

PUBLIC

AI Index: ASA 21/053/2004

07 December 2004

Further Information on UA 303/04 (ASA 21/048/2004, 10 November 2004) - Imminent execution

INDONESIA

Astini (f), aged 49

Final preparations are being made for the execution of Astini, a mother of three. According to Indonesian press reports, a source in the Prosecutor's Office has confirmed that Astini will be executed in December, although the exact date and place of execution has not been announced.

Her execution had previously been postponed until after the Muslim holy month of Ramadan, which ended on 15 November. The authorities have still made no official announcement, but according to the recent press reports the Prosecutor's Office has established an "execution team" to arrange the details of the execution, including the return of Astini's body to her family. A 12-man firing squad has been formed to carry out the execution.

Astini spent Idul Fitri (the feast to mark the end of Ramadan) with her children and grandchildren, who visited her at Malang Women's Prison. She reportedly cried and kissed her grandchildren repeatedly, aware that this might be the last time she would see them.

Astini was sentenced to death in October 1996. She had been found guilty of murdering three women between August 1993 and January 1996 and of dismembering their bodies. Her appeal for clemency was rejected by 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 behaved well 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.

BACKGROUND INFORMATION

Indonesia has carried out three executions this year: Indian national Ayodhya Prasad Chaubey was executed in August; another man, Thai national Saelow Prasert, and a Thai woman, Namsong Sirilak, were executed in October. All had 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, only two people had been executed in the country since 1995.

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, "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 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 Astini's death sentence to be commuted;
- expressing deep concern about the renewal of executions in Indonesia;
- 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

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Salutation: Dear President Yudhoyono

Attorney General

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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

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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.