

PUBLIC

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UA 124/05 **Possible "disappearance"/ fear for safety**

INDONESIA **Nirmala Ohee (f), aged 29**
Demy Bebari (m), aged 31, husband of Nirmala Ohee, and their family

Nirmala Ohee, the wife of human rights activist Demy Bebari, has not been seen since 12 May. Local human rights organizations fear that she may have been abducted.

At about 9am on 12 May, Nirmala Ohee left her home in the town of Timika, Papua province, to withdraw cash from her bank, but did not return. When her husband had failed to locate her, he reported her missing to the police. She had previously told her husband that in January 2005 she was followed and watched by an unknown person driving a dark-coloured Kuda brand car.

Local human rights organisations believe that Nirmala Ohee's disappearance may be related to her husband's work with the Amungme Tribal Council (LEMASA) and with the Institute for Human Rights Study and Advocacy (ELS-HAM). Demy Bebari was involved in ELS-HAM's investigation into the August 2002 killings of two US citizens and one Indonesian in Mimika District, Papua province. According to Demy Bebari, he and his family have repeatedly been intimidated and have received death threats since he was called to give a statement to the team from the US Federal Bureau of Investigation (FBI), who were examining the case.

Demy Bebari was also a witness in a court case in Jayapura, Papua province, where ELS-HAM's Papua branch was sued for defamation by Major General Nurdin Zainal, the Regional Military Commander for Papua province, as a result of comments made at a press conference alleging the Indonesian military may have been involved in the Mimika killings.

BACKGROUND INFORMATION

Serious human rights violations, including extrajudicial executions, "disappearances", torture and ill-treatment and arbitrary detentions, have taken place for many years in Papua Province where there is an ongoing struggle for independence from Indonesia. Members of local human rights organizations have been harassed and intimidated as a result of their work, and some have been forced to leave the province.

On 31 August 2002, one Indonesian and two US teachers were killed when armed men opened fire on the vehicles in which they were travelling near the PT Freeport Indonesia gold and copper mine in Tembagapura, Mimika District, Papua Province. The three were staff at an international school for employees of the Freeport mining company. At least ten other people were injured in the attack. The US Senate made cooperation with the investigation into the killings a condition on lifting a ban on US training for the Indonesian armed forces.

Members of ELS-HAM who carried out an investigation into the attack were subjected to intimidation and harassment during the course of the investigation. There are also credible reports that witnesses were intimidated.

Although both the Indonesian police and local NGOs initially publicly implicated the military in the killings, a subsequent investigation by the US FBI concluded that there was no evidence that the Indonesian military participated in the attack. In 2004, as a result of the FBI investigation, a US court indicted Antonius Wamang,

an alleged commander of the separatist Free Papua Movement, for the attack and the killing of the two US citizens. He remains at large. In February the US took steps to lift the ban on training for the Indonesian armed forces.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, Indonesian or your own language:

- expressing concern for the safety of Nirmala Ohee, who has been missing since 12 May;
- urging the authorities to conduct an immediate and independent investigation into her whereabouts;
- expressing concern for the safety of Demy Bebari and his family in Papua, and urging the authorities to take immediate, concrete measures to guarantee their safety, as well as the safety of other human rights activists and witnesses in Papua;
- calling on the authorities to investigate the allegations that Demy Bebari and his family were intimidated and threatened, and that Nirmala Ohee was followed, and if substantiated, take immediate and appropriate action against those responsible;
- calling for the authorities to ensure that all members of the police and military are made aware of the legitimate role of human rights defenders and their responsibility to protect human rights defenders under the UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

APPEALS TO:

(Faxes may be switched off outside office hours, seven hours ahead of GMT)

Chief of Police - Kapolda Papua/Head of Regional Police Papua
Brig. Gen. Dodi Sumantyo
Jl. Sam Ratulangi No.8
Jayapura, Papua
Indonesia

Fax: + 62 967 531 717 (If someone answers, explain that you want to send a fax, "saya mau kirim fax")

Salutation: Dear Brigadier General

Resort Police Chief of Mimika, Papua Province
Drs. Pol. Paulus Waterpauw
Jl. Agimuga, Mile 32, Mimika
Timika, Papua,
Indonesia

Fax: + 62 901 301 976 (If someone answers, explain that you want to send a fax, "saya mau kirim fax")

Salutation: Dear Kapolres

COPIES TO:

Minister for Justice and Human Rights
Mr Hamid Awaluddin
Jl. H.R. Rasuna Said Kav No. 4-5
Kuningan - Jakarta Selatan 12950
Indonesia

Fax: + 62 21 525 3095/ 310 4149/ 522 5036

and to diplomatic representatives of Indonesia accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 24 June 2005.