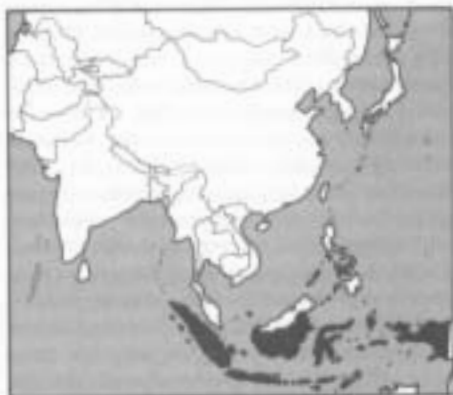


said it would never play a part in negotiations for releases.

UN Special Rapporteurs on torture and extrajudicial, summary and arbitrary executions were not invited to visit Jammu and Kashmir as they requested.

INDONESIA AND EAST TIMOR



At least 350 political prisoners, many of them prisoners of conscience, were held, including some 40 sentenced during the year. Hundreds of people were arrested and held briefly without charge or trial. Torture of political detainees and criminal suspects was common, in some cases resulting in death. Several people were extrajudicially executed, and scores of criminal suspects were shot and killed by police in suspicious circumstances. The fate of possibly hundreds of Acehese and East Timorese who "disappeared" in previous years remained unknown. Some 35 prisoners remained under sentence of death, at least three of whom were sentenced in 1994. No executions were reported.

Despite continuing claims of a commitment to "political openness", the government of President Suharto increased restrictions on civil liberties and intensified the harassment of alleged government critics and human rights activists. Dozens of peaceful seminars and meetings were broken up during the year. In April the government launched an anti-crime drive, "Operation Cleansing", deploying some 16,700 police and soldiers in Jakarta. Three of the country's leading news maga-

zines were banned in June. A draft presidential decree imposing severe restrictions on domestic non-governmental organizations was published. The human rights situation deteriorated in the run-up to the Asia Pacific Economic Cooperation (APEC) summit held in Jakarta in November, as security forces sought to rid the capital of "economic and political criminals".

The government faced continued armed and peaceful opposition from groups seeking independence for Aceh, East Timor and Irian Jaya.

The report by the UN Special Rapporteur on extrajudicial, arbitrary or summary executions of his visit to Indonesia and East Timor was published in December 1994. It concluded that members of the Indonesian security forces were responsible for the 1991 Santa Cruz massacre in Dili, East Timor, and that the government had failed to satisfactorily clarify the cases of those killed and "disappeared". By the end of the year the government had yet to implement most of the recommendations contained in the 1992 report of the UN Special Rapporteur on torture and the UN Commission on Human Rights Resolution 1993/97.

The government-backed National Human Rights Commission, whose members were appointed in December 1993, began to operate early in the year. The Commission surprised some critics by its occasional outspokenness but there were continuing concerns about its independence, mandate and methods of work. Access by international and domestic organizations to East Timor and parts of Indonesia continued to be restricted, preventing effective human rights monitoring. Individuals attempting to disseminate human rights information were often themselves detained and tortured. Hundreds of thousands of former members of the Indonesian Communist Party (PKI) remained subject to heavy restrictions on their freedom of movement and other civil rights.

Dozens of peaceful human rights and political activists were sentenced to prison terms after unfair trials during the year. In February Nuku Soleiman was sentenced to four years' imprisonment for "insulting the president". Access to his trial was restricted and the court agreed to hear only one of the 17 witnesses requested by the defence, in contrast to the 19 witnesses

appearing for the prosecution. In May his sentence was increased to five years following an appeal to the High Court in Jakarta. Nuku Soleiman was a prisoner of conscience. Also in May, 21 university students were sentenced to six months in prison on the same charge for participating in a peaceful protest in December 1993. In mid-June the sentences against all 21 were increased by between two and eight months by the High Court. By December 1994, all but one of the students had been released.

Three student prisoners of conscience – Bonar Tigor Naipospos, Bambang Subono and Bambang Isti Nugroho – who had been sentenced in 1989 to between seven and eight and a half years in prison, were conditionally released in May and June.

Scores of trade unionists were jailed in connection with widespread labour unrest in Medan, North Sumatra, in mid-April. They included at least 11 labour activists charged with "inciting" workers to demonstrate and to strike. The 11 received prison sentences ranging from five months to three years. Among them was Dr Muchtar Pakpahan, the national chairman of the independent Indonesian Prosperous Workers' Union, who was sentenced to three years' imprisonment in November. From trial documents and observation of his trial, Amnesty International concluded that the charges against Dr Pakpahan and the 10 others tried with him were politically motivated, and that they might be prisoners of conscience.

Some 24 East Timorese prisoners of conscience were serving sentences of up to life imprisonment imposed after unfair trials. At least six were tried during the Year for their peaceful pro-independence activities. They included José Antonio Neves, a theology student, whose trial had not been completed by the end of the year. He was accused of seeking to gain international support for East Timor's independence, a crime punishable by up to life imprisonment. Five other East Timorese – Isaac Soares, Miguel de Deus, Pantaleão Amaral, Rosalino dos Santos and Pedro Fatima Tilman – were tried and each sentenced to 20 months' imprisonment. They had taken part in a peaceful pro-independence demonstration during a visit to East Timor by foreign journalists in April. According to reports, they were not accompanied by lawyers during either their

interrogation or trial. All were prisoners of conscience.

Hundreds of suspected supporters of independence for East Timor were subjected to short-term detention, ill-treatment and harassment. Up to 22 people were detained after police and military forces broke up a peaceful demonstration by students in Dili on 14 July. On 12 November, the anniversary of the 1991 Santa Cruz massacre, widespread and sometimes violent demonstrations broke out in Dili, East Timor. More than 125 people were detained but most were released after questioning. Some were known to have been badly beaten by their captors. Police officials said that 30 people would be tried for criminal offences; there was concern that some were peaceful pro-independence protesters.

Around 50 alleged supporters of the armed pro-independence group *Aceh Merdeka*, many of whom were believed to be prisoners of conscience, continued to serve sentences of up to life imprisonment imposed after unfair trials in previous years (see previous *Amnesty International Reports*). At least eight other alleged members were tried during the year, including three men convicted of subversion in March and sentenced to 19 years' imprisonment.

At least 50 political prisoners, over half of whom were prisoners of conscience, remained in prison for advocating independence for Irian Jaya. Most had been sentenced after unfair trials in 1989 and 1990 (see previous *Amnesty International Reports*).

Around 150 Islamic activists continued serving sentences of up to life imprisonment. At least 50 of them were prisoners of conscience. About 30 elderly prisoners, some of whom were ill, continued to serve prison sentences imposed in the 1960s after unfair trials for alleged involvement in a 1965 coup attempt or for membership of the PKI. Most were believed to be prisoners of conscience. Six were on death row.

Torture and ill-treatment of political detainees continued to be routine throughout Indonesia and East Timor. A farmer in Central Java was reportedly beaten and ill-treated by military officers in September after he initiated legal action over the forced appropriation of his land. The farmer was struck on the leg and his hair

was repeatedly pulled. He was forced to sign a statement revoking the legal action.

On 3 January Salvador Sarmiento, an East Timorese student suspected of pro-independence activities, was arrested and held for five days at the military intelligence headquarters in the Colmera district of Dili. He was repeatedly beaten, given electric shocks and threatened with death. He was released only after he had been forced to sign a confession.

Torture and ill-treatment of criminal suspects was also commonplace, sometimes resulting in death or serious injury. In April Jery Manafe, a university student, died after being beaten by up to 10 police officers and cadets in Kupang, West Timor. In November, five police officers went on trial before a military court charged with his murder. If convicted they faced jail sentences of between one and three and a half years.

Extrajudicial executions of political and criminal suspects continued to be reported both in Indonesia and East Timor. On 13 March the body of Rusli was found floating in the Deli River near Medan, North Sumatra. Two days earlier he had taken part in a strike which was violently broken up by the security forces. Police said Rusli had fallen into the river; relatives, co-workers and human rights organizations believed he was beaten by members of the security forces before either falling or being pushed into the river. An autopsy revealed a wound on his forehead, possibly caused by a blunt instrument.

An anti-crime drive known as "Operation Cleansing" led to an apparent increase in arbitrary police killings of alleged criminals. More than 60 criminal suspects were killed in suspicious circumstances during the year. Some were reported to have been shot dead while in handcuffs as they allegedly tried to attack police officers or grab their weapons. Others were shot directly in the head or the torso, rather than in the legs. One victim, Sulaiman, was reportedly shot while handcuffed by police on 28 April as he pointed out the hiding place of fellow gang members in East Jakarta. Concern was heightened by official statements that appeared to condone the killings.

No thorough investigations were conducted into reported extrajudicial executions, and the perpetrators were seldom

brought to justice. By the end of the year, the authorities had clarified the fate of only a fraction of the estimated 270 people killed and 200 others thought to have "disappeared" during and after the Santa Cruz massacre. No official investigations had been initiated into the extrajudicial executions of at least 2,000 civilians in Aceh between 1989 and early 1993. The fate of possibly hundreds of Acehnese and East Timorese who "disappeared" in previous years remained unknown and those responsible had yet to be brought to justice. Nine civilians were sentenced to terms of up to 17 years in prison for the May 1993 abduction and murder of labour activist Marsinah, and a military officer received a nine-month sentence for failing to report the crime to his superiors. However, serious irregularities during the trials, including the acceptance of confessions extracted under torture as evidence, gave rise to doubts about the trials' fairness. No steps were taken against the military authorities believed to be responsible for the murder. Following the overturning of the guilty verdict against the main suspect, Judi Susanto, the National Commission on Human Rights called in December for the police to reopen the investigation.

At least 35 people remained under sentence of death, including at least three men convicted of drug-smuggling in September. No executions were reported during the year but several prisoners, convicted of both criminal and political offences, were in imminent danger of execution after their appeals for presidential clemency were turned down.

Amnesty International appealed throughout the year for the immediate and unconditional release of all prisoners of conscience, for the fair trial or release of other political prisoners, and for urgent steps to be taken to stop torture, extrajudicial executions and the use of the death penalty. It published 16 reports during the year including: in February, *Indonesia and East Timor: Fact and Fiction*; in July, *East Timor: Who is to Blame?*; and in November *Indonesia: "Operation Cleansing" - Human Rights and APEC*.

In September Amnesty International launched an international campaign to draw attention to the continuing human rights crisis in Indonesia and East Timor and published a major report, *Indonesia and East Timor: Power and Impunity*,

Human Rights under the New Order. The government said that the campaign was "politically motivated" and that the report did not reflect the human rights situation in the country.

In late July the government invited Amnesty International to visit Jakarta for official talks in the first week of August, but ruled out immediate access to East Timor. The organization welcomed the invitation but, because of the short notice, proposed alternative dates in September. In early September the government stated that the new dates were not convenient and that, following the publication of Amnesty International's most recent report, the situation was no longer conducive to a visit.

In oral statements to the UN Commission on Human Rights Amnesty International included reference to its concerns in both Indonesia and East Timor. In an oral statement to the UN Special Committee on Decolonization, Amnesty International described its concerns about extrajudicial executions, torture and other human rights violations in East Timor.

IRAN



There were continuing reports of political arrests, torture, unfair trials and summary executions. Among the thousands of political prisoners held during the year were prisoners of conscience; some were detained without charge or trial, others were serving long prison sentences imposed after unfair trials. Judicial punishments of flogging and amputation of fingers continued to be implemented. Four religious leaders were killed in Iran and at least one prominent opponent of

the government was killed abroad in circumstances suggesting they may have been extrajudicially executed. At least 139 people were executed, including political prisoners.

The government headed by President 'Ali Akbar Hashemi Rafsanjani continued to face armed opposition from the Iraq-based People's Mojahedin Organization of Iran (PMOI), and organizations such as the Kurdistan Democratic Party of Iran (KDPI) in Kurdistan and Baluchi groups in Sistan-Baluchistan. The government blamed the PMOI for a bomb attack in June in a holy shrine in Mashhad in which over 20 people were killed, and accused the PMOI of trying to plant several other bombs during 1994. The PMOI denied responsibility for these acts.

In February police attacked demonstrators who had gathered outside a Sunni mosque in Zahedan to protest against the demolition of a Sunni mosque in Mashhad the previous month. Several people were killed and many injured, and scores were arrested. Among those detained was the Imam of the mosque, Moulavi 'Abdolhamid. There were further arrests of demonstrators in August in Qazvin and in Tabriz. At least 13 people were reportedly shot dead by Revolutionary Guards and 80 wounded in Qazvin; the circumstances in which these killings took place were not clear.

In February the UN Commission on Human Rights adopted a resolution whose recommendations included urging the Iranian Government to refrain from activities directed against Iranians living outside the country. The Commission again called on the government to investigate and rectify human rights issues identified by the Special Representative, particularly regarding the administration of justice and due process of law. It also encouraged Iran to offer the Special Representative its full cooperation, particularly by allowing him to pay another visit to the country. He had not been allowed access since 1991. The Commission extended the mandate of the Special Representative for a further year.

In August the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities condemned human rights violations in Iran, including the use of excessive force in suppressing public demonstrations, and called on the government to cease involvement in "state