

The Minister of Home Affairs stated that, as of 25 March, there were still 645 "Naxalites" in detention in the states of West Bengal, Andhra Pradesh, Kerala and Tamil Nadu. According to later official statistics, the figure may actually be higher.

On 10 April 1977, General Secretary of the Communist Party of India (Marxist-Leninist), Satyanarain Singh, claimed there were as many as 12,000 "Naxalites" detained all over India, 6,000 of whom were held under the MISA. The other 6,000 were held on specific charges (such as the Defence of India Rules, the Arms Act and the Indian Penal Code). And, on 15 May, the Communist Party of India (Marxist) submitted a list of 293 of its imprisoned members, including people sentenced and people detained without trial.

Since then, official reports have been received that more prisoners held in preventive detention have been released (on 25 May 1977, 550 MISA detainees, "Naxalites", were released, according to the West Bengal Home Ministry, leaving 400 "extremists" in detention) and that prison conditions, already criticized in the *Amnesty International Report on Prison Conditions in West Bengal Jails*, have been improved. (The state Government also reported that it would no longer use iron fetters on "Naxalite" prisoners.) On 7 April 1977, Amnesty International released a public appeal to the Government, urging it "to release promptly all prisoners who are not to be tried. The others should be given prompt trials, with the possibility of being released before trial".

Indonesia (Republic of)

Despite recent Government promises, there has been no significant change in the long-standing and massive violation of fundamental rights. More than 55,000 prisoners, perhaps as many as 100,000, all detained without charge or trial since 1965, are now in their 13th year of imprisonment.

On 1 December 1976, the Government made a much-publicized announcement of a program for the release of political prisoners held without trial. Regrettably, it appears that the Government's plan is to release only some of the prisoners; as for the remainder, the Government intends to "transmigrate" them, which really means that they will be compulsorily transported to permanent penal settlements.

There is a precedent for a "transmigration" scheme for untried political prisoners, begun in 1969 when the Government shipped thousands of prisoners from Java to the island of Buru. Eventually, by 1971, some 10,000 prisoners were held in camps on the island.

They were forced to construct the prison camps and to clear tropical jungle and create areas for cultivation. All the Buru prisoners, except those who are seriously ill, have to work long hours in the fields to grow food and raise livestock. One third of the prisoners' produce is seized by the military administration for the consumption of the soldiers who guard the Buru prison camps. The remainder constitutes the food rations that are given to the prisoners. In 1976, the Committee of Experts of the International Labour Organization issued a report affirming that the Buru prisoners "cannot be considered to have offered themselves voluntarily for the work in question, but are performing forced or compulsory labour within the meaning of the [International Forced Labour] Convention. The Committee trusts that measures will be taken at an early date to put an end to this situation."

The Indonesian Government immediately responded by reiterating its promises made in December 1976. This did not satisfy the International Labour Organization, whose Committee of Experts declared in its 1977 report that it "... feels bound to point out that in order to ensure the observance of the Convention, detainees who are not brought to trial should be permitted once again to enjoy full and effective freedom of choice of employment. It hopes that the Government will take the necessary measures to this end."

In 1976, the Government transported several thousand more prisoners to Buru, and there are now about 14,000 held in camps on the island. Amnesty International National Sections conducted a major campaign from the autumn of 1976 till the spring of 1977 on the issue of transportation of untried prisoners to permanent penal settlements, as exemplified by the Buru scheme, calling for the immediate release of all the Buru and other untried prisoners, and protesting against the harsh conditions in the island prison camps.

The other aspect of the official December program concerns the release of untried prisoners. The reason given by the Government for planning releases over a three-year period—during which time it promises that all the untried prisoners will be released, tried or "transmigrated"—was that high unemployment in the Republic, especially in Java, necessitated both a three-year release plan and "transmigration". Amnesty International believes there is no justification for further delaying the unconditional release of all untried Indonesian political prisoners, especially considering that most of them have now spent more than 12 years in detention without trial. Chronic high unemployment in Indonesia is not the prisoners' fault, and the Government's long-standing violation of their rights should now be ended by their immediate, unconditional release.

On 1 December 1976, Chief of Staff of *Kopkamtib* (the state

security agency), Admiral Sudomo, officiated at a ceremony in Jakarta where he announced the release program, also that 2,500 prisoners had been freed that day. A group of prisoners was present at the ceremony, representing all those being released. It should be noted, however, that Amnesty International sources in Indonesia are very doubtful about the accuracy of the figure of 2,500 announced released in December 1976. Known instances of releases at that time indicate that, in fact, far fewer were set free. Despite repeated requests by Amnesty International, the Indonesian Government has not supplied details of the 2,500, nor about the previously announced releases of 1,309 prisoners in December 1975.

Admiral Sudomo stated that the scheme would be spread over three years for those prisoners whom the Government did not intend to bring to trial. He said that 10,000 would be released in 1977, a further 10,000 in 1978 and the remainder in 1979.

Amnesty International believes that if the Government is serious about a release program affecting perhaps as many as 100,000 untried prisoners, then it would immediately have to start a regular flow of releases at the rate of at least 2-3,000 prisoners per month for every remaining month until December 1979. Up till now (June 1977), no further releases have been announced by the Government, although six months have passed since December 1976, when the program was announced.

Amnesty International will continue to insist that *all* the tens of thousands of untried prisoners be released immediately and unconditionally. The Government's program of phasing releases over a three-year period is deeply disquieting since even this unsatisfactory delayed program seems unlikely to be carried out. There is no sign that the Government is embarking on the large-scale releases necessary to fulfil the program and it has ignored requests to supply relevant details about those it claims have been freed.

Conditions in most Indonesian political prisons are still deplorable. The Government seems aware of this, as indicated by the way it hindered a recent visiting team sent by the International Committee of the Red Cross. Following that mission, the International Committee took the unusual step of issuing the following statement:

"An ICRC mission consisting of four delegates, two of them doctors, was in Indonesia from 25 January to 18 February to visit seven places of detention selected by the Indonesian authorities. The centres visited were Salemba, Nirbaya, Ambarawa, Plantungan, Koblen, Sukamulia and Tandikat.

In accordance with custom, the ICRC communicated the observations of its delegates only to the Indonesian Government. In

submitting its report, the ICRC drew the attention of the authorities to the fact that its delegates' findings could not be regarded as an indication of the real conditions of detention in Indonesia for two reasons: the limited number of places visited and the difficulties encountered during the visit.

The ICRC will continue its visits to places of detention in Indonesia on the condition that these difficulties are overcome."

In October 1977, Amnesty International plans to publish a major report on political imprisonment in Indonesia, which will be submitted to the UN Commission on Human Rights as additional documentation to the submission to the UN Secretary General in February 1973, asking the Commission to "intercede with the Government of Indonesia to ensure the immediate trial or release of all untried prisoners". Also in October, there is to be an Amnesty International campaign drawing attention to the situation of Indonesian political prisoners.

In the above-mentioned Buru campaign, Amnesty International groups with Indonesian cases publicized the prisoner issue in their localities. The National Sections and Coordination Groups expressed their views to officials at Indonesian Embassies, and told their national media about the Buru scheme.

In June 1977, Amnesty International groups were working on 294 adoption cases and 25 investigation cases in Indonesia. In addition, there were three prison adoptions.

Japan

Towards the end of 1976, Amnesty International heard that a Japanese national, Masao Akahori, had been sentenced to death by Shizuoka District Court in 1958. He had been charged with the murder of a six-year-old girl in 1954. There was little evidence against him when he was indicted in 1954 and he pleaded not guilty during the trial in 1958. Several appeals against the sentence and calls for a review of the judgement were subsequently rejected. In 1977 the case was still pending, a fourth appeal for a retrial having been undertaken by Masao Akahori's lawyers. On 4 January 1977, Amnesty International cabled the Prime Minister of Japan, Takeo Fukuda, urging that the death sentence be commuted on humanitarian grounds pending a review of the case. In March 1977, the organization learned that Shizuoka District Court had rejected the appeal for retrial and again urged the Prime Minister to commute the death sentence on humanitarian grounds.