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SURVEY OF POLITICAL IMPRISONMENT

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The Research Department commissioned Mrs. Margot Levy to examine the information on certain countries available in the files at the London office, and then put it into a concise and easily comprehensible form. The project was referred to as the pilot scheme of the Survey of Political Imprisonment.

It covers the following countries:

Indonesia, Singapore, Taiwan; Greece, the German Democratic Republic, Spain, U.S.S.R.; Iran; Brazil and Paraguay.

Each country is examined under the following headings:

- I. Number of prisoners.
 - (i) The total number of prisoners, and the proportion believed to be prisoners of conscience.
 - (ii) The number of prisoners adopted or under investigation by Amnesty groups.
- II. Recent political developments which explain the detention of the majority of prisoners.
- III. An analysis of the prisoners, indicating their political affiliation and (where appropriate) ethnic group and social class.
- IV. The Legal Framework.
 - (i) The laws under which most prisoners are detained.
 - (ii) Judicial procedure.
 - (iii) Administrative detention.
 - (iv) House arrest.
 - (v) Exile.
 - (vi) Restrictions on freedom of movement as a separate or supplementary penalty.
 - (vii) The Death Penalty.
- V. Prison Conditions.

The information in this survey is believed to be correct up to 5 April 1972.

We should be glad if Amnesty members commented on this experimental project, and let us know for what purposes - work for their prisoners, publicity, their own general information - they have used it, and whether there are additional items they wish to be included.

Zbynek Zeman

I N D O N E S I A

I. NUMBER OF POLITICAL PRISONERS

- i. Total number of political prisoners: It is estimated that between 200,000 and 250,000 prisoners were arrested in 1965-66, following an attempted left-wing coup on 30 September 1965 and the subsequent violent purge of suspected Communist Party (PKI) supporters. By the end of 1971 Amnesty estimated the numbers detained at approximately 70,000. This is a higher estimate than official figures (50,000 in September 1971), but even these vary considerably and are often confused and contradictory. The purge of suspected communists has continued since the events of 1965-66, and several thousand people have been arrested in each subsequent year, a high point being the period preceding the general election of July 1971. Estimates for the number so detained are not available. It must be appreciated in considering both the Indonesian Government's statements and Amnesty's estimates that it is difficult to obtain accurate statistics of any kind in Indonesia.

The overwhelming majority of political prisoners are prisoners of conscience. Only a handful of those detained took any part in planning or carrying out the murder of the six generals which ^{accompanied} constituted the attempted coup of September 1965, or in later armed resistance.

- ii. Number of adopted prisoners: 55.

Comparatively few adoptions have so far been made because individual adoption has seemed less appropriate than negotiations on behalf of the political prisoners as a whole. Another important factor which limited individual adoption was the fear that intervention from abroad might cast further suspicion on the prisoners concerned and so delay the possibility of their being released.

II. RECENT POLITICAL DEVELOPMENTS

The Republic of Indonesia consists of an archipelago of some 3,000 islands with an estimated population of 120 million (1971). The islands were administered as a colony by the Dutch from the sixteenth century; they were occupied by Japan during the Second World War, and Dutch attempts to re-institute colonial rule after 1945 were strongly resisted. Independence was proclaimed in 1945, but the Indonesian Republic attained international recognition only in 1949 after a four-year war of independence; in the same year Sukarno became the Republic's first President.

Since 1949, Indonesia has attempted three political systems in an effort to create the political and economic stability necessary for the survival of a large, diverse and radically underdeveloped country. In 1956, parliamentary democracy gave way to 'guided democracy' under the increasingly autocratic leadership of President Sukarno, who withdrew from the United Nations, based his foreign policy on fervent anti-imperialism, and pursued a policy of 'confrontation' (undeclared warfare) against Malaysia in an attempt to annex the north Borneo states. The Indonesian Communist Party (PKI), with a membership of three million and a claimed following of a further fourteen million, was the largest Communist movement outside Russia or China, the only legal Communist Party (with the exception of North Vietnam) in South-East Asia and exerted a growing influence on Sukarno's policy. The PKI's growing strength and alignment with Peking - combined with traditional Islamic prejudice against the Indonesian Chinese minority - encouraged fears among the Muslim community and among military leaders that communism would become the dominant political force in the country.

In September 1965 six prominent generals were murdered by a group of left-wing officers led by Colonel Untung; it was assumed that they were acting on behalf of the PKI. The Army retaliated by taking over effective authority throughout the Republic. A purge of PKI officials and supporters was instituted. The military action initiated a wave of popular revanchism and indiscriminate killing, during which at least 300,000 communists or alleged communist sympathisers were murdered. By the time the PKI was officially proscribed in March 1966, 250,000 political prisoners were in detention as suspected members of the PKI or its supporting organisations. Arrests have continued on a substantial scale.

The right-wing government which has controlled Indonesia since 1966, when General Suharto became head of the Executive, has sought to obtain international recognition and aid from Japan and the West. In 1966 Indonesia was almost bankrupt and one of the new regime's first priorities was the reduction of government spending - including the abandonment of Sukarno's grandiose projects for prestige public expenditure - and the stabilisation of the rupiah. By 1970 stringent fiscal controls on spending and credit had helped to secure a moratorium on foreign debts - both the Western powers and the USSR had agreed to the rescheduling of debts over a thirty year period. Inflation had declined from 1140% in 1966 to 12% in 1970, and there has been an increase in output in all sectors of the economy; however, unemployment is high and wages are low - the average per capita income in 1971 was only \$4 per annum. The Suharto Government has succeeded in gaining international recognition, reversing Sukarno's policy of isolation from the West, and has obtained substantial financial aid and foreign investment from the USA, western Europe, Australia and Japan. The present Government has sought to unify the country on a programme of economic stability. The elimination of communism is an explicit and major point of policy. Although it came to power with considerable Islamic support, the Government has avoided the extreme theocratic position of the Muslim right wing. In July 1971 elections were held for the first time since 1956, resulting in a majority for the officially approved Golkar organisation of 236 out of the 360 seats contested. Another 100 seats are filled by Presidential nominees, many of them representatives of the Armed Forces. Members of the PKI or its mass organisations were prohibited from standing for election or voting, a large number of alleged Communist sympathisers were detained in the months before the election, while leaders of some contesting parties complained that their supporters had been intimidated.

Although fear of Chinese influence, accentuated by the Peking orientation of the PKI, was an additional factor in the purges of 1965-66, action was not then directed at individual Chinese. But in 1967 there was widespread discrimination and violence against the Chinese community (2.4% of the population) a minority group which had traditionally been resented by sections of the population for economic as well as religious reasons. There was a wave of violence against Chinese persons and property. More than 50,000 Chinese peasants were evicted from their homes in Kalimantan, supposedly on the grounds that they sympathised with the local guerilla movements, and in North Sumatra, a strongly Muslim area, 10,000 Chinese were expelled from the region and interned in Medan to await 'repatriation' to China - this group did not have Indonesian citizenship though they were long-standing residents, and were officially described as 'voluntary emigrants'. Approximately 4,000 were taken to the People's Republic of China on Chinese ships; the others have remained in Medan. The situation of those Chinese (approximately 750,000) who do not have Indonesian citizenship, remains insecure; approximately 250,000 have mainland Chinese nationality while 500,000 are technically stateless.

III. ANALYSIS OF POLITICAL PRISONERS

Detention policy is based on the assumption that the PKI planned the 1965 coup attempt, using Colonel Untung as its instrument; individual responsibility therefore falls not only on the leadership but on Party officials and even down through the organisation to ordinary PKI members. Someone who held office in the PKI or SOBSI (the communist-influenced Trade Union Federation) or GERWANI (the PKI womens' organisation) is therefore said to have been 'involved' in Untung's attempt to take power, sometimes called the 30th September Movement. The prisoners have therefore been classified into one of three categories according to the believed degree of their commitment to the communist movement - and thus their 'involvement' in the 1965 coup plan. The classification process is carried out by military screening teams who investigate a detainee's past political activities and affiliations and allocate him to Category 'A', 'B', or 'C'. There is no review or appeal mechanism and the procedure is wholly non-judicial. The principles of the classification process were officially set out in 1969. Prisoners in Category A (those for whom the military authorities claimed they had evidence of "direct involvement" in the coup attempt) would be charged and tried; Category B prisoners, regarded as committed marxists but for whom there was 'insufficient evidence' for legal proceedings, would be deported to permanent exile on the island of Buru and elsewhere, Category C prisoners, who were merely suspects, would be gradually released. According to Amnesty's records, there were in 1971 between 75,000 and 90,000 prisoners, of whom 5,000 prisoners were in Category A, 10-15,000 in Category B, and 30,000 in Category C. There were in addition some 30-40,000 prisoners (Category X) who had not been classified, many of whom had been arrested after 1966.

By 1971 some progress had been made with the release of Category C prisoners, and possibly 10,000 had been freed; in January 1972 President Suharto announced that all 22,000 Category C had been released. In fact, not all of these releases appear to have taken place - it may be that local military commanders have simply not carried out releases decided centrally, or that many detainees although theoretically free remain de facto prisoners as members of compulsory labour units. By 1971, 10,000 prisoners had been deported to permanent exile on the island of Buru. Negligible progress has been made with the trial of Category A prisoners: only 200-250 trials have been held since 1966.

Thousands of prisoners have thus been held without trial for over six years because of their alleged support for a political party which was not proscribed until after their arrest, and against whom the authorities admit they have no evidence on which to bring legal proceedings. The detention of prisoners in 1965-66 was an entirely arbitrary proceeding by local military commanders, and a high proportion of the prisoners may have had only the most marginal association with the PKI or its supporting trade union, cultural and student organisations. The majority of prisoners are men, and they come from all social strata; the level of education is probably highest among those in Categories A and B, which contain the leadership of the PKI which survived the 1965-66 killings. The prisoners in 'B' category cover a wide spectrum ranging from Central Committee members of the PKI to rank and file members of left-wing student and cultural groups; there is a substantial number of teachers, doctors, lawyers and technologists. A number of 'B' prisoners were arrested when very young and are now only in their late teens or very early twenties. The youngest prisoner on Buru was arrested in 1965 at the age of 12.

Violence

The overwhelming majority of the prisoners are the victims rather than the perpetrators of violence; only a few were directly involved in the murder of the six generals in 1965, and there were only a few known incidents of violent communist aggression during the succeeding massacres. With the exception of Kalimantan, where guerilla activity has continued for several years, there are no indications of any violent resistance to the present government, although in 1968 the discovery of a PKI 'military force' was announced in East Java.

IV. LEGAL FRAMEWORK

i) Laws under which most people are imprisoned/Administrative detention

The massive arrests of 1965-66 took place without any legal process; all prisoners are held by the Army, which has justified its actions (sometimes retrospectively) by reference to Sukarno decrees of the early 1960s authorising detention without trial during a state of emergency. These have been supplemented by more recent Presidential and military decrees. In practice the army's power of arrest and detention is unlimited; there is no regular procedure whereby prisoners are informed of the reasons for their arrest, they have no right of appeal, nor have they access to legal advice or protection. Although the Indonesian Constitution and legislation establishes legal rights for those in custody, in practice these do not apply to anyone arrested for political reasons.

ii) Judicial procedure

Although the Indonesian Government claims that it intends to try the 5,000 Category A prisoners, fewer than 250 trials have been held since 1965. The Indonesian authorities estimate that trials will not begin in earnest until 1976 because of the time needed to prepare cases and train the judicial officials necessary for this task. Most of the prisoners who have been tried have been brought before military courts; although in theory they can choose a military or civilian lawyer to defend them, in practice this choice is limited because few lawyers are willing to act in political cases. No prisoner has been allowed access to a lawyer except when his trial is due. As prisoners are held under military jurisdiction, the civilian courts have no part to play in their detention; it is also relevant that the Indonesian legal system is grossly undeveloped and that legal remedies are not generally available to the Indonesian population at large.

iii) Exile

The deportation of approximately 10,000 male prisoners to the almost unpopulated island of Buru in the Moluccas between 1969 and 1971 provoked international concern. The prisoners are apparently intended to remain on Buru permanently. They live in restriction areas, are in practice (if not theory) prisoners, and work as agricultural labourers in order to produce food on which to live. Although the Government has announced its intention of releasing some exiles, it seems that this will relate to the restrictions under which they live on Buru and will not include repatriation to their homes on Java or elsewhere. A few prisoners' wives will probably move to the island in the near future.

iv) House arrest/Restrictions on freedom of movement

House arrest and restrictions on freedom of movement have been used on a large scale since 1965-66. In October 1969 the Attorney General stated that 47,000 persons had to report to the police regularly, and although no subsequent

official figures have been given the number so restricted will have remained high because all released prisoners have to report regularly to the local military commanders for between six and twelve months. In many areas, released prisoners are denied a political clearance certificate - a requisite for employment.

v) Death Penalty

Seven of the death sentences passed on Category A prisoners by military courts have been carried out; an unknown number have been commuted to life imprisonment. But these judicial sentences represent a minute proportion of the total number who have suffered summary execution since 1965.

V. PRISON CONDITIONS

Since 1965, prisoners have been held in prisons, camps and requisitioned buildings throughout the Republic. Except in the case of the small number of sentenced prisoners who are held in civilian prisons, administration is wholly in the hands of military officials. Normal Indonesian prison regulations do not therefore apply. Although it should be remembered that criminal prisoners' conditions are far from good, the conditions in which political detainees are held have been consistently, and often grossly, below the standards usually considered necessary for health or subsistence. There are now no longer reports of death from starvation, but alarming reports of malnutrition continue, and this in turn encourages illness. Although provision for the maintenance of the prisoners is made in the central budget, the sums allotted may fail to reach their destination or may simply be too small to purchase enough food. There were reports in 1966-68 that prisoners in East Java had been arbitrarily shot because the military authorities could not provide food for them. In Central Java, as recently as 1971, the regional military commander was compelled to deduct 1% from his soldiers' pay to provide food for the detainees. Conditions have improved since that time, but the incidence of TB and deficiency diseases among prisoners is growing, in some camps there is in practice no official medical attention, and as a general rule prisoners rely on minimal amounts provided by Christian relief organisations.

Reports of torture during interrogation continue.

No reading matter other than religious literature is allowed. Except in the case of Buru, correspondence between prisoner and family is forbidden. Family visits take place only at the discretion of the local military commander, and some prisoners have not seen their relatives throughout the period of their detention. Families are not informed of the arrest of relatives, nor, in many places, told of illness or death. The inadequacy of official funds encourages corruption among prison officers, some of whom, especially on Buru, are said to make substantial personal profits from relief sent in to prisoners in their care. Some officials also supplement their earnings by employing prisoners as labourers, supporting them with food, but retaining the profits as personal income.