

ANAL (for AI members only)

DC AI Index: ASA 21/02/81
Distr: NS: Co: AD

TO: National Sections
Coordination Groups on Indonesia
Adoption groups with an Indonesian
prisoner case

Amnesty International
International Secretariat
10 Southampton Street
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FROM: Asia Research Department

DATE: 30 April 1981

UP-DATE ON AMNESTY INTERNATIONAL'S CONCERNS
IN INDONESIA AND EAST TIMOR

SUMMARY

The information in the attached document, which may be used externally, was originally prepared for submission to members of the aid donor group to Indonesia, the Inter-Governmental Group on Indonesia (IGGI), prior to the annual IGGI meeting, held this year in mid-May 1981. (Copies of the letter sent to heads of government have already been sent to the relevant national sections and coordination groups.)

This document should be seen as an up-date and as complementary to circular index no. ASA 21/05/80 of 29 April 1980: Statement of Amnesty International's Concerns in Indonesia and East Timor.

DISTRIBUTION

The attached document is EXTERNAL and may be used publicly. It is being sent to all national sections, coordination groups on Indonesia and adoption groups with an Indonesian prisoner case.

AI CONCERN

AI's present concerns in Indonesia and East Timor may be summarized under the following headings: (not listed in any order of priority)

- I Restrictions on released prisoners of conscience
- II Political prisoners, including prisoners of conscience, remaining in detention as a result of the attempted coup of 1965
- III Muslim political prisoners
- IV East Timor: 'disappearances'

RECOMMENDED ACTION

The document may be used as Amnesty International's latest public statement on the organization's concerns in Indonesia and East Timor and should be used, in conjunction with the information contained in the 1980 Annual Report entry on Indonesia, in general publicity actions by adoption or coordination groups and in providing information to the media or other enquiries.

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BACKGROUND

In its Statement of Amnesty International's Concerns in Indonesia and East Timor of 20 April 1980 (please refer to ASA 21/05/80), Amnesty International was able to welcome steps taken by the Indonesian Government toward resolution of the long-standing problem of political detention created by the arrests which followed the coup of October 1965. In December 1979, the Indonesian Government had completed 'the phased release program' of untried political prisoners who had been arrested for alleged involvement in the 1965 coup. It had also issued a decree entitling tried political prisoners to receive remission of their sentences on the same basis as convicted criminals. While welcoming these steps, Amnesty International continues to be concerned at the restrictions placed on released prisoners and at the apparently arbitrary application of the remission decree.

I RESTRICTIONS ON RELEASED PRISONERS OF CONSCIENCE

While some restrictions, such as the requirement that released prisoners should report regularly to the authorities, have been eased in the past year, others remain, still severely curtailing the civil and political rights of former detainees and preventing their reintegration into Indonesian society. Amnesty International continues to receive reports indicating that released prisoners are restricted in their movement by cumbersome administrative procedures, have specially marked identity cards identifying them as ex-detainees and are excluded from employment in the public sector and 'basic industries'. These restrictions in particular contribute to the most widespread difficulty facing released prisoners: that of finding employment. Both by imposing these restrictions on released prisoners and by giving no encouragement to local non-government organisations that seek to assist released prisoners, the Indonesian Government has exacerbated the problems facing thousands of persons who have spent up to fourteen years in prison but who have never been convicted of any crime.

II PRISONERS TRIED FOR ALLEGED INVOLVEMENT IN THE COUP ATTEMPT OF 1965

Amnesty International is also concerned by the position of the approximately 350 prisoners who were tried for alleged offences in connection with the 1965 events and are still in detention. Many of these prisoners, some of whom Amnesty International regards as prisoners of conscience, have not benefitted from the introduction of the principle by Presidential Order that they should be eligible for remission on the same basis as criminal prisoners. Under the remission decree, tried political prisoners may be granted annual deductions from their sentences and may even at the discretion of the authorities be granted complete release. Amnesty International understands that there are a number of obstacles to the uniform implementation of the decree, including 'administrative costs', pending appeals by prosecutors and the requirement of approval by now-defunct courts. Amnesty International believes that these obstacles to the granting of remission should be removed. Amnesty International is also concerned

that the sentences of many of these detainees were dated from the time they were sentenced which was often many years after arrest.

Among the 350 tried prisoners, there is a group who are not eligible for remission. These are detainees who are under sentence of death.

Amnesty International knows of 50 persons who were sentenced to death for their alleged involvement in the 1965 coup and who are still alive. The sentences of some of these persons may have been commuted on appeal but Amnesty International believes that most still face the death penalty. Amnesty International has urged the Indonesian Government to commute these sentences and to open up the possibility of eventual release through remission.

Amnesty International's principal concern in Indonesia for several years has been the treatment of persons arrested in connection with the 1965 events. There are other groups among the Indonesian population the violation of whose fundamental rights has been the occasion for mounting concern in more recent years. These include: Muslim political activists, and persons allegedly involved in autonomist and secessionist movements in Aceh (North Sumatra) and Irian Jaya (formerly West Irian). In addition, Amnesty International continues to be concerned by information relating to the treatment of members of the population of Indonesian-occupied territory of East Timor.

III MUSLIM POLITICAL PRISONERS

Since 1977, large numbers of persons identified as Muslim political activists are known to have been arrested in Jakarta, North and South Sumatra, and West, Central, and East Java. Several of these persons were charged with being members of the Kommando Jihad (Holy War Command). However, since many of these detainees were known as active members of the legal Muslim opposition party, the P.P.P. (Partai Persatuan Pembangunan), the United Development Party, and since a number are still held without trial, Amnesty International is concerned that they may have been detained for the legitimate exercise of their beliefs, especially as most were arrested in 1977-78 in the period of the general elections, in which the P.P.P. constituted the chief opposition to the government-backed Golkar, and the subsequent Presidential Election.

Amnesty International is concerned by reports from Aceh where there is an active secessionist movement, indicating that actions taken by the Indonesian army to suppress these movements have involved not only violation of the fundamental rights of persons allegedly participating in these movements but also the arbitrary arrest and maltreatment of other members of the wider population of these areas. (Reports of similar treatment of persons in Irian Jaya (West Irian), another outlying area of Indonesia in which a secessionist movement is active, have also been received by Amnesty International. In this part of Indonesia, however, the population is not predominantly Muslim.)

Thus, from Aceh, Amnesty International has received reports indicating that the Indonesian army has adopted practices, involving violations of human rights of concern to Amnesty International, in its campaign to suppress the secessionist movement known as the Aceh National Liberation Front (A.N.L.F.). In particular, Amnesty International is concerned that: prominent members of the Acehese community who are believed not to be associated with the A.N.L.F. have been arrested,

tried and sentenced to long periods of imprisonment; persons related to leading members of the A.N.L.F., including wives and children, not themselves associated with the A.N.L.F., are being held in detention without trial presumably with a view to inducing their relatives to surrender to the authorities; persons arrested for alleged involvement with the A.N.L.F. have been held for periods of up to four years without trial; persons held by the authorities, whether associated with the A.N.L.F. or not, have reportedly been subjected to maltreatment and torture. In addition, Amnesty International has learned of the extra-judicial killing of two leading members of the A.N.L.F. outside combat; and of the 'disappearance' of the 80-year-old Teuku Muhammad Daud Beureueh, regarded by most Achinese as the religious leader of his people, who has not been traced since his arrest by Indonesian troops in April 1977.

IV EAST TIMOR

A year ago, Amnesty International made public information on violations of human rights that have occurred in East Timor since the Indonesian invasion of that territory in December 1975 and its subsequent annexation.** This information related to the 'disappearance' after surrender or capture of supporters of Fretilin, the movement which has resisted the Indonesian occupation, and the imprisonment of several hundred Timorese in deplorable conditions. This same information was submitted to President Suharto with recommendations that the Indonesian Government undertake its own investigation into Amnesty International's findings, that it instruct its forces in East Timor to ensure the physical safety of surrendered and captured Fretilin members, and that it cooperate in ensuring that the International Committee of the Red Cross be permitted to expand its activities in East Timor beyond the provision of relief so as to include its other internationally-recognized functions of tracing missing persons and visiting prisons. Although Amnesty International received no reply to these recommendations, the Indonesian Government did inform the United Nations Working Group on Disappearances, established by the United Nations Commission on Human Rights, that as regards the investigation of disappearances the government had decided that its limited resources had been used for purposes other than tracing missing persons, while asserting the belief that those who had disappeared were most probably the victims of revenge killings by other East Timorese. Amnesty International finds this reply difficult to accept since several of those who 'disappeared' did so after being taken into the custody of the Indonesian military. Moreover, Amnesty International has recommended that the International Committee of the Red Cross should be enabled to undertake its tracing and prison visitation functions in East Timor, even if the Indonesian Government is unable to undertake its own investigation. Amnesty International reiterates its recommendation that the Indonesian Government ensure the physical safety of arrested and detained East Timorese and ensure that prisoners be treated in accordance with international standards governing the rights of persons held in detention, especially as new cases of 'disappearances' and imprisonment without trial have come to Amnesty International's attention in the past year.

** Please refer to previous circulars: ASA 21/01/80 of 29 April 1980; ASA 21/06/80 of 4 May 1980 and ASA 21/07/80 of 9 June 1980.