

EXTERNAL (for general distribution)

AI Index: ASA 21/24/92
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Further information on UA 366/92 (ASA 21/17/92, 23 November 1992) - and follow-ups: ASA 21/19/92 of 24 November 1992, ASA 21/20/92 of 26 November 1992, ASA 21/21/92 of 30 November 1992 and ASA 21/23/92 of 4 December 1992 - Legal concern/fear of torture/fear of "disappearance"

INDONESIA/EAST TIMOR: Xanana Gusmão, 45

Rufina Conceição Araujo (female), 74
Augusto Pereira, 43) husband and
Aliança de Araujo (female), 40) wife
Ligia de Araujo (female), 22
Jorge Manuel Araujo Serrano, 21
Regina Conceição Araujo Serrano, (female), 18
Francisco Almeida Araujo, 17
Armandina Gusmão dos Santos) relatives of Xanana
Gilman A. Exposto dos Santos) Gusmão
Olandina Caeiro Alves (female)
Oscar Lima
Americo

Joachim Gusmão Reis, 23) relatives of
Sandra Gusmão Reis, 21) Xanana Gusmão
Victor
Macario
and at least three others

The Indonesian Government permitted representatives of the International Committee of the Red Cross (ICRC) to visit Xanana Gusmão at an unspecified location in Jakarta on 7 December 1992. He had been held incommunicado for 17 days before the visit, and there were fears for his safety. At least 39 others, and possibly many more, detained in East Timor since early November, have yet to be visited by the ICRC. They are being held in incommunicado custody and some are reported to have been subjected to severe forms of torture.

ICRC officials confirmed on 8 December that they had visited Xanana Gusmão in Jakarta. A report of the visit will be submitted to the Government of Indonesia but, in accordance with ICRC policy, it will not be published. The authorities have reportedly promised further ICRC visits to Xanana Gusmão but the timing of the visits has yet to be negotiated.

Amnesty International welcomes the ICRC visit, but notes with serious concern that it occurred 17 days after Xanana Gusmão's arrest, during which time he may have been subjected to physical and mental torture and ill-treatment. Amnesty International

believes that it is essential for ICRC representatives, independent lawyers and relatives to be granted frequent, regular access to Xanana Gusmão, if his safety is to be effectively guaranteed while he is in custody.

Those still held incommunicado in East Timor include at least 19 close associates or relatives of Xanana Gusmão, arrested after his capture on 20 November; and at least 20 others, arrested prior to and during the anniversary of the November 1991 Santa Cruz massacre (see UA 367/92, ASA 21/18/92, of 23 November 1992 and follow ups). All are at risk of torture and ill-treatment and there is urgent concern for their safety. The ICRC is seeking to be permitted to visit the Dili detainees in the near future, but it is not known when the visits will take place.

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One of the detainees, Jorge Manuel Araujo Serrano, is reported to have died under torture and two of the women have reportedly been raped by Indonesian soldiers (see ASA 21/23/92 of 4 December 1992). Others are feared to have "disappeared". Amnesty International calls upon the Indonesian authorities to act immediately to clarify the fate and whereabouts of these detainees and to allow ICRC officials, independent lawyers and relatives immediate access to their place of detention.

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

- welcoming the fact that the ICRC has been permitted to visit Xanana Gusmão in detention, but noting with concern that the visit occurred after 17 days of incommunicado detention;
- urging the government to allow the ICRC, independent lawyers, doctors and relatives frequent, regular access to Xanana Gusmão in detention;
- seeking clarification of the precise whereabouts of Xanana Gusmão;
- expressing urgent concern for the safety of the 39 others arrested since early November, and of all political detainees in East Timor; calling on the government to permit ICRC representatives, independent lawyers, doctors and relatives immediate access to their place of detention;
- calling on the government to release all those detained solely for peaceful political views, or for association with Xanana Gusmão's family.

APPEALS TO:

1. Brig Gen Theo Syafei
PANGKOLAKOPS
Markas Besar KOLAKOPS/KOREM 164
Dili, East Timor
Indonesia

Salutation: Dear Brig Gen Syafei

Telegrams Brig Gen Syafei, Dili, East Timor

2. Maj Gen Suwardi
Markas Besar, KODAM IX/Udayana
Denpasar, Bali, Indonesia

Salutation: Dear Maj Gen Suwardi

Telegrams: Maj Gen Suwardi, Kodam IX, Denpasar, Bali,

3. General Try Sutrisno
Commander of the Armed Forces
Markas Besar ABRI
Cilangkap, East Jakarta

Salutation: Dear General Sutrisno

Indonesia

Telegrams: Gen Try Sutrisno, Markas Besar ABRI, Jakarta, Indonesia

Faxes:+ 62 21 36 1471 (Armed Forces HQ);

+ 62 21 37 8144 (Army HQ);

+ 62 21 35 6404

COPIES OF YOUR APPEALS TO:

Indonesian Legal Aid Foundation (LBH)

Jl. Diponegoro 74

Jakarta 10320

Indonesia

and to diplomatic representatives of Indonesia/East Timor accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 21 January 1993.