

MEDIA RELEASE

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BALI EXECUTIONS A BREACH OF HUMAN RIGHTS

Andrew Chan and Myuran Sukumaran were executed in the early hours of this morning, Australian time, along with six others. Their deaths are a tragedy.

“The executions are a devastating blow to the families, and they are also a clear breach of international human rights law”, said Castan Centre for Human Rights Law Director, Professor Sarah Joseph.

“Capital punishment is not permitted for drug offences under international law”, said Professor Joseph.

Indonesia’s President Joko Widodo flagged in December 2014 that he would not grant clemency to anyone on death row for drug-related offenses. “By making a blanket decision to refuse clemency, the President failed to consider the individual requests for pardon. He therefore ignored compelling individual circumstances, such as the remarkable rehabilitation of Andrew Chan and Myuran Sukumaran, and the serious mental illness of Brazilian Rodrigo Gularte. Everyone is entitled to individual consideration of a plea of clemency for their life.” said Professor Joseph.

“The executions of the two Australians took place despite allegations of serious corruption during their trial. Indonesia has known of these allegations for months, and has conducted no credible investigation”, said Professor Joseph. “Any taint of corruption renders the trial unfair, and the sentence a gross breach of the right to life.”

“Court proceedings also remain pending for them, and several of the other executed men. This is an utter failure in due process, with the worst of consequences.”

“One mercy is the eleventh hour sparing of Filipina Mary Jane Fiesta Veloso, after her alleged trafficker turned herself in to authorities in the Philippines.”

Chan and Sukumaran were originally arrested after the Indonesian National Police were tipped off by the Australian Federal Police.

“The Australian Federal Police provided the Indonesian authorities with information that it knew could lead to Australian citizens facing the death penalty,” said Castan Centre Associate, Dr Ronli Sifris.

“The AFP could have simply arrested the traffickers on arrival in Australia, or it could have sought an assurance that the death penalty was off the table in exchange for information that it provided, as often occurs in extradition cases.”

“The AFP provided the information that led to the execution of two Australian citizens. Today, it has blood on its hands,” said Dr Sifris.

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