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INDONESIA

The 1965 Prisoners: How many more will die in jail?

[EMBARGOED FOR: 1 August 1996]

AI INDEX: ASA 21/43/96
DISTR: SC/CO/GR

Some 14 men have been imprisoned in Indonesia for over a quarter of a century for their alleged involvement in the 1965 coup attempt. Many of them are prisoners of conscience having never advocated or used violence. Due to their age, and the decades spent living in prison cells, all are now frail and most are suffering from serious ill-health. Over the years, many other prisoners held for their alleged role in the coup have died in jail through ill-treatment, illness or old age.

Amnesty International believes that the continued detention of the 14 elderly prisoners is cruel, inhuman and degrading. The organisation is therefore calling on the Government of Indonesia to release immediately all prisoners of conscience and to ensure that all sick prisoners requiring specialist medical care are immediately transferred to an appropriate clinic or hospital for treatment as specified in the United Nations (UN) Standard Minimum Rules for the Treatment of Prisoners.¹

The 14 remaining prisoners were among more than 500,000 people who were arrested in the aftermath of the 1965 coup when six army generals were murdered by a handful of officers loyal to former President Sukarno. (For a list of all the prisoners and their state of health see Appendix I). At the time the killings were blamed on the Communist Party of Indonesia (*Partai Komunis Indonesia* - PKI). The PKI's alleged responsibility for the coup was used by the military, led by General (now President) Suharto, as a pretext to stage a successful counter coup. During the following year hundreds of thousands of people with suspected PKI links or sympathies were killed or arrested. Of those arrested, only a fraction - 1,000 in all - were brought to trial and sentenced to lengthy terms of imprisonment or condemned to death. The trials of those accused of PKI membership or involvement in the coup were manifestly unfair.

Many of the group are prisoners of conscience, imprisoned for their non-violent involvement with organisations affiliated to the PKI or the PKI itself, a legal parliamentary political party at the time of the

¹Rule 22 of the UN Standard Minimum Rules for the Treatment of Prisoners states "*Sick prisoners who require specialist treatment shall be transferred to specialized institutions or to civil hospitals. ...*".

alleged coup-attempt. Others who may have been involved in acts of violence, were sentenced after unfair trials during which the full facts of their activities could not possibly have emerged. The trials for those accused of involvement in the coup attempt began in 1966, but many of the trials were conducted years after the events. Some of the trials were conducted by military courts. The trials were conducted in an atmosphere of anti-communist sentiment which resulted in few witnesses being willing to testify on behalf of the defendants. Defence lawyers were accused of communist sympathies and subjected to threats and harassment. Testimonies were extracted under circumstances allowing for the use of torture and ill-treatment. Many of the prisoners were tried under the Anti-Subversion Law, a law which has been criticised for many years by Indonesian lawyers and human rights activists as an instrument of repression. The standards of evidence required for conviction under this law are much less rigorous than other laws in Indonesia. While less frequently used now, the Anti-Subversion Law has been used in circumstances where the authorities were not able to find sufficient evidence for a conviction. Amnesty International has repeatedly called for the impartial review of the trials and sentences of political detainees imprisoned after unfair trials in Indonesia. In the three decades since the events of 1965, the Indonesian Government has shown no inclination to allow for the conduct of an impartial review of the trials and sentences of the 1965 prisoners.

Five of the 14 prisoners still held are under sentence of death. They are **Asep Suryaman, Sukatno, Bungkus, Nataneal Marsudi** and **Isnanto**. All have been on death row for over 20 years. Amnesty International opposes the death penalty in all cases as a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment. Prolonged confinement under sentence of death only exacerbates the cruelty of this form of punishment. The threat that their sentences may still be carried out remains very real. Between late 1989 and early 1990, more than two decades after the alleged coup attempt, six of the 1965 prisoners were executed. In August 1995, the Minister of Justice, Utoyo Usman, announced that two political prisoners in Cipinang Prison would be executed imminently. The names of the two were not given but they were widely believed to be Bungkus and Marsudi. In the end the executions did not take place. However, the threat has not been lifted, since all but Isnanto are believed to have had their appeals for presidential clemency rejected, the last legal obstacle before execution.²

The ever present fear of execution for these five men, and the long years spent in jail for all of the 14 have taken a toll on their health. At least 11 of them are reported to be suffering from serious physical or mental disabilities. Sukatno, a former member of parliament and one of those on death row, is said to be seriously ill, both physically and mentally. In April 1996, the Inter-Parliamentary Union (IPU)

²The clemency appeal for Sukatno was lodged by the District Court of Central Jakarta in 1986 without Sukatno's knowledge or approval. Despite this, it was rejected by President Suharto on 13 May 1992. According to information from the Inter-Parliamentary Union, it would appear that the District Court has lodged a second appeal for clemency and that this appeal is still pending. Sukatno himself maintains that he does not want to appeal for presidential clemency as he believes it would hasten his execution.

urged the Indonesian Government to release Sukatno because of his “..advanced age, the nearly three decades he has already spent in prison and his deteriorating health”.³

In recent months one of the prisoners detained in Kalisosok Prison, Surabaya, has suffered two strokes. **Manan Effendi Tjokrohardjo**, aged 76 years old, suffered a stroke in March 1996 which left him paralysed and hardly able to speak. Immediately after his stroke he was taken to the prison hospital and also treated briefly in a public hospital before being returned to his cell in June. On 17 July, it is believed that he suffered another stroke which has left him more severely paralysed and in need of constant care and assistance. He is now being looked after by his fellow prisoners and has visits from a prison doctor. **Alexander Warouw**, also detained in Kalisosok Prison, was also reported to have been hospitalised for a brief period earlier this year. Aged 78, he is also known to be suffering from diabetes and has difficulty in standing due to dizziness. He has problems with his vision and with the muscles on one side of his face possibly as a result of his diabetes. Both Manan Effendi and Alexander Warouw were arrested in October 1965 and later sentenced to life imprisonment.

In April 1995, **Ruslan Wijayasastra**, one of the death row prisoners, died after spending almost 27 years in prison. Ruslan, arrested in 1968 and sentenced to death in July 1974, was a member of the central committee of the PKI, deputy chairman of the Peasants' Union and a former Secretary-General of the International Labour Organisation. Prior to his death, he had become partially paralysed, almost blind and unable to walk. His condition forced him to employ two helpers to assist him, the costs for which had to be covered privately. His last three months were spent under arrest in hospital.

Last year three of the 1965 prisoners, **Subandrio**, **Omar Dhani** and **Sutarto** were released from prison as an act of clemency to celebrate the 50th anniversary of Indonesian independence. Their release came at a time of increased domestic pressure from both within government and non-government circles for the prisoners to be released.⁴ Indeed the strength of the domestic calls for the release of the prisoners challenged the previous position of the Indonesian Government that it would not bow to international pressure to release the remaining prisoners. Pressure for their release is now coming most strongly from within Indonesia itself.

Amnesty International calls on the Government of Indonesia to release immediately all prisoners of conscience and to ensure that all sick prisoners requiring specialist medical care are immediately transferred to an appropriate clinic or hospital for treatment as specified in the United Nations (UN) Standard Minimum Rules for the Treatment of Prisoners. Amnesty International also urges the authorities to immediately remove the threat of execution from Asep Suryaman, Sukatno, Bungkus, Nataneal Marsudi and Isnanto by commuting their death sentences.

³Resolution adopted without a vote by the Inter-Parliamentary Council at its 158th session (Istanbul, 20 April 1996); Case No IDS/09 - Sukatno, Indonesia.

⁴See Amnesty International: The 1965 Prisoners: A Briefing, July 1995, ASA 21/36/95.

KEYWORDS: LONG-TERM IMPRISONMENT1 / ILL-HEALTH1 / DEATH IN CUSTODY / DEATH SENTENCE / TRIALS / POLITICAL PRISONERS / PRISONERS OF CONSCIENCE / MENTAL HEALTH / AGED / COUPS / PRISONERS' LISTS /

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APPENDIX

List of 1965 prisoners believed to be still held - August 1996

| Name + Date of Birth | When arrested | Sentence | Where detained | Condition - if known |
|---|----------------|--|--|---|
| Asep Suryaman, 4 April 1925 | September 1971 | August 1975 - Death sentence | Cipinang Prison, Jakarta | Believed to be in reasonable health |
| Sukatno, 31 Dec 1929 | July 1968 | March 1971 - Death sentence | Cipinang Prison, Jakarta | Reported to be seriously ill both physically and mentally |
| Bungkus, 1 August 1927 | October 1965 | July 1971 - Death sentence | Cipinang Prison, Jakarta | Reported to have severe prostate problems |
| Nataneal Marsudi, 1 March 1927 | October 1965 | October 1968 - Death sentence | Cipinang Prison, Jakarta | Deteriorating health |
| Abdul Latief, 27 July 1926 | October 1965 | Life imprisonment | Cipinang Prison, Jakarta | Suffering from wounds inflicted when he was arrested. |
| Sri Soehardjo, 1 January 1928 | November 1967 | Death sentence commuted to life imprisonment | Padang Prison, West Sumatra | Reported to be in very poor health |
| Buyung Ketek, 25 Dec 1939 | December 1965 | August 1986 - 15 years | Padang Prison, West Sumatra | |
| Pudjo Prasetio, 2 July 1928 | November 1967 | April 1979 - Life imprisonment | Moved to Kedong Pane Prison, Semarang in March 1995 | Suffering from Parkinson's Disease and has also had a stroke |
| Isnanto, 5 February 1924 | February 1969 | Death sentence | Tanjung Gusta Prison, Medan | Problems with eyesight. Reported to be seriously ill |
| Manan Effendi Tjokrohardjo, 15 May 1920 | October 1965 | Life imprisonment | Kalisosok Prison, Surabaya | Suffered a stroke and is now almost paralysed |

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|------------------------------------|--------------|---|-----------------------------------|--|
| Alexander Warouw, 6 August 1917 | October 1965 | Life imprisonment | Kalisosok Prison, Surabaya | Suffering from diabetes and associated problems. |
| Suryabrata, 27 January 1927 | October 1967 | Life imprisonment | Pamekasan Prison, Madura | Deteriorating health |
| Sido | Not known | Life imprisonment | Gunang Sari Prison, Ujung Pandang | Not known |
| Markus Giroth, 26 March 1936 | 1967 | November 1968 - Death sentence commuted to life imprisonment | Gunang Sari Prison, Ujung Pandang | Poor health and problems with his vision caused by cataracts |