

EXTERNAL (for general distribution)

AI Index: ASA 21/21/95
Distr: UA/SC

EXTRA 32/95

Imminent Execution

23 March 1995

INDONESIAKarta Cahyadi alias Yongki, aged 32, married with children

Amnesty International fears that Karta Cahyadi may be executed on or around 27 March 1995 in Surakarta, Central Java, where, according to *The Jakarta Post* of 16 February, "the provincial police command has an 11-member firing squad ready to execute him". Karta Cahyadi has been on death row for almost five years.

Karta Cahyadi, along with Tugiman bin Sikin, was found guilty of robbery and murder and sentenced to death in September 1990 in the Surakarta District Court, Central Java. The ruling was the first in the history of the Central Java court town. The fate of Tugiman bin Sikin is not clear.

After losing an appeal to the Supreme Court, Karta Cahyadi requested presidential clemency, although it appears that he lodged his request without any legal assistance. A recent article in the Indonesian press stated that Karta Cahyadi may have failed to use a further appeal mechanism open to him after his appeal for presidential clemency was turned down.

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 two of those on death row, Kacong Laranu and Chan Ting Chong, were executed in January 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 or faxes in English, Bahasa Indonesia or your own language:

- appealing to President Suharto to commute the death sentence of Karta Cahyadi 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
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Jakarta, Selatan
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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
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and to diplomatic representatives of the Indonesia accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.