

EXTERNAL (for general distribution)

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UA 112/91 Fear of Execution

26 March 1991

INDONESIA: Kamjai Khong Thavorn, aged 33, a Thai seaman

The Indonesian authorities have announced that preparations for the execution of Kamjai Khong Thavorn, a Thai seaman, are under way. Kamjai Khong Thavorn was sentenced to death for drug-smuggling in December 1987. His appeal was rejected by the High Court of East Kalimantan in March 1988, and subsequently by the Supreme Court in December 1988. On 18 January 1989 he submitted an appeal for presidential clemency, but the appeal was rejected in February 1991. Once presidential clemency has been rejected in Indonesia there is no further avenue of appeal for those sentenced to death.

The exact date of the execution has not yet been announced, and Amnesty International is concerned that it may be imminent. The last confirmed execution in Indonesia occurred in February 1991. The death sentence on political prisoner Azhar bin Mohammad Safar was carried out only two days after it had been announced by the authorities.

Before his arrest Kamjai Khong Thavorn lived in Bangkok, Thailand. He is married and has a four-year-old daughter. Since being held in detention in Samarinda, East Kalimantan, he has had no contact whatsoever with his family.

BACKGROUND INFORMATION

The Indonesian Government has used the death penalty with increasing frequency in recent years. At least 29 prisoners have been executed since 1985 compared to four over the previous ten years.

Under Indonesian law the death penalty may be imposed for drug trafficking under Law 9/1976. Although at least four death sentences for drug trafficking have been imposed since the beginning of 1985, no one has yet been executed for this offence.

In most countries which retain the death penalty, the rationale for its use for drug-related offences is that it will deter drug-traffickers more effectively than other punishments. However, despite hundreds of executions during the past five years, there is no clear evidence of a decline in drug-trafficking which could be clearly attributed to the threat or use of that penalty.

Amnesty International is unconditionally opposed to the death penalty as a denial of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment. It calls upon the Government of Indonesia to halt all executions and to commute all death sentences.

RECOMMENDED ACTION: Telegrams/faxes/telexes/express and airmail letters:

- expressing concern at official announcements that the execution of Kamjai Khong Thavorn may take place in the near future;
- expressing Amnesty International's unconditional opposition to the death penalty as a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment;

- expressing concern at the increasing frequency of executions in Indonesia;
- urging President Suharto to show clemency and to commute all current death sentences.

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APPEALS TO:

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and to diplomatic representatives of Indonesia in your country.

PLEASE SEND APPEALS IMMEDIATELY. Please check with the International Secretariat if sending appeals after 5 May 1991.