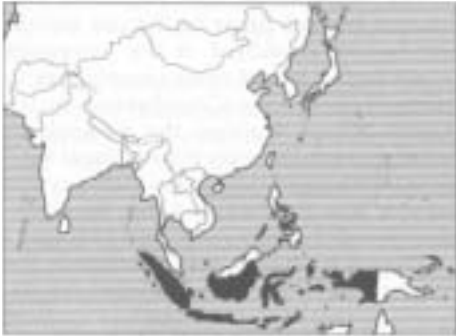


uled castes, by police, and about the difficulties faced by victims in obtaining justice, despite the protection afforded to them by international safeguards and by the Indian Constitution.

## INDONESIA/ EAST TIMOR



At least 48 prisoners of conscience were among the hundreds of people officially stated to be held for subversion. Trials on subversion charges were reportedly unfair and several prisoners alleged that evidence produced at them had been extracted under duress. Political detainees and criminal suspects alike were reported to have been ill-treated or tortured; in some cases such treatment resulted in death. Many "disappearances" which had taken place in previous years in East Timor were not investigated by the government and torture continued to be reported there. Three prisoners were executed, two of them after being under sentence of death for over 19 years. There were three new death sentences.

At least 60 prisoners detained since the late 1960s were still being held for alleged involvement in or support for a 1965 coup attempt. (The present government has blamed the coup on the Indonesian Communist Party (PKI) and banned the party shortly afterwards.) They included Manan Effendi bin Tjokrohardjo, a former newspaper editor and PKI Vice-Chairman for the province of East Kalimantan, and Alexander Warouw, a former member of a PKI-led trade union federation there. Both were arrested in October 1965 and brought to trial in May 1967. Manan Effendi was

sentenced to death, commuted on appeal to life imprisonment; Alexander Warouw was sentenced to life imprisonment. The two do not appear to have played a part in the 1965 coup attempt or in any acts of violence. The real reason for their imprisonment was believed to be their role in legal left-wing political activities. They anticipated release in August 1988, but because of a presidential decree in 1987 altering the remissions procedure for prisoners under life sentence they could not be freed without the express permission of the President and remained in prison throughout the year.

Hundreds of former prisoners of conscience released in the late 1970s were made to reregister with officials and report to the authorities, in some cases more than once a week. Several were summoned for lengthy interrogation early in 1988 and restrictions on their freedom to work or travel were increased.

A number of student activists were detained for non-violent activities during the year. Bambang "Isti" Nugroho, coordinator of the Palagan study group at Gajah Mada University, Yogyakarta, was arrested on 20 June. He was accused of possessing banned Marxist-Leninist literature and of holding illegal discussion meetings. When his family visited him at a military barracks two days later they said his face was swollen, apparently from beatings. In September it was announced that Isti Nugroho would be brought to trial, together with Bambang Subono, a Yogyakarta student arrested in June for selling banned books written by novelist Pramoedya Ananta Toer.

Some Muslim activists were tried and imprisoned for criticism of government policies. Farid Majid, a schoolteacher on Madura island, was tried on subversion charges in August for remarks made when he was teaching classes on the state ideology *Pancasila*. He had apparently said that *Pancasila* was not sacred, that Islam should have prime place in the state ideology and that government officials were corrupt.

Over 40 Muslim activists accused of organizing *usroh* groups, which advocated closer ties among Muslims and stricter adherence to the teachings of Islam, had been brought to trial since 1986. At least 32 were still in prison at the end of 1988. Three *usroh* organizers in Klaten accused

of subversion were tried and found guilty in December: Muhammad Yusuf was sentenced to six years' imprisonment, Abdul Malik and Yohanes Faoson Happy to five years each. In January the Supreme Court had overturned the conviction of an usroh activist, ruling that involvement in usroh groups did not itself constitute subversion but this judgment did not seem to affect the other cases. Amnesty International believed most of the usroh activists were prisoners of conscience.

Thousands of prisoners were being held under the anti-subversion law, according to a statement by the Minister of Justice in July; serious doubts remained about the fairness of trials under this legislation. The usroh organizers, for example, were not given legal advice until their trials began and some of their court-appointed lawyers accepted the charges against the defendants even when the latter had protested their innocence in court. Most usroh prisoners seem to have been convicted on the basis of statements made during interrogation but later retracted in court for having been obtained under duress. In such cases, judges usually rejected the retractions and even threatened prisoners or witnesses with further penalties for altering their testimony.

Individuals arrested under the anti-subversion law were often reported to have been tortured or ill-treated. For example, several suspected supporters of the Republic of South Molucca's secessionist movement (RMS) were reported to have been tortured following their arrest in June. One such prisoner, Dominggus Pattiwalapia, was reported to have had his fingernails pulled out during interrogation; two others - Michel Wattimena and John Souissa - were reportedly beaten so severely they could not walk.

There were frequent press reports alleging ill-treatment of criminal suspects and convicted criminal prisoners, in some cases resulting in deaths in custody. A man in Semarang accused of stealing birds alleged in court in June that police officers had beaten him severely and broken one of his legs. In September a man held by police in Jakarta for a week on suspicion of theft died on his way to hospital. According to a news report, police officers were suspected of causing his death by torture. The police gave the family a sack of rice and 100,000 rupiah (about US\$60), apparently

as compensation. Although some police officers were brought to court and convicted in connection with deaths in custody, sentences in such cases were light.

Restrictions on travel to and from East Timor and official monitoring of post and telephone communications with the territory prevented a full assessment of the human rights situation there. The authorities failed to disclose the fate of several hundred East Timorese who had "disappeared" in earlier years. Between August 1987 and the end of 1988 about 150 convicted political prisoners in the town of Dili were released and according to official records only about a dozen others remained in prison there. An estimated 3,000 people, including many members of a Christian religious sect, were reported to have been arrested before and during a visit to East Timor by President Suharto in November; some were said to have been kicked and beaten during interrogation. Although nearly all were released after the President's visit at least eight remained in custody at the end of the year. The torture and ill-treatment of political detainees continued to be reported from military bases outside Dili - for example, from an intelligence unit at the Hotel Flamboyan in Baucau.

Three people were sentenced to death after being convicted of murder and drug-smuggling and three others were executed. Abdullah Umar, a Muslim activist convicted of murder and subversion in 1985 was executed in March and two former sergeants in the presidential guard Giyadi Wignosuharjo and Sukardjo, were executed by firing-squad in October. The latter had been under sentence of death for over 19 years, having been convicted of murder in connection with the attempted coup in 1965.

Amnesty International appealed throughout 1988 for the release of prisoners of conscience and for a review of the cases of other prisoners convicted in unfair trials. The organization also regularly appealed for the halting of executions and the commutation of death sentences.

In August Amnesty International submitted information about human rights violations in East Timor to the United Nations Special Committee on Decolonization. Although it noted improvements in the human rights situation Amnesty International called for thorough

investigations into past human rights violations and effective safeguards against future abuses. The organization was concerned by the mass arrests and by the reports of torture alleged to have taken place at the end of the year.

## JAPAN



**Two prisoners were executed in June more than 10 years after their conviction and the courts imposed or upheld an increasing number of death sentences.**

Yoshiku Matuda and Kenichi Watanabe were executed in the Osaka Detention Centre in June, although in accordance with government policy there was no official announcement. The two men had been convicted of murder in separate trials in 1975 and 1978.

Ten people were reported to have been sentenced to death by district courts, either for multiple murder or the murder of young people. The Supreme Court confirmed seven death sentences and two prisoners had their applications for retrial rejected. At the end of 1988, some 92 prisoners convicted of murder were reported to be under sentence of death, at least 32 of whom had exhausted all appeals. Their final resort was to apply for clemency. To Amnesty International's knowledge, since 1975 the government has not commuted any death sentence.

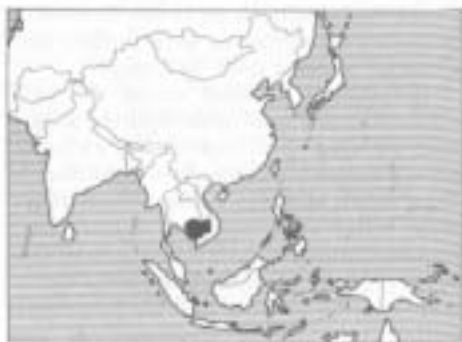
In August the retrial of Masao Akahori in the Shizuoka District Court came to an end but by the end of 1988 no verdict had been announced. He had been sentenced to death in 1958 for the kidnapping and murder of a schoolgirl but claimed he had confessed under police duress.

Amnesty International continued to

press for the commutation of all death sentences and to urge the authorities to abolish the death penalty. It made public its concern about the possibility of a miscarriage of justice in the case of Masao Akahori.

## KAMPUCHEA (CAMBODIA)

**Some 430 people were detained for political reasons in 1988 and during the year it became clear that others had been detained in 1987. It was also alleged that several people had been tortured after their arrest in 1987. It remained difficult to monitor human rights due to the diplomatic isolation of the People's Republic of Kampuchea (PRK) and the government's unwillingness to accept international scrutiny of its human rights record. The little information about human rights matters that emerged from the country mostly did so after considerable delay.**



Fighting continued throughout the year between the PRK Government headed by Hun Sen and supported by Vietnamese troops based in Kampuchea, and local guerrilla forces, including the *Partie de Democratic Kampuchea* (PDK - known as the "Khmer Rouge") and Prince Norodom Sihanouk's National United Front for an Independent, Neutral, Pacific and Cooperative Cambodia (FUNCINPEC). These and a third opposition force constituted the Coalition Government of Democratic Kampuchea (CGDK), which continued to receive United Nations recognition.

There were several rounds of peace