

## INDONESIA AND EAST TIMOR



Armed groups continued to commit grave human rights abuses, including torture, hostage-taking and deliberate and arbitrary killings of civilians. In the north of Assam, violence between armed Bodo groups and non-Bodo tribal people escalated during September and October. More than 140 people were reported to have been killed between 1 September and 10 October. In December, 23 Muslims were shot dead by suspected members of an armed Bodo group in Kokrajhar district. In January unidentified gunmen shot dead 23 civilians, including four children, in the village of Vandhama, near the town of Ganderbal in Jammu and Kashmir, before setting fire to a Hindu temple. Similar incidents continued to occur throughout the year in Jammu and Kashmir.

Hostages abducted by armed groups in previous years remained held. The fate of Sanjay Ghosh, a social and environmental activist detained by the United Liberation Front of Assam in July 1997, remained unknown (see *Amnesty International Report 1998*). Hostage-taking by armed groups continued at an alarming rate in the state of Tripura.

Amnesty International published a number of reports, including *India: Manipur – the silencing of youth* in May and *India: A mockery of justice* in April. Amnesty International also raised concerns about the human rights of children in South Asia in a report, *Children in South Asia: Securing their rights*, in April.

In October Amnesty International submitted its comments on deficiencies in the 1993 Protection of Human Rights Act – under which the NHRC was established – to the Advisory Committee established by the NHRC in June to review the Act.

Amnesty International members took part in campaigns against sexual abuse of women and children by members of the security forces in Assam and Manipur and on a range of legal issues, including provisions of the ordinary criminal law which facilitate impunity for the police and security forces.

Throughout the year Amnesty International called on armed groups in Jammu and Kashmir and northeastern states to abide by the principles of international humanitarian law.

Although political reforms began, serious human rights violations continued. At least 358 prisoners of conscience were detained. Four were sentenced to prison terms and 19 others were on trial or awaiting trial at the end of the year. Hundreds of people were briefly detained without charge or trial. While at least 179 political prisoners, including prisoners of conscience, sentenced in previous years were released, at least 172 remained in custody. Torture and “disappearances” continued. Dozens of people were killed by the security forces in suspicious circumstances. Previous cases of “disappearances” and extrajudicial executions remained unresolved. At least 30 people remained under sentence of death. There were no executions.

In January deepening economic crisis caused widespread unemployment and financial hardship. In March President Suharto was re-elected for a seventh consecutive term after elections in which he was the only candidate. Widespread protest against the re-election and disquiet over the economic crisis culminated in demonstrations by thousands of students in the capital, Jakarta. In May, four university students were unlawfully killed by the military in Jakarta, prompting two days of rioting during which more than 1,000 people reportedly died. On 21 May President Suharto resigned and his deputy, B.J. Habibie, became President, promising political and economic reforms. In

November new laws covering elections, parliament and the formation of political parties were approved in principle and dates were set for parliamentary and presidential elections in 1999.

In April the Chairman of the UN Commission on Human Rights made a statement criticizing Indonesia's lack of implementation of recommendations contained in previous statements and resolutions from the Commission. The statement, which was accepted by the Commission's member states, also noted Indonesia's invitation to the UN Working Group on Arbitrary Detention to visit East Timor before the next session of the Commission.

In May the government ratified International Labour Organisation Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise. In June the government announced a National Plan of Action on Human Rights, committing Indonesia to ratification of major human rights treaties over a five-year period.

In October Indonesia ratified the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

In August the government signed a Memorandum of Understanding with the UN High Commissioner for Human Rights (UNHCHR), providing the basis for a technical cooperation program, including human rights education and the strengthening of national institutions. The Memorandum envisaged the placement in Jakarta of a UNHCHR officer with access to East Timor, but regrettably excluded human rights monitoring.

In November the UN Special Rapporteur on violence against women conducted a mission to Indonesia and East Timor.

The National Commission on Human Rights (*Komnas HAM*) investigated land and labour disputes, allegations of unlawful killings, "disappearances" and torture. A *Komnas HAM* investigation into the riots in May was instrumental in establishing an independent inquiry into human rights violations during the riots. In August *Komnas HAM* released a report on human rights violations in Aceh over several years of counter-insurgency operations by the armed forces, concluding that at least 700 people had been unlawfully killed by the military. The *Komnas HAM* office in East Timor was not known to have con-

ducted any investigations into human rights violations. *Komnas HAM* began operations in Irian Jaya.

At least 31 Indonesian prisoners of conscience remained in custody, including eight members of the People's Democratic Party or its affiliated organizations who were convicted in 1997. A ban on the organization was lifted during the year.

At least 358 prisoners of conscience were arrested during the year. At least 21 of them were threatened with charges or awaiting trial at the end of the year and two others were convicted. More than 330 people were arrested for peaceful political activities in connection with the March presidential election. Many had the charges against them dropped and the remaining prisoners were released after President Suharto resigned.

In September and October, six men were arrested in Irian Jaya for peaceful political activities, but were released pending trial. They were alleged to have arranged a meeting to discuss the political status of the province. A further 10 people were tried for their role in a flag-raising ceremony in Wamena, Irian Jaya. They were possible prisoners of conscience.

At least three East Timorese prisoners of conscience remained in prison; they were detained in connection with the 1991 Santa Cruz massacre (see previous *Amnesty International Reports*). Several East Timorese were arrested during the year for their peaceful activities in support of independence. In March Mateus Tilman and Manuel Gomes were sentenced to 18 months' imprisonment for insulting the President in leaflets they had distributed.

At least 179 Indonesian and East Timorese political prisoners, including prisoners of conscience, were released, had charges against them dropped or parole restrictions lifted in a program ordered by the new President. Many had only months to serve of their sentences and at least 47 had already been conditionally released. Independent labour leader Muchtar Pakpahan, serving a four-year prison sentence imposed in 1994, was among those released in May. Other subversion charges against him were dropped. Former member of parliament Sri Bintang Pamungkas, serving a 34-month prison sentence for insulting the President, was also released and additional subversion charges against him were dropped.

Three elderly men, in prison for over 30 years following their conviction for involvement in a coup attempt in 1965, were released. All three had been seriously ill for years and two required wheelchairs. A further 10 elderly men convicted after unfair trials in connection with the same events, four of whom were under sentence of death, remained in custody.

Hundreds of people were subjected to short-term arbitrary detention. In East Timor, at least 64 people were arbitrarily detained by the military in July for alleged links to armed opposition groups, despite the fact that the military has no legal authority to conduct arrests. Several others were held incommunicado by the military for months, including Rui Campus, an East Timorese man suspected of involvement with an armed opposition group, who was held without charge or trial from January.

Twenty men were tried unfairly on charges, including some brought under the Anti-subversion Law, relating to alleged activities in support of armed separatists in Aceh. Their trials had begun in 1997 and were completed in February. The men received prison sentences ranging from two and a half to 20 years. Many of the men were tortured, including by electric shocks, during long periods of incommunicado detention by the military. Information about their torture raised during the trials was not investigated or taken into account by the courts. Eight of them, who received lighter sentences, were released in August.

At least 14 East Timorese were sentenced to prison terms after unfair trials on charges of involvement in violent activities. Thirteen others were awaiting trial at the end of the year. In April Constancio dos Santos was sentenced to 20 years' imprisonment for possessing hand-made bombs. He said he had been tortured.

Torture and ill-treatment continued to be reported throughout Indonesia and East Timor. In March soldiers reportedly detained a village leader in Aceh, tied him to a wall, punched and kicked him and then held him under water. In the same area, soldiers reportedly tortured another man with electric shocks and then submerged him in sewage. In June soldiers reportedly arrested an East Timorese man named Samuel and poured boiling water on his upper body after accusing him of providing support to armed opposition groups.

In November a fact-finding team established by the government reported that 66 women, mostly ethnic Chinese, had been raped during violent disturbances in May which were partly provoked by members of the armed forces. The team recommended that those responsible be brought to justice, but by the end of the year no one had been charged. In East Timor, several women were raped by the security forces. Anastascia da Conceicao was reportedly raped and killed by the armed forces in Los Palos in September; there had been no investigation by the end of the year.

There were continuing reports of "disappearances". By the end of the year, the whereabouts of 13 political activists remained unknown. Five had "disappeared" in 1997, among them Yani Avri and Sony, who were arrested during the 1997 parliamentary election campaign. Eight "disappeared" during the political crisis in early 1998, including Suyat, Petrus Bima Anugerah and Herman Hendrawan, who were taken into military custody in February and March. A further nine men arrested and tortured by the military while being held incommunicado in Jakarta between February and April, who were subsequently released, confirmed that at least six of the missing activists were held in the same military facility. In August a military inquiry into the "disappearances" admitted that the nine released men had been abducted, but found no evidence of any military role in the "disappearance" of the other 13. The son-in-law of former President Suharto, Lieutenant General Prabowo, was discharged from the armed forces in connection with the abductions, purportedly for "misinterpreting" a military order. He later left the country. Two other senior military officers were relieved of their posts, but not discharged. It appeared that the three men would not face trial. Eleven lower ranking soldiers, however, were court-martialled in December for their role in the "disappearances".

In East Timor, at least eight people and possibly as many as 32 "disappeared" after being arrested by the security forces. In November Ernesto Gaspar, Domingos Soares and Julio Soares "disappeared" after they were arrested in Manufahi District.

In May, four unarmed university students were extrajudicially executed by the security forces during a demonstration in

Jakarta. Two policemen were convicted of disciplinary offences by a military court and sentenced to 10 and four months' imprisonment respectively in relation to the deaths, despite forensic evidence which indicated that the students were killed by weapons issued to the military, not the police. No one else was charged with ordering or carrying out the killings.

In Irian Jaya, several people were unlawfully killed in the context of pro-independence demonstrations. Six people were believed to have died after they were shot, wounded or ill-treated by soldiers during pro-independence demonstrations in different towns in July. Ruben Orboi was shot dead in Biak during a flag-raising demonstration. Although a few days earlier demonstrators had clashed with the security forces, on this occasion they were mostly sleeping when troops opened fire. In July *Komnas HAM* investigated his death, but the full results were not known by the end of the year.

In East Timor, several people were extrajudicially executed. In January Valente Bere-Mau, Simao Dau Mau, Lourenco Sorato and Jose Aru Biti were killed by members of the security forces and an armed paramilitary group in Coilima, Atabae, after they were detained on suspicion of links with armed opposition groups. Members of Indonesia's Human Rights Commission were believed to have investigated the killings, but the results were not publicly released and no one had been charged or arrested in connection with the killings by the end of the year.

At least 30 people remained under sentence of death at the end of the year. In April a husband and wife were sentenced to death in Medan for the murder of 42 women. The outcome of an appeal was not known by the end of the year. There were no executions.

There were claims by the armed forces, which were not independently confirmed, that armed opposition groups in East Timor, Aceh and Irian Jaya committed human rights abuses, including deliberate killings.

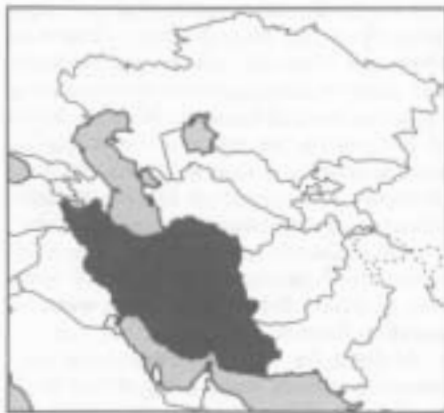
Amnesty International repeatedly appealed for the immediate and unconditional release of prisoners of conscience, the review of convictions of political prisoners, and an end to torture, "disappearances", extrajudicial executions and the death penalty.

Amnesty International released several reports, including in February, *Indonesia: Paying the price for stability*; in May, *Indonesia: An agenda for human rights reform*; and in June, *Indonesia and East Timor: Release prisoners of conscience now!* – a joint report with Human Rights Watch/Asia.

In a statement to the UN Commission on Human Rights in April, Amnesty International included reference to its concerns in both Indonesia and East Timor. In an oral statement to the UN Special Committee on Decolonization in July, Amnesty International called for a comprehensive human rights program in East Timor.

In September an Amnesty International delegation visited Indonesia and met representatives of the government and the armed forces.

## IRAN



Hundreds of political prisoners, including prisoners of conscience, were held. Some were detained without charge or trial; others continued to serve long prison sentences imposed after unfair trials. Reports of torture and ill-treatment continued to be received and judicial punishments of flogging and stoning continued to be imposed. Reports suggested that possible "disappearances" and extrajudicial executions had occurred. Scores of people were reportedly executed, including at least one prisoner of conscience; however, the true number may have been considerably higher. An unknown number of people remained under sentence of death, some after unfair trials. Armed opposition groups committed human rights abuses.