

PUBLIC

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UA 144/05

Imminent execution

27 May 2005

INDONESIA

**Irwan Sadawa Hia (m), aged 23, Indonesian national
Taroni Hia (m), aged 26, Indonesian national**

Irwan Sadawa Hia and Taroni Hia are to be executed imminently by firing squad in Jakarta, according to information from the Attorney General's office.

The two men, who are brothers, were sentenced to death on 26 March 2002 by a court in West Sumatra, for the premeditated murder of three members of a family in North Sumatra province, in December 2001. Their appeals for clemency were rejected by ex-President Megawati on 9 July 2004.

The murders reportedly took place when Irwan Sadawa Hia lost his job at a local hotel and asked Taroni Hia to help him rob the family of Thamrin, a fish supplier living in Dayur village in Maninjau, West Sumatra province.

The Minister for Justice and Human Rights is reportedly to issue a letter authorising the transfer of the two men to Jakarta, for execution.

These were the first executions to be ordered in the West Sumatran province's history.

BACKGROUND INFORMATION

Indonesia has carried out two executions this year. Indonesian national Astini (f) was executed on 20 March 2005 (see UA 303/04, ASA 21/048/2004, 10 November 2004), and Indonesian national Turmudi bin Kasturi (m) was executed on 13 May 2005. Last year Indonesia carried out three executions. Indian national Ayodhya Prasad Chaubey (m) was executed in August, and Thai nationals Namsong Sirilak (f) and Saelow Prasert (m) were executed in October, having been sentenced to death for drug trafficking (see UA 209/04, ASA 21/021/2004, 24 June 2004). Before these executions, there had not been executions in Indonesia since 2001, and before that there had been no executions in the country for six years.

At least 62 people are under sentence of death in Indonesia. The Indonesian Commission on Human Rights (Komnas HAM) noted in 2001 that, "Aside 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 UN Special Rapporteur on the independence of judges and lawyers expressed concern regarding corruption within the judiciary.

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, 120 countries are abolitionist in law or practice.

The risk of error in applying the death penalty is inescapable, yet it is irrevocable. 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 on President Yudhoyono to commute the death sentences of Irwan Sadawa Hia and Taroni Hia;
- expressing deep concern about the renewal of executions in Indonesia;
- expressing concern at the possibility of judicial error in the Indonesian criminal justice system, which increases the risk of the innocent being executed;
- urging that all death sentences in Indonesia 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

Istana Merdeka

Jakarta 10110

Indonesia

Fax: +62 21 345 2685 / 526 8726

Salutation: Dear President

Attorney General

Abdul Rahman Saleh

Jaksa Agung

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Indonesia

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Salutation: Dear Attorney General

COPIES TO:

Chairman, Komnas HAM

Abdul Hakim Garuda Nusantara

Komisi Nasional Hak Asasi Manusia

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Menteng

Jakarta Pusat 10310

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Salutation: Dear Chairman

and to diplomatic representatives of Indonesia accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.