

**PUBLIC**

**AI Index: ASA 21/011/2005**

**UA 143/05**

**Imminent execution**

**27 May 2005**

**INDONESIA**

**Sakak bin Jamak (m) aged 50, Indonesian national  
Sahran (m) aged 52, Indonesian national  
Sabran (m) aged 45, Indonesian national**

---

Amnesty International fears that Sakak bin Jamak, and two males known only as Sahran and Sabran could be executed at any time, according to an announcement from the Attorney General's office. They were sentenced to death in May 1995 for the premeditated murder of a family of three.

Sakak bin Jamak, an illiterate farmer and father of six from South Sulawesi, has claimed that he is not guilty of the murders, and that his confession was elicited through torture. On one occasion during his interrogation he was reportedly immersed in water for a period of around two hours. He described his treatment to an Indonesian newspaper:

"[At the police station] they beat me with sticks and whips to make me confess. They also burned my feet with matches. I still have the scars. Eventually, after 10 days, I couldn't take any more and told them I did it. I was in so much pain and knew I shouldn't have confessed but there was no alternative. I would have died and as it turns out, I am to be executed anyway. I should have let the police finish me off. I didn't have a lawyer in the courts as I didn't have any money and I don't understand things like that anyway."

Sakak bin Jamak did not have access to legal representation during the police investigation or prior to his trial. He was given legal representation by the state only when the trial started, denying him the right to legal advice during questioning and to adequately prepare a defence.

In an investigation conducted in September 2000, Komnas HAM, the Indonesian National Human Rights Commission, expressed concerns that Sakak bin Jamak was not informed of his right to appeal the sentence, and there is concern that he may not have understood his right to do so.

Amnesty International does not have information on the trials of Sahran and Sabran, who were convicted for the same crime as Sakak bin Jamak.

## **BACKGROUND INFORMATION**

Indonesia has carried out five executions since August 2004. Indian national Ayodhya Prasad Chaubey (m) was executed in August 2004, and Thai nationals Namsong Sirilak (f) and Saelow Prasert (m) were executed in October 2004, having been sentenced to death for drug trafficking (see UA 209/04, ASA 21/021/2004, 24 June 2004). Astini (f), an Indonesian national (see UA 303/04, ASA 21/048/2004, 10 November 2004), and Turmudi bin Kasturi (m) were executed respectively in March 2005 and in May 2005. Both were convicted for murder. Before these executions, there had not been an execution in Indonesia since 2001, and before that there had been no executions in the country for six years.

At least 62 people are believed to be under sentence of death in Indonesia. The Indonesian Commission on Human Rights (Komnas HAM) noted in 2001 that, "Aside from being internationally recognized as a human rights violation in itself... the death penalty administered by a corrupt judiciary is extremely dangerous." Following his visit to Indonesia in July 2002, the UN Special Rapporteur on the independence of judges and lawyers expressed concern regarding corruption within the judiciary.

Amnesty International opposes the death penalty unreservedly in all cases. Every death sentence is an affront to human dignity, every execution a symptom of a culture of violence, rather than a solution to it.

Today, 120 countries are abolitionist in law or practice. The risk of error in applying the death penalty is inescapable, yet it is irrevocable. Amnesty International recognizes the need to address serious crime all over the world, including murder and the trade in illicit drugs. However, the organization is convinced that the death penalty will not provide a solution. There is no clear evidence that the death penalty acts as a more effective deterrent against crime than other forms of punishment.

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

- calling for the death sentences passed on Sakak bin Jamak, Sahran and Sabran to be commuted;
- expressing deep concerns at reports indicating that Sakak bin Jamak's trial was unfair and that he may have been tortured to obtain confession,
- urging the authorities to review the trials of Sakak bin Jamak, Sahran and Sabran, and order a retrial if irregularities are found;
- calling for a full investigation into the allegations of torture, and to prosecute those found to be responsible;
- expressing concern at the possibility of judicial error in the Indonesian criminal justice system, which increases the risk of the innocent being executed;
- expressing deep concern about the renewal of executions in Indonesia;
- urging that all death sentences in Indonesia be commuted, as they constitute the violation of one of the most fundamental of human rights – the right to life.

**APPEALS TO: (Fax numbers may be difficult to get through to. Please keep trying)**

President

President Susilo Bambang Yudhoyono  
President RI  
Istana Merdeka  
Jakarta 10110  
Indonesia

**Fax: + 62 21 345 2685 / 526 8726**

**Salutation: Dear President**

Attorney General

Abdul Rahman Saleh  
Jaksa Agung  
Jl. Sultan Hasanuddin No. 1  
Kebayoran Baru  
Jakarta Selatan 12130  
Indonesia

**Fax: + 62 21 725 0213**

**Salutation: Dear Attorney General**

**COPIES TO:**

Chairman, Komnas HAM

Abdul Hakim Garuda Nusantara  
Komisi Nasional Hak Asasi Manusia  
Jl Latuharhary No. 4B  
Menteng  
Jakarta Pusat 10310  
Indonesia

**Fax: + 62 21 392 5227**

**Salutation: Dear Chairman**

and to diplomatic representatives of Indonesia accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.**