

EXTERNAL (for general distribution)

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Further information on 112/91 (ASA 21/05/91, 26 March 1991 and update ASA 21/08/91, 25 April 1991) Fear of Execution

INDONESIA: KAMJAI Khong Thavorn, aged 34, a Thai seaman

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Amnesty International has received further information on Kamjai Khong Thavorn, a Thai seaman imprisoned in Balikpapan, East Kalimantan, who is believed to be in imminent danger of execution. It is concerned that Kamjai Khong Thavorn has been subjected to treatment which has caused both him and his relatives particular distress and suffering. The authorities are believed to have failed to provide full information about the appeals process to the prisoner and his lawyers, and the exact date of the execution is still not known. In addition, he has received no visits from his family, who live in Bangkok, Thailand, since he was imprisoned in 1987.

Kamjai Khong Thavorn was sentenced to death for drug-smuggling in January 1988. Appeals to the High Court and Supreme Court were rejected in March and December 1988 respectively. In March 1991 the Indonesian authorities announced publicly that Kamjai Khong Thavorn's appeal for presidential clemency had been rejected and that preparations for his execution were under way. According to reports, Kamjai Khong Thavorn is still awaiting precise information about whether he will be executed, or whether his lawyers will seek a final review (peninjauan kembali) of his death sentence.

In an interview with a reporter from the Jakarta-based newspaper Suara Pembaharuan in June 1991, Kamjai Khong Thavorn said his only wish was to see his family for one last time before being executed by firing squad. He said that photos of his family had brought him some comfort while awaiting death, but that he would particularly like to see his 50-year-old mother, Wie Lai, his 31-year-old wife, Wai Lani, his step-son and a 4-year-old daughter, who live in Bangkok. Kamjai Khong Thavorn said he had received a letter from his mother and relatives, saying they had heard he was about to be executed. He believes they must have read about his case in a newspaper in Thailand. He said he had planned not to tell them his appeal for clemency had been turned down because the news would cause further anguish.

Kamjai Khong Thavorn told the reporter he was grateful for the good treatment he had received from prison officials and said he had gained courage while in prison by praying and reading books on Buddhist teachings.

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.

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

- expressing concern that Kamjai Khong Thavorn is in danger of imminent execution;
- urging the authorities to facilitate a visit by relatives to Kamjai Khong

Thavorn;

- stating 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;

- urging President Suharto to commute this and all outstanding death sentences.

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**APPEALS TO:**

President Suharto

**[Salutation: Your Excellency]**

Presiden RI

Istana Negara

Jalan Veteran

Jakarta, Indonesia

**Telegrams: President Suharto, Jakarta, Indonesia**

**Telexes: 44283 BIGRA IA**

**44469 DEPLU IA**

**Faxes: +62 21 36 0517 ) all via Ministry**

**+62 21 36 7781 ) of Foreign**

**+62 21 36 7782 ) Affairs**

Let. Ismail Saleh

Minister of Justice

**[Salutation: Your Excellency]**

Jalan Rasuna Said, Kav 6-7

Kuningan

Jakarta Selatan, Indonesia

**Telegrams: Justice Minister, Jakarta, Indonesia**

**Telexes: 44404 DITJENIM IA**

**Faxes: + 62 21 32 1625**

Ali Said

Chief Justice, Supreme Court

**[Salutation: Dear Chief Justice]**

Mahkamah Agung

Jalan Lapangan Banteng

Timur No.1

Jakarta Pusat, Indonesia

**Telegrams: Chief Justice Ali Said**

**Jakarta, Indonesia**

Direktur (prison director)

**[Salutation: Dear Director]**

L.P. Balikpapan

Balikpapan

Kalimantan

Timur, Indonesia

**Telegrams: Direktur, L.P. Balikpapan,**

**Kalimantan, Indonesia**

**COPIES TO:**

Yayasan Lembaga Bantuan Hukum Indonesia

(Indonesia Legal Aid Foundation)

Jl. Diponegoro 74

Jakarta 10320  
Indonesia

Suara Pembaharuan (newspaper)  
**Faxes: +62 21 809 1652**

Kamjai Khong Thavorn's lawyer  
**Faxes: +62 21 600 2163 (1am to 7am local time only)**

and to diplomatic representatives of Indonesia and Thailand in your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Please check with the International Secretariat or your section office if sending appeals after 28 August 1991.