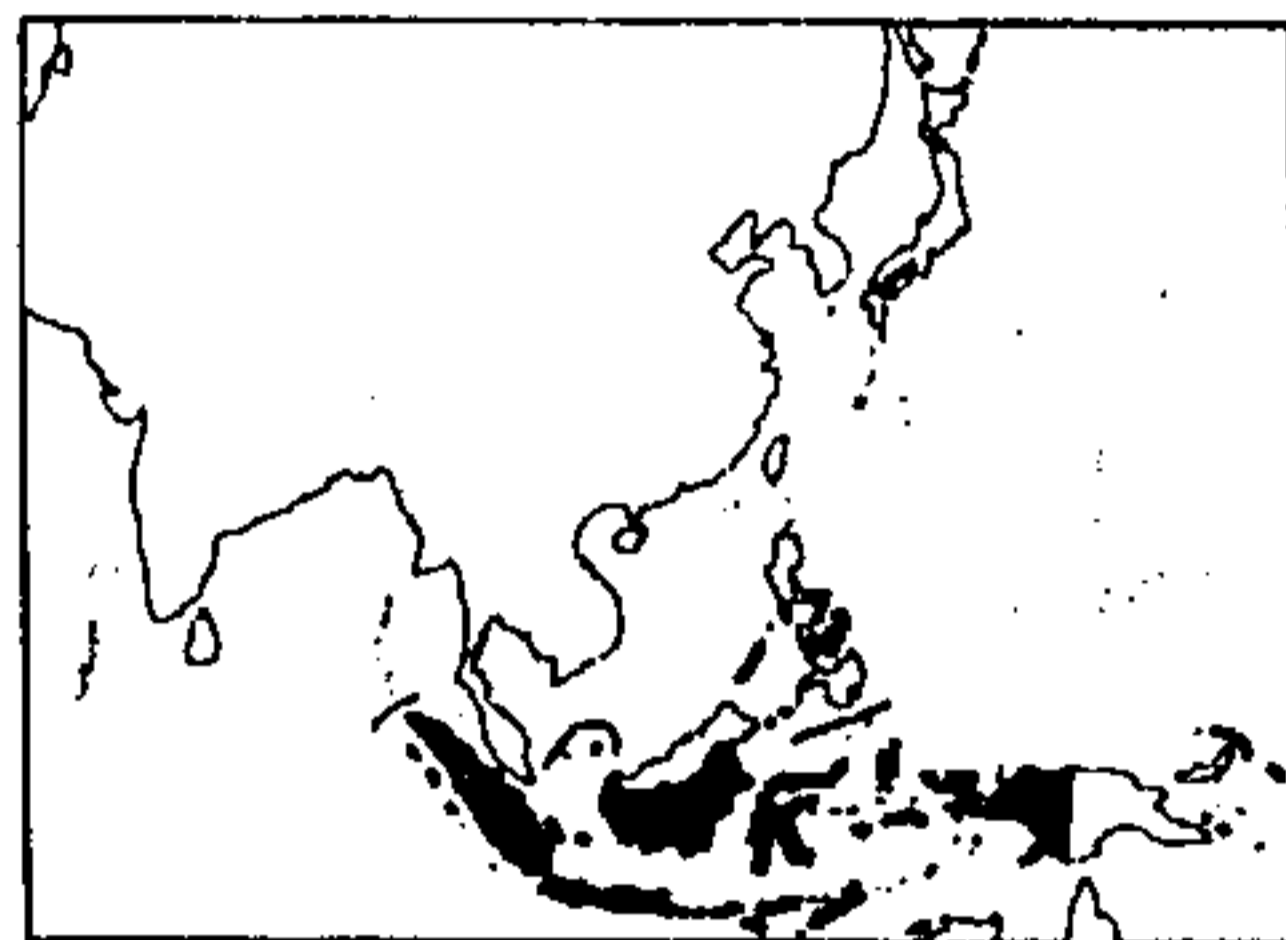


Supreme Court on 23 April had ordered them to be executed as soon as possible.



Indonesia and East Timor

Amnesty International was concerned about the treatment of people arrested in connection with the 1965 coup attempt, both those still in detention and the several hundred thousand who had been released but still suffered restrictions on their civil and political rights. Amnesty International was also concerned about the prolonged imprisonment without trial of Muslim political activists, some of whom might have been detained for their religious and political beliefs; and about violations of human rights in areas where secessionist movements were active. Amnesty International continued to receive reports that East Timorese who opposed the Indonesian occupation of that territory have "disappeared", been imprisoned without trial in deplorable conditions and summarily executed. Amnesty International was concerned that a number of people were under sentence of death, most of them for offences allegedly connected with the 1965 coup.

Amnesty International's principal concern in past years has been the treatment of people arrested and detained in connection with the coup attempt of October 1965 and its aftermath. The government had moved towards resolving the long-standing problem of political detention created by the mass arrests that followed the 1965 coup attempt by completing the "phased release program" of untried political prisoners in December 1979. It had also issued a decree in November 1979 making tried political prisoners eligible for remission of their sentences on the same basis as convicted criminals. Amnesty International welcomed these steps but expressed its continuing concern at the restrictions imposed on released prisoners and at the apparently arbitrary application of the remission decree.

Some restrictions on released prisoners, such as the requirement that they report regularly to the authorities, have been eased in the past year but most remain in force, severely curtailing the civil and political rights of former detainees and preventing their reintegration into society. Amnesty International continued to receive reports that released prisoners were restricted in their movements, had marked

identity cards identifying them as ex-detainees, and were excluded from employment in the public sector and in "vital industries". These restrictions contributed to their most frequent problem: that of finding employment. Informal restrictions apparently extended to the private sector, despite government assurances that released prisoners would be free to seek employment in private industry. Amnesty International understood that private employers were requested to report regularly to the authorities on the behaviour of employees who were ex-detainees. Restrictions on freedom of movement also affected opportunities to seek employment.

In September 1980 the Minister of Home Affairs, General Amir Machmud, announced that the government had uncovered plans by released prisoners to revive the *Partai Komunis Indonesia* (PKI), Indonesian Communist Party. Although no evidence was publicly produced the Minister stated that more intensive measures to control and monitor released prisoners would be introduced at all levels down to the village. It was reported that the government was requiring released prisoners to register with the authorities between January and March 1981. In April 1980 Amnesty International launched a year-long special action on behalf of these released prisoners. Appeals were made to national and local officials, employers and other groups urging them to ease the reintegration of released detainees.

Amnesty International was also concerned about approximately 350 prisoners who had been tried for alleged offences in connection with the 1965 coup and did not benefit from the remission decree of November 1979, some of whom were adopted prisoners of conscience. Under the decree political prisoners may have their sentences reduced each year, at the discretion of the authorities they may be released on parole. Amnesty International was disturbed by the many obstacles to the uniform application of the decree including: the levying of "administrative costs" on applicants for remission or parole, pending appeals by prosecutors, and the requirement that applications for remission or parole be endorsed by the court which originally tried the applicant's case. Another problem was that prison sentences often ran from the date of sentence, which in some cases was several years after arrest. Ubed Djubaedah, who has been detained in Tangerang prison near Jakarta and adopted by Amnesty International as a prisoner of conscience, was arrested in December 1965 but not sentenced until September 1974. She has been detained for more than 15 years but because her sentence of 14 years ran from the date the court handed down its verdict she may not be released until 1988.

On 22 July 1980 Amnesty International appealed to President

Suharto on behalf of five named political prisoners, Suparman, Majid, Djadiwirosubroto, Yohannes Parsidi and Sulami, as well as other tried political prisoners who had not been granted remission. It urged him to grant remission and parole on 17 August, Indonesian Independence Day, which is traditionally the date on which the President has granted remission to criminal prisoners. Amnesty International later learned that Djadiwirosubroto was released in August 1980, Yohannes Parsidi was granted four years' remission and Sulami received three months' remission. Yohannes Parsidi, a former civil servant and member of the regional assembly (DPRD) detained in Nusakambangan Camp, Central Java, was arrested in 1965 but was not tried until 1976 when he received a 13-year sentence. Sulami, formerly third secretary of the PKI-affiliated women's association *Gerwani*, was arrested in 1966 and was sentenced in 1975 to 20 years' imprisonment to run from the date of her arrest.

Amnesty International was also concerned that among the 350 prisoners tried for alleged involvement in the 1965 coup were approximately 50 people under sentence of death who were not eligible for remission. It wrote to President Suharto on 29 April 1981 pointing out that although members of the government had unofficially indicated that none of these prisoners would be executed, there was no possibility of their being rehabilitated. It also submitted a list of 58 people it believed had been sentenced to death for involvement in the 1965 coup attempt and its aftermath. It asked for clarification in view of statements made by officials that only 31 people were under sentence of death on these charges.

Since 1977 large numbers of people identified as Muslim political activists have been arrested in Jakarta, North and South Sumatra, and West, Central and East Java. Several have been charged with being members of the *Kommando Jihad* (Holy War Command), allegedly an organization dedicated to the violent overthrow of the government and the institution of an Islamic state. However statements by officials have indicated that the name *Kommando Jihad* has been applied to a variety of armed Islamic groups acting independently of each other. Since many of those detained on charges of involvement with the *Kommando Jihad* had been active members of the legal Muslim opposition party, the *Partai Persatuan Pembangunan* (PPP), United Development Party, and since a number were held without trial, Amnesty International was concerned that they might have been detained for the legitimate exercise of their political and religious beliefs. Most were arrested in 1977 and 1978 in the period of the general elections, in which the PPP constituted the chief opposition to the government-backed organization *Golkar*, and the subsequent

presidential election.

Amnesty International has also noted with concern the detention for short periods of people who challenged government policies limiting their right to freedom of expression. Haji A. M. Fatwa, a Jakarta religious leader, had been adopted by Amnesty International as a prisoner of conscience in 1978. Since his release after eight months' imprisonment in 1978, he has been detained briefly at least three times. He was arrested in August 1980 when he tried to preach a sermon at a service celebrating *Idul Fitri*, the close of the month of Ramadan, and again on 19 October 1980 during the feast of *Idul Adha*. On the second occasion he and a number of companions were reportedly severely beaten by soldiers at an army district headquarters and at the Jakarta branch of the state security agency KOPKAMTIB (Command for the Restoration of Security and Order). Amnesty International also learned of the short-term detention of two newspaper editors in Bandung and Medan in March 1981, who had published reports of an armed attack on a police station near Bandung.

Amnesty International was concerned by reports from Aceh in North Sumatra that in its campaign to suppress the secessionist movement known as the Aceh National Liberation Front (ANLF) the Indonesian army has not only violated the fundamental human rights of people allegedly involved, but also of the wider population. Prominent members of the Acehnese community who were believed not to be associated with the ANLF have been arrested, tried and sentenced to long periods of imprisonment. They included Ahmad Arif, formerly head of religious education in the Department of Religion in the district of Pidie, and Muhammad Nuh Usman, formerly Chairman of the District Assembly of Pidie, both sentenced to 13 years' imprisonment in mid-1977 on charges of being sympathetic to the ANLF. Amnesty International has been investigating the cases of both these men. Several people related to leading ANLF members, including wives and children not associated with the ANLF, have been held without trial, presumably to induce their relatives to surrender to the authorities. Amnesty International was investigating five of these cases. Amnesty International was also concerned about people arrested for alleged involvement with the ANLF who have been held for up to four years without trial and about reports that people held by the authorities, whether associated with the ANLF or not, have been ill-treated and tortured. It has received reports of the extrajudicial killing of two leading members of the ANLF. Dr Zubair Machmud, a leading member of the Central Committee of the ANLF, was shot and killed by Indonesian troops on 25 May 1980, and Dr Muchtar Husbi, first Vice-Chairman of the ANLF, was shot and killed by Indonesian troops on 15 August 1980.

Amnesty International continued to work on behalf of three people from Irian Jaya, formerly West Irian. The three were serving sentences for having signed the so-called Serui declaration, issued in 1975, which called for the independence of Irian Jaya. Amnesty International learned of further arrests of people engaged in non-violent pro-independence activities as well as of people associated with the secessionist movement, *Organisasi Papua Merdeka (OPM)*, Free Papua Organization. On 4 August 1980 six women were arrested for having hoisted the Papuan flag in front of the office of the Governor of Irian Jaya. They were reported to be still in detention in March 1981. Prisoners arrested for alleged involvement with the OPM were believed to be held in the military headquarters (KODAM-KASAK) in Jayapura and in prisons in Biak, Manokwari and Serui.

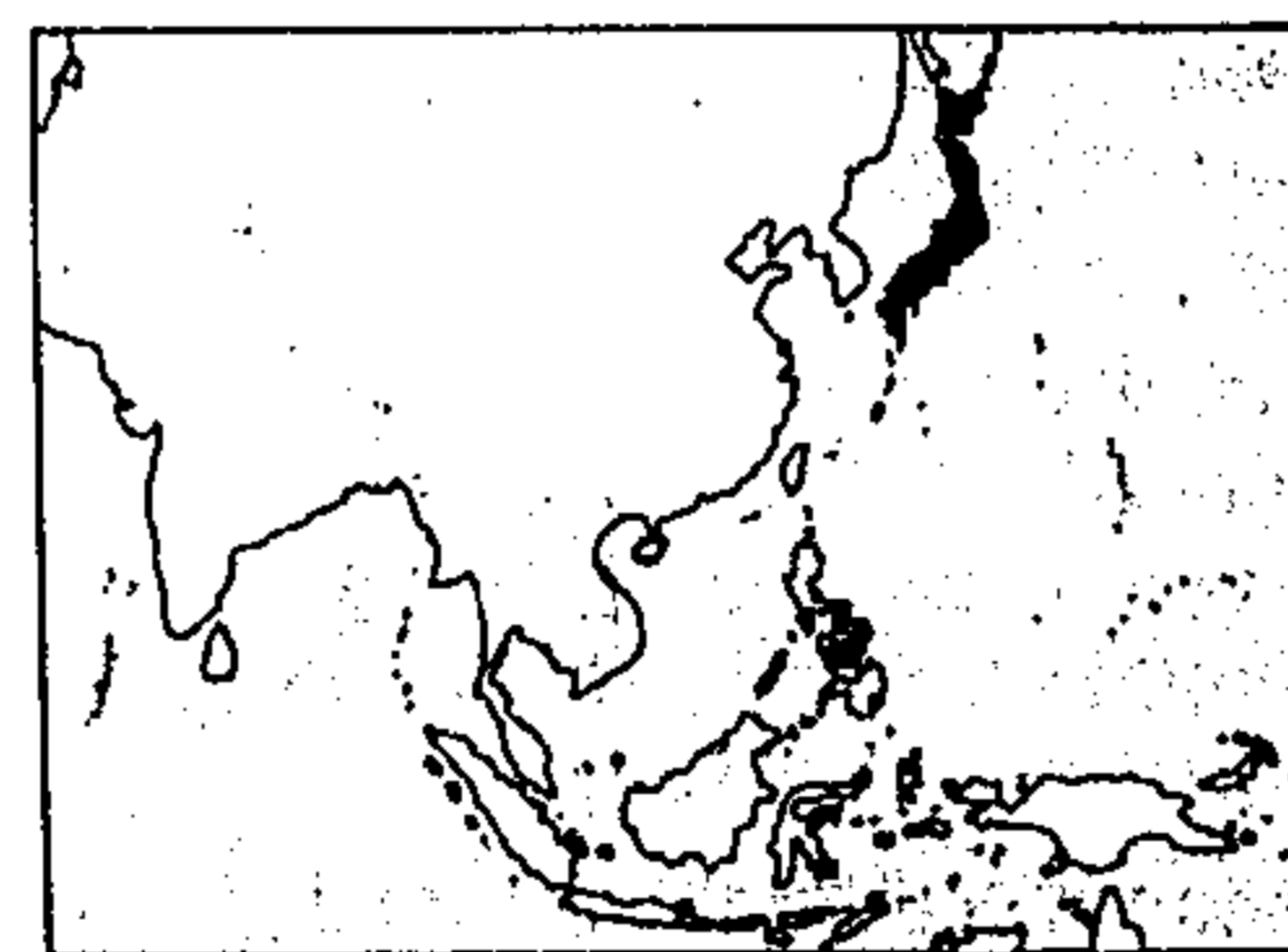
Amnesty International has received reports of people dying after ill-treatment at the hands of the Indonesian army. One such report received during the year concerned Baldus Mofu, an outspoken Papuan nationalist. On the night of 8 December 1979 he was taken from his home, severely beaten, and then returned to his home where he died shortly afterwards.

Amnesty International has continued to be concerned about violations of human rights in the territory of East Timor, occupied by Indonesian forces since December 1975. It wrote to President Suharto on 28 April 1980 expressing its concern that large numbers of East Timorese had "disappeared", been summarily executed or been imprisoned without trial as a result of the actions of the Indonesian occupation forces. Amnesty International appealed for investigations into the fate of 22 people who had "disappeared" and into the conditions in which East Timorese were imprisoned. The letter also asked for the President's cooperation in ensuring that the International Committee of the Red Cross (ICRC) be permitted to expand its activities in East Timor to include tracing missing persons and prison visits. Amnesty International submitted its findings on East Timor to: the Foreign Operations Sub-Committee of the United States House of Representatives, in June 1980; the United Nations Special Committee on Decolonisation, in October 1980; and to the Working Group on Enforced or Involuntary Disappearances of the United Nations Commission on Human Rights. Although Amnesty International received no reply to its letter to President Suharto, the Indonesian Government did inform the UN working group that, as regards the investigation of "disappearances" in East Timor, the government had decided that its limited resources should be used for purposes other than tracing missing persons. It also asserted that those who had "disappeared" in East Timor were most probably victims of revenge killings by other East Timorese. Amnesty Inter-

national found this reply difficult to accept since all of those known to Amnesty International who "disappeared" did so after being taken into custody. Moreover, Amnesty International has recommended that the ICRC should be enabled to trace missing persons in East Timor, even if the Indonesian Government was unable to undertake its own investigation.

Amnesty International continued to receive reports of "disappearances", summary executions and imprisonment without trial in East Timor. The most persistent were received after an attack by East Timorese on an Indonesian army post on the outskirts of the capital, Dili, on 10 June 1980. Amnesty International understands that approximately 400 people were arrested after this attack, some of whom were later released. However about 120 were taken to the island of Atauro, north of the main island of Timor, where they were believed to be still held at the end of the year. On 14 November 1980 Amnesty International appealed to the Indonesian authorities on behalf of David Ximenes, formerly a second lieutenant in the Portuguese army, who had been arrested after the June attack and subsequently "disappeared".

Under Indonesian law the death penalty may be imposed for a wide range of offences, including premeditated murder, subversion, treason, hijacking and drug trafficking, and there were, according to official figures, five people under sentence of death besides the approximately 50 sentenced to death in connection with the 1965 coup. It was not known whether this figure of five included Timsar Zubil who was sentenced to death in Medan in 1977 for a series of bombings allegedly carried out for the *Kommando Jihad*. Amnesty International received no reports of people being sentenced to death or of executions during the year.



Japan

Amnesty International was concerned about the use of the death penalty as a punishment for criminal offences. On 18 November 1980 Amnesty International wrote to Prime Minister Zenko Suzuki and to Minister of Justice Seisuke Okuno expressing concern at the number of executions — 44 during the five-year period 1974 to 1978 — and at the large number of offences — 17 — for which the death penalty is provided in Japanese law. It