

EXTERNAL (for general distribution)

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Further information on UA 256/91 (ASA 28/04/91, 24 July 1991) - Death Penalty/Legal Concern

MALAYSIA:Raja Sappayani (Filipino)

Joel Baylon (possibly an alias for Mario Eppa) (Filipino)
Atari Pawael (Filipino)
Jul Alih (Filipino)
Abdul Rizal Cesar (Filipino)
Assiddin Itting (Filipino)
Hassim Hj Escandar (Filipino)
Talib Sahijuan (Filipino)
Antoni Najali (Filipino)
Edjing Abdullah (Filipino)
Antoni Julkani (Filipino)
Kullah Lawari (Filipino)
Rudi Jamjali (Filipino)
Khairulla Khan (Pakistani)
Shorin Khan (Pakistani)

Amnesty International has received further information on the above cases. **Raja Sappayani and Joel K Baylon** were executed on 2 August 1991 despite appeals for clemency to the Governor and Chairman of the State Pardons Board of Sabah. **Atari Pawael, Jul Alih and Abdul Rizal Cesar** were executed on 9 August 1991.

The cases of **Assiddin Itting, Hassim Hj Escandar and Talib Sahijuan** are all pending appeal to the Supreme Court, but no dates have been set yet.

Antoni Najali, Edjing Abdullah, Antoni Julkani, Kullah Lawari and Rudi Jamjali are all awaiting execution, but no dates are known.

No further information is available on **Khairulla Khan or Shorin Khan**, who are both Pakistan nationals.

Amnesty International is seriously concerned that five of the fifteen have already been executed and the rest are awaiting possible execution following trials which may have fallen short of international standards, and in which they were disadvantaged by language difficulties.

FURTHER RECOMMENDED ACTION: Telegrams/telexes/faxes and airmail letters:

- urging a full investigation into the trials and treatment of the fifteen and a stay of execution on the 10 remaining;
- stating Resolution 1984/50 on safeguards guaranteeing protection of the rights of those facing the death penalty, adopted by the United Nations ECOSOC on 25 May: (5) "Capital punishment may only be carried out pursuant to a final judgement rendered by a competent court after legal process which gives all possible safeguards to ensure a fair trial,...";
- stating Amnesty International's unconditional opposition to the death penalty as a violation of the right to life and the right not to be subjected to cruel, inhuman and degrading treatment or punishment as proclaimed in the Universal

Declaration of Human Rights.

APPEALS TO:

1.

TYT Tan Sri Haji Mohamed Said bin Keruak
[Salutation: Your Excellency]
The Head of State of Sabah
Istana
Kota Kinabalu
Sabah, Malaysia

Telegrams: Head of State, Kota Kinabalu, Sabah, Malaysia
Telexes: 80948 DEWAN MA

2.

Datuk Joseph Pairin Kitingan
[Salutation: Your Excellency]
Chief Minister of Sabah State
Office of the Chief
Kota Kinabalu
Sabah, Malaysia

Telegrams: Chief Minister, Kota Kinabalu
Sabah, Malaysia

3.

YB Datuk Syed Hamid bin Syed Jaafar Albar
[Salutation: Your Excellency]
Minister of Justice
Ministry of Justice
21st Floor
Bangunan Kuwasa
Jalan Raja Laut
50506 Kuala Lumpur, Malaysia

Telegrams: Justice Minister, Kuala Lumpur, Malaysia
Telexes: 33548 HAKIM MA
Faxes: + 329 34754

COPIES TO:

Raul Manglapus
Secretary of Foreign Affairs
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Philippines International Convention Centre
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and to diplomatic representatives of **Malaysia, Philippines** and **Pakistan** in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat or your section office if sending appeals after 6 November 1991.