tenggara
Letnan Kolonel Belyuni
Jl. Cut Nyak Dien, Kutacane 24511
Aceh Tenggara
Nanggroe Aceh Darussalam
Indonesia

Telegrams: Komandan Kodim 0108, Kutacane, Aceh Tenggara, NAD, Indonesia
Salutation: Dear Lieutenant Colonel

Military Emergency Operational Command Chief
Penguasa Darurat Militer Daerah (PDMD)
Mayor Jenderal Endang Suwarya
Markas Komando Daerah Militer Iskandar Muda
Jl Ahmad Yani, Simpang Lima
Banda Aceh, Nanggroe Aceh Darussalam
Indonesia

Salutation: Dear Major General

Fax: 62 651 26979

Telegrams: PDMD, Markas Komando Daerah Militer Iskandar Muda, Banda Aceh, NAD, Indonesia

Commander of the Armed Forces

Gen. Endriartono Sutarto
Panglima TNI
Markas Besar TNI
Jl. Medan Merdeka Barat No 13
Jakarta Pusat, Indonesia

Fax: +62 21 35 6404/845 6805 - If someone answers the fax – say “saya mau kirim fax”

Salutation: Dear General

Telegrams: Panglima TNI, Markas Besar TNI, Jakarta Pusat, Indonesia

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 11 May 2004.