

PUBLIC

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UA 303/04 Imminent execution

INDONESIA Astini (f), aged 49, Indonesian national

Astini, a 49-year-old mother of three, is due to be executed on or around 15 November, according to an announcement by Indonesian authorities.

Her execution was reportedly scheduled to take place sooner, but has been postponed until after Idul Fitri – the Muslim feast to mark the end of Ramadan – out of respect for the holy month of fasting.

Astini was sentenced to death in October 1996 on three counts of murder. She was found guilty of murdering three women between August 1993 and January 1996 and of dismembering their bodies. Her appeal for clemency was rejected by former president Megawati Sukarnoputri in July 2004. In October the Supreme Court rejected her application for judicial review.

In a letter sent to the Attorney General's Office in October, Astini's lawyers presented evidence that during her time in Malang Women's prison, Astini had been of good behaviour and had participated in rehabilitation programmes. Astini's lawyers noted that the point of the prison system in Indonesia was to reform prisoners to become socially functional people. According to the letter, Astini's value systems have changed significantly during her time in prison. In the letter her lawyers questioned the purpose of rehabilitation if, after Astini had become a good person, she is still to be executed.

In an interview with a local newspaper, Astini's son, Ty, said that his mother was genuinely remorseful for her crimes. In his mother's defence he said that Astini's crimes were a consequence of the family's poverty. He reported that during a recent visit, his mother had cried as she expressed her desire to go on living.

BACKGROUND INFORMATION

Indonesia has carried out three executions this year. Indian national Ayodhya Prasad Chaubey was executed in August, and Thai nationals Namsong Sirilak and Saelow Prasert were executed in October, having been sentenced to death for drug trafficking. Eight other people had their appeals for presidential clemency rejected in June and July, and are also thought to be at imminent risk of execution.

Amnesty International opposes the death penalty unreservedly in all cases. Every death sentence is an affront to human dignity, every execution a symptom of a culture of violence, rather than a solution to it. Today, 118 countries are abolitionist in law or practice. At least 56 people are believed to be on death row in Indonesia. Before the executions carried out this year, there had not been an execution in Indonesia since 2001, prior to which there had been no executions in Indonesia for six years.

The risk of error in applying the death penalty is inescapable, yet it is irrevocable. The Indonesian Commission on Human Rights (Komnas HAM) noted in 2001 that, "[a]side from being internationally recognized as a human rights violation in itself... the death penalty administered by a corrupt judiciary is extremely dangerous." Following his visit to Indonesia in July 2002, the Special Rapporteur on the independence of judges and lawyers expressed concern regarding corruption within the judiciary.

Amnesty International recognizes the need to address serious crime all over the world, including murder and the trade in illicit drugs. However, the organization is convinced that the death penalty will not provide a solution. There is no clear evidence that the death penalty acts as a more effective deterrent against crime than other forms of punishment.

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

- calling for the death sentence of Astini to be commuted;
- expressing deep concern about the renewal of executions in Indonesia;
- urging all death sentences in Indonesia to be commuted, as they constitute the violation of one of the most fundamental of human rights – the right to life.

APPEALS TO: (Fax numbers may be difficult to get through to. Please keep trying)

President

President Susilo Bambang Yudhoyono

President RI

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Indonesia

Fax: +62 21 345 2685 / 526 8726 / 345 7782

Salutation: Dear President

Attorney General

Abdul Rahman Saleh

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Indonesia

Fax: +62 21 725 0213

Salutation: Dear Attorney General

COPIES TO:

Chairman, Komnas HAM

Abdul Hakim Garuda Nusantara

Komisi Nasional Hak Asasi Manusia

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Salutation: Dear Chairman

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 22 December 2004.