

PUBLIC

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11 September 2007

Further Information on UA 109/06 (ASA 21/002/2006, 28 April 2006) and follow-up (ASA 21/007/2006, 4 July 2006) - Imminent Execution

INDONESIA

Amrozi bin H. Nurhasyim (m)
Ali Ghufron alias Mukhlas (m)
Imam Samudera (m)

Amrozi bin H. Nurhasyim, who was convicted of involvement in the 12 October 2002 bombings on the island of Bali, is facing imminent execution by firing squad. The Chief of Bali Regional Police, Inspector General Paulus Purwoko, has announced that he is ready to carry out the execution, explaining, "What remains is to coordinate with the district court. We've already chosen the ten executioners".

The Governor of Bali, Dewa Made Beratha, had previously expressed his desire for the three men convicted of the Bali bombing (Amrozi, Ali Ghufron and Imam Samudera) to be executed in Bali. However, Paulus Purwoko, speaking to the press on 10 September, said, "The place doesn't have to be in Bali. For practical reasons, it's better in Nusakambangan [the island where the men are currently imprisoned]. Moreover, if seen from [the point of view of] the effect to Bali, trust me it's better". The three men were moved to a prison in Nusakambangan in 2005 after their previous place of detention, Kerobokan jail in Bali, was invaded by 500 protestors demanding their immediate execution.

Amrozi was due to be executed on 22 August 2006. However, his sentence was stayed after he applied for judicial review of his case, arguing the anti-terrorism law he had been convicted under could not be applied retroactively. A new law, brought into force in 2003, introduced the death penalty for "terrorist" acts, which were not further defined, and allowed for those involved in the bombings in Bali in 2002 to be tried retroactively.

On 30 August 2007, Indonesia's Supreme Court rejected Amrozi's attempt to secure a judicial review of his case. No decision has yet been made on the reviews of Ali Ghufron's and Imam Samudera's cases, although they are expected imminently. Supreme Court judge Djoko Sarwoko stated that Amrozi's case "did not meet the requirements of the law", adding that it was now up to the Attorney General's office to decide the date of his execution. A second application for judicial review made by Amrozi's lawyers last week has also reportedly been rejected. The Supreme Court Chairman, Bagir Manan said "there's only one judicial review", and the law does not acknowledge a second.

The 2002 bombings in Bali killed 202 people and injured a further 209.

BACKGROUND INFORMATION

Death sentences in Indonesia are carried out by firing squad. The person under sentence of death has the choice of standing or sitting and of using a blindfold or cover for their head. Firing squads consist of 12 people, six of whom are supplied with live ammunition and six whose guns are loaded with blanks. The squad fires from a distance of between five and 10 metres.

To Amnesty International's knowledge, at least 99 people are believed to be under sentence of death in Indonesia. Thirteen of these were convicted and sentenced to death in 2006. At least one person was executed in 2007: Ayub Bulubili (see UA/96/07, ASA 21/005/2007, 23 April 2007, and follow-up). His was the first execution recorded by Amnesty International in Indonesia since September 2006.

Amnesty International opposes the death penalty unreservedly in all cases. Today 131 countries are abolitionist in law or practice. An execution cannot be undone, yet the risk of error is inescapable.

In 2006, Indonesia ratified the International Covenant on Civil and Political Rights (ICCPR), which states that "every human being has the inherent right to life." However, the Indonesian authorities did not authorize ratification of the Second Optional Protocol to the ICCPR, aimed at the abolition of the death penalty.

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

- calling for the preparations for the execution of Amrozi bin H. Nurhasyim to be halted immediately, and for his sentence to be commuted;
- calling for the death sentences of Ali Ghufron and Imam Samudera to be commuted to life sentences;
- calling on the Indonesian authorities to commute all death sentences in Indonesia, as they constitute the violation of one of the most fundamental of human rights – the right to life;
- urging the authorities to release information on the number of prisoners currently under sentence of death in Indonesia, the date of sentencing, and the status of appeals against sentences, and release information on the procedures for informing prisoners and their families when their execution is imminent;
- calling on the Government of Indonesia to sign and ratify the Second Optional Protocol to the ICCPR and commit themselves to working towards the abolition of the death penalty.

APPEALS TO:

President

President Susilo Bambang Yudhoyono, President RI, Istana Merdeka, Jakarta Pusat 10110, Indonesia

Fax: + 62 21 345 2685

+ 62 21 526 8726

Salutation: Dear President

Attorney General

Mr. Hendarman Supandji, Jaksa Agung, J. Sultan Hasanuddin No. 1, Kebayoran Baru, Jakarta, Indonesia

Fax: + 62 21 725 0213

Salutation: Dear Attorney General

COPIES TO:

Governor of Bali

Governor Dewa Made Beratha

Jl. Basuki Rahmat Renon Denpasar 80361, Bali, Indonesia

Fax: +62 361 236 037

Salutation: Dear Governor

and to diplomatic representatives of Indonesia accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.