

introduction

by dr. h.a. van geuns

Amnesty's aim is to help political prisoners and prisoners of conscience; we are not concerned with national politics, nor do we pass judgment on the beliefs of those in prison. Amnesty's interest in Indonesia began in 1961, long before the tragic events of 1965. Then, as now, it was motivated by a concern with the principles of human rights, had no partisan political interest, and worked for the release of individual prisoners of conscience, at that time critics of the Sukarno Government. Today its work is focused on more than 55,000 untried prisoners, detained as suspected communists after the attempted coup of September 1965.

AMNESTY MISSIONS

Since 1965 two Amnesty missions have visited Indonesia - in July 1969 and in October 1970. The first delegate was Professor Julius Stone, a distinguished international lawyer from Australia, and the second, Sean MacBride, was then Secretary-General of the International Commission of Jurists, and - as now - Chairman of Amnesty. Through these missions, as well as through less formal contacts, we have collected a mass of factual material on political imprisonment. The Indonesian Government deserves credit for the facilities made available to the delegates and for the unusual frankness with which it discussed its policies, and admitted the magnitude of the problem. Amnesty works for the release of prisoners of conscience in 60 countries; few Governments face graver problems of political imprisonment than Indonesia, and none has so systematically departed from the rule of law in its treatment of untried detainees.

NOT SENTENCED

Who are the prisoners? Officially all are described as committed marxists and prominent members of the communist movement. But, to an outsider, a striking feature is the number of those in prison who are not political prisoners in the accepted sense of the term, but are rather prisoners of accident or victims of circumstance, arrested by mistake or military inefficiency, and subsequently unable to challenge their detention. In the pages that follow several case studies are given; two are of prisoners taken into custody at the respective ages of 11 and 13 and now, seven years later, still in prison. These are extreme examples, but in one sense both are typical: they have no lawyer, *habeas corpus* is void; though

not sentenced, they cannot defend themselves nor answer the prosecution case since no case has ever been brought. They have simply been arrested, and in this total loss of civil and legal rights they are typical of their tens of thousands of fellow prisoners.

The Indonesian explanation is that the judicial system is under-staffed, and an inadequate administrative machine renders massive adjudication impossible. The majority of prisoners cannot therefore be tried, but are instead screened by military intelligence teams whose brief is security not justice. Amnesty has continually pointed out that such a manner of treatment is in total contradiction to the principles laid down in the Universal Declaration of Human Rights, accepted by the present Indonesian Government when it rejoined the United Nations in 1966. It is all too easy to imagine how many people were taken prisoner on insufficient legal grounds in the atmosphere of mistrust and mutual suspicion which succeeded the defeat of the 1965 Untung coup.



Prisoners in Buru island returning to their quarters after a day's work in the field.

This publication has been written with a simple aim: it seeks to make known the situation of tens of thousands of political prisoners held in a single country, to show the conditions within the prisons, the circumstances of the families and the problems which people must face even after release. The Indonesian Government rests its policies on the national philosophy - the *pantja sila* - which emphasises the prime importance of social justice (*keadilan sosial*); until the Government looks again at the political detainees it must inevitably deny social justice to a large group of Indonesian citizens.

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