

# URGENT ACTION

## PRISONER OF CONSCIENCE AT RISK OF TORTURE

**Indonesian prisoner of conscience Buchtar Tabuni is at risk of torture or other ill-treatment. He has been moved to an isolation cell, prompting fears for his safety.**

**Buchtar Tabuni**, a peaceful political activist and chair of the West Papua National Committee (KNPB), a pro-independence organization, was moved to an isolation cell at the Jayapura police station in Papua province on 7 January. Buchtar was not informed by the police of the reasons for the transfer. He has fears about his safety and that he might be forced by the police to give a confession. He is also suffering from gastric problems.

In recent years, Amnesty International has reported on a number of peaceful political activists in Indonesia who have been tortured or otherwise ill-treated by police during arrest, detention and interrogation. Furthermore, the Criminal Procedure Code does not explicitly prohibit the use of statements obtained as a result of torture or other ill-treatment in court proceedings.

Buchtar Tabuni and another prisoner Filep Karma were transferred to the Jayapura police station after a riot erupted at the Abepura prison, also in Papua province, on 3 December. The Head of the Jayapura police station said on 4 December that the men were arrested for "allegedly provoking other prisoners which caused damage in the correctional facility". However, according to reliable sources, they were not involved in the violence and had attempted to mediate between the prisoners and prison guards. Both were denied access to lawyers and family during the first few days of their detention at the police station and there was a delay in providing adequate food to them, which exacerbated Buchtar Tabuni's gastric problems. On 15 December, an investigation letter from the police identified Filep Karma and Buchtar Tabuni as witnesses to the riot. No charges have been brought against the men with regard to the riots.

As a state party to the International Covenant on Civil and Political Rights (ICCPR), the Indonesian government has an obligation to ensure anyone who is arrested is immediately told the reason for arrest and promptly informed of the charges; they must be brought promptly before a court and have the opportunity to challenge the detention. An isolation regime intentionally imposed in order to apply psychological pressure on prisoners can become coercive and should be absolutely prohibited.

### **PLEASE WRITE IMMEDIATELY in Indonesian or your own language calling on authorities in Indonesia:**

- To immediately remove Buchtar Tabuni from solitary confinement and guarantee that he will not be tortured or otherwise ill-treated while he remains in custody;
- To ensure that Buchtar Tabuni and Filep Karma receive ongoing access to legal counsel, their families and adequate medical care;
- To charge Buchtar Tabuni and Filep Karma with an internationally recognizable criminal offence or immediately and unconditionally release them, as they had been originally imprisoned solely for peacefully expressing their views;
- To ensure that all detention and judicial procedures comply with Indonesia's obligations under the ICCPR.

### **PLEASE SEND APPEALS BEFORE 23 FEBRUARY 2011 TO:**

Inspektur Jenderal Bekto Suprpto  
Papua Police Chief  
Regional Head of Police (Kapolda)  
Jl. Samratulangi No. 8 Jayapura,  
Papua, Indonesia  
**Fax: +62 967 533763**  
**Salutation: Dear Kapolda**

Mr. Patrialis Akbar  
Minister of Justice and Human Rights  
Ministry of Justice and Human Rights  
Jl. H.R. Rasuna Said Kav No. 4-5  
Kuningan, Jakarta Selatan 12950 Indonesia  
**Fax: +62 21 525 3095**  
**Salutation : Dear Minister**

**COPIES TO:** diplomatic representatives of Indonesia accredited to your country. Please check with your section office if sending appeals after the above date.

**AMNESTY  
INTERNATIONAL**



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### ADDITIONAL INFORMATION

Buchtar Tabuni and Filep Karma have been in prison in the Indonesian province of Papua for their peaceful pro-independence activities for two and six years, respectively. Amnesty International considers both of them prisoners of conscience.

Buchtar Tabuni was arrested in October 2008 for having organized a demonstration in support of the International Parliamentarians for West Papua (IPWP), a coalition of parliamentarians supporting the right to self-determination for Papua. He was sentenced to three years' imprisonment for inciting hatred against the Indonesian government.

Filep Karma was arrested for organizing a flag-raising event in the town of Jayapura in December 2004. He was convicted of "rebellion" and sentenced in May 2005 to 15 years' imprisonment. Filep Karma had suffered from health problems before his arrest, but the conditions at the Abepura prison where he has been held and the refusal of the authorities to provide him adequate medical care between August 2009 and July 2010 exacerbated his medical condition. In July 2010 he was allowed to travel to Jakarta for medical treatment.

Amnesty International takes no position whatsoever on the political status of any province of Indonesia, including calls for independence. However the organization believes that the right to freedom of expression includes the right to peacefully advocate referendums, independence or other political solutions.

West Papua and Papua provinces occupy the western half of the island of New Guinea. Papua province borders the independent state of Papua New Guinea. The arrest and detention of people in Papua are part of a larger crackdown on political activists in areas where there has been a history of separatist movements, including Papua and Maluku. The Indonesian authorities have reacted strongly towards individuals who have called for independence. Amnesty International has documented dozens of arrests in past years of such peaceful political activists. Some were sentenced to terms of imprisonment for raising the prohibited pro-independence "Morning Star" flag in Papua.

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