

PUBLIC

AI Index: ASA 21/026/2004

05 August 2004

Further Information on UA 209/04 (ASA 21/021/2004, 24 June 2004) and follow-up (ASA 21/024/2004, 12 July 2004) - Death penalty/Fear of imminent execution

INDONESIA

Ayodhya Prasad Chaubey (m), aged 65, Indian national
Meirika Franola alias Ola (f), aged 34, Indonesian national
Rani Maharani (f), aged 29, Indonesian national
Dany Maharwan (m), aged 32, Indonesian national
Saelow Prasert (m), aged 62, Thai national
Namsong Sirilak (f), aged 32, Thai national
Samuel Iwuchekwu Okoye (m), aged 34, Nigerian national
Hansen Anthony Nwaolisa (m), aged 37, Nigerian national
Indra Bahadur Tamang (gender unknown), aged 24, Nepali national
Muhammad Abdul Hafez (m), aged 36, Pakistani national
Namaona Denis (gender unknown), aged 39, Malawian national

Ayodhya Prasad Chaubey was executed by firing squad on 5 August at 2.30am, in Medan town, North Sumatra Province. He had been convicted of drug-trafficking in 1994. His execution was the first to be carried out in Indonesia since 2001.

The 10 other people named above had their appeals for presidential clemency rejected in June and July. The execution of Ayodhya Prasad Chaubey puts them at still greater risk of imminent execution.

Amnesty International opposes the death penalty unconditionally, regardless of the crime for which it is imposed, as a violation of the right to life and the right not to be subjected to cruel, inhuman and degrading treatment as proclaimed in the Universal Declaration of Human Rights. By resuming executions, Indonesia has moved against the global trend towards abolishing the death penalty.

On average, for the past decade three countries have abolished the death penalty every year, and over 35 have done so since 1990. They include countries in Africa (examples include Angola, Côte d'Ivoire, Mauritius, Mozambique, South Africa), the Americas (Canada, Paraguay), Asia and the Pacific (Bhutan, Hong Kong, Nepal, Samoa, Turkmenistan) and Europe and the South Caucasus (Azerbaijan, Cyprus, Georgia, Poland, Serbia and Montenegro, Ukraine).

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

- expressing regret at the execution of Ayodhya Prasad Chaubey, and pointing out that this is a step backwards for Indonesia, which had not executed anyone since 2001;
- urging President Megawati Sukarnoputri to commute the death sentences of the 10 others named above;
- expressing your unconditional opposition to the death penalty as a violation of one of the most fundamental human rights – the right to life;
- recognizing the Indonesian government's need to address the trade in and use of illicit drugs, but emphasizing that there is no convincing evidence to show that the death penalty deters would-be traffickers more effectively than other punishments, and appealing to the authorities to find a more humane solution to this problem.

APPEALS TO:

President

President Megawati Sukarnoputri

President RI

Istana Merdeka

Jakarta 10110, Indonesia

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

Salutation: Dear President Megawati Sukarnoputri

Attorney General

Muhammad Abdul Rachman

Jaksa Agung

Jl. Sultan Hasanuddin No.1

Kebayoran Baru

Jakarta Selatan 12130, Indonesia

Fax: +62 21 725 0213

Salutation: Dear Attorney General

COPIES TO:

Chairman, National Commission on Human Rights

Abdul Hakim Garuda Nusantara

Komisi Nasional Hak Asasi Manusia

Jl Latuharhary No. 4B

Menteng

Jakarta Pusat 10310, Indonesia

Fax: +62 21 392 5227

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 15 September 2004.