

AMNESTY INTERNATIONAL

PUBLIC STATEMENT

Index: ASA 21/1851/2015
11 June 2015

Indonesia: End mass arbitrary arrests of peaceful protesters in Papua

Amnesty International calls on the Indonesian authorities to end arbitrary arrests of Papuan political activists solely for exercising their rights to freedom of peaceful assembly and expression in the country's Papua region. Anyone who remains detained solely for the peaceful exercise of their human rights must be immediately and unconditionally released. Hundreds of Papuan activists, mostly members and supporters of the West Papua National Committee (*Komite Nasional Papua Barat*, KNPB), were arrested after the organization called for a series of peaceful demonstrations. These demonstrations were held in May 2015, in support of an application by a Papuan pro-independence umbrella group, the United Liberation Movement for West Papua (ULMWP), to join the Melanesian Spearhead Group (MSG), a sub-Pacific intergovernmental organization.

In West Papua province, the Manokwari district police arrested at least 70 KNPB activists on 20 May during a peaceful rally in which police also beat some protesters with rifle butts. Three men were subsequently charged with incitement to conduct acts against the law or incitement to violence under Article 160 of Indonesia's Criminal Code. On the same day in Sorong, police arrested two KNPB activists while they tried to distribute flyers detailing the planned demonstration in the city.

In Papua province, also on 20 May, six KNPB activists were arrested in Sentani district while distributing flyers about a planned demonstration the following day. The same day, three more Papuan activists were arrested in Biak district when they tried to notify the district police of the planned demonstrations. The three men were charged with incitement to conduct acts against the law or incitement to violence. On 21 May, the police arrested 20 and 27 KNPB activists in Biak Numfor and Sentani, respectively, during peaceful demonstrations.

Between 26 May and 3 June, at least another 90 Papuan activists in Wamena, Jayapura, Nabire, Yahukimo, Jayawijaya and Sentani were arrested. Police have claimed that the arrests took place because the groups did not have permission to hold protests or rallies, and because they believed the KNPB was affiliated with the armed Free Papua Movement (OPM).

Amnesty International is concerned that there will be further arrests in the weeks preceding the next MSG Summit between 24 and 26 June 2015, which will address ULMWP's application to join the MSG.

While most of those activists who were arrested have been released without charge, these arbitrary arrests highlight the ongoing repressive environment faced by political activists in the Papuan region. The arbitrary arrests and suppression on the rights to freedom of peaceful assembly and expression in Papua once again highlight the failure of the Indonesian government to make a distinction between armed groups and peaceful activists who may support Papuan independence, and between peaceful expression of opinion and acts of physical violence.

The arrests are a setback after hope that the human rights situation in the Papua region would improve following President Joko Widodo's visit to the region in early May. During the visit, the president granted clemency to and released five political activists convicted and imprisoned following forced confessions and unfair trials based, and pledged to grant clemency or an amnesty to other political activists detained throughout the country. He also announced that the authorities were lifting

restrictions on foreign journalists, allowing them to access Papua, travel freely and report on the region.

Amnesty International takes no position on the political status of any province of Indonesia, including calls for independence. However, Amnesty International considers that the right to freedom of expression protects the right to peacefully advocate independence or any other political solutions that do not involve incitement to discrimination, hostility or violence.

Amnesty International recognizes that the Indonesian government has the duty to maintain public order on its territory. However, it must ensure that any restrictions on freedom of expression and peaceful assembly are in accordance with Indonesia's obligations under international human rights law, including the International Covenant on Civil and Political Rights to which Indonesia is a State party. Further, both under Indonesian and international law, groups organizing public protests are only required to inform the police of peaceful demonstrations, not to seek approval or permission. However, these regulations are constantly ignored by the security forces in Papua who continue to unlawfully restrict various forms of peaceful protest against the state by students, political groups and human rights NGOs. In some cases, security forces have used excessive force against peaceful protesters but this has not been investigated and no suspected perpetrator has been brought to justice.

Background

The United Liberation Movement for West Papua (ULMWP) is an umbrella organization established in December 2014 and formed of different factions of the Papuan independence movement.

The Melanesian Spearhead Group (MSG) is an intergovernmental organization, founded as a political gathering in 1983, composed of the four Melanesian states of Fiji, Papua New Guinea, Solomon Islands and Vanuatu, and the Kanak and Socialist National Liberation Front (FLNKS) of New Caledonia. Indonesia is an observing member.