

INDONESIA Second Lieutenant Sanurip, 37

Amnesty International is concerned at the death sentence handed down to Second Lieutenant Sanurip for the murder of 16 people following a military tribunal in Jayapura, the capital of the province of Irian Jaya. To Amnesty International's knowledge, the sentence is the first death penalty handed down in a military tribunal since March 1989.

The soldier, a member of Indonesia's Special Forces Command, *Kopassus*, was convicted of the murder of 11 soldiers and five civilians in Timika, Irian Jaya, in April 1996. The Military Tribunal's decision was handed down on 23 April 1997. Sanurip will now appeal to a higher military court in Surabaya, East Java. If his sentence is upheld, he can then appeal to Indonesia's Supreme Court.

Sanurip was in Irian Jaya as part of the military operation to secure the release of 11 hostages being held by the *Organisasi Papua Merdeka* (OPM), Free Papua Movement. The shootings occurred at Timika Airport around 5 am on 15 April 1996, after two members of ABRI (Indonesia's armed forces) were killed during an attempt to release the hostages. Some media reports suggested that Sanurip became angry when he realised that one of the soldiers killed by the OPM was a friend. Members of the armed forces killed during the shooting spree included a lieutenant colonel, a major and a captain. At least 10 others were wounded.

Amnesty International is concerned that during the military tribunal, evidence of the suspect's state of mental health at the time of the killings was rejected by the tribunal. Immediately after the shootings, the ABRI Chief of General Affairs, Lt-Gen Soeyono, stated that Sanurip was suffering from depression. Soeyono was quoted as saying that, based on a preliminary military investigation into the shootings, "...the suspect had a mental problem when he went on this shooting spree". (*Jakarta Post*, 16 April 1996). Other military spokespersons claimed at the time that Sanurip had been suffering from malaria and that this was the cause of his mental state at the time of the shooting.

BACKGROUND INFORMATION

Indonesia retains the death penalty for a number of crimes including crimes against state security, assassination of senior state officials, murder, theft resulting in murder, piracy and drug offences.

There are believed to be at least 27 prisoners awaiting execution on death row. Five of these are political prisoners who have been on death row for over 20 years. The remainder are mostly those convicted of murder or drug related offences. Thirty-nine people are known to have been executed since 1978, including 30 political prisoners. Thirty of these executions took place between 1985 and 1992. After a lapse in executions between December 1992 and the beginning of 1995, three executions were carried out between January and April 1995.

The last person sentenced to death in a civilian court was Sugianto, 19, who was convicted of murder and sentenced in December 1996 in the District Court of Surabaya.

The method of execution in Indonesia is by firing squad. Those sentenced to death - in both military and civilian courts - can appeal their sentences to higher courts and ultimately to Indonesia's Supreme Court. They can also appeal for presidential clemency at any stage after the initial sentence, but clemency is rarely granted. Some prisoners refuse to request presidential clemency fearing that if it is refused then there is nothing preventing the sentence from being carried out.

Amnesty International opposes the death penalty in all cases as the ultimate cruel, inhuman and degrading punishment and a violation of one of the most fundamental of human rights, the right to life. Amnesty International does not condone violent crime and recognizes the suffering of the victims of crime and their families. The organization believes, however, that the death penalty is an inherently unjust and arbitrary punishment, however heinous the crime for which it is imposed.

RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in Bahasa Indonesia, English or your own language:

- expressing concern that Second Lieutenant Sanurip has been sentenced to death and that information about his mental state of health at the time of the crime was not taken into account by the Military Tribunal;
- urging the authorities to commute his death sentence;
- urging the authorities to abolish the death penalty in Indonesia.

APPEALS TO:

Minister of Justice

Haji Utoyo Usman S.H.

Menteri Kehakiman

Jl. H.R. Rasuna Said Kav. 6-7

Kuningan

Jakarta Selatan

Indonesia

Fax: +62 21 525 3095

Telegrams: Justice Minister, Jakarta, Indonesia

Salutation: Dear Minister

COPIES TO:

Commander of the Armed Forces (ABRI)

General Feisal Tanjung

Panglima ABRI

Markas Besar ABRI

Jl. Medan Merdeka Barat No 13

Jakarta Timur

Indonesia

Fax: +62 21 36 1471 (Armed Forces HQ); +62 21 37 8144

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 30 June 1997.