

PUBLIC

AI Index: ASA 21/011/2008

10 July 2008

UA 199/08 Death Penalty/Fear of imminent execution

INDONESIA Tubagus Maulana Yusuf (m)
Rio Alek Bulu (m)
Nyonya Sumiarsih (f)
Sugeng (m), her son

The Indonesian authorities intend to execute the four people named above, who have been convicted of murder, before the end of July. The Deputy Attorney General for General Criminal Affairs told the Indonesian news agency, Antara, on 4 July 2008, that the executions would be carried out as soon as the Attorney General's Office had notified the prisoners.

The Deputy Attorney General said that the four are part of a group of eight people who will be executed shortly, as they have exhausted the appeals process and their pleas for clemency have been rejected. The other four are Achmad Suradji (see UA 27/08, ASA 21/002/2008, 25 January 2008 and follow-up) and the three men convicted of the 2002 Bali bombings, Amrozi, Ali Ghufron and Imam Samudera (see UA 109/06, 28 April 2006, ASA 21/002/2006 and follow-ups).

Tubagus Maulana Yusuf was sentenced to death in March 2007 for murdering eight people in the belief this would enhance his powers of witchcraft. He has neither appealed nor asked for clemency. This does not relieve the state of its duty to ensure that his rights have been protected and he has received due process of law.

Nyonya Sumiarsih and her son, Sugeng, were sentenced to death in 1989 for the murder of a family of five in the city of Surabaya. Others involved in the killing were executed in the early 1990s. The pair have been on death row for nearly 20 years, and their appeals for clemency were rejected in 2003.

Rio Alek Bulu was convicted of murder and sentenced to death in 2002. His appeal for clemency was rejected in 2007.

BACKGROUND INFORMATION

Indonesia resumed executions on 26 June 2008 after a 14-month hiatus, when Nigerian nationals Samuel Iwachekwu Okoye and Hansen Anthony Nwaliosa were put to death for drug-trafficking.

Executions are by firing squad. The condemned prisoner can choose whether to sit or stand, and whether to be blindfolded. Half the guns provided to the 12-man firing squad are loaded with blanks. The squad fires from a distance of between five and 10 metres.

The authorities do not release official statistics on the death penalty, but at least 112 people are known to be under sentence of death in Indonesia, 11 of them sentenced in 2007.

Amnesty International recognizes the need for governments to deal with murder and other serious crimes, but believes the death penalty does not provide a solution. There is no clear evidence that the death penalty deters crime any more effectively than other forms of punishment. Amnesty International opposes the death penalty unreservedly in all cases, and supports the global trend against the use of the death penalty,

powerfully expressed in the UN General Assembly's 18 December 2007 resolution calling for a worldwide moratorium on executions. Today 137 countries have abolished the death penalty in law or practice: 27 out of 41 states in Asia are abolitionist in law or in practice.

In 2006, Indonesia ratified the International Covenant on Civil and Political Rights (ICCPR), which states that "every human being has the inherent right to life." However, the Indonesian authorities did not ratify the Second Optional Protocol to the ICCPR, aimed at the abolition of the death penalty.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Bahasa Indonesia, English or your own language:

- calling on the authorities to stop the preparations for the executions of Tubagus Maulana Yusuf, Nyonya Sumiarsih, Sugeng and Rio Alek Bulu immediately, and commute their sentences;
- recognizing that Indonesia has a right and responsibility to address serious crime, and expressing sympathy for its victims, but pointing out that there is no clear evidence that the death penalty is an effective deterrent;
- calling on the authorities to commute all death sentences, as they violate the right to life;
- urging the authorities to release information on the number of prisoners currently under sentence of death in Indonesia, when they were sentenced and the status of their appeals, and also the procedures for informing prisoners and their families when their execution is imminent;
- calling on the authorities to sign and ratify the Second Optional Protocol to the ICCPR and establish a moratorium on executions, as a first step towards the abolition of the death penalty as advocated in the UN General Assembly Resolution of 18 December 2007.

APPEALS TO:

President

President Susilo Bambang Yudhoyono, Istana Merdeka, Jakarta Pusat 10110, Indonesia

Fax: + 62 21 345 2685

+ 62 21 526 8726

Salutation: Dear President Yudhoyono

Chief Attorney General

Mr. Hendarman Supandji, Jl. Sultan Hasanuddin No. 1, Kebayoran Baru, Jakarta, Indonesia

Fax: + 62 21 725 0213

Salutation: Dear Attorney General

COPIES TO:

Re: Nyonya Sumiarsih

Malang Mayor: Dr Peni Suparto, M.AP, Jl Tugu 1 65145, Malang – JATIM, Indonesia

Fax : +62 341 352070

Salutation: Dear Dr Suparto

Re: Sugeng

Governor of East Java: Mr. Imam Utomos, Jl.Pahlawan No.110, Surabaya, East Java, Indonesia

Fax: +62 031 353 3905

Salutation: Dear Governor

and to diplomatic representatives of Indonesia accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 31 July 2008.