

EXTERNAL (for general distribution)

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Amnesty International  
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February 1987

INDONESIA: UPDATE ON THE DEATH PENALTY

Amnesty International has received additional information on prisoners under sentence of death in Indonesia, some of whose cases were described in "Indonesia: Recent Executions and Application of the Death Penalty" (ASA 21/27/86). It is continuing to urge the Indonesian Government to commute all death sentences as it believes that the death penalty is a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment.

Amnesty International has learned that the appeal of Chan Tin Chong, a Malaysian sentenced to death in December 1985 for drug-trafficking, was rejected by the Supreme Court on 3 February 1987. He may still appeal to President Suharto for clemency, but it is not known whether he has done so. Chan Tin Chong may have been convicted on the basis of false testimony. In June 1985 another Malaysian, Maniam Manusamy, was arrested in a Jakarta hotel after police found 420 grams of heroin in his possession. He claimed that he had brought it from Malaysia on the instructions of Chan Tin Chong who met him at the airport on his arrival from Kuala Lumpur. Chan Tin Chong was arrested later the same day. Maniam Manusamy received a life sentence, and Chan Tin Chong was sentenced to death for smuggling heroin into Indonesia. In August 1986, however, after Chan Tin Chong's first appeal had been rejected, Maniam Manusamy admitted having made false statements to police interrogators which implicated Chan. Moreover, he claimed that he had not brought the heroin from Malaysia but had obtained it at the hotel where he was arrested (Jakarta Post 14 August 1986). Chan Tin Chong may thus be innocent. The Supreme Court in rejecting his appeal refused to consider the apparent evidence of perjury on the part of the primary witness against him, saying that it could only consider technical questions such as whether the law had been correctly applied or whether the trial had been conducted according to proper procedures (Kompas 16 February 1987). Chan Tin Chong may become the first person to be executed in Indonesia for drug-trafficking; his case illustrates the risk that an innocent person may be subjected to this irrevocable punishment.

In another case which recently came to Amnesty International's attention, a prisoner under sentence of death has been awaiting execution for over a decade. Capa P.K. Sidaruk has been in detention since his arrest in 1973 for murder. He was tried and sentenced to death by a military court in Banten, West Java in 1976. Capa Sidaruk was reportedly convicted solely on the basis of his confession; there was apparently no other evidence. In 1980, Capa Sidaruk appealed to the Supreme Court to review his sentence, but the appeal was only formally registered with the Supreme Court in October 1986, and a decision has not yet been made. During



his 14 years in detention, Capa P.K. Sidaruk reportedly has not been permitted to see his family, in violation of Article 37 of the United Nations Standard Minimum Rules for the Treatment of Prisoners which states, "Prisoners shall be allowed under necessary supervision to communicate with their family and reputable friends at regular intervals, both by correspondence and by receiving visits." Amnesty International urges the Indonesian Government to commute the sentence of Capa Sidaruk and to ensure that his treatment does not exacerbate the already cruel, inhuman and degrading experience of being under sentence of death.

The death sentence of Mrs Lince Lembong, whose case was highlighted in "Indonesia: Recent Executions and Application of the Death Penalty", has been reduced to life imprisonment on appeal. Mrs Lembong was sentenced to death on 13 August 1986 in the district court of Bale Bandung after being convicted of murdering her husband and son in 1983. Isto Sukarta, who was sentenced to death by a military court in the same case, escaped from prison in November 1986 but was recaptured in January 1987. His first appeal was rejected; he has now appealed to the Supreme Court.

Amnesty International remains concerned about 16 prisoners under sentence of death in connection with a coup attempt in 1965, all of whom have been in prison for more than 16 years. They are Ruslan Widjajasastra, Sukatno, Iskandar Subekti, Asep Suryaman, Satar Suryanto, Raswad, I Bungkus, Surono, Sukardjo, Suleman, Nurhayan, Anastasius Buang, Giyadi Wignyosuharjo, Marsudi, Sukarman and Suwandi. Nine men convicted of subversion in connection with the attempted coup were executed in September and October 1986. Amnesty International also remains concerned about three Muslim activists under sentences of death, Azhar bin Moh. Sapar, Abdullah Umar and Bambang Sispoyo. One Muslim activist, Maman Kusmayadi, who had been sentenced to death for subversion, murder and armed robbery, was executed in September 1986.



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To: All sections (for information)  
PIRAN Coordinators for onward transmission to PIRAN groups  
Death Penalty Coordinators (for information only)  
Indonesia/East Timor Coordinators (for information only)

From: Asia Research Department

Date: February 1987

INDONESIA: UPDATE ON THE DEATH PENALTY

Summary

Amnesty International has received additional information on prisoners under sentence of death in Indonesia, some of whose cases were described in ASA 21/27/86, "Indonesia: Recent Executions and Application of the Death Penalty". It is continuing to urge the Indonesian Government to commute all death sentences.

Distribution

As above

Recommended actions

PIRAN coordinators are requested to ask groups to send a letter to President Suharto appealing for clemency for all prisoners under sentence of death. The letter should welcome the decision of the appeal court in Bandung to reduce the sentence of Mrs Lince Lembong to life imprisonment and express concern at the recent rejection of the appeal of Chan Tin Chong. General arguments against the death penalty may be cited. The letter should be no longer than a page and typed, if possible.

PIRAN groups with church contacts may also ask a prominent Protestant or Roman Catholic leader in their area to write a letter to the major church associations in Indonesia, expressing concern about the use of the death penalty in Indonesia and citing any of the cases mentioned in this circular or in ASA 21/27/86. The writer should request any additional information the Indonesian church leaders may have on individuals under sentence of death. Copies of the external part of this circular and ASA 21/27/86 may be enclosed with the letter.

The addresses of these associations are:  
Majelis Wali Gereja Indonesia (M.A.W.I.)  
Jl. Cut Mutiah 10  
Jakarta

National Conference of  
Catholic Bishops



Persekutuan Gereja-Gereja di Indonesia (P.G.I.)  
Jl. Salemba Raya 10  
Jakarta

Council of Protestant  
Churches