

June 19, 1991

INDONESIA: CONTINUING HUMAN RIGHTS VIOLATIONS IN ACEH

Aceh, the "special region" of Indonesia on the northern tip of Sumatra, continues to be the target of an intensive counterinsurgency campaign waged by the Indonesian army against guerrillas of the Aceh Merdeka or Free Aceh movement. In December 1990, Asia Watch issued a report documenting serious human rights violations committed by Indonesian forces in the course of that campaign, while acknowledging that the guerrillas themselves were also responsible for abuses.¹

Six months later, the situation has not improved, although some changes have taken place. Along the road from the capital of Aceh, Banda Aceh, through the three districts most affected by the campaign to the North Sumatra capital of Medan, most of the military checkpoints have been removed. Gone, too, are the oil drums that were placed in front of local military headquarters, forcing all vehicles into a kind of slow slalom course as they passed by. In the months preceding Asia Watch's most recent visit in May 1991, there were no reports of attacks by Aceh Merdeka fighters on military posts or patrols as there had been in late 1990.

But summary executions, disappearances, torture and arbitrary arrest by the Indonesian army continued. As part of its counterinsurgency efforts, the army in May was exhorting villagers to take the law into their own hands and "crush" suspected Aceh Merdeka supporters, still called "GPK", the army's acronym for "gang of security disturbers." When "crush" was interpreted as "kill", the army stood by and hailed the murders as examples of civilian vigilance. Hundreds of villagers armed with spears and knives were being organized by the army to go to the forest where guerrillas were believed to be hiding and hunt them down, in a tactic reminiscent of the "fence of legs" (*pagar betis*) operations in East Timor in the late 1970's. Village life was tightly controlled with travel permits (*surat jalan*) required to move from one village to the next in some subdistricts, and curfews were widely imposed. The most intensive military operations were reportedly being carried out in the mountainous areas of Tangse, Pidie; Buloh Blang Ara and Panton Labu, North Aceh, as well as in the coastal villages of Peureulak and Leung, East Aceh.

At the same time, political trials of suspected Aceh Merdeka supporters were underway in five district courts in North Sumatra and Aceh. The defendants had been held for between six and nine months in incommunicado military detention before being moved to civilian prisons days before their trials began. Most had been severely tortured. They had court-appointed counsel whose actions were closely monitored by local military and government officials, and human rights lawyers were forbidden from taking on the cases. The guilty verdicts were a foregone conclusion.

Toward the end of the Asia Watch visit in early June, there were indications that the military was belatedly recognizing the negative consequences of its policy of wholesale repression and was considering a change in tactics. One such indication was the green light (in principle) given to the International Committee of the Red Cross at the end of May to conduct its humanitarian services in the affected areas of Aceh.

Asia Watch takes no position on the political goals of the Aceh Merdeka movement which is seeking independence from Indonesia. It condemns without reservation some of the violent crimes, including murder,

¹ *News From Asia Watch*, "Indonesia: Human Rights Violations in Aceh," December 27, 1990

committed in the name of Aceh Merdeka. It acknowledges the right of the Indonesian government to take lawful measures against those who take up arms against the state and to prosecute those responsible for criminal acts. But there is no possible justification under international or Indonesian law for the executions, torture and disappearances committed by government troops or for killings of suspected guerrillas by villagers at the instigation of the army when the victims have been captured or have laid down their arms.

Human Rights Abuse and Propaganda

Four banners strung up by the government at repeated intervals along the roads and markets of Aceh provide a convenient framework for analyzing the abuses taking place there. The banners, with black and red lettering on a yellow background, had appeared in late April and early May 1991 as part of the counterinsurgency campaign. They read as follows:

—"Muslim leaders, government officials and the armed forces urge the people to obliterate the GPK." (*ULAMA, UMARA DAN ABRI MENGAJAK RAKYAT UNTUK MEMBASMI GPK SAMPAI KEAKAR-AKARNYA.*)

—"Any member of GPK who surrenders on his own initiative will be received well by the government in accordance with the law." (*PEMERINTAH AKAN MENERIMA DENGAN BAIK MENURUT KETENTUAN HUKUM SETIAP ANGGOTA GPK YANG MENYERAH ATAS KESADARAN SENDIRI.*)

—"The armed forces will take harsh measures against anyone who helps the GPK." (*ABRI AKAN MENGAMBIL TINDAKAN TEGAS TERHADAP SETIAP ANGGOTA MASYARAKAT YANG MEMBANTU GPK.*)

—"The people of Aceh want security and order so that development can proceed smoothly." (*SITUASI AMAN DAN TERTIB ADALAH DAMBAAN MASYARAKAT ACEH SEHINGGA PEMBANGUNAN BISA BERJALAN LANCAR.*)

There is also a fifth banner, strung with the rest, calling on people to register to vote so that the 1992 elections can be a success, suggesting that the military may be under pressure to clean up the trouble in Aceh before maneuvering for the election proceeds much further.

I. "OBLITERATING THE GPK"

The first banner sums up the practice of killing, disappearances and army-organized manhunts going on in Aceh in mid-1991. Unidentified corpses were still turning up along roads and rivers. A resident of Lhokseumawe told Asia Watch of driving home from Medan in mid-April and having to stop just outside the town of Besitang. Five corpses had been found at daybreak along the main road, and villagers were stopping cars and collecting donations for burial. They said the five were a "parcel sent from Aceh."

Asia Watch was told of several instances of alleged summary executions by military personnel but was unable to verify them, in part because people are afraid to talk. Those reported killed included Teungku Hasan, the *imam* of a mosque in the village of Abeuk, Geulanten, East Aceh, who was reportedly shot by military men in camouflage uniform in April and his body left in the town square of Meunasa. On April 16, according to local journalists who went to the site, a boat owner and his son were found shot on a beach in Peureulak, East Aceh. They were reportedly accused of lending their boat to someone who fled to Malaysia, and the killing was interpreted as a warning to others not to do the same. During the fasting month of Ramadan (mid-March to mid-April), the bodies of three fishermen who had tried to cross to Malaysia were found along the beach at Jeunib, North Aceh. A resident pointed out to Asia Watch the place in Simpang Ulim, North Aceh where two students coming home late at night in January had been shot by soldiers for failing to stop at a checkpoint and show their identity cards.

These are only a handful of the hundreds of killings reported by various sources between January and May 1991, ranging from the five people publicly executed in a stadium in Sigli, Pidie on the evening of May 11, according to Reuters, to a list compiled by Aceh Merdeka sources of over 60 killings in the Peureulak area alone in the last two weeks of March 1991. Any list such as the latter, put together by partisan sources, clearly must be independently checked, but in this case, no independent investigations of these allegations have been possible; a local journalist who tried to investigate other reports of killings in Peureulak told Asia Watch that he was stopped by the military at gunpoint.

The level of killing is such that personal vendettas and business feuds can be carried out with impunity, since once a victim is labelled "GPK", no questions are asked. One of the most common explanations heard in Aceh these days for an arrest, disappearance or killing is that someone has been *difitnah* or "falsely denounced."

In one case that has become well-known in Lhokseumawe, a contractor named Jusdar bin Umar, 35, the director of a company called PT Ina Indah, was shot and killed, reportedly by two soldiers in camouflage uniforms, in February 1991 in Cot Malem, outside Lhokseumawe. A local Quran-reading event had just concluded, and Jusdar was sitting together with two other men. Jusdar and one of the other men were killed when the soldiers fired their M-16 rifles; the third man survived. Since neither of the victims had any known relation with Aceh Merdeka, it is believed in Aceh that the soldiers had been hired by a business rival of Jusdar's, disgruntled because he had just lost out to Jusdar in a bid for a contract to build part of the PT Aromatic company in Lhokseumawe, an Indonesian-Japanese joint venture. To Asia Watch's knowledge, there has been no investigation of the murder.

An untold number of people have disappeared in Aceh after having been taken into military custody. The military practice of not informing families of arrests and not allowing access to detainees by relatives or lawyers until a case is brought to trial means that some of those whose whereabouts are now unknown may in fact be alive and in military detention in and around Lhokseumawe. Others are almost certainly dead.

In all the cases listed below, family members approached the Legal Aid Institute (*Lembaga Bantuan Hukum* or LBH, Indonesia's premier human rights organization), and LBH lawyers checked for the missing persons in the three places where they most logically might have been taken: the GAPERTA prison in Medan, run by the regional military command (KODAM)²; the district military command (KODIM) in Lhokseumawe; and the special forces (KOPASSUS) camp in Rancung, Lhokseumawe.³ The military refused to provide information at all three places. All but one of the men were arrested in June 1990 (exact date uncertain). The families approached LBH in January 1991, or after they had had no news of their relatives for six months.

Usmani, aged 45, from Lorong Posko, Kandang, North Aceh, was arrested on the street in Kandang in June 1990. He had been a teacher at a state junior high school in Lhokseumawe and at the time of his arrest, worked as a contractor in a company called PT Cakradunia. He is married with four children. According to the military, Usmani's car had been used to transport participants to a secret meeting at which Aceh Merdeka guerrillas were present.

Ismail Nago, aged 38, from the village of Mukim, Kresik, Kutamakmur, North Aceh, was a former teacher and the village head of Mukim. He had reportedly taken part in the meeting mentioned above. In July, several weeks after the meeting, he had gone into the town of Kreung Geukeh to buy spare parts for his car. The military went to his house and then tracked him down to a coffee shop (*kedai kopi*) in the town where they arrested him.

Other alleged participants in the meeting from North Aceh who were arrested in June and have not been seen

² GAPERTA is an acronym for the name of the street where the prison is located: Gang Koprata.

³ The KODAM (regional level) is the largest division of the army, and KODAM I Bukit Barisan covers Aceh and North Sumatra. The next level down is the KOREM or resort military command, followed by the KODIM (district level) and KORAMIL (subdistrict level).

since include Drs. Gazali Mansur, 42, a civil servant in the district-level office of the Health Ministry who lived in Pulo Reundup, Kota Blang, Gandapura; Mohamad Yunus, 42, the village head or *geuchik* of Simpang Jaya, Nisam; Ismail Husin, from Lorong Pokso, Kandang, Muaradua who was arrested at his house; and Abdullah Ismail, 35, from the same village as Ismail. (A man identified only as Drs. Ga bin Ma was mentioned in the charge sheet against an alleged Aceh Merdeka supporter who went on trial in Lhokseumawe in late May. It may be Drs. Gazali Mansur, suggesting that he, too, may eventually surface as a defendant in Lhokseumawe district court.)

Another man arrested at the same time but reported to have been killed is Muhamad Diah, about 35, an elementary school teacher on a transmigrant plantation (*perkebunan khusus* or *persus*) in Kreung Pase. He was arrested while teaching. The head of the school told the family that he was not involved at all in the meeting but had been denounced by someone. Villagers reported that he had been killed and buried with another man in an unmarked grave, but his body has not been found.

In a more recent case, two brothers, Dahlan and Armia Ilyas were arrested in front of their family on January 4, 1991 in the village of Mesjid, Kandang. Armia was 27, unemployed. He tried to run away and was shot in the thigh. Villagers told the family that he died three days later and was buried in Cot Murung, Kreung Geukeh. There has been no word on what happened to Dahlan Ilyas.

In all of these cases, it has been impossible to ascertain which unit of the army is responsible for the disappearances. According to residents, most soldiers wear the uniform of the First Division "Bukit Barisan", based in Medan, but there have been troops sent from other parts of Indonesia. The elite Kopassus troops, who normally wear red berets, are also operating in the area as are troops from the air force and mobile police brigade (Brimob).

Incitement of Villagers

The army's exhortation to villagers to "obliterate" Aceh Merdeka has led to villagers killing suspected guerrillas, in part out of fear that if they do not, they themselves will be suspected of involvement.

In one case reported in the local press, a suspected guerrilla named Abu Bakar Ibrahim, aged 27, together with a woman companion, Maliyah, aged 23, had come to a house in the village of Keude Geurobak, Idi Rayeuk, East Aceh, to ask for food. The owner of the house asked them to wait, saying he needed to buy some rice. He sent a family member to alert security officials who apparently gathered hundreds of villagers together. The owner asked the man and woman to step outside (they were not armed at the time), and when they did so, they were seized and killed. The only comment of the district military commander, Lieutenant Colonel Z. Zakarita, was that this act showed the increased opposition of the people to "GPK" and how room for maneuver of the guerrillas had narrowed. If local security forces organized the villagers, they bear responsibility for the summary execution; if officers like the district commander condone it, they share the blame.⁴

Manhunts

In late May 1991, the military was also organizing villagers to flush out guerrillas from their hideouts in the mountains. Participation in these manhunts was not voluntary.

In Teupin Raya, Pidie on May 13, men from several villages including Jaluk, Geulumpang Tiga, and Leung Putu, Bandar Baru, were gathered together by the commander of KOREM 011/Liliwangsa, Col. Syarwan Hamid. At the meeting, the villagers held aloft banners with slogans such as "The armed forces and the people of Jaluk will crush the

⁴ *Harian Analisa*, May 20, 1991

GPK" and "Hang Hasan Tiro, the brains of the treachery." Hasan di Tiro is the exiled leader of Aceh Merdeka based in Sweden, who himself comes from Pidie. Col. Syarwan told the gathered men that the GPK had placed obstacles in the path of development, and that because of this, crushing them was an exalted task that would be blessed by Allah.⁵

In other areas, the district or subdistrict military commanders were organizing all able-bodied men between the ages of 17 and 45 to go on manhunts after similar exhortations. On March 19, 1991, some 80 men and youths were marched from Kreung Geukeh to Nisam, North Aceh led by the KORAMIL to hunt for Aceh Merdeka fighters. In Buloh Blang Ara, Kutamakmur, North Aceh on May 23, a taxi driver whom Asia Watch had hired had to leave for a three-day operation involving some 300 men led by the subdistrict military commander. In Batee, Pidie, an operation of 5,000 men was launched to search for "remaining elements of the GPK." According to a local newspaper account, they were organized into groups of 400, reinforced with regular army troops, and took turns patrolling the forest area where some guerrillas were believed to be hiding.⁶

II. "IN ACCORDANCE WITH THE LAW"

Trials of suspected Aceh Merdeka members which began in March 1991 show a total disregard for the law, both Indonesia's own Criminal Procedure Code and international standards on fair trials. By the beginning of June 1991, 17 men had been sentenced in district courts in Medan, North Sumatra, and Langsa, Lhokseumawe, Lhoknga and Banda Aceh, all in Aceh. Their terms ranged from five to 20 years, and all were convicted of subversion under the Anti-Subversion Law (Presidential Decree 11/1963).

The defendants ranged from a guerrilla who had received military training in Libya to a university lecturer who tried to persuade the guerrillas that their tactics of violence were not working (see Appendix I for full list of sentenced prisoners and known detainees). The group tried in Medan appear to have been all originally from Takengon, in Central Aceh, and were charged with helping recruit and fund guerrillas from that region. The three sentenced in Langsa, including one retired policeman, were accused of donating cash or weapons to the movement. In Lhokseumawe, the three men tried and sentenced were accused of involvement in a September 1989 attack on a security post for a large pulp and paper company, PT Kraft Kertas Aceh, in which two soldiers were killed. In Banda Aceh, nine men were sentenced for having attended meetings at which Aceh Merdeka's goals and methods were discussed, and one man was convicted by the Lhoknga district court for being a guerrilla commander and trying to recruit fighters. No one in the Banda Aceh group is accused of direct involvement in violence, and the charges against them are based on their contact with one of three Aceh Merdeka commanders, Teungku Yun and Teungku Seurawak alias M. Nur alias Anwar, both still at large, and Idris Daud alias Abu Rih, 60, reportedly captured and executed by the Indonesian army on February 10, 1991 in Lammuelo, Pidie. Teungku Seurawak in particular appears to have been tasked with recruiting students and lecturers at Syiah Kuala University in Banda Aceh.

In its December 1990 report on Aceh, Asia Watch suggested that people with a history of previous involvement in the Darul Islam movement of the 1950's or with Aceh Merdeka in the late 1970's were particular targets of military surveillance and arrest, and this is unquestionably true. But the same people appear also to have been targets of an Aceh Merdeka recruitment drive in mid-1990 with disastrous consequences for most of those approached.

While evidence against many of the detainees is slim in the extreme, the testimony of a handful of known Aceh Merdeka fighters at the trials has produced a slightly more detailed picture of Aceh Merdeka organization. Five of the witnesses and one of the defendants were trained in Libya. According to one witness, Ligadinsyah, who is likely to come to trial in the next few months, the first group of 45 recruits were sent for training at Camp Mattabah Tajur, Libya

⁵ *Mimbar Ummat*, May 20, 1991

⁶ *Mimbar Ummat*, May 20, 1991.

in 1986; some 400 were sent in 1987/1988 and 150 in 1989. The Aceh Merdeka organization arranged their travel to Singapore via Malaysia, and then the Libyan government would provide tickets to Tripoli, sometimes via Pakistan and in Europe, through Athens or Holland. The training lasted for seven months and involved not only the use of weapons but also ideological instruction from Hasan di Tiro, the Sweden-based leader of the movement. The Libyan government covered the costs of the training but did not provide arms to those who completed the course; there were some efforts to purchase arms and ammunition in Thailand on the way home. A large pool of unemployed youths provided a ready pool of recruits, although a fairly careful screening procedure was in place. Many of those who were eventually sent were well-educated, from families with unimpeachable Acehnese nationalist credentials. The arrest in August 1989 of a group of Libyan-trained fighters as they returned to Aceh might explain the apparent suddenness of the "re-emergence" of Aceh Merdeka then: not only was a critical mass of fighters in place but the army was aware of their presence and began counterinsurgency efforts in earnest.

The people tried thus far represent only a tiny fraction of those arrested. While many additional trials are expected over the next several months, there are many people currently in detention whose cases may never come to trial and others who were summarily executed without the benefit of any judicial hearing. The fact that trials are taking place at all is clearly better than if the defendants were kept in permanent incommunicado detention. But far from indicating a commitment on the part of the Indonesian government to the rule of law, the trials thus far have been marked by the use of "confessions" and interrogation depositions obtained under duress or torture; the denial of the right to choice of counsel and efforts by the prosecution to discourage the defendants from having any counsel at all; efforts by the local civilian and military authorities to instruct court-appointed lawyers about what they should and should not say in court; and the use of defendants involved in the same case as witnesses for the prosecution. The guilty verdicts in all cases tried thus far were clearly determined in advance.

Torture

In all cases, the defendants were kept in incommunicado military detention until shortly before their trials began, and most were transferred from one military post to another so that interrogation by different branches or different ranks of the armed forces could be carried out.⁷ Observers at the trials in Banda Aceh noted that two defendants, Drs. Teungku Effendi, 31, and Mulkan Usman, SH, 38, as well as one witness who is detained and likely to come to trial in June or July 1991, Jailani Hasan, were in poor physical shape: Teungku Effendi had to use a cane to walk, and both Mulkan Usman and Jailani Hasan had to be supported by officials as they were unable to walk unaided. Marwan, SH, 29, another defendant in Banda Aceh, came to his trial with a broken nose and an apparently lasting injury to his foot.

The most graphic account of torture during the period of detention immediately following arrest comes from Drs. Adnan Beuransyah, a journalist with the newspaper, *Serambi Indonesia*, in his reply to a prosecution statement at his trial on May 1, 1991:

...As soon as we got to Lampineueng [the local headquarters of the internal security agency, BAKORSTANASDA, and the KOREM military command], I was stripped to my underwear, and my hands were handcuffed behind me. Then I was shoved into a room where I was treated inhumantly. I was kicked and punched about the chest and legs until I fell to the floor. I was forced into consciousness only to be kicked and punched all over my body. I collapsed again and had difficulty

⁷ For example, those arrested in and around Banda Aceh were generally held and interrogated first by KOREM 012 intelligence officers at their office in Lampineueng, Banda Aceh, then moved to the district military command (KODIM) Lhokseumawe or the camp run by army special forces (KOPASSUS) at Rancung. Yusuf Sulaiman, an Aceh Merdeka fighter now in Malaysia, was held first in the KODIM in Lhokseumawe, then moved to the GAPERTA prison in Medan. Those arrested in and around Langsa were often held at a detention center in Tualang Cut or in the Langsa KODIM.

breathing.

This went on for about an hour. Then I was taken to another room. Here I was tortured more than before. I was hit with a 5 x 5 cm block of wood and beaten and kicked while I was blindfolded. My shins were a particular target, and I still bear the scars on my back.

My hair and nose were burned with cigarette butts. I was given electric shocks on my feet, genitals and ears until I fainted. As a result of the shocks, I was impotent for three months.

Then I was ordered to sit with my legs outstretched and length of wood was held down over my knees. Another length was placed under my buttocks which was then pumped up and down like someone jacking up a car. Imagine the pain. My knees felt as though they would break. In this posture, I was ordered to confess to all the accusations against me. I thought then, it's better to admit to anything they want.

The pumping ceased, and I was ordered to sit on a long bench facing the interrogator. I was still blindfolded and the wire for electric shocks was still wound around my big toes. If I said anything they didn't like, they'd turn on the current. This went on until about 8 a.m., meaning I was tortured for about eight continuous hours.

On the third night, I was tortured again, only not as badly as on the first night. The pain, however, was worse because my body was already weak and bruised as a result of the beating with the block of wood. My body was bruised and bloodied, and I had been beaten and kicked so much that I coughed up blood and there was blood in my urine...It continued this way until I signed the interrogation deposition [*berita acara pemirksaan* or BAP].⁸

Torture was used not just to extract confessions, but to make sure that the testimonies of different witnesses in the same case all coincided. Marwan, another defendant detained in the Jantho detention center, Lhoknga (about 17 km. from Banda Aceh), noted in his trial that he was accused of attending an Aceh Merdeka meeting at a coffeehouse in Banda Aceh whereas in fact, the coffeehouse was one owned by an old friend, and he went there regularly.

It was the witness Ibrahim Hasan who first confessed that there was a meeting at the coffeehouse, when in fact there never was. Harun [another alleged participant] never ordered me to support the Aceh Merdeka struggle or asked me to raise funds for it. But after Ibrahim Hasan's confession, I was taken to confront him with my eyes blindfolded. After having been thoroughly tortured, I was forced to quickly confess that there had been a meeting at the coffeehouse so as to stop further torture. In fact, that meeting never took place at all.⁹

Both the way in which torture was used to extract confessions and the methods of torture conform to accounts of former prisoners detained on suspicion of involvement with Aceh Merdeka interviewed by Asia Watch in May 1991 and are consistent with accounts of prisoners elsewhere in Indonesia and East Timor. Yusuf Sulaiman, whose case is described in the December 1990 Asia Watch report, was arrested from his home in Baktia, North Aceh, by a KOREM officer and taken to the KODIM Lhokseumawe on August 18, 1989. He was stripped to his underwear, beaten, and a chair was put over his foot which the interrogator then sat on, while he was told to confess that he had been in Malaysia. Then he was made to stand barefoot outside on shiny stones in the heat of the day, so that the soles of his feet were burned. He was interrogated off and on for two weeks, occasionally being made to stand in a tank of excrement. At night

⁸ Duplik in the case of Drs. Adnan Beuransyah, Banda Aceh, May 1, 1991 (handwritten by the defendant).

⁹ Defense statement of Marwan, SH, April 23, 1991 (typed by the defendant.)

he was handcuffed, sometimes with his hands in front, sometimes in back. After six weeks, he was moved to the GAPERTA prison in Medan, where he was beaten and on one occasion, a wire inserted into his penis. One person detained with him there, Zulkifli from Blang Tufat Barat, was tortured so badly he had to be hospitalized.

On November 25, 1989, another man interviewed by Asia Watch, MT, from Samalanga, North Aceh, was cooking rice at a foodstall in Blang Badee, North Aceh, when about 20 soldiers came into the stall, pulled his shirt up over his head so he was effectively blindfolded, and forced him into a car. He was taken to the Lhokseumawe KODIM, where he was questioned about his activities in Malaysia. During his interrogation, he was strapped to an iron chair, wires were wrapped around his toes and thumbs, and electric current applied. He was kept for 23 days there, then driven to Medan, where he was kept for four months and seven days, and like Yusuf, was forced one one occasion to stand in a tank of excrement. He told Asia Watch that the people who are tried are those who confess under torture; there is usually no evidence other than confessions, so that those who can hold out are released.

A third man, FJ, was arrested in November 1989 from the home of a friend in Langkat. He was taken first to the subdistrict military command in Lankat, then to the district command in Binjai and finally to the GAPERTA prison in Medan where, on the first night, he was interrogated from 10pm to 3 am by nine officers in one of the guard posts of the prison. His hands were tied behind his back and a cigarette lighter held to his genitals. He was held for five months in GAPERTA and then released.

The use of torture to extract confessions is explicitly prohibited by Indonesia's Criminal Procedure Code,¹⁰ but it has become routine in Aceh and appears to be a policy condoned at least by the regional commander, General Pramono, if not by Jakarta. One indication that torture is not merely the action of undisciplined junior officers is the threat that many of those tried in April and May 1991 received that if they retracted their interrogation depositions in court, they would be sent back to military detention centers for further torture. Adnan Beuransyah, the Banda Aceh defendant whose testimony was quoted above, told the court of his efforts to retract what he had said in his initial interrogation deposition when he was undergoing examination by the prosecutor prior to trial:

I tried to tell the truth, to retract what I said in the interrogation deposition, but Mr. Prosecutor would not accept that what I had said before was not true. He pushed me in deeper and said officially that I had joined Aceh Merdeka on April 20, 1990 and was charged with collecting information for them. I never joined AM and was never given any assignment by them, never took an oath and was never offered a leadership position...He asked me about the flag and logo of AM. I said I didn't know because I had never seen them. Then he explained what they were. Everything in that deposition came from the prosecutor. I just stayed silent and didn't deny anything, because if I tried to defend my position -- which was not the same as the original deposition -- the prosecutor said I would be turned back over to the Laksus [internal security]...Five days later, the prosecutor came with a typed text..and all that remained was for me to sign it.¹¹

Beuransyah asserts that this statement was identical to the one he was forced to sign while in military detention save for the addition of a confession to an additional charge which was included in the charge sheet read out by the prosecutor on the first day of his trial. The prosecutor told him that if he retracted this second deposition in court, he would be sent back to the KOREM headquarters. "This indicated indirectly that the prosecutor knew perfectly well what had gone on there," he noted.

The detainees are not allowed to see their families until their cases are ready to be brought to trial. That this is

¹⁰ Article 117 which states, "Information by a suspect and/or witness to an investigator shall be given without pressure from whomsoever and/or in any form whatsoever."

¹¹ Duplik in the case of Drs. Adnan Beuransyah, May 1, 1991.

military policy is confirmed by a letter sent to the Medan, North Sumatra branch of Indonesia's leading human rights organization, the Institute of Legal Aid (*Lembaga Bantuan Hukum* or LBH) in which the Assistant for Intelligence to the Chief of Staff of the regional military command says about one detainee, "When the investigation is considered to have been finished, the man in question will be allowed to see his family."¹²

Denial of Choice of Counsel

The defendants were all denied their choice of counsel in violation of Article 55 of the Indonesian Criminal Procedure Code and Article 14 of the Universal Declaration of Human Rights. LBH was denied permission to represent some of the defendants in court, even though the families of 12 detainees in Lhokseumawe had officially authorized LBH lawyers to represent them. Two requests from the Medan, North Sumatra branch of LBH to represent one of the detainees in Medan, Zainal Abidin Ibrahim, brought a negative response in the form of the letter referred to above, saying that as the investigation of Zainal Abidin was not yet finished, it was not possible to accede to the LBH request.¹³ This stance is also in violation of Article 69 of the Indonesian Criminal Procedure Code which states that detainees should be allowed access to a lawyer immediately after their arrest "and at all levels of examination."

Only one of the three defendants in Langsa was permitted to have lawyers from the LBH post there act as counsel. Elsewhere, lawyers were handpicked by government officials. With one exception known to Asia Watch, the lawyers chosen had no experience handling political cases. In Lhokseumawe, one team of lawyers was invited by the district military commander and bupati (civilian district head) to the city's only luxury hotel, the Lidograha, where they were told that they were going to be appointed as defense counsel for the Aceh Merdeka detainees and were given guidelines as to how the defense should be conducted. They received official notice of their appointment three days before the trial began and saw their clients for the first time on the first day of the trials. All of the defendants had spent months in military custody before being moved to a civilian prison just before their trials where a second interrogation, conducted by the public prosecutor, was carried out. One of the lawyers told Asia Watch that he had never bothered to ask his client where he was detained or what kind of treatment he received at the hands of the military, despite the fact that irregularities in arrest and detention procedure are usually grounds for submitting a petition to dismiss the case (*eksepsi*). "My responsibilities began on the first day of the trial," the lawyer said. "What happened before then is none of my business."

Two of the defendants, Drs. Nurdin Abdul Rahman¹⁴ and Drs. Adnan Beuransyah, noted in their trial testimonies that the prosecutor had urged them to waive their right to a lawyer during the prosecutorial interrogation, saying that it would only slow down the process of bringing the cases to court. Since there is usually no torture once a trial begins and conditions are far better in civilian prisons than in military detention centers, the argument for speeding up the pre-trial process is a compelling one.

In Banda Aceh, lawyers from an association called IPHI (*Ikatan Pengacara Hukum Indonesia*) received official notice of their appointment as defense counsel on March 16, 1991 for trials that began the same day, and they were not allowed to see their clients until two days later. The prosecutor allowed them to read the interrogation depositions of their clients, but they were not allowed to make copies. According to one Asia Watch source, the defendants urged the lawyers to make *pro forma* defenses only, because they had been told that things would go worse

¹² Letter No. K/705/III/1990 from Tentara Nasional Indonesia Angkatan Darat, Komando Daerah Militer I, Bukit Barisan, signed by Soetrisno, Kolonel Inf NRP 21151, and dated March 9, 1990. The relevant phrase in Indonesian reads, "Apabila pemeriksaan telah dianggap selesai maka yang bersangutan akan diizinkan untuk bertermu keluarga."

¹³ Ibid.

¹⁴ His name sometimes appears in the press as Nurdin Abdurrachman.

for them if substantive questions were raised. The lawyers acted accordingly, and in only one of the nine cases tried in the Banda Aceh district court, that of Mulkan Usman, did they submit a petition to dismiss. That petition consisted of the usual rhetorical questioning about the validity of the anti-subversion law, rather than any attempt to address the specifics of the case.

Unlike the Lhokseumawe lawyers, who did not even ask about torture, the Banda Aceh lawyers did try to ascertain whether their clients had been tortured, but all of the defendants had been warned by the prosecutor that if they spoke of mistreatment, they would be sent back to the internal security (BAKORSTANAS) office in Lampineueng where in fact some of the worst abuse had taken place.

The general quality of the defense is perhaps best indicated by the headline on the front page of the May 23, 1991 edition of the daily newspaper, *Serambi Indonesia*: "Even the Defense Counsel Admits Guilt of Accused."

Trial Procedures

In none of the 17 cases tried thus far were witnesses for the defense produced, in part, according to the lawyers, because of the fear of any defense witness that he or she would be considered sympathetic to Aceh Merdeka, and in at least two of the Medan cases, that of Drs. Muhamad Amin Amsar and Abdul Jalil, a wife was compelled to testify against her husband, and a niece against her uncle, both in violation of Article 168 of the Criminal Procedure Code.¹⁵

While the Criminal Procedure Code states that only evidence produced in court is admissible as evidence, it was clear that the guilty verdicts were determined on the basis of the original interrogation depositions, most of which, as noted above, were extracted under duress. The verdicts varied very little from the original charge sheet, despite testimony of prosecution witnesses, particularly in the Banda Aceh cases, that they were unaware of the defendants' affiliation to Aceh Merdeka. The trial of Azhar Rhafsah bin Razali is a case in point. The prosecution's charges against Azhar Rhafsah were that he had been a member of Aceh Merdeka since May 1990; that he had attended a series of Aceh Merdeka meetings between June and August 1990; that he had twice lent his motorcycle to Teungku Seurawak, an Aceh Merdeka commander, and had given lifts to others to attend the meetings; and that he had been present at one meeting in which Teungku Seurawak urged another defendant to mobilize students at Syiah Kuala University to support Aceh Merdeka.

The prosecution witnesses all testified that they had no idea whether he was a member of Aceh Merdeka or not and that he had said nothing at the meetings. At least one of the "meetings" had nothing to do with Aceh Merdeka: Azhar, a former economics student, had gone to the house of one of the witnesses to ask for help in an exam. There is little in the witness testimony to suggest a role in the insurgency, yet Azhar Rhafsah was found guilty of subversion, exactly as charged, and sentenced to eight years in prison.

It is significant that Aceh Merdeka sources in Malaysia knew nothing of Azhar Rhafsah, although they were willing to acknowledge that some of the others on trial or in detention were active fighters. With regard to another of the convicted prisoners, Ibrahim Gayo, who was sentenced to 16 years, an Aceh Merdeka partisan detained in the same cell with Gayo wrote in a June 1990 letter to Hasan di Tiro,

Ibrahim Gayo when arrested knew nothing about AM. The only link he had was with Taeb Nursjah, whom the enemy made as their guide. Ibrahim knew nothing about the movement, nor did Taeb

¹⁵ "...No testimony can be heard from and withdrawal as a witness is possible for a) a blood relative or kind to a third degree..of a defendant; b) a sibling of a defendant or who is also a defendant, a sibling of his/her mother or father, also those who are related by marriage and the nephews/nieces of the defendant up to a third degree."

mention anything about it. Ibrahim was really furious for being arrested. He swore and put the blame on us. The enemy began to trust him and gave the keys to the cells. He was made a sort of warden. After reciting the verses from the Quran, we prayed that he would change and that he would be punished for all the evil deed he had done to us.¹⁶

In general, the judges were particularly harsh in sentencing the "intellectuals", the defendants who were lecturers at Syiah Kuala University, on the grounds that these men should have set examples for their students rather than trying to undermine the government. Drs. Hasbi Abdullah, a lecturer in the Economics Faculty, received a 14-year sentence, while Drs. Nurdin Abdul Rahman, an English instructor in the Language Institute of the university, received 15 years. One of Drs. Hasbi's chief offenses was that he argued at a meeting that Aceh Merdeka had strayed from its original goals by engaging in violence, and that its efforts would be better directed at diplomacy abroad. Both Drs. Hasbi and Drs. Nurdin, however, had been previously detained without trial in 1977-78 on suspicion of Aceh Merdeka involvement, and Drs. Hasbi was arrested and sentenced in 1983 on charges of helping his brother, the Health Minister of Aceh Merdeka's government-in-exile, flee the country.

III. "TAKING HARSH MEASURES AGAINST THOSE WHO HELP THE GPK"

Family members of those suspected of involvement with Aceh Merdeka were subject to particularly "harsh measures." Asia Watch received widespread reports of reprisals against relatives: a father's house burned in Leung Satu, Simpang Ulim, East Aceh, because of the son's involvement with the guerrillas; a daughter forced to cook and perform other services for soldiers because her father was a suspected fighter.

The most common form of reprisal, however, is arrest. In one case documented by Asia Watch, the wife and younger sister of one suspected Aceh Merdeka guerrilla now in Malaysia, were arrested in September 1990 and as of May 1991, remained in prison in Medan. Masita Rangkuti, 27, an elementary schoolteacher in Medan, was arrested shortly after her husband, Afdal Gama, fled the country and her husband's uncle, Abdul Jalil, was captured. Both men were from the Acehnese town of Takengon, and their discussions on the movement were invariably conducted in the Acehnese language that Masita, as a member of the Batak ethnic group, did not understand.

Masita was pregnant at the time of her arrest but miscarried after a month in prison. She was taken first to the headquarters of the mobile police brigade (BRIMOB) in Medan and then to GAPERTA prison where for the first 10 days of her detention, she was the only woman. Her husband's younger sister, Dra. Zuhriyah, was arrested and brought to GAPERTA ten days later, accused of trying to hide a bag left in her house by one of the Aceh Merdeka members. The bag, of whose contents Dra. Zuhriyah said she was unaware, proved to contain ammunition.

Shortly after the arrest of Masita, other family members were arrested and brought to GAPERTA for interrogation: her younger brother, Budi; her older sister, Lena; and Lena's husband, Rahim, all of whom were held incommunicado for a month by the military before being released.

Masita Rangkuti and Dra. Zuhriya both appeared as witnesses in the trials in Medan of other defendants from the Takengon area who had some communication with Afdal Gama. It is not clear when or whether they will be tried.

Hasan, the brother of Ibrahim Gayo, one of the Lhokseumawe prisoners, was arrested briefly. He was reportedly summoned to the KODIM Lhokseumawe, interrogated, beaten, and then let go.

The father and brother of another Aceh Merdeka fighter, Yusuf Sulaiman, from Arongan Lisee, Baktia, North

¹⁶ Information Department, Aceh/Sumatra National Liberation Front, *A Black Paper Documenting Javanese/Indonesian Crime of Genocide against the People of Aceh/Sumatra 1990* (Sweden: 1990), p.35

Aceh, were also arrested, apparently in connection with Yusuf's activities. The father, Sulaiman bin Ali, 55, was arrested in December 1990 and brought to the Lhokseumawe KODIM where he was believed to be in custody in May 1991. The brother, Hazbullah, 35, was arrested in August 1990; his whereabouts are unknown.

In yet another case, the younger sister of a student named Musran, 26, was reportedly arrested in September 1990 after her brother, a pharmacy student at the University of North Sumatra in Medan, was detained on suspicion of involvement with the movement. Musran is believed to be in custody in GAPERTA; as of May 1991, it was not clear if the sister remained in custody.

The threat of "harsh measures" may have caused some villagers in East Aceh to flee to Malaysia. In March and April 1991, three boatloads with a total of 109 men, women and children from several villages in Peureulak arrived in Malaysia, reportedly seeking refuge. All have been detained by Malaysian authorities since their arrival and in May 1991 were being held in U.K.K. Juru Bukit Mertajam, on the mainland directly across from Penang, where the two of the three boatloads had landed. Indonesian newspapers quoted one of the refugees as saying the group fled because they were being terrorized by Aceh Merdeka,¹⁷ but at least some of those who fled reportedly had relatives involved with the guerrillas and were afraid of reprisals being taken against them. A resident of a village next to Alue Nireh, Peureulak, from which some of the refugees fled, told Asia Watch in May that he had no doubt that at least those villagers had fled out of fear of the Indonesian military. Several days before they left, the KORAMIL commander had come into Alue Nireh and warned villagers in no uncertain terms that anyone found to be helping Aceh Merdeka would be "taken away."¹⁸

It should be noted that the Indonesian military released some 83 detainees from East and North Aceh in a "mass surrender" ceremony in Langsa, East Aceh on April 11, 1991. As in previous such ceremonies, there is no indication that those arrested were ever involved with the Aceh Merdeka movement, and many had been incommunicado military detention for as long as nine months, unable to see friends or family.¹⁹ But they were all obliged to sign a statement of surrender and take a loyalty oath to the Indonesian government and were going to have to report regularly to the military for the foreseeable future.

IV. "SECURITY AND ORDER"

Maintaining security and order has meant a series of controls imposed by the military on residents of towns and villages in Aceh, such as curfews and travel restrictions, as well as a pattern of arbitrary arrests and abusive behavior by soldiers which has engendered widespread resentment.

The military has officially denied that curfews or travel restrictions exist. The head of internal security for northern Sumatra, for example, told the press in mid-May 1991, "There are no special investigations of people who want to travel, nor are curfews in effect."²⁰

¹⁷ See for example *Medan Pos*, April 11, 1991

¹⁸ The situation of the refugees has become a political issue not only between Indonesia and Malaysia but within the Malaysian government itself. Despite assertions by a Malaysian Foreign Ministry official that all would be returned to Indonesia and that the Indonesian government had guaranteed their safety, it seemed as of May 1991 that the refugees might be permitted to stay after all.

¹⁹ See for example, *Waspada*, April 12, 1991 and *Harian Analisa*, April 12, 1991.

²⁰ "Tidak ada pemeriksaan khusu bagi masyarakat yang ingin bepergian begitu pula tidak ada pemberlakuan jam malam." Quoted in *Kompas*, May 14, 1991, p.11.

In many of the towns visited by Asia Watch in May 1991, however, curfews were very much in place, and the risk of violating them could mean arrest and even death. Some had been imposed as recently as April 1991, and the hours varied from place to place. In mid-May in Kuala Leuge, Peureulak, the curfew last from 6 p.m. to 6 a.m.; in Lhokseumawe, Takengon and Langsa, it was from 11 p.m. to 6 a.m.

One man interviewed by Asia Watch in Langsa said his brother, 23, had been arrested in April 1991 for walking with his girlfriend some time after 11 p.m. They were taken to the Langsa district military command, KODIM, where the girlfriend was soon released. The brother, however, was held for four days, beaten and kicked. There were about 20 people in the room where he was detained, so tightly packed that they had to sleep sitting up with their knees against their chest. There was no room to stretch out one's legs. The brother reported that a few people suspected of direct involvement in Aceh Merdeka were taken away blindfolded with a strip of red cloth around their thumbs and did not return before he was released.

In tandem with the curfews, the army has instituted a system of night patrols, requiring every adult male to stand guard duty or participate in patrols (*ronda*) on a regular basis. In Takengon, every man had to serve guard duty once every 25 days; in less populated areas, it could be as frequently as once every ten days. Failure to appear invariably resulted in a summons from the district military command; in Takengon, a town which appeared to be relatively quiet, the punishment was either a Rp. 20,000 fine (about \$10 and an inordinate amount for most villagers) or being forced to squat, hands clasped behind the neck, for a prolonged period in the military headquarters. In other, more tense areas, there was no question of failure to appear for guard duty, as the fear of being suspected as an Aceh Merdeka sympathizer was sufficiently high to prevent no-shows.

Travel permits, or *surat jalan*, were required in some sub-districts of East Aceh, North Aceh and Pidie in April and May 1991 for villagers who wish to travel from one village to another. On April 17, 1991 in Kembang Tanjung, Sigli, the subdistrict military commander or KORAMIL, gathered villagers together and announced that anyone wishing to leave his or her village would need a *surat jalan* signed by the village head (*geuchik*) and the KORAMIL; that anyone leaving a house empty must post a sign on it indicating where the occupants had gone and with whom; and that anyone receiving a visitor from outside the village must immediately report to the *geuchik*. Fishermen were also told they need a *surat jalan* and warned against helping anyone flee to Malaysia.

In May 1991, *surat jalan* were required in the Buloh Blang Ara area for travel by residents outside the village, and a driver from Simpang Ulim interviewed by Asia Watch said he had to obtain a *surat jalan* to visit his relatives in Langsa.

To guard against incursions of Aceh Merdeka guerrillas, the elite special forces, KOPASSUS, have been stationed in some villages. Seven KOPASSUS soldiers were based in the village of Paya Meuligoe, according to a resident, the area of Peureulak, East Aceh, that the army regards as an Aceh Merdeka stronghold. The same source told Asia Watch that the village head there "was no longer around" (*sudah tidak ada lagi*); Aceh Merdeka sources say the man, Karim, was executed by soldiers on March 8, 1991.

Another possible element of the law and order campaign concerns transmigration, the Indonesian program of resettlement of people, largely Javanese, from overpopulated areas of the country to less densely settled regions. Many Acehnese believe that transmigration settlements of Javanese in strategic areas between the coast and the mountains of eastern Aceh have as much a security function as a development one. In mid-1990, transmigrants became a target of guerrilla harassment and attack, much to the distress of even those who supported Aceh Merdeka, as some of the trial documents attest. The guerrillas claimed that the transmigrants were in fact army families. In May 1991, the Indonesian government announced that the navy was resettling 93 households in Blang Mane, subdistrict Peusangan, North Aceh.²¹ If the move was not designed as a security measure, it was, under the circumstances, an extraordinarily clumsy move and one that could only heighten tensions in the region.

²¹ *Mimbar Umum*, May 20, 1991, p.5

Freedom of Information

Part of the military campaign to maintain law and order involves continuing restrictions on freedom of the press.²² One editor in Medan said ruefully, "I'm not an editor any longer, I'm a tailor (*tukang jahit*); I have to take the information and sew it into something new." The reporter who tried to investigate reports of killings in Peureulak in early May 1991 was on his staff and produced a detailed article which despite military attempts to intimidate him, nevertheless contained several specific incidents of army abuses; the printed version bore no relation to the original, and all accounts of abuses had been deleted in what appears to have been self-censorship by the editor.

In its May 11 issue, TEMPO, the weekly national news magazine, printed an article about trials of suspected Aceh Merdeka supporters with the headline, *Pengakuan Asal-Asalan* or "Half-hearted Confession." The article had originated with TEMPO's Medan branch, and the local prosecutor called the branch office to complain. He in turn had been called by the office of the Attorney General in Jakarta and told to warn the Medan editor against misleading headlines, although the editor should be assured that the contents of the article, which largely quoted military sources and charge sheets against the defendants, were fine.

Conclusions

As of May-June 1991, the Indonesian military continued to be responsible for grave human rights violations in Aceh. The decision by the Indonesian government in May to allow the International Committee of the Red Cross access to detainees who have been charged and/or tried is a welcome development but much more needs to be done.

1. Armed forces headquarters in Jakarta (Mabes ABRI) should immediately issue a public statement calling for a halt to the policy of instigating villagers to kill or physically abuse suspected Aceh Merdeka supporters. It should also state that any military officers found to be encouraging this practice will be prosecuted. The killing of Abu Bakar Ibrahim and Maliyah in Idi Rayeuk could be used as an example. Civilian officials should monitor the activities of civil patrols, ensuring participation is not forced, and that the patrols are not encouraged to engage in arrest or the use of force against civilians.
2. An independent commission should be set up to investigate reports of summary executions and torture by the Indonesian army in Aceh. No such commission has ever been established in Indonesia, nor, to Asia Watch's knowledge, has any military officer ever been prosecuted for the summary execution or torture of a detainee arrested under the Anti-Subversion Law.
3. An independent team of doctors should be appointed to conduct thorough autopsies on all bodies of those found to have died unnatural deaths.
4. Families of those charged in connection with Aceh Merdeka should be allowed to have the human rights organization, Yayasan Lembaga Bantuan Hukum Indonesia, or any other counsel of their choice, defend their relatives, in accordance with the provisions of Indonesia's Criminal Procedure Code.
5. The Indonesian government should treat all those detained in connection with Aceh Merdeka in accordance with the *United Nations Body of Principles for the Protection of All Persons Under Any Form of Detention or*

²² In a move which may have been related to the military's attempt to control freedom of the press in Aceh, two newspapers, the *Atjeh Post* and *Peristiwa* were suddenly closed down in December 1990 on the grounds of "efficiency" and the fact that neither was meeting its costs (*Suara Karya*, December 1, 1990). The suddenness of the closures cast doubt on those reasons.

*Imprisonment*²³, and respect in particular the following principles:

Principle 6: No person under any form of detention or imprisonment shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Principle 16: Promptly after arrest and after each transfer from one place of detention or imprisonment to another, a detained or imprisoned person shall be entitled to notify or to require the competent authority to notify members of his family or other appropriate persons of his choice of his arrest, detention or imprisonment or of the transfer and of the place where he is kept in custody.

Principle 21 (1): It shall be prohibited to take undue advantage of the situation of detained or imprisoned person for the purpose of compelling him to confess, to incriminate himself otherwise or to testify against any other person.

(2): No detained person while being interrogated shall be subject to violence, threats or methods of interrogation which impair his capacity of decision or his judgement.

Principle 36: A detained person suspected of or charged with a criminal offence shall be presumed innocent and shall be treated as such until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

5. All those arrested should be turned over to civilian authorities immediately, in accordance with provisions of the Indonesian Criminal Code; the practice of holding detainees in military custody for prolonged periods should cease.

6. Journalists should be allowed to conduct their own investigations of abuses in Aceh without being subjected to intimidation or harassment and in general, all restrictions against the flow of information to and from and about Aceh should be lifted.

²³ General Assembly Resolution 43/173 of December 9, 1988, adopted without a vote.

APPENDIX I

Prisoners and Detainees Suspected of Involvement in Aceh Merdeka

The following list is compiled from press sources and Asia Watch interviews only and represents a small fraction of those reported arrested. It does not include, for example, the many hundreds of arrests reported by Aceh/Sumatra National Liberation Front (Aceh Merdeka) as it was impossible for Asia Watch to verify those reports, given time constraints and security considerations. By publishing this list, Asia Watch is not suggesting that all are innocent of any crime, although some may be; it believes, however, that virtually all have been the victims either of torture, illegal detention or unfair trials, and that publication of their names may offer them some protection, however belated.

I. Prisoners Tried and Sentenced or on Trial as of May 1991

1. Name: **Drs. Hasbi Abdullah**

Age/Birthdate: 44
Birthplace: Bireuen, Pidie
Occupation: lecturer, Economics Faculty, Syiah Kuala University
Date of Arrest: October 15, 1990
Date of Trial: March 1991, Banda Aceh
Sentence: 14 years

Additional details: Married, three children. Brother is Zaini Abdullah, minister in Hasan di Tiro's cabinet. Former head of Student Council and Syiah Kuala University and former head of the HMI branch in Banda Aceh. Previously arrested in 1978, held for 16 months, and 1983 when he was sentenced to two years, eight months. Accused of having attended meetings where he discussed how to place Aceh on the agenda of the United Nations; concentrating more on diplomacy than violent tactics; how to find hiding places for Aceh Merdeka supporters. Prosecutor said he went to Malaysia and Singapore in mid-1990 to meet Malik Mahmud, Aceh Merdeka's Foreign Minister, and to get counterfeit money.

2. Name: **Mulkan Usman, SH**

Age/Birthdate: 38/December 10, 1953
Birthplace: Sigli, Pidie
Occupation: trader
Date of Arrest: September 1990
Date of Trial: March 1991, Banda Aceh
Sentence: 12 years

Additional details: Married, two children. Previously arrested in 1978 for having raised flag at high school on urging of Abdul Qadir Jailani (now serving sentence in Jakarta for involvement in Tanjung Priok affair.) Also arrested and sentenced to two years, eight months in 1983 for having helped Zaini Abdullah (see Drs. Hasbi Abdullah, above) flee the country. Apparently tortured.

3. Name: **Azhar Rhafsa bin Razali**

Age/Birthdate: 38/September 2, 1953
Occupation: employee, PT Kerta Niaga
Date of arrest: ?
Date of trial: March 1991, Banda Aceh
Sentence: 8 years

Additional details: peripheral involvement, gave rides to Aceh Merdeka members, passed messages.

4. Name: **Amir Syam**

Age/Birthdate: 33/August 26, 1957

Birthplace: Asin-asin, Takengon

Occupation: employee of provincial office of Justice Ministry (Kasie Tenaga Teknis Peradilan)

Date of arrest: February 19, 1990

Date of trial: March 1991, Banda Aceh

Sentence: 6 years

Additional details: Son of Aceh Merdeka activist, Banda Syam and grandson of another Aceh Merdeka leader, Tgk. Ilyas Leubee. Accused of letting group of Aceh Merdeka supporters into the Banda Aceh prison to see the jailed Minister of Finance of the movement, Teungku Muhammad Usman Lampoh Awe in June 1989.

5. Name: **Teungku Effendi**

Age/Birthdate: 31

Birthplace:

Occupation:

Date of arrest: August 16, 1990, 1 a.m.

Date of trial: March 1991, Banda Aceh

Sentence: 5 years

Additional details: Accused of distributing leaflets warning of "Christianization" of Indonesia and Aceh Merdeka pamphlets telling parents to stop their children from attending ceremonies in honor of Indonesia's national day, August 17. Reportedly badly tortured and retracted his interrogation deposition in court.

6. Name: **Ridwan Ibabs**

Age/Birthplace: 31/June 6, 1959

Birthplace: Lhokseumawe

Occupation: head of testing laboratory of district fisheries office (Dinas Perikanan), Banda Aceh

Date of Arrest: August 20, 1990 (turned himself in)

Date of trial: March 1991, Banda Aceh

Sentence: 7 years

Additional details: accused of attending meetings, discussing plans to blow up electric fence around PT Arun, Lhokseumawe, but said in court that he only heard about these discussion after his arrest from fellow detainees. Was initially held in TON Intel Rem 012, Teuku Umar, Banda Aceh (KOREM intelligence office) after turning himself in. Some time during his detention he was moved to Lhokseumawe for questioning by KOREM 011 there.

7. Name: **Marwan, SH**

Age/Birthdate: 29/January 24, 1962

Birthplace: Aree, Pidie

Occupation: unemployed

Date of Arrest:

Date of Trial: March 1991, Banda Aceh

Sentence: 8 years

Additional details: badly tortured, nose broken, apparently lasting injury to foot. Accused of meeting AM leader Teungku Seurawak and playing cards with him at internal security headquarters (BAKORSTANASDA) in Banda Aceh. Was acted for a donation to AM and this became the basis of the prosecutor's charge that he was a fund-raiser.

8. Name: **Drs. Adnan Beuransyah**

Age/Birthdate: 33

Birthplace: Kotabakti

Occupation: journalist, *Serambi Indonesia*

Date of Arrest: August 16, 1990
Date of Trial: March 1991, Banda Aceh
Sentence: 8 years

9. Name: **Tgk. Mohamad Said**
Age/Birthdate: 44
Residence: Lheue, Indrapuri, Aceh Besar
Occupation: member of local parliament, DPRD, Aceh Besar from PPP party
Date of arrest: August 15, 1990
Date of trial: March 1991, Lhoknga
Sentence: 10 years
Additional details: accused of being deputy commander of Aceh Merdeka for the Aceh Besar region, appointed by one Tgk. Wahab (deceased). He was tasked with recruiting youths in Aceh Besar to send to Libya for training, according to the prosecution, and was given a mimeograph machine to print leaflets urging school children to stay away from Indonesian national day ceremonies.
10. Name: **Nurdin Abdul Rahman**
Age/Birthdate: 41/December 25, 1949
Birthplace: Kuta Blang, Gandapura
Occupation: lecturer, Language Institute, Syiah Kuala University
Date of Arrest: October 14, 1991, 11:15 p.m.
Date of Trial: March 1991, Banda Aceh
Sentence: 9 years
Additional details: married; attended a few meetings at which a key AM member was present, lent insignificant sum to another. Previously detained without trial in 1977-78 at Military Detention Center (RTM Denpom Dam-I) Keudah, Banda Aceh, where he met Abu Rih. Accused of attending a series of meetings in Lampineueng, Banda Aceh in March 1989 at which a Malaysia-based Aceh Merdeka fighter named Syamsuddin spoke of how the Acehnese-born Sanusi Junid, Malaysian Minister of Agriculture, had organized a "counter-Aceh Merdeka."
11. Name: **Drs. Muhamad Amin Amsar**
Age/Birthdate: 49
Birthplace: Takengon
Occupation: junior high school teacher, SMP Negeri IV, Medan
Date of arrest: September 18, 1990
Date of trial: April 1991, Medan
Sentence:
Additional details: wife, Nurhati, called as witness. Known Aceh Merdeka member Ligadinsyah says he left 16 sticks of dynamite in his house. Prosecution says Abdul Jalil (see below) came to his house and asked his help in recruiting trainees for Libya. Says he didn't report to authorities because Abdul Jalil warned him of consequences of doing so. Accused of receiving bag containing AM bulletin, *Agam*, and other documents.
12. Name: **Abdul Jalil bin Muda Sali**
Age/Birthdate: 36
Birthplace : Takengon
Occupation:
Date of arrest: July 1990
Date of trial: April 1991, Medan
Sentence:
Additional details: nephew is Aceh Merdeka fighter; accused of helping send people who had returned from Malaysia and Libya back to Takengon.

13. Name: **Surya bin Umar**
Age/Birthdate: 31/May 30, 1960
Birthplace: Sigli, Pidie
Occupation: trader
Date of arrest: sometime after September 7, 1990
Date of trial: April 1991, Medan
Additional details: accused of receiving weapons and ammunition brought from Malaysia by group of Aceh Merdeka fighters trained in Libya. He also allegedly took part in training.
14. Name: **Marzuki bin Adnan**
(no additional information but believed scheduled for trial.)
15. Name: **Drs. Jauhar bin Saleh**
Age/Birthdate:
Birthplace: Takengon
Occupation:
Date of arrest:
Date of trial:
Additional details: relative of Amin Amsar, above, lived in his house 1976-86. Accused of attending meetings at Abdul Jalil's house, involved with bag containing ammunition.
16. Name: **Moh. Thaib**
Age/Birthdate: 29
Birthplace: Lhokseumawe
Occupation:
Date of arrest:
Date of trial: April 1991, Lhokseumawe
Sentence: 20 years
Additional details: accused of having taken part in the attack on a security post (Pos-9 Provit) of PT Kertas Kraft Aceh on September 26, 1989 in which two soldiers were killed. Also accused of having joined Aceh Merdeka in 1987, went to Libya, returned in August 1989. Detained for months in KODIM Lhokseumawe before trial.
17. Name: **Abdul Rahman bin Samad alias Rahman Toyo**
Age/Birthdate: 35
Birthplace: Muara Dua, North Aceh
Occupation: contractor and director of CV Arizona
Date of arrest:
Date of trial: April 1991, Lhokseumawe
Sentence:
Additional details: accused in PT Kertas Kraft Aceh attack, above. Made contact with Aceh Merdeka leader Yusuf Ali who urged attack on armed forces.
18. Name: **Ibrahim Jalil Gayo**
Age/Birthdate: 36
Birthplace: Bebesan, Takengon
Date of arrest:
Date of trial: April 1991, Lhokseumawe
Sentence: 16 years
19. Name: **Umariyah**
Age/Birthdate: 35
Birthplace:

Occupation: employee of district office of Public Works Department

Date of arrest:

Date of trial: May 1991, Lhokseumawe

Sentence:

Additional details: accused of joining Aceh Merdeka in March 1990 and conducting series of meetings which resulted in the attack on a truck driven by a former soldier named Yahya. The guerrillas set fire to the truck and Yahya died as a result. Stole rice for the movement. Accused of being Aceh Merdeka district commander for Mideun and working with Tgk. Hamzah, Aceh Merdeka commander for the Batee Iliek region.

NOTE: When Umariyah's trial opened, the press noted that six others would be brought to trial in the same case and gave their initials as Il bin Id; Drs. Il bin Is; Drs. Ga bin Ma; Sa bin Has; MH bin H; and MJ bin Ib. The latter may be **Mohamad Johan**, accused of stealing rice from alms (*zakat*) collected in Meunasah on April 25, 1990. As noted above, Drs Ga bin Ma may be **Drs. Gazali Mansur**. See *Mimbar Umum*, May 25, 1991.

20. Name: **Nazar**

Age/Birthdate: early 40's

Birthplace:

Occupation: worked in P3K

Date of arrest

Date of trial: expected June 1991, Banda Aceh

Additional details: believed to be the son of the late Aceh Merdeka commander, Teungku Wahab, appointed commander for the Aceh Besar region, according to the prosecution.

21. Name: **Bachtiar bin Ismail**

Age/Birthdate: 33

Birthplace: Alue Beurawe, Langsa

Occupation:

Date of arrest: June 6, 1990 in the village of Alue Bawe

Date of trial: April 1991, Langsa

Sentence: 20 years

Additional details: Accused of becoming member of Aceh Merdeka in February 1990 after meeting with one Basyarah, newly returned from Libya.

22. Name: **Usman Irsyadi**

Age/Birthdate: 56

Birthplace: Banda Aceh

Occupation: former PELTU (assistant to first lieutenant) at KORAMIL in Rantau Seulamat

Date of arrest: June 1990

Date of trial: April 1991, Langsa

Sentence: 10 years

Additional details: accused of giving four hand grenades made in 1963 to AM supporters; didn't know if they worked or not.

23. Name: **Ahmad Saidi**

Age/Birthdate: 53

Birthplace:

Occupation: retired policeman, formerly Commander Provost of Polres, East Aceh

Date of arrest:

Date of trial: April 1991, Langsa

Sentence: 20 years

Additional details: accused of giving a carbine Jungle gun to one Tgk, Iskandar.

II. Detainees Who Have Appeared as Witnesses or Who Have Been Named in Trial Documents as Being Scheduled for Trial

24. Name: **Jailani Hasan**

Age: about 40

Occupation: fisheries

Additional details: Allegedly hosted Aceh Merdeka meeting at his house in Lampulo, Banda Aceh in July 1990 at which Tgk. Seurawak and Abu Rih were present. Witness in Banda Aceh trials. Interrogated immediately after arrest and apparently tortured by KOREM 012/Teuku Umar, Banda Aceh. Probably detained in Jantho, Lhoknga.

25. Name: **Teungku Armia Muhamad Ali, LML**

Age: 49

Occupation: religious teacher, lecturer at IAIN, Banda Aceh

Additional details: took part in meetings in Banda Aceh in July and August 1990 at the Kuta Alam Tailor Store (see below) and became a sympathizer of Aceh Merdeka, according to the prosecution. Graduated from a university in the Middle East; used to lecture on religion in Banda Aceh prison which is where he met some of the defendants. Witness in several Banda Aceh trials. Said he was the first to object to attacks on transmigrants in meetings held on June 5 and 12, 1990, and his stance received widespread support.

26. Name: **Abdullah Husin**

Age: 47

Occupation: lecturer in education department (FKIP) of Syiah Kuala University; also owner of the Kuta Alam Tailor Store in Banda Aceh where many of the Aceh Merdeka meetings are alleged to have taken place. Accused of having urged that Aceh Merdeka continue its campaign of "terror." Frequently approached for contributions by Aceh Merdeka members. Witness in many of the Banda Aceh trials.

27. Name: **Drs. Imran Hasan**

Occupation: businessman, alleged contributor to Aceh Merdeka

Date of arrest: December 1990

28. Name: **Haji Husein Ibrahim**

Additional details: accused of assigning Tgk. Effendi to try and recruit new members for Aceh Merdeka; attending meetings with Syukri and Jalaluddin. Relative of Rajali Ahmad, another witness in Tgk. Effendi case.

29. Name: **Syukri** (see above)

30. Name: **Abdul Hamid**

Age: 31

Birthplace: Geleumpang Tiga, Pidie

Additional details: gave Tgk. Effendi eight pamphlets on Christianization.

31. Name: **Bukhari**

Age: 31

Birthplace: Simpang Ulim, East Aceh

Occupation: student, Islamic law faculty, IAIN ar-Raniry

Additional details: witnesses Abdul Hamid giving pamphlets on Christianization to Tgk. Effendi.

32. Name: **Idris bin Ahmed**

Additional details: named in Rahman Toyo's case, Lhokseumawe

33. Name: **Zainal Abidin bin Ibrahim**

Additional details: named in Rahman Toyo's case, Lhokseumawe; accused of involvement in attack on PT Kertas Kraft Aceh, September 1989

34. Name: **Razali Ahmad alias Raja Cut**

Age: 41

Birthplace: Lambeuteut, Garot-Sigli, Pidie

Residence: Kampung Peuniti, Banda Aceh

Occupation: becak driver

Additional details: witness in Tgk. Effendi case; gave information at a meeting of how the armed forces were trying to crush Aceh Merdeka in Sigli.

35. Name: **Nasir (also seen as Nasri) Usman**

Age: 27

Occupation: part-time guard

Additional details: witness in Marwan case, reportedly hosted a meeting of 13 Aceh Merdeka sympathizers in his office, introduced Teungku Seurawak to Marwan.

36. Name: **Abu Piyeung**

Birthplace: Piyeung, Montasiek, Aceh Besar

Date of arrest: September 1990 but apparently out of prison due to age and ill-health

Additional details: former Darul Islam member; hosted a meeting at his house in July 1990 where he was asked to be "governor" of Aceh Merdeka for the Aceh Besar region.

37. Name: **Hob Jalil**

Birthplace: Aceh Besar

Occupation: businessman

Date of arrest: September 1990

Additional details: former member of Darul Islam, accused of meeting with Teungku Seurawak and Abu Rih in July 1990 to approach Darul Kamal, below, about old Darul Islam weapons that Aceh Merdeka might be able to use. Also allegedly attended meeting in Montasiek, Aceh Besar in June 1990 where he was appointed "coordinator" of Aceh Merdeka for Lamno, West Aceh.

38. Name: **Wajdi A. Hamid**

Additional details: attended meetings in Banda Aceh; at meeting in Montasiek, Aceh Besar in June 1990, at which Teungku Seurawak, Abu Piyeung and Hob Jalil were present, he was assigned the task of looking for transportation to help the movement. Testified as witness in several Banda Aceh trials.

39. Name: **Teungku Darul Kamal**

Age: 56

Residence: Seuliman, Aceh Besar

Additional details: witness in Hasbi Abdullah case; former Darul Islam member, imprisoned in 1978, friend of executed Aceh Merdeka commander, Abu Rih; allegedly approached for weapons by Hasbi.

40. Name: **Ir. Ligadinsyah**

Age: 28

Birthplace: Takengon

Date of arrest: August 30, 1990

Additional details: detained first in KODIM Takengon, then KODIM Lhokseumawe, then sent to Jakarta, may now be in GAPERTA, Medan. Calls himself a candidate for governor of Central Aceh for Aceh Merdeka. Got engineering degree from institute in Medan in 1986, left the same year for Malaysia. Spent two and a half months at al-Fatah University in Tripoli, Libya and three and a half months in military training there. Returned to Aceh in July 1988.

41. Name: **Syamsuddin Reuby**

Additional details: accused of receiving Rp.10,000 to prepare false travel documents for three Medan-based Aceh Merdeka fighters. Appeared as witness in case of Abdul Jalil.

42. Name: **Kasim Mizan** (appeared as witness in Medan trials but not clear if detained)

43. Name: **Masita Rangkuti**

Age: 27

Occupation: elementary school teacher

Birthplace: North Sumatra (Mandiling Batak)

Date of arrest: September 1990

Additional details: wife of Aceh Merdeka fighter Afdal Gama, SH; accused of helping obtain false identity card for her husband. Detained GAPERTA prison. Witness in Medan trials.

44. Name: **Dra. Zuhriah**

Birthplace: Takengon

Date of arrest: September 1990

Additional details: younger sister of Afdal Gama, SH; accused of hiding bag of ammunition left behind by Aceh Merdeka fighters. Appeared as witness in trial of her uncle, Abdul Jalil.

45. Name: **Hamdani bin Sulaiman alias Sofyan**

Age: 22

Birthplace: Tualang Cut, East Aceh

Date of arrest: August 1990

Additional details: Arrested returning from Libya, witness in Medan trials.

46. Name: **Zamree bin Rasyid**

Date of arrest: August 1990

Additional details: Arrested returning from Libya, witness in Medan trials.

47. Name: **Ismail bin Latif**

Age: 25

Birthplace: Lhoksukon

Date of arrest: August 1990

Additional details: Arrested returning from Libya, witness in Medan trials.

48. Name: **Hamdani bin Abdul Gani Hamzah**

Additional details: met with Hamdani, Zamree and Ismail, above, when the three stayed at his boarding house in Medan.

49. Name: **Abu Bakar bin Makam**

Occupation: ex-village head of Meunasah Daya, Kutamakmur

Additional details: gave village funds to Aceh Merdeka for traditional (*adat*) ceremony welcoming newly trained fighters home from Libya, September 17, 1989. Said he was forced to do so by Aceh Merdeka commander, Yusuf Ali of Pase. NOTE: This may be the same as Abu Bakar, age 27, from Cot Mirah, North Aceh, reported arrested on August 17, 1990, released for five days and then rearrested.

50. Name: **Basri bin Ramli**

Date of arrest: June 6, 1990

Additional details: witness in Langsa trials, believed detained in KODIM Langsa, trained in Libya; arrested in the village of Alue Bawe, East Aceh, together with Bachtiar Ismail. Arrested at the same time but no further details on them: **Syafei, Jamaluddin, and Adnan**.

51. Name: **Zainuddin**

Additional details: policeman who allegedly hosted meeting in Lhokseumawe on September 26, 1989 which preceded attack on PT Kertas Kraft Aceh. Rahman Toyo, Robert and Jamaluddin attended.

III. Other Acehnese Reported Arrested in the Indonesian Press

52-54. Three men, **Patuah Dien**, 49, from the village of Simpang Tengoh, Blang Pandah, Tangse; **Cik Rabun**, 50; and **Mohamad Husin**, 20, from Simpang Kiri, Blang Pandah, Tangse, were arrested in late April 1991, taken to the KORAMIL headquarters in Dewantara, Idi. (*Sinar Indonesia Baru*, May 12, 1991)

55-56. **Mansyur Ismail**, 35 from Syamtalira, Kuta Makmur; and **Idris alias Neris**, 45, from Panggoi, Muara Dua, arrested on May 4, 1991 by KORAMIL for involvement in the burning of the KORAMIL office in Syamtalira Bayu on September 23, 1989 and the attack on the PT Kertas Kraft Aceh Pos in Kreung Ton. Mansyur is accused of having administered oaths to would-be Aceh Merdeka members. (*Mimbar Umum*, May 14, 1991).

57. **M. Piah Latif**, 22, detained in KODIM Lhokseumawe as of April 1991. An Aceh Merdeka fighter, he had been hiding in Meunasah Tingkeng, Simpang Ulim, East Aceh, and turned himself in with his M-16 rifle and 107 bullets to the KORAMIL in Tanah Jambu Aye, North Aceh. (*Mimbar Umum*, April 6, 1991).

58-59. **Tarmizi bin Abdullah** and **Umar bin Usman**, alleged Aceh Merdeka members responsible for the burning in December 1990 of Universitas Jabal Gafur in Pidie, arrested in late January, according to General Pramono. (*Angkatan Bersenjata*, February 19, 1991).

60. **Abdullah bin Nek Aji**, alleged deputy of Yusuf Ali, commander of the Pase Region for Aceh Merdeka, arrested on January 25, 1991, according to General Pramono. Pramono said he was responsible for the deaths of transmigrants in the Kreung Pase settlement in July 1990, and was posing as a scrap iron dealer at the time of his arrest. (*Angkatan Bersenjata*, February 19, 1991). This may be the same as one Abdullah Ismail bin Ibrahim who according to military sources *surrendered* to the KOREM 011/Liliwangsa sometime between October and November 1990 and who was also known by villagers in the Kandang, North Aceh, as a scrap iron dealer.

61. **Rasimin**, 27, an alleged Aceh Merdeka member arrested on December 19, 1990 in Nglames, Madiun, East Java with four false identity cards. Detained for one week in KOREM 081 Madiun, then sent to KODAM Brawijaya headquarters, then to Jakarta. (*Suara Merdeka*, January 21, 1991)

62-63. "Mah", 39, and "Teungku ZA", 35, arrested in Pegunungan Abah Leung Seunong, Merueudu, Pidie, after their hiding place was pointed out by an Aceh Merdeka fighter who surrendered. (*Mimbar Umum*, May 20, 1991).

IV. Reports of Arrest from Asia Watch sources in Aceh

64. **Nazaruddin**, 30, from Kemili, Takengon, an employee of PT Kertas Kraft Aceh, arrested in September or December 1990, taken to KODIM Takengon 0106 and tortured. Accused of selling explosives to Aceh Merdeka. He reportedly had access to explosives through his job.

65. **Mahluddin**, 27, a driver from Kenawat, Takengon, arrested in February 1991 on suspicion of Aceh Merdeka activities. Whereabouts unknown.

66. **A. Lukman, 27, former student in the law faculty of University of North Sumatra, Medan, from Tretet, Takengon, arrested in January 1991, accused of Aceh Merdeka involvement.**

67. **Sadrita Mango**, arrested September 1990 in Takengon.

68. **Drs. Gade Salam**, 35, local parliament member from PPP, arrested April 5, 1991.

69. **Toke Cut**, contractor, arrested in early 1990, released, and re-arrested in connection with Rahman Toyo case. Allegedly lent his car to "Robert", the army deserter now working for Aceh Merdeka. While detained in the GAPERTA in early 1990, Toke Cut reportedly was able to pay the guards to allow family visits.

70. **Musran**, 26, originally from Takengon, pharmacy student at University of North Sumatra in Medan, arrested in September 1990. Worked in a travel agency that handled bus trips between Medan and Takengon.

71. **Asyek bin Yusuf**, 37, from Meunasah Blang, Bireuen, North Aceh, arrested on March 17, 1991 in Bireuen.

72. **Tgk. Ahmad Dewi**, leader of a pesantren in Alue Mirah, Idi Cut, East Aceh. Believed arrested in March 1991 after retrieving body of his brother, an Aceh Merdeka fighter, shot by soldiers. Other sources suggest he may be in hiding.

73. **Alamsyah**, arrested on July 18, 1990 after having been wounded in a military operation in Alue Batee, Meunasah, Pidie, according to a spokesman for KODAM I, Bukit Barisan.

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For Further Information

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News From Asia Watch is a publication of Asia Watch, an independent organization created in 1985 to monitor and promote internationally recognized human rights in Asia. The Chair is Jack Greenberg, the Vice Chairs are Harriet Rabb and Orville Schell, and the Executive Director is Sidney Jones.

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