

improvement of prison conditions, saying it hoped the funds would be used to improve prison conditions according to the recommendations of the report and pointing out that iron fetters were still used on prisoners.

*Indonesia (the Republic of)*

In 1978, the government completed another stage in the programme of releasing political prisoners which it had announced in December 1976. Nonetheless, it still holds many thousands of those arrested in the aftermath of the so-called 30 September Movement of 1965 as well as more recent detainees, including Muslims, students and opponents of the central government who seek greater provincial autonomy.

Amnesty International, while acknowledging that the government has released over 23,000 political prisoners since December 1975, has continued to call for the release of all prisoners of conscience. In 1978, prisoners were released in four phases: 265 in May; 3,921 in July; 1,324 in September; and 4,288 in November and December. On 28 July 1978, Amnesty International issued a press statement welcoming the government's announcement of 4,000 releases two days earlier. At the same time it called the continued detention of thousands of persons "unacceptable, given that the government has conceded that all untried prisoners are to be released by the end of 1979". It has also continued to press the government for the full restoration of prisoners' civil and political rights on their release.

After the releases of 1978, the government stated that 1,391 A-Category and 9,997 B-Category prisoners were still in detention. The authorities regard A-Category prisoners as those directly involved in the 1965 *coup* attempt and subject to trial; B-Category prisoners are those allegedly "indirectly" involved, against whom there is not enough evidence to justify a trial. Amnesty International believes that many more are still in detention. In the October 1978 Introduction to the translation into Indonesian of the Amnesty International Report on *Indonesia* (1977) it was estimated that the total number of detainees held at that time could still have been as high as 30,000. Moreover, there is evidence that new arrests for alleged involvement in the 1965 events are still taking place. In a number of prisons in Central Java some 10 to 15 per cent of detainees have been arrested in the last three years.

Equally disturbing is official policy towards released prisoners. The government has done little to remedy the dire economic and social circumstances in which they find themselves. Practical assistance has been limited to an offer of resettlement in transmigration camps in remote areas outside Java. In the past, one of Amnesty International's main fears was that those released would be forcibly resettled in remote areas. It is now evident that the government has significantly scaled down its resettlement programme for released prisoners. However, instances of transporting released prisoners to resettlement camps in isolated areas of Kalimantan, Sumatra and Sulawesi continue to come to Amnesty International's attention.

At official release ceremonies, prisoners are required to sign a 12-paragraph statement. They must promise to abstain from all political activity and are banned from employment in government service and "vital industries". Although none has been tried for any crime, released prisoners are not permitted to claim compensation for their detention without trial or ill-treatment in prison. Amnesty International knows of no released prisoner who has been able to secure a "cer-

tificate of non-involvement in the 1965 *coup*", a requirement for any type of employment. Furthermore, many former detainees are sick and weak as a result of their confinement and cannot find employment. In the Introduction to the translation into Indonesian of its report on *Indonesia* published in March 1979, Amnesty International appealed to the government to release all prisoners of conscience in Indonesia and to restore to them full rights including the right to employment.

In March 1979, released prisoners were summoned by their local military commands to hear a decree issued by the state security organ, the Command for the Restoration of Security and Order (*Kopkamtib*). They were informed that they must acquire a travel permit even for an overnight stay with friends in their home town. They were also forbidden to write letters to newspapers, publish articles or give lectures. On 23 April 1979, Amnesty International sent a telegram to the commander of *Kopkamtib*, Admiral Sudomo, requesting clarification of the new regulations and appealing to the government to lift all restrictions preventing the complete rehabilitation of released prisoners.

Admiral Sudomo, in an interview in the Dutch magazine *Haagse Post* in February 1979, said that all but 100 to 200 of the untried 1,391 A-Category prisoners would be reclassified as B-Category and released in the course of the year. A *Kopkamtib* spokesman announced in August 1978 that "about 800" A-Category prisoners had been tried since 1965, though in January 1978 the figure had been given as 904. A-Category prisoners are commonly charged under the Subversion Law, which has been sharply criticized for its arbitrary character by Indonesian lawyers in the past year. The sentences are harsh, and many are sentenced to death.

Although prison conditions have improved in recent years, diet and health care are still grossly inadequate. The appalling physical state of many released prisoners, which was noted with concern in the *Amnesty International Report 1978*, is eloquent testimony to this fact. Forced labour is still common in a number of detention centres, most notably on Buru, where prisoners have to provide completely for themselves. In December 1978, 4,000 detainees were released from Buru, leaving 5,924 still officially imprisoned on the island. Amnesty International notes with concern however that 207 released prisoners, who had been joined by their families in earlier years, have not been returned to Java.

Arrests and trials of critics of the government of President Suharto continued. After a nine-month trial, Sawito Kartowibowo, a retired civil servant and religious mystic whose arrest was reported in the *Amnesty International Report 1978*, was sentenced to 8 years on charges of subversion and of insulting the Head of State. Sawito, who was arrested in September 1976, was alleged to have induced respected religious leaders and former Vice-President Dr Mohammed Hatta to sign documents condemning the government for presiding over the decline of the country and urging the transfer of authority from President Suharto to a committee led by Dr Hatta. In September 1978, Sawito was featured as a Prisoner of the Month in the *Amnesty International Newsletter*. Another Amnesty International Prisoner of the Month, the poet and playwright W.S. Rendra, was arrested in May 1978 after poetry readings in which he criticized the government; but he was not charged or brought to trial and was released in October 1978.

W.S. Rendra was one of several hundred people arrested in the wake of wide-

spread protest surrounding the uncontested re-election of President Suharto in March 1978. Those arrested included Muslims, students and intellectuals. Reliable Muslim sources say about 700 Muslims were detained. Some detainees taken up by Amnesty International were subsequently released (in some instances conditionally), including Sjachril Wahab, a journalist formerly employed on Indonesia's most renowned magazine, *Tempo*; Haji A.M. Fatwa, Secretary of the *Majelis Ulama DGI* (Jakarta Council of Religious Teachers); and Haji Arief Rachman, Assistant Rector of the Jakarta Teacher-Training College. Mahbub Djunaedi, a journalist and Deputy Secretary General of the official Muslim party, *Partai Persatuan Pembangunan* (PPP), and Professor Ismail Suny of Muhammadiyah University—both of whose cases were publicized in the Amnesty International 30th Anniversary Appeal in September-November 1978—were released on 9 April 1979. A number of prominent Muslims remain in detention. They include Imanuddin Abdur Raheem, Secretary General of the International Federation of Islamic Students Organizations, and Soemarso Soemarsono, former editor of the Muslim newspaper, *Harian Abadi*, which was banned in 1974.

Between January and March 1978 more than 200 students were arrested throughout Indonesia. Most were released by the end of the year; but charges were brought against 36 students from the leading universities. In late January and early February 1979, the trials of 25 of these student leaders began in Jakarta, Bandung, Yogyakarta, Medan, Palembang and Surabaya. They were charged, under laws inherited from the Dutch Colonial Code, with insulting the Head of State. A group of lawyers sponsored by *Peradin* (the Association of Indonesian Lawyers) and the Legal Aid Institute formed a body to co-ordinate their defence. The majority of the 36 were released from detention before the trials began and placed under town arrest; but students in Bandung and Yogyakarta and two lecturers in Medan are still in prison. Amnesty International takes the view that controls on press reporting of the trials imposed by the government before the hearings began are a violation of the defendants' right to an open trial.

Amnesty International is concerned by continual reports of arrests and other violations of human rights in several outlying provinces such as Aceh in North Sumatra and Irian Jaya (formerly Dutch New Guinea) and also in the former Portuguese territory of East Timor, which was occupied by Indonesian forces in December 1975. Five prisoners of conscience in Irian Jaya, whose arrest and trial for circulating a petition calling for greater regional autonomy and links with the neighbouring independent republic of Papua New Guinea were reported in the *Amnesty International Report 1978*, and featured in Amnesty International's Prisoner of Conscience Week in October 1978. In October 1978, Amnesty International took up for investigation the cases of three persons held in detention in East Timor.

On 18 September 1978, Amnesty International sent a telegram to President Suharto expressing its concern at the execution of Husin bin Umar, the first common murderer to be executed in Indonesia. In December 1978, *Tempo* magazine reported that 39 persons were under sentence of death, eight for criminal offences, 31 for alleged involvement in the 1965 *coup* and one for alleged membership of the Muslim *Kommando Jihad*.

### Japan

Amnesty International continues to be concerned by the use of the death penalty as a punishment for a number of criminal offences. Japan is one of the countries included in Amnesty International's programme for the abolition of the death penalty.

### Kampuchea [Cambodia]

The situation in Kampuchea (formerly Cambodia) during the year was characterized by political upheavals which culminated in January 1979 in the overthrow of the government of Democratic Kampuchea by the forces of the Kampuchean United Front for National Salvation.

On 15 April 1979, the Kampuchea People's Revolutionary Council of the People's Republic of Kampuchea set up by the United Front issued instructions specifying that those who had committed crimes against the people under the previous regime should be tried. The sentence for those who ask "forgiveness" is generally to be a period of "re-education" of 3 to 5 years. On the other hand, "severe punishment" will be imposed on the cadres and soldiers of the former government who opposed the new authorities. In their cases, the judicial procedures are to be more precise. The instructions say: "In their trial, all forms of cruelty of the Pol Pot--Ieng Sary kind are forbidden. A people's tribunal must be instituted for the trial. Dossiers on them should be opened, with minutes and depositions". Trials will be held before local revolutionary authorities. At the time of writing no account of proceedings or sentences had been reported and little information was available about the human rights situation since the change of government. In some areas fighting was continuing between Khmer Rouge resistance groups and the new authorities.

In July 1978, Amnesty International sent a statement to the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities concerning human rights violations in Democratic Kampuchea, for submission to the United Nations Commission on Human Rights which met in early 1979. The statement said that an impartial examination of all available information indicated that fundamental human rights had been violated in Democratic Kampuchea. It drew the Commission's attention to the grave allegations made by refugees who had left Democratic Kampuchea since 1975, including: summary execution of many people because of positions they held in the former administration; arrest and subsequent disappearance of people considered to have committed acts "hostile" to the state or the authorities; use of cruel, inhuman and degrading treatment, in some areas, against people detained or singled out for execution; and discrimination against various groups of the population for their social or religious background.

### Korea (Democratic People's Republic of) [North Korea]

The only information available to Amnesty International regarding prisoner-related human rights in North Korea concerns protections guaranteed by the 1972 constitution and elaborated in legal codes regulating the details of court organization, criminal procedure, substantive criminal law and the role of lawyers. The 1972 constitution enumerates many basic political, social and economic rights of