

TREATMENT OF PRISONERS: THE RULES AND THE REALITY

- (1) The memorandum submitted by Amnesty International to the Indonesian Government in February, 1971, contains an important paragraph urging the Indonesian Government to ensure the immediate application of provisions set forth in the United Nations Standard Minimum Rules for the Treatment of Prisoners. A study of the conditions at the prisons and detention camps where political prisoners are being held reveals that there is a wide discrepancy between the rules contained in the U.N. document and the actual circumstances in Indonesia.

What are the rules and what are the facts?

- (2) 1. Rule 20 (1) The Administration's obligation to provide food of nutritional value adequate for health and strength

Food provisions vary from prison to prison and from region to region and are generally determined not only by the decisions of the Military Commander of the Territory in question but also by the degree of corruption siphoning off funds along the cash pipeline down to the actual prison.

- (3) At very best, food supplies to prisoners consist of two plates of rice per day (less than 200 grams altogether) plus watery vegetables and/or boiled and poorly seasoned soyabean cake (known in Indonesian as tempe or tahu), with an occasional helping of salted fish. Nothing else is provided. There is no tea, coffee, sugar, bread, milk, fat or anything else to supplement the grossly inadequate two meals a day which are provided. The only beverage provided is boiled water. Prisons are not provided with breakfast. The food provided even for the basic two meals a day lacks not only in quantity and quality but also in variety.

- (4) In many prisons and detention camps, the situation is even worse than that described above. There is less rice, no vegetable dish and not even an occasional supply of salted fish. Where vegetables are made available on a fairly regular basis, this is usually the result of some positive initiative by one of the prison officers in organising the cultivation of vegetable plots by prisoners. Financial provisions for the purchase of tempe, salted fish, condiments and coconuts, even in the best prisons, amounts to less than \$2 a day for about one hundred prisoners. In some cases, 10 or 20 per cent of the daily cash allowance is used to buy provisions to provide one or two guards with one good meal a day.

- (5) Serious malnutrition occurs in many prisons and detention camps, and many of the deaths that occur are due to chronic malnutrition or intestinal disorders. Prisoners only manage to survive because of food supplies sent in by wives or relatives, and this source of supply inevitably decreases as the period of detention lengthens. The majority of

prisoners never receive supplies from their families or receive them only at very irregular intervals.

- (6) The ten thousand male prisoners who have now been exiled to the Buru Island Detention Camp suffer extreme hardship as far as food is concerned. The authorities supply them with food only for the first eight months after arrival, and thereafter they have to fend for themselves, eating only what they produce on the land. Crop yields are low and loss of output due to plagues of butterflies and other pests is high. Even tempe, the major source of protein food, is not available. Food conditions on the island are seriously worsened by the fact that relatives are thousands of miles away and even if they are in a position to send supplies, interregional communications are a serious handicap. In interviews with foreign journalists, prisoners have firmly rejected any idea that wives or children should follow them to the island, mainly because of the appalling food situation.

(7) 2. Rule 22-26. Qualified and regular medical care

In most prisons, medical care is totally inadequate. Doctors' visits are rare and few prisoners can expect to get a place on the queue when he does come. There is no system of regular six-monthly or annual health check-ups, and in many cases organic disorders are only diagnosed at a time when treatment can no longer be effective.

- (8) Some prisons have special blocks for sick prisoners, but medical provisions are very inadequate and little or nothing is done to cater for any dietary requirements. For example, men with chronic intestinal disorders continue to be supplied with coarse, badly-cooked and badly-washed rice.

- (9) A considerable percentage of the medicaments available in the prisons are supplied by church organisations or by more fortunately-placed relatives of prisoners, and a fair share of this is taken by officers in charge of guarding the prisons.

- (10) There is virtually no chance of a chronically ailing prisoner to gain his release for reasons of health. Furthermore, most prisoners who die have never obtained any hospital treatment. This is indicated by the fact that most deaths occur on the prisons or detention camps. Few prisoners who die can even "enjoy" the "comfort" of dying in hospital.

- (11) Of the ten thousand men transported to Buru Island since mid-1969, 41 have died, most of chronic disorders or malnutrition. Official reports state that there are six doctors available to care for the prisoners which gives a doctor-population ratio that far exceeds most other parts of the country. But this is extremely misleading. Some of these doctors are not resident; others are recruited from the prisoners who probably have little more in the way of equipment than a stethoscope and

a hypodermic needle. The one thousand women prisoners who are now detained at the Plantungan Detention Camp are cared for mainly by one or two doctors and nurses among the prisoners who have very inadequate medical supplies at their disposal.

(12) 3. Rule 31. Prohibition of "cruel and degrading" treatment

The treatment of political prisoners in the Indonesian military prisons and detention camps is basically cruel and degrading. Military guards are virtually unhindered in their enforcement of prison discipline, and prisoners have no form of redress against mal-treatment. The following examples are taken from some better standard prisons:

- When a prisoner working on a vegetable plot was discovered stealing a piece of cassave to satisfy his hunger, he was forced by the guard who made the discovery to eat cassave until he died of over-eating.
- When prisoners greeted a prison commander with goat-bleats because they were being supplied with mouldy vegetables, they were all confined to their cells for days.
- When a note was discovered in food sent in to a prisoner by a relative, all prisoners in the prison were refused permission to receive food parcels for one month.

(13) Prisoners are frequently beaten for the slightest offence or even for no offence at all, and it is a general practice to punish the entire prison population if one prisoner is believed to have committed any offence. A rare escape attempt by a single prisoner inevitably results in extremely stringent measures against all prisoners.

(14) Human degradation is a constant element in the life of Indonesia's tens of thousands of political prisoners and is almost comparable in its effects on mental and physical health to the inadequacy of food and medical care.

(15) 4. Rule 38. Regular family communication

While at detention camp before being transferred to prison, prisoners are generally permitted to meet relatives occasionally, provided that they are not in the process of being interrogated. But once transferred to prison, family communication becomes extremely difficult. In most prisons, contacts with relatives are confined to a meeting once a year, and some prisoners are, for reasons never disclosed, not even permitted this.

(16) For the men and women transferred to the camps at Buru and Plantungan, family visits become a physical impossibility. According to recent reports, some prisoners on Buru and in Plantungan are now permitted to write to relatives, letters from Buru usually take months to arrive at their destination.

Many prisoners have never been able to establish any contact with relatives and therefore have no possibility of any communication at all. This point will be discussed further below.

- (17) 5. Rule 44 (1). Obligation on prison authorities to inform family of prisoner's death or serious illness

This rule is grossly violated in almost every prison. Many prisoners who die in prison are buried without the presence of relatives. In many cases, relatives who learn about a death after the funeral are not even informed, upon inquiry, about the whereabouts of the grave.

- (18) 6. Rule 44 (3). Prisoner's right to inform his family of his imprisonment

This right is totally ignored. When a person is imprisoned, it is left entirely to the initiative of the relatives to find out where he is. In some cases, information is refused for weeks or even months. It has been known for relatives to be arrested themselves if they too persistently make inquiries about a prisoner's whereabouts.

- (19) With the exception of prisoners on Buru and in Plantungan who already have long-established contacts with relatives, prisoners are not permitted to write letters or engage in any form of communication with relatives. As a result, large numbers who are imprisoned far from home have no means whatsoever of making any contact. As a result, there are large numbers of political detainees in Indonesia that have had no contact with their families for six years.

- (20) 7. Rule 90. Untried prisoners' right to reading matter

The only reading matter permitted to prisoners are the Koran, the Bible and one or two other purely religious books.

- (21) Prisoners are not permitted to read newspapers, to listen to the wireless or even to have books on language instruction. There are no prison libraries at all.

- (22) In some places, Christian prisoners encounter difficulties in receiving Christian religious literature.

- (23) The absence of reading material may not be such a hardship to the less educated prisoners (some of the prisoners are even illiterate), but for many, especially the large number of intellectuals and professional workers, it is an extremely irksome aspect of prison life.

- (24) 8. Rule 93. Legal access

This is denied to all prisoners without exception, from the moment of arrest right through the various stages of interrogation. Few prisoners have the slightest idea of their legal rights and none would ever consider

requesting relatives to obtain legal aid. Few lawyers would dare to take up such cases anyhow, both because they know they would never be permitted to meet their clients and because of a fear of consequences for themselves.

- (25) Even with detainees who are brought to court for trial, legal access is denied until a day or two before the trial opens. Defence lawyers are appointed by the court or tribunal and in many cases, the defendant has no chance even to suggest names of persons he would like as counsel. Even after being appointed, defence lawyers are allowed access to their clients only under the most difficult circumstances. Most of the witnesses called by the prosecution are already in prison, and this also applies to most persons who might possibly be useful as witnesses for the defendant. The defence counsel is therefore placed in a position of being quite unable to have access to any of the witnesses. Since the prosecution has unhindered access to witnesses, this places the defendant in a viciously handicapped position.

(26) Other aspects of the Mal-Treatment of Prisoners

- In addition to the gross inadequacy of food supplies, Indonesia's political prisoners also suffer from a total absence of any other provisions from the military authorities who are holding them in detention. In most prisons, accommodation is inadequate and unsuitable. No beds or bedding are provided, and prisoners sleep on the floor in very cramped conditions. No straw mats are provided and those used by prisoners have been supplied either by relatives or by church organisations. The straw mats used are mostly too thin to give proper protection against the cold stone floors.
- (27) No clothing is provided to prisoners, and those who have no relatives in a position to supply them with things can rely only on tattered cast-offs from other prisoners. The question of clothing is an extremely difficult problem for prisoners in Buru who are so far from relatives. They were each issued with one set of clothing when transferred to the island, but have been given nothing more since.
- (28) Soap is also a serious problem. No soap is ever provided to prisoners; the only provisions come from relatives. Under the circumstances, it is quite understandable that perhaps the most welcome gift of all for a prisoner is a point of sugar and a bar of soap!
- (29) The above facts show that the demands contained in the Amnesty Memorandum last year were more than justified. How much longer can the Indonesian Government continue to ignore justified criticism of its treatment of political prisoners?