

PUBLIC

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Fear of torture or ill-treatment

INDONESIA

**Nuraini (f), aged 29, human rights defender
Zakaria Ismail (m), aged 65, farmer, her father
Zulkifli (m), aged 50**

Nuraini, Zakaria Ismail and Zulkifli are being detained by police in Nanggroe Aceh Darusalam Province (NAD). They have not been given access to their families or lawyers and are at risk of torture or ill-treatment.

At around 5am on 19 June, members of the military from Delima Sub-district Military Command (642 BKO Makoramil Delima) and police officers from Delima Police Sector (Polsek Delima), including members of the Police Mobile Brigades (Brimob) arrived at the house of Nuraini and her father, Zakaria Ismail in Lueng Dama Village, Pidie District. The security forces searched the house and beat and blindfolded Nuraini and Zakaria Ismail. Nuraini was then taken to Polsek Delima on a motorcycle, while Zakaria Ismail was brought to Polsek Delima on foot. A neighbour, Zulkifli, was also detained at the same time.

According to media reports, the military commander of Pidie District has accused Zakaria Ismail of being a former member of the armed resistance Free Aceh Movement (GAM) and Zulkifli of being a fundraiser for GAM.

Nuraini is the Volunteer Coordinator of the Commission for Involuntary Disappearances and Victims of Violence in Aceh (Kontras). The members of Kontras, along with other organizations, have been directly warned by the local military commander that they will be targeted for arrest.

The arrests of Nuraini, Zakaria Ismail and Zulkifli follow the Indonesian government's declaration of a "military emergency" on 19 May and renewed military operations against GAM. The resulting security operation in the region means that human rights defenders, including lawyers, are unable to carry out their work, such as locating and visiting detainees. In this context the risk of torture and other human rights violations to anyone held in police or military detention, which was already commonplace, is greatly heightened.

BACKGROUND INFORMATION

A military emergency was declared in NAD on midnight of 19 May 2003, following the breakdown of a five-month-old ceasefire agreement between the government of Indonesian and GAM. Grave human rights violations, including extrajudicial executions of both adults and children, have already been reported in the context of renewed operations by the Indonesian military against GAM in NAD. The military has announced its intention to arrest and detain individuals who it claims support or are connected to GAM. Among those threatened with arrest are members of political organizations which campaign for independence for NAD and members of human rights organizations. The military has itself acknowledged that it has difficulty distinguishing between GAM and civilians.

There have been thousands of civilian casualties in the 26-year conflict in NAD. Grave human rights violations, including unlawful killings, "disappearances", torture and unlawful detention have been carried out in the context of operations by the Indonesian security forces against GAM. Local human rights organizations estimate that over 1,300 people were killed in 2002 alone. Anyone detained by the police and military in NAD is at risk of torture, ill-treatment or other human rights violations. GAM has also been responsible for human rights abuses.

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 Nuraini, Zakaria Ismail and Zulfikli, who were detained by police in Nanggroe Aceh Darussalam Province (NAD) on 19 June;
- calling upon the authorities to provide guarantees that the detainees will not be subjected to torture or ill-treatment;
- reminding the authorities that despite the declaration of a military emergency, it still has obligation to respect basic human rights, including the right to life and to protection from torture;
- urging the authorities to immediately and unconditionally release Nuraini, Zakaria Ismail and Zulfikli if they have been detained solely on account of their peacefully held views or activities;
- 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:

Head of Police (Kapolres), Pidie

Heru Budi Ersanto

Markas Polisi Resort Aceh Pidie

Jl Chik Ditiro, Sigli

Nanggroe Aceh Darussalam

Indonesia

Telegram: Markas Polisi Resort Aceh Pidie, Sigli, NAD, Indonesia

Fax: + 62 653 22 655 / 21 531 (if someone answers, please ask for the fax: "saya mau kirim fax")

Salutation: Dear Kapolda

Military Commander, Kodam / Iskandar Muda

Maj.Gen Endang Suwarya

Markas Komando Daerah Militer Iskandar Muda

Jl. Ahmad Yani, Simpang Lima

Banda Aceh, Nanggroe Aceh Darussalam

Indonesia

Telegram: Pangdam Iskandar Muda, Banda Aceh, NAD, Indonesia

Fax: + 62 651 27 063 / 26979 (if someone answers, please ask for the fax: "saya mau kirim fax")

Salutation: Dear Major General

COPIES TO:

Chief of Police, Nanggroe Aceh Darussalam (NAD)

Brigadier General BahrumSyah Kasman

Kapolda Aceh

Jalan Cut Meutia No. 3

Banda Aceh, Nanggroe Aceh Darussalam

Indonesia

Fax: + 62 651 22488/ 23670

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 1 August 2003.