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British Campaign for the Release of Indonesian Political Prisoners

TAPOL Bulletin No 34

June 1979

THOUSANDS OF 'B' TAPOLS WILL REMAIN AFTER 1979

KOPKAMTIB DECEPTION EXPOSED

Thousands of B-category political prisoners will remain in detention after the completion of the Indonesian Government's release plan, despite repeated pledges that all would be freed by the time the plan is fully implemented at the end of 1979. This is abundantly clear from the figures made public recently regarding the releases scheduled to take place this year.

On 27 April, KOPKAMTIB announced the release of 1,259 B-category tapols. This is the first of four waves of releases to take place this year. After the completion of these releases, KOPKAMTIB claims, there will be no more untried (B-category) prisoners in detention, only those who have been convicted in courts of law.

Close scrutiny of KOPKAMTIB figures reveal however that, even if one accepts the validity of KOPKAMTIB figures since the end of last year, this claim cannot possibly be true. According to the KOPKAMTIB announcement in April, the total number of B category tapols to be released this year will amount to 9,562. The releases will take place as follows:

April	1,259
September	4,000
November	1,920
December	2,383

The 8,303 tapols still due for release this year consist of the following categories, again according to the KOPKAMTIB announcement:

'Tapol' is an Indonesian contraction for 'tahanan politik' meaning political prisoner. It is still widely used although it was banned in 1974 because the military authorities said that all prisoners are 'criminals'.

B-category	7,618
A-category	527
Y-category*	258
Total**	8,403

Yet at the end of 1978, after all the 1978 releases had been completed, KOPKAMTIB's figures were as follows:

B-category	9,739
A-category	1,391
X-category***	758
Y-category	258

The total number of B-category tapols due for release this year should be higher than last year's final B-category total for the following reasons. The number now given for the A-category has fallen by 864 and according to KOPKAM-

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* Y-category consists of prisoners who have been recently arrested, and not yet classified.

** There is an unexplained discrepancy of 100 between the September + November + December total and the total of the figures given for the three categories.

*** X-category prisoners are those who were arrested shortly after the 1965 coup, and who still await classification.

STUDENTS: UP TO 9-YEAR SENTENCES DEMANDED

Sentences ranging from four to nine years have been demanded by the prosecution in the student trials taking place in Bandung and Jakarta. 36 student leaders are on trial in seven cities for "insulting the President" when they criticised corruption and economic policies and urged President Suharto not to seek re-election in 1978.

A sentence of 9 years has been demanded for Herry Akhmadi, Chairman of the Bandung Institute of Technology Student Council which authorised publication of the White Book. Other sentence demands are: Iskadir Chotib, 8 years; Drs A. R. Noor, 7 years; A. Tarsono, 6 years, Lala Mustafa, 5½ years; Rosmel Jalil, 5 years; and Indratjahaya Kadi, 4 years.

For more details please turn to pages 6-9.

TIB, all A-category tapols (those awaiting trial) who cannot after all be tried will be re-classified as Bs. And what has happened to the X-category, those who, we were previously told, were awaiting classification? All last year's X-category prisoners should surely now be swelling the ranks of the Bs (or the As?).

For KOPKAMTIB to keep its promise to release all untried prisoners by the end of this year, it should release the following:

Last year's B-category total	9,739
Reclassified As	864
Xs and Ys	1,016
Total	11,619

The official figures are further confused by the fact that KOPKAMTIB's total of 8,303 (or 8,403) to be released this year **includes** the A-category tapols who are supposed to be the ones still awaiting trial. Are we to assume that no further trials will take place? This is not what General Yoga Sugama, KOPKAMTIB's Chief-of-Staff told the press at the release ceremony of 144 tapols in Pontianak, West Kalimantan on 27 April, namely that "all A-category prisoners' cases would be settled through the courts" (*Kompas*, 28 April, 1979) though he did add, neatly contradicting himself, that "those whose cases could not be settled through the courts would be re-classified".

FEER: "Obfuscation on Numbers"

David Jenkins writes that "there is mounting concern that the country could have as many as 2,500 still in detention when the much-vaunted release programme winds up on December 31". (*Far Eastern Economic Review*, 18 May, 1979.) Recalling the remark made in 1972 by Indonesia's Attorney-General of the time, General Sugih Arto, that it is "impossible to say exactly how many political prisoners there are. It is a floating rate, like the Japanese yen vis-a-vis the dollar", Jenkins writes:

Today Indonesian officials seem to take the issue more seriously, if only because it has attracted so much outside criticism. But they seem no more able than the former attorney-general to say just how many detainees the government is holding. And obfuscation on the question of numbers is causing increasing concern to Western diplomats who monitor prisoner releases.

But the figure of 2,500 given by David Jenkins is correct only insofar as it summarises the inconsistencies of KOPKAMTIB's figures. If the 1979 figures are now clearly shown to be wrong, why accept that the end-1978 figures were accurate? In fact, the contradiction that has now become so apparent can only confirm the fears many observers have had for so long that it is impossible to trust any of the figures KOPKAMTIB has been using since it first announced the release plan three years ago.



A former army officer, Achmad Zein, in an emotional reunion with his family, at the release ceremony in West Kalimantan. General Yoga Sugama, KOPKAMTIB Chief-of-Staff, looks on, (*KOMPAS* 28 April 1979)

BURU AND SAVANA JAYA

7 DEAD, A THOUSAND FORCED SETTLERS

Seven tapols have died on Buru since last December. This was stated by KOPKAMTIB Chief-of-Staff, General Yoga Sugama, at a release ceremony in Pontianak, West Kalimantan, when he was giving overall figures for the number of tapols now in detention. AFP reports (28 April, 1979) that he refused to reveal the causes of these deaths. The number of tapols now on Buru is said to be 5,920.

The General expressed regrets that so few Buru Prisoners had opted to remain on the island. He said that 285 would be remaining, including "207 former detainees (who) are ready to be settled on the island" (*Indonesian Times*, 28 April, 1979).

The 207 clearly refers to the tapols who were joined by their families and have been forced to remain at the Savana Jaya unit (although formally released last November, see **TAPOL Bulletin** No. 33) because they are required to pay their own fares home. With each family consisting on an average of five persons, at least one thousand persons are involved.

A contact who has just spent six months in Indonesia, and had extensive opportunities to speak with released prisoners from Buru and elsewhere, writes:

"The 207 tapols who have supposedly become voluntary transmigrants are the ones who allowed their families to join them. They thought at the time that this would be the only chance they would ever have of being re-united with their families because it was being said that all the tapols would remain permanently on Buru. The men therefore signed statements that they were willing to remain there permanently with their families.

"When the wives arrived, they realised that they had been deceived. They were looked upon and treated like co-prisoners; they were not permitted to leave the camp and had to hand over any money they had. Then, at the end of 1977, they saw a large number of tapols being released who were allowed to return to Java, yet they

with their husbands were required to remain on the island.

"Under pressure from a women's demonstration, Attorney-General Ali Said conceded in a press conference on 13 December that the families in Savana Jaya want to return to Java. "We can't prevent them, for they are homesick." But, he added, it was awful to think of the money that would be lost if all the tapols left; all the investments made would be wasted. The authorities had therefore decided that consent would only be given for the families to return home if they paid their own fares.

"This requirement has not been imposed on other tapols. It means that the families have not been able to leave for financial reasons."

From another source it has been learnt that the Savana Jaya families are destitute. Just before their release, when they thought that they would be going home, they sold their household goods. So, when they were told they would not be going home, they had nothing at all and would have to wait for another harvest before they could re-equip themselves with anything.

Life Sentence

The Bali District Court passed life sentence on **Pujo Prasetyo** on 9 April, 1979. The defendant who was described as a "PKI cadre" was found guilty of subversion and of having "actively helped to overthrow the lawful Indonesian Government through the G30S".

The prosecution claimed that Pujo Prasetyo had attended a PKI cadre course from May to September, 1965 and when he returned to Bali, had passed on information about the "Council of Generals". He was accused furthermore of having made preparations with other PKI leaders in Bali to "welcome the G30S. . . including mobilising troops to take over important installations".

No report has been received about the defence or about whether the convicted man would appeal against sentence.



Solo, Central Java, 18th December 1978: A family which had come to meet a Buru tapol who did not turn up.

AT LEAST 1,000 TAPOLS IN KALIMANTAN CAMPS

A recent report in the Indonesian newspaper, *Kompas* (28 April 1979) has revealed that a considerable number of 'released' prisoners are being moved to Kalimantan 're-settlement camps' which are **exclusively** for ex-tapols. Some 435 former tapols are reported to have been moved to camps at Amborawang, Berau (East Kalimantan), Buntok and Jilitan (South Central Kalimantan). Again reports from isolated West Kalimantan indicate that another 200 have been settled in a camp at Ketapang; add to this another 355 who were expected to settle at Pararapak camp and 150 in Danau Jutuh (*Tempo*, 23 December 1978) in the South Barito region, and the figure is at least 1,000. *

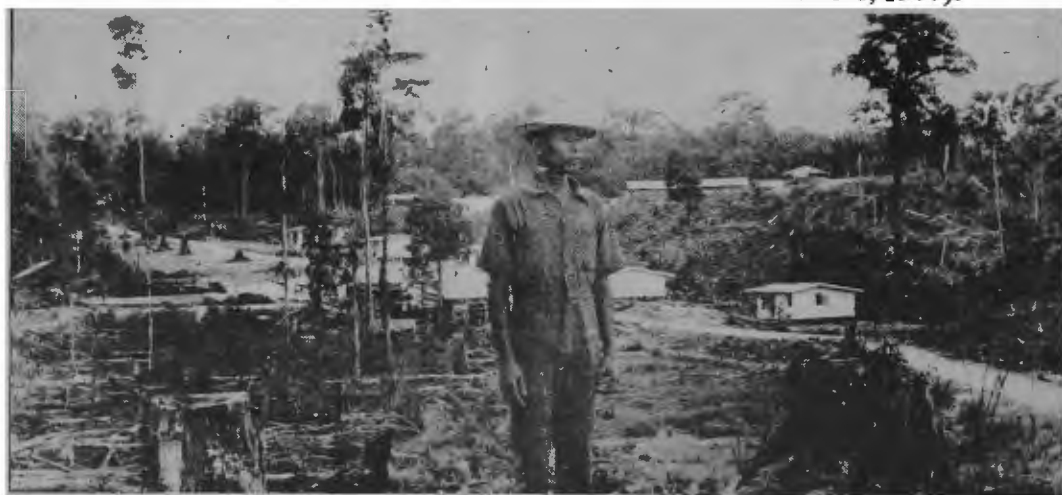
The government has made several assertions that the prisoners have gone voluntarily to these camps. However there are a number of disquieting aspects of these transfers which have been raised by a number of press reports in the last two years, and perhaps most disturbing of all is the apparent connection of some of the unsavoury aspects of these "free" settlements with companies engaged in timber exploitation in the area, usually foreign-owned companies, with minority holdings by Indonesian interests. Kalimantan, formerly known as Borneo, has proved a rich source of revenue to these concerns. The island is sparsely populated and undeveloped, and local officials and company personnel operate to a large extent free of central government control. Timber operations in the interior of the island have forced many of the original inhabitants, the Dayaks, away from their traditional lands, and into shanty towns, while company operations have considerably disturbed the ecological balance of the island (see "Weyerhaeuser in Indonesia", *Pacific Research*, XI No. 1, November-December 1977).

At least two of the resettlement camps, Amborawang and Pararapak are conveniently situated within the boundaries of concessions owned by the companies *Inhutani* and *Barito Baru* respectively. This fact alone raises the proba-

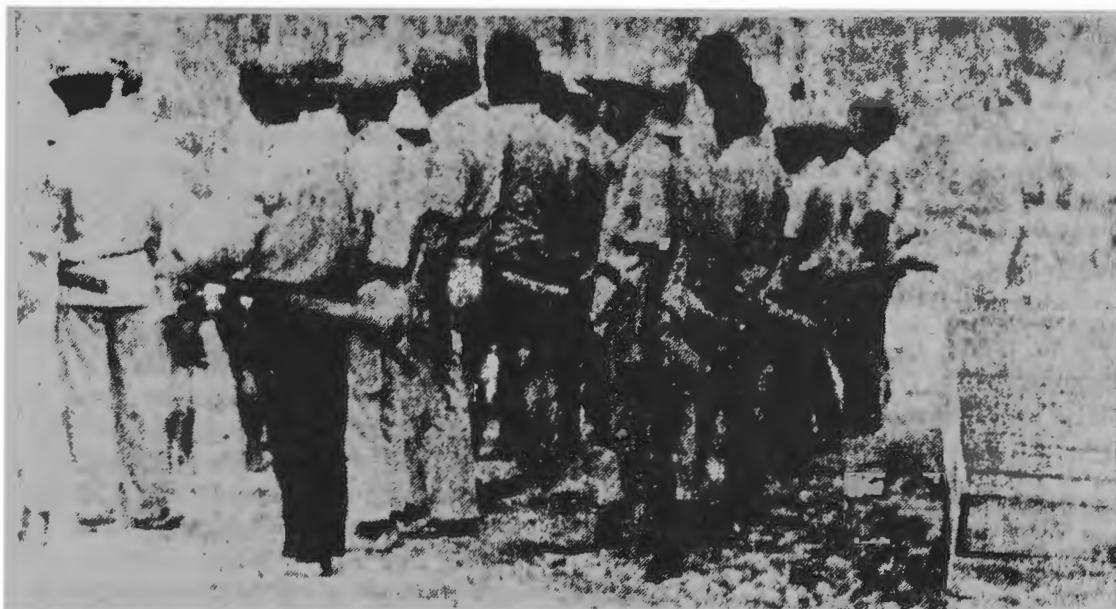
bility of "settlers" in these camps being used as labour for the companies, as it seems unlikely that the companies would add to their expenses by importing more labour to these remote areas, and providing them with housing, when a captive labour force (in the true sense of the word) already exists. The Amborawang complex was built under military supervision by forced prisoner labour some months before the 1977 'releases' occurred, and it is clearly intended to assist forestry operations. Evidence from a variety of reports indicates that the government used the prisoners to clear virgin forest, to provide infrastructure, to grow vegetables and to provide labour for these projects. Again, a letter sent to TAPOL from Kalimantan (see *TAPOL Bulletin* No. 24, October 1977) states that the inhabitants of Amborawang were being used as labour for local military authorities who had concluded deals to supply timber sleepers to the state railway company (PKNA) and also with a Taiwanese timber company.

A *Kompas* report (30 November 1977) indicates that the attitudes of local authorities are unequivocal in seeing the 'former' prisoners as a resource to be exploited for their local development projects, which in many cases support the timber operations, so that their development contribution to the area and its inhabitants is questionable. The military commander of East Kalimantan has fulsomely described the Amborawang project as "a beach-head for regional development". David Jenkins of the *Far Eastern Economic Review* (28 October, 1977) reports that it is hoped that the settlement will eventually support 5,000 to 6,000 people, giving some idea of the extent to which the authorities intend to use ex-tapols in development plans. The Pararapak camp has been described as the 'launching pad for the South Barito regional development'. The Bupati of this region has expressed his hope that the imported former tapols will contribute by supplying the towns with fresh vegetables, as it is well known that Kalimantan towns are considered the most expensive in Indonesia, owing to a heavy reliance on imported foods (*Sinar Harapan*, 21 September, 1977).

* Allowance must be made for possible overlapping of figures as 'Buntok' and 'Pararapak' may be referring to the same camp.



A tapol named Wongso photographed against the background of the site of the Amborawang camp. Jungle clearance for prisoners' homes was carried out by 350 tapols. (*Kompas*, 30 November 1978)



Tapols at the 'Pancasila Village' camp, near Buntok, South Barito, receiving orders for the day's work at the morning roll-call. (*Sinar Harapan*, 21 or 22 September 1977)

Several measures have been taken by the government to ensure that the projects will succeed. First of all a commitment to go to the camps is required. Some of the prisoners were moved to the camps before they were 'released', and having spent a lot of labour in the projects, they no doubt felt some incentive to stay. The outside world for many tapols, many of whom are ethnic Chinese, has not been particularly welcoming, as many remember the serious racial tensions of the 1960s. In West Kalimantan, the government has manipulated the situation by urging the local Dyak population to occupy land formerly held by Chinese prisoners, a move which would have the dual advantage of defusing the complaints of Dyaks, whose way of life has been disrupted by timber operations, and giving the former tapols little choice of livelihood after their 'release'. The questionable design of the resettlement programme is underscored by a *Kompas* report (20 June 1977) which observes that only young and fit prisoners are selected for the Buntok camp. They may not be joined by their families until the camp can support them. The same condition is made for the 355 settlers at the Pararapak camp, while the elderly and sick are sent back to their home villages to be supported by their relatives—if they are lucky enough to have any. At least some international observers have not been deceived about the real nature of these camps. The International Labour Organisation notes in its **Report of the Committee of Experts on the Application of Conventions and Recommendations** (1979, p. 82) that the Indonesian government has been asked in 1978 to supply "copies of the rules governing participation in resettlement schemes, including more particularly the conditions under which persons taking part in resettlement projects may terminate such participation" (our emphasis—Ed.) The report states that the Indonesian government asserted to the Conference Committee in 1978 that the "release of detainees was absolute and unconditional" (sic) but that it had failed to supply the information requested.

Finally, efforts are made to ensure that former tapols

will have the correct mentality for their hard working future. The Pararapak camp has become known as the "Pancasila Camp" because of its ideological efforts. Forty prisoners, the "pioneers" of Pararapak, underwent special training, and were only moved to embark on their pioneering activities after they had passed psycho-tests (*Kompas* 26 June 1977). The article described Pararapak as a "mini-Buru"! A further precaution in the area of ideological purity has been taken in at least the case of the Amborawang camp where settlers are isolated from the local population, who need special permits to enter the camp area (*Tempo* 24 December, 1977).

If development as defined by the government is realised, the government will receive a very high return for a low investment. *Kompas* (30 November 1977) reports for example that KOPKAMTIB allocated a mere Rp 34 million (US \$90,000) for the establishment of the Amborawang project. The money was expected to house 900 former tapols and their families (some 3,600 persons) and to cover their needs until the first harvest, eight months away. Obviously \$25 per head for this period is hopelessly inadequate.

All these developments over the last two years give some insight into the future fate of 'released' tapols. There is good reason to fear that in many ways their freedom will be severely curtailed, not only by the restraints of poverty, but by official plans to feed 'development' projects with a cheap, captive and compliant labour force. Timber as Indonesia's second most important export has made the needs of the timber companies a paramount concern in Kalimantan. Timber companies are known to grossly exploit their workers, and to resort to extreme measures of military intimidation against the expression of workers' grievances (see **TAPOL Bulletin** No. 32, February 1979). The companies have found that it is very effective to accuse recalcitrant workers of PKI links, a charge which has been amply proved to carry virtually unlimited punishment. The ex-tapols, working under close military supervision, are exceptionally vulnerable to this kind of threat.

INDICTMENT OF DODDY CHUSNIATI SURIADIREDA

The following summary of the Indictment of one of the student defendants, Doddy Ch. Suriadiredja, who was Vice-Chairman of the Student Council of the University of Indonesia (Jakarta), is published to give our readers an idea of the "crimes" with which the student leaders are being charged.

The First Charge

... that he showed "deliberate disrespect for the President or the Vice-President" (Article 134 of the Criminal Code/KUHP) and "disseminated, displayed or pasted up writings or photographs which are offensive to the President or the Vice-President with the intention of making these offensive things known to the public". (Article 137)

Primary

- * ... that he did deliberately insult the President ... by saying that the President had:
 - deviated from implementation of the 1945 Constitution and the Pancasila;
 - emasculated the Legislature;
 - belittled the status of the People's Consultative Congress (MPR) by merging its leadership with that of Parliament which resulted in placing the MPR on a level with the President and Parliament,
 - committed deception in the procedure of appointing members of Parliament and the Congress;
 - based his actions on personal interests and the interests of certain groups;
 - appointed regional leading officials without regard for the aspirations and opinions of people in the regions in question.

The full text of this was contained in the **Indonesian Students' Pledge (Ikrar)** and the Decision Resulting from the Meeting of Student Councils/Senates of Indonesia held in Bandung from 24-27 October, 1977.

- * ... that he received a mandate ... to represent the Student Council of the University of Indonesia to attend (the above) meeting ...
- * ... that he participated in the said meeting and made proposals as well as signed the products of the said meeting ...
- * ... that he undertook a series of actions ... (to) follow up the above activities, among others:
 - ... reported the results of the meeting to the person from whom he had received his mandate, namely Lukman Hakim (Chairman of the Student Council, UI);
 - ... was present at the Bogor Darmaga together with Lukman Hakim (*et al*) at which discussions were held about political, economic, social and cultural problems which, so it was said by the accused and his colleagues, represented the failures or unsuccessful measures of President Suharto during his period of office, as a result of which it was decided to hold a

meeting with President Suharto and press him to refrain from nominating himself as President ...

... attended a meeting ... at Kuningan on 5 and 6 January 1978, together with Student Councils/Senates from all parts of Indonesia (organisations listed) (which) gave birth to a Charter/Consequences which reads as follows:

That Indonesian students as one of the components inheriting the future of the nation and motherland remain forever consistent in facing all eventualities which may happen in this country.

... on 7 January, together with (Student Council/Senate representatives) visited the Parliament/MPR building or at the very least a public place or a place which could be attended by the public, to submit the *Ikrar* and Charter/Consequences to the Chairman of Parliament/MPR ...

- ... on 15 January 1978, had a meeting with members of the executive of the Student Council of the UI ... and drew up a document entitled, "Basis for the Student Struggle and Our Resolve" ... which was disseminated to students of the University and was also read out at a meeting of the Student Council and students of UI ...
- ... accused undertook these criminal acts knowing or being in a position to have known that these criminal actions would obstruct implementation of the government's programme ...

Subsidiary:

- * That he, personally and as Deputy-Chairman of the Student Council of the UI, both alone and together with colleagues ... disseminated writings containing insults of the President in order to ensure that the insulting contents would be known to or would be more widely known to the public ...
- ... and that he supplied news that was uncertain, exaggerated or incomplete whereas he understood or at the very least should have been able to realise that this news would or could arouse disturbances among the people ...

The Second Charge

- * ... that he ... "deliberately in public, verbally or in writing insulted one of the Supreme Councils of the State of Indonesia" (Article 207 of the Criminal Code/

KUHP), namely the Indonesian Parliament, in the following ways:

Primary:

- * ... that he discussed (with Lukman Hakin and others) a visit made by students (from Jogjakarta) to the Chief-of-Staff of KOPKAMTIB;
- * ... that he and his colleagues went ... to meet Farid Rasyid at the Bogor Institute of Agriculture Hostel to learn about (the above visit) ... and discussed various questions among others a Farewell Meeting of Members of Parliament ... and concluded that:
 - the Parliament elected in 1971 had been disbanded;
 - a vacuum now existed in the Indonesian Legislature;
 - it was therefore necessary to establish a Legislative Assembly. The accused and colleagues agreed, without having the right thereto, to set up a Provisional Parliament (but) did not ask the Leadership of the 1971 Parliament whether it was true that the 1971 Parliament had been disbanded. ...
- * ... the accused and colleagues drafted the September Proclamation of the Provisional Parliament, and drafted

an Agenda of Activities of the Provisional Parliament. ...

- * On 13 September, 1977, the accused and his colleagues, in front of the Parliament Building proclaimed ... the establishment of the Provisional Parliament in the presence of journalists ... and some security officers as well as one foreigner by reading out the September Proclamation and Agenda of Activities, which documents were then distributed to those present;
- * ... then held a press conference at which he and his colleagues said that the said Provisional Parliament had been set up to fill the vacuum ... because the 1971 Parliament had been disbanded and to avoid creating the impression that Indonesia was a totalitarian state ...
- * On 17 September ... in implementing the Agenda of Activities ... held a hearing/exchange of opinions with the chairman of the Legal Aid Bureau, Adnan Buyung Nasution, regarding basic human rights and the anti-subversion law.

Subsidiary:

- * ... that he did disseminate a writing containing insults of the Indonesian Parliament with the purpose of ensuring that this insult would be known or would be more widely known to the public. ...



Published in *Berita Pengadilan Mahasiswa* (Student Trials Bulletin) No.21, 1979.

THE STUDENTS ON TRIAL

Jakarta

Lukman Hakim Chairman of the Student Council of the University of Indonesia (Jakarta) 1977/78. He is a fifth-year student of the Faculty of Pharmacy. He urged the court to drop all the charges against his two comrades-in-arms, Doddy Ch. Suriadiredja and Ibrahim Kahir, Vice-Chairman of the Council, as he, the chairman, took full responsibility for the actions of the Council. An English translation of his *excepsi* is published in **US TAPOL Bulletin**, Vol. 18/19, April/May 1979.

Doddy Chusniati Suriadiredja Vice-Chairman of the Student Council of the University of Indonesia. He is a fifth-year student of the Faculty of Medicine.

An outline of the prosecutor's indictment is given on page
Ibrahim Zakir Vice-Chairman of the Student Council of the University of Indonesia. He is a fifth-year student of political science at the Faculty of Social Science. He fell ill just prior to the trial.

Hudori Hamid Chairman of the Student Council of the Institute of Paedagogy, Jakarta.

Haryono S. Jusuf General Secretary of the Student Council of the State Islamic University. He represented the Council at the meeting of Student Councils and Senates in Bandung, 25-27 October, 1977.

Nizar Dahlan In court, he withdrew everything he had said during preliminary interrogations as these had taken place under threat, and to the accompaniment of beatings.

Nazmi Ali Imran He is co-defendant with Nizar Dahlan. He too insisted on withdrawing statements made during pre-trial interrogations as these had been made under duress and to the accompaniment of beatings.

Rosmel Jalil Together with his co-defendant (see below), he told the court of torture inflicted during pre-trial interrogations and asked that the man responsible, by the name of Mangunsong, be summoned to court to answer for this treatment. His defence lawyers asked for top members of government to appear as witnesses, including President Suharto, Vice-President Adam Malik (who had told student delegates that their actions were "proper"), Admiral Sudomo, Daryotmo, chairman of Parliament and others. This request was rejected by the court.

Indratjahaya Kadi A co-defendant with Rosmen Jalil.

Bandung

Heri Akhmadi As Chairman of the Student Council of the Bandung Institute of Technology (BIT), he signed the White Book of the Student Movement, published as a statement of the BIT Student Council. The White Book was immediately banned, and the arrest of student leaders quickly followed. An English translation of his *excepsi* is published in full in **US TAPOL Bulletin**, Vol. 18/19, April/May, 1979.

Josef Manurung, Abdul Rochim, Rizal Ramli and Irzadi Mirwan, four BIT students who were appointed by the BIT

Student Council to draft the White Book. Irzadi Mirwan is in detention because he went into hiding in late 1978 instead of responding to a summons from the authorities, saying he would only give himself up if he could be assured that a trial would take place. He did so after the first Bandung trial commenced, and was placed into custody in Sukamiskin Prison, a prison for convicted criminals.

Ramles Manampung Silalahi Chairman of the Information Department of the BIT Student Council. He organised the meeting in Bandung of Student Councils and Senates in late October 1977, and was elected chairman of the Implementation Committee set up to follow through the meeting's decisions.

Iskadir Chotib Chairman of the Student Council of Pajajaran State University, Bandung. His child died during the early days of the trial.

A. Tarsono Chairman of the Student Council of the Nusantara Islamic University, Bandung.

Teuku Iskandar Member and General Assistant of the Student Council of the National Academy of Technology, Bandung.

Lala Mustafa Chairman of the Student Council of the Islamic University of Bandung.

Sukmaji Indro Tjahyono Chairman of the Caretaker Presidium of the BIT Student Council in 1977. His *excepsi*, delivered at the beginning of the trial, was published in **TAPOL Bulletin** No. 33, April 1979.

Iwan Mucipto Chairman of the Student Council of Parahiyangan University, Bandung.

Mohamad Iqbal Member of the Caretaker Presidium of the BIT Student Council. He has testified as a witness in several other cases, although no reports have yet been received about his own trial. He was listed as a defendant in the first list received by TAPOL. He is being held in custody for the same reason as Irzadi Mirwan (see above).

Al Hilal Also a member of the Caretaker Presidium of the BIT Student Council, 1977. He is a student of the Petroleum Technology Faculty of BIT. He is said to have been responsible for arranging the meeting-place and other facilities for the October 1977 meeting of Student Councils and Senates in Bandung. He is being held in custody for the same reason as Irzadi Mirwan (see above).

Drs. A. H. Noor He was Chairman of the Student Council of the Institute of Paedagogy from 1975 to 1977. Already graduated, he is on trial for having been moderator on the first day of the October 1977 Meeting of Student Councils and Senates in Bandung, when outside panelists spoke, including General Nasution.

Surabaya, East Java

Mohamad Sholeh General Secretary of the Student Council of the Surabaya Institute of Technology. He is also in custody.

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DEFENCE PROTESTS TO SUPREME COURT

Adnan Buyung Nasution and Hotma Sitompoel, the Chairman and Secretary of the Central Co-ordinators' Team for the Defence of Indonesian Students, have protested strongly to the Chairman of the Supreme Court against abuse of the fundamental rights of student defendants facing trial in all parts of Indonesia and particularly at the Bandung District Court. The protest which was dated 25 April deals with the following points:

1. Defendants were not given the chance to query things they did not understand in the indictment, or, if given the chance, the Prosecution did not reply or the judge interrupted the defendant.

This is in contravention of Law No. 14, 1970 which protects basic human rights within the courts in conformity with the spirit of the 1945 (Indonesian) Constitution, and also violates Articles 268 and 272 of the Revised Procedural Code (HIR).

2. The *excepsi*¹ of the defence lawyers and the defendants were left virtually unanswered by the Prosecutor. Even before the *excepsi* had been read out, the Prosecutor was ready with his written reply, turning the whole thing into a farce. Or, the defence was not allowed to reply to the Prosecutor's response.

3a. One defendant, Heri Achmadi, was not given the opportunity to explain the substance of the case properly and to deal with the reasoning and evidence contained in the indictment because he was only permitted to answer "Yes" or "No". Any explanations were always interrupted by the Court or the Prosecutor. This restricted the right of the defendant to offer evidence in his own defence, in violation of Articles 287 and 289 of the Revised Procedural Code regarding the duty of the Court to examine the defendant.

3b. Evidence presented by the Prosecutor was in conflict with provisions of the law. For instance, the interrogation of a witness was drawn up by the LAKSUSDA (regional military officer) who has no standing as a "help-magistrate" in the meaning of the law, and the witness did not appear in court. Such evidence was accepted by the Court despite objections from the defence. Furthermore, personal state-

ments by officials of the Governor's office and the Police Force were accepted by the Court as evidence whereas the defendant and his lawyers were not given the opportunity to submit evidence.

3c. Defence witnesses and expert witnesses requested by the defence were categorically rejected by the Court without convincing reasons, thus reducing, restricting and even eliminating the right of the defendant to defend himself in an appropriate manner.

3d. The defendant and his lawyers were not given the opportunity to object to these abuses.

3e. The defendant, Heri Achmadi, was not examined. The Court first examined the prosecution witnesses and when the Prosecution had no further witnesses to call and the defence and expert witnesses had been rejected, the hearing was immediately adjourned to hear the Prosecutor's final statement and demand (*requisitoir*). Although the defendant had not been questioned and was not given the final word, the hearing was simply adjourned without hearing the objections of the defendant and his lawyers. **How can the Prosecutor possibly make his demands (*requisitoir*) without first examining the defendant?** (Their emphasis)

4. The press was prohibited from or restricted in its reporting of the hearings on instructions from the Executive, which is an act of interference from the Executive. The courts were guarded and the public was prohibited from attending except with permits from the "security" section. This is in contravention of the principle of the independence of the courts, the prohibition against interference from the Executive and the public nature of trials.

Finally, the two signatories stated that they would be submitting a more detailed list of violations perpetrated during the student trials.

1. *excepsi*: a statement submitted by the Defence after the indictment has been read out. It gives the Defence the opportunity to challenge the legality of the indictment, the court and other aspects of the trial.



Mohamad Sholeh, Surabaya student defendant, enters the court-room, with Army officers on each side. (*Merdeka*, 1st February 1979)

I Is a political prisoner who has been released by the Government truly free in the formal juridical meaning of the word?

At the time of their release each political prisoner who is accused of being involved in the Movement of 30th September 1965 (hence forth referred to as **tapols**) receives from the Government:

1. an order for change of his status or detention;
2. a certificate of release,
3. a pledge which must be recited and signed.

If we examine the order carefully, it can be seen that the words "free", "released" or "release" are not to be found, only the words 1) "**change of status of detention of the detainees of G30S/PKI from full detention to return to society**" 2) "**implements the change of status of detention from full detention to return to society**" 3) "**he is obliged to present himself for examination if necessary.** (Emphasis by the writer.)

Therefore according to the order for tapols who have been "released" they have **the status of being returned to society**, not of being free in the formal juridical meaning of the word. The Government and officials generally talk about release and almost always write about "return to society", Tapols and former tapols always talk about release and never talk about "return to society". Foreign radio broadcasts always talk about release and never about return to society. But in practice the Government and its officials do not treat former tapols as people who are free. The proof: at the time of "release", tapols receive the following instructions from officials:

1. If a former tapol wants to go outside his region he must first obtain a travel permit from the Kodim (the military authority); after arriving at his destination, he must report to the Kodim of the region of his destination.
2. If a former tapol wants to move to another region, he must first request a removal permit from the Kodim (Kodam) of the region where he resides. In addition, he must produce a certificate from the person who will receive him in the region where he will reside. Once he has settled in the new area, he must report to the local Kodim (Kodam).

Besides this, there is the following regulation. Every member of the population has to have an identity card. Identity cards for former tapols are given a code such as ET* or some other code. This means that a distinction is made between former tapols and other members of the population. This kind of discrimination was practised against the Jews in Germany during the Hitler regime.

It should be added that sometimes former tapols are summoned by the military authority to be given certain instructions such as:

1. not to write books or write in newspapers and magazines;
2. not to speak in public;
3. not to join a mass or political organisation;
4. not to go abroad;

*ET stands for eks-tapol (ex-political prisoner).

THE FATE OF A TAPOL

*During a visit to Jakarta in May by U...
an ex-tapol sent him a letter draw...
"released" political prisoners. The...
attachments which we publish below...
newspaper Trouw on 26 May, 1979.*

THE RELEASE OATH

(All tapols must take this oath before release.)

Operational Command for the Restoration of Security and Order

Province of Central Java and Special District of Jogjakarta. Provincial Interrogation Team

Declaration of Oath

With this I:

Name
Rank/Number
Last employment/function
Religion
Last Address

I declare an oath as follows:

—I swear by Allah:

1. I shall not engage in activities for the dissemination/advancement of the views or teachings of Communism/Marxism-Leninism in all its forms and manifestations.
2. I shall not carry out activities in any form whatever which can create disturbances against security and order as well as political stability.
3. I shall not engage in treason against the people and state of the Republic of Indonesia which is founded on Pancasila and the 1945 Constitution.
4. I am at all times prepared to be called by Authority to be asked for information, and prepared to be a witness in trials when needed.
5. I wholeheartedly accept all actions taken against myself which have been carried out by KOPKAMTIB in the framework of the policy of the Government of the Republic of Indonesia in the field of ensuring security and order as a result of the rebellion/treachery of G30S/PKI and will not prosecute or make claims against the Government of the Republic of Indonesia.
6. As a citizen of the state of Indonesia I shall wholeheartedly serve the Homeland and obey all the regulations and stipulations of the laws in force and will not allow myself to be used by G30S/PKI and/or subversion.

This is the oath/promise which I state wholeheartedly and free from any form of duress before the authorities as the Representative of the Republic of Indonesia and I am responsible for all the consequences of any breach of this oath/promise.

TAPOL possesses originals of both these and other

TAPOL AFTER "RELEASE"

arta in May
in a letter
prisoners
we publish
26 May, 1979

JN Secretary-General, Dr Waldheim,
ing his attention to the plight of
letter together with a number of
was published in full in the Dutch

5. not to give true information to foreign visitors even though those visitors have received permission from the Government to talk freely with former tapols.

From the practices described above it may be concluded that the status of being returned to society is not equivalent to the status of being free in the formal juridical meaning of the word. Rather it is equivalent to the status of being under town arrest and the words "change of status of detention from full arrest to being returned to society" mean "change of status of detention from full arrest to town arrest".

Nobody, including the Government, knows when the practices described above, which in reality define the status of being returned to society, will end.

II Because of the Government policy towards tapols several former tapols will be forced into a life of vagrancy.

At the time of their arrest, many tapols experienced the following fate.

1. Their families were evicted from their homes which were then occupied by a Government official.
2. Their houses, household effects, land, cars, motorcycles, as well as their businesses were taken over by officials.

ORDER FOR CHANGE OF STATUS OF DETENTION

The operative section of this Order reads as follows:

The Chief Executive Officer of the Operational Command for the Restoration of Security and Order of the Region,

... ORDERS:

The chief of General Affairs of the Regional Interrogation Team or the Officer charged.

1. On (date) to change the status of detention of G30S/PKI prisoner:
Name :
Age :
No./Category :
Occupation :
Address :
from full prisoner to returned to society.
2. To oblige him/her to obey the decisions contained in the Oath/Promise already taken and witnessed by a Government official.
3. He/she is obliged to appear for the purposes of interrogation if required.

originals of the, as well as other release documents.

SUDOMO...

...on Special Treatment for G30S/PKI Tapols

"I don't want this prisoner problem to drag on, except for the G30S/PKI prisoners. Apart from the G30S/PKI prisoners, all cases are handed over to the Attorney-General. These are my instructions and everything is now with the Attorney-General who must decide."

After saying that guarantors were required for Moslem prisoners to be allowed into house arrest before being tried, Sudomo said, again excepting the G30S/PKI prisoners, that no one was more interested in this than the authorities responsible for law and order. "Do you think it is nice having people detained?", he said. (Pelita, 23 April, 1979.)

...on Special Identity Cards for G30S/PKI Tapols

Sudomo explained that every former PKI prisoner is required to possess a special identity card in order to simplify supervision of them. These cards must also be registered and deposited with the local Koramil (military) authorities or police force. According to Sudomo, KOPKAMTIB had instructed every region long ago to have special identity cards for PKI prisoners who have been returned to society. (Suara Karya, 23 May, 1979.)

In themselves, these actions are against the law and for that reason the officials concerned should be arrested and brought to trial. But this has not happened. In fact the Government has attempted to legalise actions which violate the law. This has happened in the following way.

At the time of release, the authorities hand each tapol a document called a statement of pledge which has to be recited and signed. It contains among other statements, the following: "I wholeheartedly accept all actions taken against me by KOPKAMTIB as part of the policy of the Government of the Republic of Indonesia to restore security and order after the G30S/PKI rebellion and I will make no claim or charge against the Government of the Republic of Indonesia".

Only a small child could believe that a tapol would recite and sign the statement of pledge "wholeheartedly" and "voluntarily". Every tapol is convinced that in this matter the Government is misusing its authority, but they do not protest because they are afraid of the consequences. Whether these actions of the Government are legal or not is a problem of law.

In connection with the actions of the Government analysed above, after release problems such as the following arise for many tapols.

Firstly, after a tapol who has lost his home and goods is

"released", he is obliged to find accommodation. It is not possible for him to be taken in by the people who have accommodated his family because the burden on those people will be too heavy.

The Catholic and Protestant churches have given considerable help to former tapols: accommodation, money, capital, clothes, medicines, employment, advice and so on. Because they have already been accommodated for more than six months, many tapols are requested by the churches to find another place because their place will be used by a tapol who has just been released. Where will he go? Will he take shelter under a bridge with the vagrants?

Secondly, before and after "release" the Government and officials urged tapols to join with the Government in the development of the nation. Tapols have already proved that they want to work, can work, and are creative. This has been proved in the prisons and on Buru. On Buru they transformed the jungle into farmland and in the prisons they made carvings, violins, guitars and other art objects.

What the officials and the Government offer with the right hand is taken away with the left. The Government has announced that former tapols are not permitted to join the armed forces or work for vital industries. In practice, every door to ministries, department, government offices, state corporations and state institutions is closed to them. This practice is imitated by private companies and agencies because they are afraid not to imitate it. If a private company or agency dares to take on a tapol, it is asked by Government officials to account for itself or else facilities received from the Government become difficult to come by or are withdrawn.

All people who want to practice as a doctor or lawyer must be able to show a certificate of non-involvement in the Movement of 30th September 1965 in order to receive permission to open a practice. This door is also closed to former tapols. All doors are closed. There remains self-

employment—opening a stall for instance. For tapols who have lost all their assets this route is also closed. Are there any who have not lost their assets? They will have been used up by the family while the husband was in prison.

Conclusion

Because of the policy of the Government as explained above, in the end many former tapols face a life of oppression and are forced to find shelter under bridges and to seek work as their hungry stomach dictates.

If I raise the problem of the difficulties of former tapols in searching for a livelihood, this does not mean that I am asking the Government to give former tapols first priority in obtaining work and second and third priority to the millions of unemployed who are not tapols. What I am challenging is Government discrimination against former tapols.

III The right to vote and to stand in general elections

Every tapol and former tapol has lost the right to vote or stand in general elections. This applies even to those who, according to their interrogation record, were proved not to be members of the PKI or a mass organisation affiliated to the PKI and were not involved in the Movement of 30th September 1965.

IV Foreign Government and Agency assistance for tapols

Much foreign assistance from abroad is earmarked specifically for tapols, but it has not yet reached tapols and former tapols except for assistance channelled through the Catholic and Protestant churches. Where did this flow become blocked and who is responsible for the blockage?

These are the principal difficulties faced by former tapols every day which must be solved as quickly as possible.

GUARD AGAINST INFANT SUBVERSIVES!

Recently, **TAPOL Bulletin** (No. 33) drew attention to the assertion of the KOPKAMTIB Commander-in-Chief, Admiral Sudomo, that certificates of non-involvement in the 1965 coup (*surat bebas*) have been abolished, the catch being that they are only abolished for those who were under twelve years old at the time of the 1965 coup. His assertion seems to have been ignored by the Maritime Academy, which, in a recent advertisement for cadets (**Kompas**, 2 April, 1979), seems determined to carry Sudomo's caution to even more ridiculous lengths. Apart from the more usual requirements of applicants, including a good character reference from the police, the advertisement requires both that the applicants are under 22 years of age on 1 July, 1979 and that they have a *surat bebas*. In other words, a person who was eight years old at the time of the coup is still open to suspicion of involvement, and must therefore carry an

official document which clears the suspicion.

This contradiction of Sudomo's statement has been noted in a letter to the Editor of **Kompas** (4 April, 1979), but a reply from Rasyid R. R., from the Directorate-General of Sea Communications, Maritime Academy (**Kompas**, 19 April) proved unenlightening: he merely asserted that immigration authorities require the *surat bebas*, and therefore sea-going cadets must have the certificate in order to get their sea-men's passports. The real issue of Sudomo's credibility was ignored.

Postscript: TAPOL has been informed recently that private enterprises which are recruiting university students also require the *surat bebas*. One foreign oil exploration company demanded the certificate from applicants undergoing a one-month training course, and an Indonesian electronics assembly plant also had the same requirement, despite the fact that student applicants would be in their early twenties.

STUDENTS DEFY 'NORMALISATION'

'Normalisation', a government euphemism for its ad hoc and crude attempts to subdue the student movement without direct military intervention, continues to meet with determined and principled student opposition.

Students at the University of Indonesia (UI) and the Bandung Institute of Technology (BIT) have re-established their student councils, denouncing the 'normalisation'-imposed "Co-ordinating Bodies", as substituting a "culture of spying" for student democracy (*Tempo*, 12 May 1979).

The Rectors of the campuses, who, as reported in *TAPOL Bulletin* No. 32 (February 1979), have been under strong government pressure to enforce 'normalisation', seem to be vacillating in their responses to student stands, and have been unwilling to make statements on the issues involved (*Tempo*, 12 May, 1979). However early in May (*Tempo*, May 12, 1979) the Rector of UI attempted to defuse campus tensions by donating Rp 150,000 towards a student function, but his action backfired when students at the well-attended function defied the Rector's ban on speeches and statements: they publicly criticised 'normalisation' and called for a return to the 1976 Constitution of the UI Students' Council. In addition, the 'persona-non-grata' poet, Rendra appeared at the function to read his poetry. Immediately afterwards, the Rector suspended two of the organisers, Indra Budenani (until the end of the year, thus missing his final examinations) and Tito Sulistio (until the end of July). In Bandung, Aussie Gautama and Wismu Hendradjit, Chairperson and Secretary respectively of the newly and defiantly formed Students' Council, have been suspended for the 1978-9 academic year. (*Kompas*, 31 May, 1979).

The inability of the 'normalisation' apparatus to deal with the well-planned and essentially moderate student defiance has been underscored with the replacement of the BIT Rectorium with a "Provisional Acting Rector", Dr Doddy Achdiat Tisnaamidjaja, Director-General for Higher Education at the Ministry of Education and Culture, which means that the "troublesome" Institute is now placed **directly** under the control of the Ministry. The Secretary of the BIT Senate greeted the announcement of this appointment with some misgiving, saying that he felt "anxiety and uncertainty" (*Kompas*, 31 May 1979) as the nature of the new leadership indicates the "abnormality" of BIT as an educational institute. He called upon the government to appoint a Rector in conformity with normal practice as soon as possible. The outgoing Chairman of the BIT Rectorium admitted that he had failed to persuade the students to accept 'normalisation', saying, "I hope Pak Doddy can do it". About 100 students welcomed the new Rector with a condolence wreath, posters and a memorandum, urging the BIT leadership to recognise the students' desire for democracy on the campus.

Undaunted by the authorities, representatives from all the major student councils in Jakarta belonging to BKKPT

(Co-ordination Body for Higher Education Activities in Jakarta) met for a seminar entitled, **The Form and Function of Student Institutions** on 21-23 May, 1979, and agreed upon the following:

- * the application of 'normalisation' is inappropriate to, and does not conform with student aspirations.
- * 'Normalisation' contains contradictions in that it fails to take into account the differing conditions from one campus to another, and has led to anxiety on the campuses.
- * 'normalisation' conflicts with various MPR decisions.
- * university staff are showing a tendency to interfere with student activities as a result of pressure by the authorities.
- * 'normalisation' is aimed at suppressing student creativity and activities. In denying autonomy to student bodies, there are indications that it will isolate students from the rest of society by undermining the students' concept of "service to society".
- * 'normalisation' is anti-educative.

Later, **Sinar Harapan** (28 May) reported that more than 30 students from BKSPMI (Co-ordinating Body for Student Justice), met with the DPR (parliament) Deputy Chairperson, Moh. Isnaeni. At the meeting they firmly rejected 'normalisation' saying that the policy conflicts with student aspirations, and that the campuses should be allowed to return to the principles expressed in student constitutions at university and faculty level. Protesting against the present student trials, they also stated that Student Councils and not individuals should be on trial as last year's student actions and statements which criticised the government were not merely the work of individuals, but were consistent with the opinions and deeds of the councils.



Student meeting on the University of Indonesia campus, 6 May 1979, at which 'normalisation' was rejected. (*Tempo*, 12 May 1979)

STATE DEPARTMENT CHALLENGED

The appearance of the 1979 US State Department Human Rights Report has once again confirmed the Carter administration's consistent refusal to acknowledge the extent of Indonesia's human rights violations, although substantial documentation of this is readily available.

Professor Benedict Anderson, a Cornell University Indonesia specialist, has taken issue with the report on many of its assertions (see **TAPOL (US) Bulletin** Vol. 18/19 April/May, 1979). A summary of some points in professor Anderson's article is given below as the US administration's attitudes on foreign policy issues have a profound effect on foreign policy formulations by other western governments. Further, the article gives important insights into the nature of both the Suharto and the Carter governments.

Torture

The State Department claims that "there is no evidence of systematic torture or police brutality", and also cites two cases where police officers have been either tried or sentenced for mistreatment of prisoners.

Anderson observes that there is substantial evidence that student and Moslem prisoners have been beaten and tortured. The student leader, Lukman Hakim, has stated that he and fellow students were "brutally interrogated, almost all students detained with us experienced beatings, electrical torture and isolation cells. For months we were confined with other criminals, whose cultural traditions—beatings and other violence—we did not fail to undergo". Further, the State Department falsely suggests that the issue of torture centres on the police and their detainees. This may be so in the case of (non-political) criminal prisoners, but **political** prisoners are under the control of the military, especially the notorious KOPKAMTIB (Command for the Restoration of Security and Order) which is under direct presidential control and has almost unlimited powers. Significantly, this Command receives no mention in the entire report.

Degrading Treatment

The State Department glosses over this issue by means of some remarkable understatements, for example by referring to instances of forced labour.

Anderson replies that Buru island alone has more than 10,000 political prisoners, most of whom have cleared jungle, built the camp and grown their own food in years of forced labour. In the last few months the Indonesian press has reported that more than 6,000 ex-detainees are being used as forced labour on state-owned plantations in North Sumatra.

Arbitrary Arrest or Imprisonment

The State Department seems to have accepted the estimate of the Indonesian government that it has only about 10,000

political detainees. The report does acknowledge however that "Up to 500,000 persons may have been initially detained... on suspicion of complicity in the attempted coup".

Anderson poses the question, "Can anyone give an example of a 500,000 person coup? "Furthermore, he asks why the State Department prefers the notoriously unreliable figures of the Indonesian government to those prepared by the rigorous methods of Amnesty International, which estimates in a report published in October 1978, that there are "almost certainly still more than 30,000" political detainees.

The State Department discusses, apparently naively, Indonesian efforts to re-integrate the former detainees into society.

Anderson calls attention to the fact that there is no mention in the report of the fact that the government has taken decisive measures to bar all ex-prisoners from employment in many fields, by means of demanding a "certificate of non-involvement in the 1965 coup" as a condition of employment. This of course is not available to ex-prisoners even though most have never been tried, let alone found guilty, of involvement.

The State Department presents the arrests of student and Moslem leaders in a most misleading way, saying that some had been "charged with acts of terrorism" and that "student detainees interviewed after their release indicated that they had been treated well in prison".

Anderson recalls that in fact the charges brought against the student leaders were extremely arbitrary. In February 1978, just before the Presidential elections, they were charged with 'subversion', but in November, 1978, the charges were changed to 'insulting the Head of State', presumably in response to international opinion. The change in charges affected 31* student leaders in no less than six different cities. As to **treatment in prison**, **Anderson** observes that those who were interviewed had most probably been released very shortly after arrest in February 1978, whereas the primary cause for concern should be those who still remain in detention.

* *

Professor Anderson's comments touch accurately on some important issues. More than that they raise the question of why the State Department has been wrong in such a range of its assertions when information outside of Indonesian Government material is so readily available. The reports on human rights in individual countries are supposed "to assist Members of Congress in considering legislation in these areas" and yet it seems that the legislators are being seriously misled. However if the report is merely aimed at assuaging the consciences of Congress members who are legislating in favour of aid to Indonesia, it is admirably performing its function.

* TAPOL now has information about the trials of 36 students.

PSYCHO-DECEPTION: ENQUIRY ENDS IN COVER-UP

A Commission of Enquiry set up by the Nijmegen Catholic University to investigate the role of Dutch psychologists in helping to devise the psycho-tests used on political prisoners by KOPKAMTIB has announced that it found no evidence of their involvement. In fact none other than Admiral Sudomo, KOPKAMTIB's Commander, had revealed earlier that help had been given by Dutch, American and British psychologists. (*The New York Times* 12 and 26 April, 1978). Following this, there were many protests in the Netherlands, particularly Nijmegen where the Catholic University has a joint project with Indonesian psychological institutes. The protests forced the University to set up a Commission of Enquiry.

But the Commission resulted in nothing more than a cover-up. This is clear from revelations by Jan Huurman, a student-member of the Commission, which have been made public in the Dutch press. From his remarks and from other information published in the *Haagse Pos*, it is clear that all Indonesian psychologists who have been assisted and advised by Nijmegen psychologists are actively involved in the Indonesian Army's Institute of Psychology. They include **Dr Faud Hassan**, ex-Dean of the Bandung Faculty of Psychology, who has titular military rank and who supervised the compilation of the questionnaire used on the tapols, **Mrs Saparinah Sadli** who worked on the list of questions after visiting Buru in 1971, **Drs Sudirgo Wibowo** who worked on item-analysis needed for the questionnaire, **Mrs Yusuf Nusjirwan** who undertook an investigation of attitudes of women tapols in Bukit Duri in 1966, **Drs R. Sumarto**, a psychologist also actively involved in preparing the test, who is now a brigadier-general in the Army, and **Professor Ma'rat** who, besides being Dean of the Bandung Faculty of Psychology since 1976, works for the Army's Psychology Institute in West Java.

Professor Monks who is in charge of the Nijmegen joint project is quoted as saying: "In fact, it is known that all (Indonesian) psychologists over the age of forty have taken part in formulating the tests for political prisoners. One can speak of a tradition of involvement in these tests. . ."

Jan Huurman has pointed out that the terms of reference of the Commission—"to discover whether Dutch psychologists helped to draw up the questionnaire and screen the prisoners"—were so narrowly-defined as to ensure a negative answer. Moreover, the Commission was required to confine its investigations solely to statements from Nijmegen psychologists involved in the project and to official documents of the project.

The test used as the basis for the KOPKAMTIB psycho-test was the **Edwards Personal Preference Schedule** devised by American psychologists which had been translated by Mrs Yusuf Nusjirwan. But adaptations were needed to make it usable in Indonesia. The item-analysis required for this adaptation was programmed through the Nijmegen University computer under the supervision of a Dutch industrial psychologist. Moreover, the fact that the work of

devising the psycho-test was undertaken by Drs Sumarto and Mrs Sadli both of whom have for long been advised and assisted by Nijmegen psychologists was completely ignored in the Commission's report.

Jan Huurman, who signed the report himself, stated publicly that he thought that since the Commission had failed to find evidence of involvement, the University's Council would decide that further investigations were needed. But the Council hastily called a press conference, announced the Commission's findings and declared that the matter was now closed. He then realised that his signature was being used to legitimise a cover-up and decided to disassociate himself from the report. He also warned that student representatives on the University Council would not allow the matter to rest.

Sources: Haagse Pos, March and 14 April 1979.

TAPOL campaigns for the release of Indonesian political prisoners and is a humanitarian organisation. It is not associated with any political groups, either in Indonesia or abroad, and is supported by individuals and organisations of many shades of opinion.

SUBSCRIPTION INCREASE

Although we have tried to avoid raising our subscription rate, new demands on our limited funds have given us no choice. In our last issue we noted that our work has expanded, including particularly two major research projects, one on East Timor and one on the G30S trials and rule of law. This issue of **TAPOL Bulletin** is 20 pages, and we predict that events in Indonesia will make it likely that we will continue to produce larger bulletins. Now we have postage and tax increases to add to our expenses.

The subscription rate is now:

One Year (six issues)

UK and Europe £4.50

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The new rate will operate from when existing subscriptions are due, or for any new subscribers. We regret having to make the increase, and apologise to our readers.

TAPOL is very dependent on donations from supporters, and we ask you once again to give what you can afford to enable us to continue our work without severe financial limitation.

Please send your donations, large or small, to:

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(see back page for advice on ways of making payments).

TAPOL TRIALS RESEARCH: PRELIMINARY FINDINGS

TAPOL has so far been able to collect data on the cases of 366 persons tried in connection with the 1965 coup, and it is intended that this material, together with the results of additional research, will be published as a report on the rule of law in Indonesia. The information so far obtained varies considerably from one case to another, and the 366 cases represent only 41% of the officially acknowledged number of trials—894 according to President Suharto in March 1978. However some trends have emerged from the material, and they raise some interesting questions.

Of the 366 cases, 58 (about 16%) received the death sentence, and another 58 were sentenced to life imprisonment. Another 65 (17.5%) were sentenced to 20 years' imprisonment. In other words nearly half (49.5%) of the cases received sentences of 20 years and over. Only 8 of all the cases known received sentences of less than ten years. 207 (56.6%) of the cases were tried in military courts, but not all of these cases were those of military personnel. Although ordinary military courts tried only military personnel, the use of the Extraordinary Military Tribunal (*Mahkamah Militer Luar Biasa—Mahmilub*) for the cases of prominent civilian as well as military figures has been a matter of special interest in the research so far. However, although there were a few civilians tried in military courts—to give some well known examples, Njono, Sudisman and Dr Subandrio—there have still been enough purely military trials to cast doubt on the government's assertion that the 30 September Movement was a PKI affair, and this doubt is compounded by the fact that the harshest sentences were given in military courts.

In December 1963 President Sukarno in a special Presidential Decree (no. 16/1963) announced the provisions for setting up the *Mahmilub*. The stated aim of the Decree was to speed up the "security" trials of people who "constitute a serious threat to the security of the People and State which is in a process of revolution to establish a socialist society of Indonesia". To our knowledge, this court was never actually set up or used by Sukarno. In view of the fact that the *Mahmilub* was later used after the 1965 military takeover, the immense powers vested in the President vis-a-vis the setting up and functioning of the court, are worthy of some attention:

- * The court is specifically a military court, and it is "entrusted the task of investigating and trying in the first and last instance special cases as decided by the President of the Republic of Indonesia" (Article 1—our emphasis)
- * The *Mahmilub* consists of a Presiding Judge, two or more member judges, a Prosecutor and a clerk, all of whom must be higher than middle-ranking officers in the armed forces. Article 3, paragraph 3 states, "The said officers shall be appointed by the President on the basis of a proposal of the Minister/Commander of the Force concerned" (our emphasis)
- * Allowance is made for the accused to be assisted by one

or more defence lawyers and/or advisors, but Article 4, paragraph 2 states;

"If the accused cannot submit a defence lawyer then the Presiding Judge shall appoint one or more assistants for him" (our emphasis).

- * The President also has the ultimate control over commitments in that this "shall be carried out by the Minister/Commander of the Force appointed by the President" (Article 5, paragraph 1).
- * The provisions for giving evidence are dubious, as can be seen in Article 5, paragraphs 4, 5 and 6;
 - "4. The presentation of evidence shall follow the laws of evidence which are in force for the Supreme court of Indonesia;
 - 5. The written evidence of witnesses, prepared under oath and read to the session of the Tribunal, shall be of the same value as oral evidence given under oath;
 - 6. It shall suffice if objects of evidence (exhibits) shall be certified by a declaration prepared on oath by a competent functionary, containing the type, number, place and time of the said exhibits."
- * Again the President has some control over the verdict through the Minister/Commander he appoints for the committal of the case, as Article 6, paragraphs 1, 2 and 3 demonstrate,
 - "1. Before being announced and implemented, the Decision of the Tribunal must first be submitted to the Minister/Commander of the Force who submitted the case upon which a verdict has been taken, in order to obtain approval for its implementation.
 - 2. If the Minister/Commander refuses to give approval, then the documents of the case together with his opinion or reasons for refusal will be sent to the Supreme Military Tribunal.
 - 3. The Supreme Military Tribunal shall sit promptly and give its verdict."
- * The Decree states that sentences other than the death sentence may not be appealed against, and that the President himself decides whether clemency should be given in the case of a death sentence;
 - "If a death sentence is passed the implementation can only be carried out after the President has taken a decision concerning the matter of clemency in the case concerned" (Article 7, paragraph 2).

After the coup of 1965, another Presidential decision, (No. 370/1965), signed by Sukarno, was issued in which the *Mahmilub* was pressed into the service of Suharto. The new decision no longer emphasised that the socialist revolution was to be protected, but denounced the events of some two months earlier, known as the "30 September Movement" (G30S). It recalled the enormous and arbitrary powers vested in the President, but since General Suharto, then still a Major-general, had been appointed as Operational Commander in charge of security, the Decision handed all

MOSLEM DETAINEES RELEASED

Professor Ismael Suny, Rector of Muhamadiyah University, Bung Tomo the well-known Moslem politician and Mahbub Djunaedi, a journalist and General Secretary of the PPP, the Moslem party, were released from detention on 9 April after spending exactly one year in detention.

Two months earlier, 22 Moslem activists who had been detained in connection with the "20 March 1978 event" were allowed home from prison as "external detainees". Other detainees are still being held in connection with the incident.

This 'event' relates to incidents which occurred at a hotel where members of the People's Consultative Assembly were staying on the occasion of the Session at which Suharto was re-elected President.

The three Moslem leaders had all been arrested in April 1978, shortly after this People's Consultative Assembly Session. Initially, reports *Tempo* (14 April, 1979) they were held on charges of subversion but later the grounds were altered to that of "instigating the students" in speeches which they had made at student meetings earlier in the year. They were released just in time to keep the length of their detention within the one-year maximum stipulated by the Anti-Subversion Act. They were all granted full release, although they may still be subjected to interrogation.

Mahbub Djunaedi has been in hospital suffering from high blood-pressure for most of the year. Professor Suny has written three manuscripts, one of which, his memoirs, is to be published soon. He also told journalists after his release that he would be returning to his university job after a short rest.

The remaining "20 March 1978 event" detainees (whom the government refers to as the "Koji" or "Jihad Command" detainees) can, according to Admiral Sudomo, be allowed home on condition that someone will stand

the *Mahmilub* powers over to him.

The *Mahmilub* in its most critical features is subject to the will of the President, or anyone appointed by him and this arbitrariness raises two important questions. First there are no criteria, apart from the will of the President, which determine who should be tried in the *Mahmilub*. There is no definite answer to the question of why some civilians and some members of the armed forces (and not others) were tried in the *Mahmilub*. At this stage we can only hypothesise that the cases tried in the *Mahmilub* were those which the President wishes to keep under his direct control. Secondly it is obvious that this court is outside any normal controls which ensure the impartiality of the judiciary. How can judges who are the direct appointees of a President dedicated to the vilification of the Communist Party, possibly decide impartially the cases of those who are accused of being involved in an allegedly Communist-inspired coup? This question makes even more terrible the fact that of known *Mahmilub* sentences, 75% have been the death sentence.

guarantor. This, he said, was in conformity with the joint decision announced by leading law-enforcement officers last November which permits persons to be remanded on bail pending trial.

The treatment of these detainees contrasts sharply with that of G30S/PKI detainees, for whom the provisions of the Anti-Subversion Act and other regulations simply do not apply. In fact, when explaining that the "koji" detainees could be allowed home pending trial, Sudomo explicitly excluded G30S/PKI detainees from such treatment. (See page 11).

15-Year Sentence

Amir Huta Fauzi, a Moslem detainee was tried by Sidoarjo District Court in January this year and was given a sentence of 15 years with deduction for time spent in detention. He was charged with subversion, undermining the State ideology and sabotaging the 1977 general elections. Other trials of Moslem detainees are reported to have been held in East Java, Central Java and North Sumatra and are believed to be connected with Moslem party campaigning during the 1977 elections.

continued from p. 8

Ismail Gazali A student at the Institute of Paedagogy, Malang, East Java. No details have been received about his trial. (Stop Press: He got 15 months.)

Harun al Rasyid Chairman of the Student Council of the Surabaya Institute of Technology. He is being held in custody during the trial.

Ujung Pandang

"A. D."¹ Chairman of the Institute of Paedagogy, Ujung Pandang, South Sulawesi.

Palambang, South Sumatra

Cholib bin Nangnur He is Chairman of the Student Council of the Sriwijaya University, Palembang.

Achmad Damiri First Deputy-Chairman of the Student Council of the Sriwijaya University.

Yoilas Rafli Fourth Deputy-Chairman of the Student Council of the Sriwijaya University.

Medan, North Sumatra

Drs. Irwan Bachrum, Yose Rizal Nasution, Fauzi Yusuf Hasibuan and Chatib Usman are included on the original list of defendants received by TAPOL. The only press report of a Medan trial states that the Chairman, the General Secretary and an ex-member of the Student Council of the University of North Sumatra are on trial, but names were not given.

Jogjakarta, Central Java

Maqdir Ismail He is identified only as a student at the Islamic University of Indonesia, in Jogjakarta. He arrived ten minutes late for the first hearing, having been delayed by one of his defence lawyers. Because of this, the judge ordered him to be placed into custody.

1. Newspapers are required to identify the defendants only by their initials. The list TAPOL has received has enabled us to identify most of the students, but we have been unable to identify this person.

IGGI AID: BEHIND THE MASK OF DEVELOPMENT

Indonesia's third Five Year Development Plan, **Repelita III**, was ushered in on 1 April, only a few days before the IGGI (Intergovernmental Group on Indonesia) consortium pledged its support of the Plan with immense financial backing. At the annual IGGI meeting in Amsterdam on 3-5 April this year, the group, which includes Britain, promised "supplemental development" aid of US\$2.77 billion for 1979-80 (42.4% of Indonesia's development budget), of which \$1.9 billion is to be on 'soft' terms, and the rest at commercial borrowing rates.

The meeting's press communique revealed little of the daunting economic and social problems in Indonesia, beyond of course the questions which might be asked about the sheer magnitude of the loan and its apparently generous terms. The Indonesian delegation discussed the Plan in optimistic terms, stating that its aim is to "raise the standard of living of the Indonesian people" with objectives of "equity, growth and stability in that order". Although the communique suggests that the IGGI countries are completely oblivious to Indonesia's serious economic and political issues, a confidential World Bank report distributed at the meeting did in fact discuss some of these issues, but it formulated an economic policy which makes the stated aims of **Repelita III** impossible to achieve, and in fact goes hand-in-hand with the political repression for which Suharto's Indonesia is well known.

The Political Economy of Repression

Oil

The oil industry can no longer be relied upon to mask the vast problems of economic stagnation, which until now have been partially hidden from superficial international scrutiny behind impressive GNP figures, prestigious buildings and a few ambitious industrial and infrastructural projects. Overexploitation of oil in the past has led to a situation where the Indonesian production of 1.6 million barrels a day (accounting for nearly 67% of foreign exchange earnings) is offset by imports of nearly 350,000 barrels per day of crude oil from the Middle East for a domestic consumption where oil accounts for 90% of com-

mercial energy consumption. With a current decline in production and exploration, and an estimated reserve of only 13 billion barrels, Indonesia could well become a net importer of oil by the late 1980s.

At the height of the oil boom earlier this decade, oil revenues were not used to strengthen the agricultural sector, nor to stimulate any broad-based development, which might have alleviated present problems. On the contrary, the 'oil General' Ibnu Sutowo, ran **Pertamina** the state oil company, into a debt of US\$10.5 billion. Ironically, Indonesia must now increase its oil production over the next five years in order to buy the time for a diversification of energy resources. Yet the current president-director of **Pertamina**, Piet Haryono has just said that **Pertamina** will need US\$17.6 billion over the next five years just to maintain present production levels. Already Indonesia has a staggering external debt of US\$19.5 billion with a debt servicing ratio near the "danger" level of 20%.

The domestic repercussions of this, aggravated by World Bank inspired policies, are explosive. The World Bank attacked the Indonesian budgetary subsidies on domestic fuel consumption as unnecessarily draining the meagre public sector resources, and pressured for a 40% increase in all domestic fuel prices with a 20% annual increase. Having an extremely dependent economy, Indonesia responded predictably, and on the last day of the IGGI conference, Mining and Energy Minister, Subroto, announced the stipulated price increases with the exception of kerosene. Although the exception temporarily buffers the impact of this draconian measure, kerosene prices must rise, as 25% of Indonesia's kerosene is imported. The impact of the rises is bound to be drastic. Only 1.1% of the population has access to domestic electricity, and now that Java's forests are denuded, the rest of the population largely depends on kerosene for fuel.

Agriculture

Despite claims of increased rice production, Indonesia imported 2.3 million tons of rice in 1977, accounting for over a quarter of the world market. Although rice imports



Robert McNamara, on a visit to Indonesia in May 1979, made a point of showing interest in the peasants. (*Tempo*, 19 May 1979) By the end of the current financial year, Indonesia's debt to the World Bank will total 2.5 billion dollars, making it the Bank's fourth largest debtor.

have now dropped to an expected 1.3 million tons for this year, they are expected to rise to 2.5 million tons by 1985. The World Bank has recommended an increase in consumer prices, hoping to encourage secondary crop production. Given the fact that over half of Java's huge population are landless, this is a harsh measure, and more will be forced to the margins of subsistence with a diet of cassava and even the pig fodder, water hyacinth. For some years authoritative social scientists working in Java have expressed serious concern about the massive displacement of labour from agriculture by mechanised farming and processing. Yet the World Bank has promoted this policy. The key to this heartless conundrum lies in another aspect of World Bank strategy—one in which unemployment is a structural imperative.

Export-Oriented Industrialisation

The treatment of a labour pool (or reserves of unemployed labourers) as a resource says volumes about World Bank thinking,

“Indonesia has the largest remaining pool of inexpensive and relatively literate labour in Southeast Asia. Even before the recent devaluation, wages for unskilled labour were amongst the lowest in the world; lower than in Singapore, Hongkong, South Korea and Taiwan. Labour is not unionised and government has largely refrained from intervening in the labour market.”

This is the crux of a shift in policy from import substitution, which has been unsuccessful in countries where poverty has not allowed the creation of a booming market, to “Export Oriented Industrialisation” (EOI). The Suharto government has agreed in principle to the strategy and has

already laid the ground work, with devaluation, increased fuel prices, and new and appealing tax measures for foreign investors.

EOI is a form of enclave development where export processing zones are established as bases in which foreign companies benefit from cheap labour, extraterritorial privileges, customs freedoms, preferential taxes, low cost utilities and repatriation of profits. Often national capital provides the infrastructure. These zones function simply as individual cogs in the assembly phase of a global manufacturing and marketing process. While EOI demands that third world enclaves take on the organisational features of highly industrialised countries, the resemblance ceases here. Production is confined to artificially-created, small and isolated enclaves. There is no integration of the economy, few linkages and an inevitable neglect of other sectors. EOI is merely an implantation of industrial techniques, capital equipment and management skills in selected areas, not industrialisation as such. This option in fact obviates the need for recipient governments to tackle an entire system of inefficiency where smooth running can be assured by imported managers. Rising labour costs in former favoured EOI zone sites, Singapore, Taiwan, South Korea and Hongkong have focused attention on Indonesia and such aptly-

dubbed “giant dwarves” are produced by the World Bank as an example of what Indonesia might aspire to.

Consistent with demands for the withdrawal of budgetary subsidies, the World Bank has noted that “a massive increase in the level of private investment and a shift in the balance between private and public sector investment toward the former is needed. Private investment must come from overseas, but it usually takes the form of capital equipment, rather than capital. The shift makes it virtually impossible to attend to vital social needs, despite the lofty ideals of Repelita III. Furthermore the EOI strategy militates against the establishment of small and medium-sized national industries, whatever the IGGI rhetoric may be. The Bank puts it quite delicately,

“...it may be preferable to aim in particular at the establishment of medium-sized and large units to economise on scarce managerial skills, to facilitate access to foreign technology and to achieve effective quality control which is so vital to external market penetration.”

In reality, tariff, taxation, public expenditure and pricing measures required by small national companies are quite contrary to the interests of the EOI strategy.

Political Implications

As a relatively new and only partially implemented policy, the switch in emphasis to EOI has already produced several signs of the potential for unrest implicit in the policy. The government can only respond with increasingly severe crackdowns as ‘stability’ is a precondition for EOI ‘development’. In terms of the provision of basic needs for the masses, the outlook is bleak. For the employed labour force, the iron law is that wages must be kept to a subsistence minimum, entailing the banning or government control of unions, oppressive anti-strike action and the denial of effective mechanisms for labour-management relations or grievance procedures. National entrepreneurs will find the measures discriminatory, students have already protested about devaluation and rising fuel costs, and they have a long record of criticism of foreign economic control. Meanwhile, attempts to create a consumer society with a barrage of press, radio and television exhortations, mock the declining living standards of the majority.

The IGGI communique indicated that a “strengthening of organisational capacity” is required. This euphemism means a consolidation of military-bureaucratic power, in which the small technocratic elite will tighten its grip on the allocation of goods, services, capital, infrastructure and of course privilege. The system cannot tolerate protest, not even the existence of alternative views, and political imprisonment and other forms of repression may be expected to continue unabated. The logical corollary is that there will be increased military spending on imported military hardware as a means of subduing a population whose needs and livelihoods are irrelevant to a ‘development’ strategy which is supposed to be in their favour.

EAST TIMOR

Professor Noam Chomsky, the well-known American linguist and human rights activist, has stated in Lisbon that between 100,000 and 200,000 East Timorese have been killed either directly or through starvation and epidemics induced by defoliants and insecticides, since the Indonesian invasion in late 1975. Noam Chomsky was speaking at an International Conference on East Timor on May 20 to an audience of about 800 people. The Conference delegates came from 17 countries and speakers and guests Mr Ken Fry (Austrian Labour Party Member of the House of Representatives), Mr Mats Hellstrom (Swedish Social Democratic Party), Mr Louis Jonet (International League for Peoples' Rights), Mr Carlos Candal (Portuguese Socialist Party), Mr Angelo Correia (Portuguese Social Democratic Party), and ambassadors from former Portuguese colonies in Africa, Mozambique, Angola and Guine-Bissau. Two days after the conference, the Portuguese parliament unanimously condemned Indonesian aggression in East Timor.

Recent press reports and information revealed at the Lisbon conference have shown that Indonesian brutality continues unabated in East Timor and that the fighting is

by no means over, despite Indonesian claims to the contrary:

- * A recent report in *Kompas* (23 April 1979) covering a visit of Defense Minister General Jusuf to East Timor, spoke of the front "particularly at Ostico, Remexico and Fatubessi".
- * East Timorese sources (quoting recent news) say that at least 6-7 corpses of Indonesian soldiers are being flown into Dili every day.
- * East Timorese sources say that since late 1978 helicopters have been used to transport Indonesian troops and heavy artillery into mountain areas, formerly FRETILIN strongholds, causing many people to flee. These people are later transformed in Indonesian press statements, to "refugees from FRETILLIN". Conditions in the so-called refugee camps are extremely bad, and the death rate is high.
- * Another source has stated that 13 people including 4 high school students were executed outside Dili very recently.
- * *East Timor News* (No. 55, May 31, 1979) reports that in March this year, Alarico Fernandes, the former FRETILIN Information Secretary, along with Afonso Redentor, Cornelio Esposto and Leopoldo, was summarily executed just outside of Dili. The news service observes that the executions are part of an Indonesian plan to execute all supporters of FRETILIN who have surrendered.
- * On 6 May 1979, the *Australian Broadcasting Commission* reported that over 100,000 Indonesians living in the eastern islands near Timor are starving following the failure of the rice crop. The Governor of Eastern Indonesia apparently only learnt of the famine in the newspapers, as reports from local officials had either not been written or had failed to reach him. If so many Indo-

nesians are starving in the region, it is difficult to imagine how East Timor might benefit from integration with Indonesia, although this is a key argument of the Suharto regime and its supporters who have recognised Indonesia's claims.

HOSTILE RECEPTION FOR SUHARTO IN PNG

Tight security precautions were a feature of Suharto's visit to Papua New Guinea earlier this month, as the PNG government has for some time been troubled by strong domestic protests about its attitude towards Indonesia, particularly its policy of returning refugees from West Irian to Indonesian officials. Suharto travelled in a bullet-proof Mercedes—which had been specially lent by the Australian government to the PNG government for the visit, helicopters kept watch above the motorcade, and hundreds of police lined the road.

Although several thousand lined the roads to see Suharto, the crowds were not welcoming and students staged a vigorous protest against the visit and against Indonesian presence in West Irian. One placard read, "Get out of the land our brothers", and the students unfurled two huge Free Papua flags as Suharto drove past (*Adelaide Advertiser*, 5 and 6 June 1979). Students also denounced Indonesian aggression in East Timor. After the procession was over, Port Moresby was festooned with anti-Indonesian posters and placards.

In the wake of the visit, the former PNG High Commissioner to Australia, Mr Vincent Eri, denounced the PNG foreign policy of "universalism", and was particularly critical of the government's dealings with Indonesia (*Adelaide Advertiser* 7 June 1979). He said that the time has come for PNG to declare a positive policy of international alignment.

There is considerable anxiety in PNG about possible Indonesian expansionism, and a strong anti-Indonesian sentiment because of Indonesian treatment of the Melanesian people of West Irian. Also it is well-known in PNG that Indonesia is capable of exerting great pressure on the PNG government, and the Australian government is an unreliable ally with its own policy of appeasement towards Indonesia.

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