

URGENT ACTION

PRISONERS AT IMMINENT RISK OF EXECUTIONS

Three death row prisoners were moved on 8 May to Indonesia's Nusakambangan prison island, where 13 executions were carried out in 2015. On 10 May, the Attorney General confirmed to the media that another round of executions will be carried out soon.

Three prisoners were moved on 8 May at around 8pm from Batam Class II Penitentiary in Riau Islands to Batu prison in Nusakambangan prison island in Central Java, where 13 executions were carried out in 2015. The three prisoners were convicted of and sentenced to death in 2007 by the Batam District Court in the same case for attempting to smuggle benzodiazepine pills from Malaysia. The Attorney General of Indonesia, H.M. Prasetyo, has been widely reported since 7 April in Indonesian and international media as stating that plans for a new round of executions are underway. He also confirmed to the media on 10 May that the next round of executions will be carried out "in the near future". Prison and police officials have stated that they had completed the preparation of the execution grounds at Nusakambangan prison island and that firing squads had also been organized.

The authorities have not yet made public the names of the prisoners selected for execution nor the date of the scheduled executions. On 21 April, Luhut Panjaitan, Coordinating Minister for Politics, Law and Security Affairs stated during a press conference in Jakarta that the authorities will only provide three days' notice to the prisoners ahead of the next executions, as required under Indonesian law. He also said there would be a press conference three days before the executions. Information reported in media (which Amnesty International could not independently verify) indicates that between 10 and 15 people, all convicted of drug related crimes, have been selected for the next round of executions and include both Indonesian and foreign nationals.

Indonesian authorities have repeatedly referred to their execution plan as an effective tool in tackling drug trafficking, despite the lack of any independent and credible evidence to support this claim. International law and standards require that the use of the death penalty be restricted to the "most serious crimes" or intentional killing.

Please write immediately in English, Bahasa Indonesia or your own language:

- Calling on the authorities to immediately halt plans to carry out any executions;
- Urging them to establish a moratorium on all executions with a view to abolishing the death penalty and to commute all death sentences to terms of imprisonment;
- Reminding them that drug-related offences do not meet the threshold of the "most serious crimes" to which the use of the death penalty must be restricted under international law and that international safeguards guaranteeing protection of the rights of those facing the death penalty must be strictly observed in all capital cases.

PLEASE SEND APPEALS BEFORE 21 JUNE 2016 TO:

President of the Republic of Indonesia

H. E. Joko Widodo
Istana Merdeka
Jakarta Pusat 10110
Indonesia
Fax: +62 21 386 4816 /+62 21 344 2233
Email: dumas@setneg.go.id
Twitter: [jokowi_do2](https://twitter.com/jokowi_do2)
Salutation: Dear President

Coordinating Minister for Politics, Law
and Security Affairs

Mr. Luhut Panjaitan
Jl. Medan Merdeka Barat No. 15
Jakarta Pusat 10110
Indonesia
Fax: +62 (0)21 3450918
Twitter: [@PolhukamRI](https://twitter.com/PolhukamRI)
Salutation: Dear Minister

And copies to:

Chairperson of the National Human
Rights Commission (Komnas HAM)
Mr. Imdadun Rahmat
Jl. Latuharhary No. 4
Menteng, Jakarta Pusat 10310
Indonesia
Fax: +62 (0)21 3925227
Email: info@komnasham.go.id

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY DR RIZAL SUKMA, Embassy of the Republic of Indonesia, 38 Grosvenor Square W1K 2HW, 02074997661, kbri@btconnect.com, www.indonesianembassy.org.uk

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

In 2015 fourteen people were executed in Indonesia, 13 of them in Nusakambangan prison island, Central Java. Six of the 14 were executed on 18 January and the other eight on 29 April. At least 46 new death sentences were imposed in 2015, a sharp increase compared to 2014, when only six new death sentences were recorded. Of the new death sentences imposed in 2015, 29 were for drug-related offences and 17 for murder. At least 165 people were under sentence of death at the end of the year.

All the 2015 executions were carried out for drug trafficking, an offence that does not meet the threshold of “most serious crimes” to which the use of the death penalty must be restricted under international law and standards. The UN Safeguards on the Death Penalty recommend that crimes punishable by death should “not go beyond intentional crimes with lethal or other extremely grave consequences”. The UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions clarified in his 2012 report that the death penalty “may be imposed only for those crimes that involve intentional killing” and has specifically underlined that “The death penalty may not be imposed for drug-related offences unless they meet this requirement.”

Research findings by the National Commission on Human Rights (Komisi Nasional Hak Asasi Manusia, Komnas HAM), Amnesty International, the Institute for Criminal Justice Reform and other human rights organizations showed that systemic flaws in the administration of justice in Indonesia have resulted in violations of fair trial and other international safeguards that must be strictly observed in all death penalty cases. In several of the cases considered, defendants did not have access to legal counsel from the time of arrest and at different stages of their trial and appeals. The police ill-treated some of them to make them “confess” to the crimes or counter-sign police investigation dossiers used as evidence in court. Several prisoners were brought before a judge for the first time when their trials began, months after their arrest and some of them did not receive legal assistance when appealing against their conviction or sentence, or did not even submit an appeal application because they were not informed by their lawyers of their right to do so. The execution of five death row prisoners went ahead in 2015 even though the Indonesian courts had accepted to hear their appeals. Despite the clear prohibition under international law on the use of the death penalty against persons who were below 18 years of age or have a mental or intellectual disability, Amnesty International documented that claims two prisoners made in relation to their juvenility and mental disability were not adequately investigated and have resulted in the unlawful imposition of the death penalty and, in at least one case, execution.

The majority of the world’s countries have now abolished the death penalty for all crimes and a total of 140 countries are abolitionist in law or practice. In 2015 alone four new countries – Congo (Republic of), Fiji, Madagascar and Suriname – repealed the death penalty from their legislation. Amnesty International opposes the death penalty in all cases and under any circumstances, regardless of the nature of the crime, the guilt, innocence or other characteristics of the offender, or the method used by the state to carry out the execution.

Name: n/a

Gender m/f: both

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