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Further information on UA 112/91 (ASA 21/05/91, 26 March 1991) and follow-ups: ASA 21/08/91 of 25 April 1991, ASA 21/13/91 of 31 July 1991 and ASA 21/17/91 of 16 October 1991 - Fear of Imminent Execution

INDONESIA:KAMJAI Khong Thavorn, aged 35, a Thai seaman

Amnesty International is concerned that Kamjai Khong Thavorn may soon be executed.

The Supreme Court of Indonesia has refused to review the case of Kamjai Khong Thavorn, sentenced to death in January 1988 for drug smuggling. Defence lawyers had asked for a review of the case, saying they had found new evidence which proved that Kamjai Khong Thavorn was innocent. There are fears that Kamjai Khong Thavorn may be in imminent danger of execution.

Kamjai's appeals to the High Court of East Kalimantan and to the Supreme Court were rejected in March and December 1988 respectively. An appeal for presidential clemency was rejected in March 1991.

In October 1991 lawyers acting for Kamjai Khong Thavorn asked the Supreme Court to review the case, saying they had found new evidence proving that Kamjai was innocent. During his trials, Kamjai Khong Thavorn had denied knowledge of the heroin found in his cabin on a boat anchored at Samarinda. According to press reports, the lawyers said that Thai police had arrested a man in Bangkok who supported Kamjai's statements that he knew nothing about the drugs.

According to reports, defence lawyers have also alleged that Kamjai's request for presidential clemency was unlawfully made by a jail officer. The lawyers said that the officer had asked Kamjai, who does not speak Indonesian, to sign a paper he claimed was a release document. The lawyers said the document in fact contained an admission of guilt and a request for presidential pardon.

Amnesty International is urging the President of Indonesia to grant clemency and to commute the death sentence imposed on Kamjai Khong Thavorn.
FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters

- expressing concern that Kamjai Khong Thavorn may be in imminent danger of execution;

- noting with concern that the Supreme Court has refused to review this case, despite the emergence of new evidence which might prove the innocence of Kamjai Khong Thavorn;

- appealing to President Suharto to show clemency and to commute this and all death sentences;

- expressing opposition to the death penalty as a violation of the right to live and the right not to be subjected to cruel, inhuman or degrading treatment or punishment.

APPEALS TO:

1. President:
President Suharto
President RI
Istana Negara
Jl. Veteran
Jakarta
Indonesia
Telegrams: President Suharto, Jakarta Indonesia
Telexes: 44283 BIGRA IA) via Ministry
44469 DEPLU IA) of Foreign Affiars
Faxes: +62 21 36 0517
+62 21 36 7781
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Salutation: Dear President Suharto

2. Chief Justice of the Supreme Court:
Purwoto S Gandasubrata
Kepala Mahkama Agung
Jl. Lapangan Banteng
Timur No. 1
Jakarta Pusat
Indonesia
Telegrams: H.E. Purwoto S Gandasubrata, Kepala Mahkama Agung, Jakarta, Indonesia

Salutation: Dear Chief Justice

and to diplomatic representatives of Indonesia in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 9 February 1993.