

AI Index: PRE 01/013/2009  
14 January 2009

## **Indonesia: Release Papuan flag raisers**

Amnesty International called today for the immediate and unconditional release of 11 Papuan protestors facing three years or more in prison merely because they displayed a banned flag.

The organization urged the Indonesian government to withdraw the 2007 government regulation that bans the display of separatist flags.

The 11 activists were arrested in March 2008 for hoisting the Morning Star flag, a symbol of Papuan independence. The flags were raised during a series of peaceful public demonstrations protesting the 2007 government regulation.

The District Court in Manokwari, initially sentenced the activists to eight month's imprisonment. On appeal, the Papua's provincial High Court upheld the guilty verdict on 9 January and extended their sentences. Prominent activist Jack Wanggai was sentenced to three-and-a-half years and 10 others were given three year sentences.

The defendants plan to appeal the decision to Indonesia's Supreme Court.

"Imprisoning protesters for three years just for raising a flag seems designed to make an example of these people in an effort to intimidate other Papuans activists," said Donna Guest, Deputy Director of Amnesty International's Asia-Pacific Programme.

The arrest and conviction of these protesters violates their right to free expression, opinion and association guaranteed under Article 19 of the International Covenant on Civil and Political Rights (ICCPR), to which Indonesia is a state party, Amnesty International pointed out.

Furthermore, the organization believes that the court's actions, as well as the 2007 regulation that have been criticized by the 11 activists and other demonstrators in Papua, backtrack on the 2001 Special Autonomy Law that granted Papuans the right to express their cultural identity.

Amnesty International called for all the withdrawal of the 2007 regulation and the release of all those arrested for peaceful flag-raising in Papua.

"The imprisonment of peaceful flag-raisers in Papua is a step back from the recent trend towards greater openness and respect for freedom of expression in Indonesia over the past few years," said Donna Guest.

### **Background**

Papua, Indonesia's eastern-most province, has witnessed a deteriorating human rights situation over the past few years. The indigenous population, ethnically distinct from other parts of Indonesia, has increasingly questioned the Indonesian government's policies regarding Papua's natural resources and the migration of non-Papuans into the area. The Indonesian government maintains a heavy police and military presence, whose members have faced accusations of intimidating and threatening members of the local indigenous community who support greater autonomy or independence from Indonesia through peaceful means.

The 11 activists were charged with 'rebellion' under Article 106 and 110 of the Indonesian Penal Code.

The Special Autonomy Law No. 21 of 2001 allows the use of Papuan regional symbols as an expression of Papuan cultural identity while Article 6 of Government Regulation No. 77 of 2007 prohibits the display of separatist logo or flags.