

EXTERNAL

AI Index: ASA 21/38/95

EXTRA 89/95

Fear of Imminent Execution

4 August 1995

INDONESIA Djais Adi Prayitno, aged 60
Nyonya Sumiarsih (f), aged 54
Sugeng, aged 30

Amnesty International fears that Djais Adi Prayitno, his wife, Nyonya Sumiarsih, and their son, Sugeng, may be executed soon in East Java. According to East Java's police chief, Major-General Roesmanhadi, the executions are imminent, although the exact time has not yet been scheduled. The only details available are that the three would be executed together. All three have had their appeals for presidential clemency rejected - the last legal obstacle to execution. The family has been on death row for over six years.

The three were found guilty of the murder of a family of five in Surabaya, East Java. They were all sentenced to death in February 1989 by the District Court of Surabaya. A fourth person, Sgt Adi Saputro, was convicted of the same crime and sentenced to death by a Surabaya Military Court in November 1988. He was executed by firing squad in late 1992.

Amnesty International is unreservedly opposed to the use of the death penalty, which it believes to be the ultimate form of cruel, inhuman and degrading treatment and a violation of the most fundamental right - the right to life.

BACKGROUND INFORMATION

Prisoners sentenced to death by civilian courts in Indonesia have the right to appeal to the High Court and then the Supreme Court. If the Supreme Court upholds the death penalty, their final legal remedy is to request presidential clemency. However, clemency is seldom granted and many prisoners refuse to request it for fear that it will close the last legal avenue available to them and hasten their death.

Fear for prisoners on death row in Indonesia has been greatly heightened by the fact that three people - Kacong Laranu, Chan Ting Chong and Karta Cahyadi (alias Yonki) - have already been executed in 1995. Prior to this there had been no executions in Indonesia since December 1992.

As in many countries, the rationale for the use of the death penalty in Indonesia is that it will deter crime more effectively than other punishments. However, despite the thousands of executions that have occurred all over the world, there is no compelling evidence that a decline in crime could be attributed to the use of the death penalty. It is frequently not those who have committed the most serious crimes who are executed, but those who have less skilled lawyers to defend them, or whose social status has made them vulnerable to unfair conviction.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in or your own language:

- appealing to President Suharto to commute the death sentence of Djais Adi Prayitno, Nyonya Sumiarsih and Sugeng and all death sentences that come before him;
- expressing 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.

APPEALS TO:

President

President Suharto
Istana Negara
Jl. Veteran
Jakarta Pusat
Indonesia

Telegrams: President Suharto, Jakarta, Indonesia

Faxes: +622 1 345 0517 (via Ministry of Foreign Affairs)

Salutation: Dear President Suharto

COPIES TO:

Minister of Justice
Haiji Utoyo Usman S.H.
Menteri Kehakiman
Jl.H.R. Rasuna Said Kav, 6-7
Kuningan
Jakarta, Selatan
Indonesia

Faxes: + 62 21 525 3095

Chairman of the National Commission on Human Rights
Ali Said SH
Ketua, Komis Nasional Hak Azasi Manusia
Jalan Veteran No.11
Jakarta
Indonesia

Faxes: +62 21 525 3095 (c/o Ministry of Justice)

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 7 September 1995.