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Indonesia: Release peaceful political activists arrested in Maluku

The Indonesian authorities must immediately and unconditionally release ten political activists who were arrested earlier today in Maluku province, ahead of a planned peaceful protest in the province.

They were arrested for planning to commemorate the anniversary of the Republic of South Maluku (RMS) movement's declaration of independence and carrying the "Benang Raja" flags – a prohibited symbol of the RMS pro-independence movement.

The activists are prisoners of conscience – detained solely for the exercise of their rights to freedom of expression and peaceful assembly – and their arrests highlight the Indonesian police's ongoing failure to respect these rights in Maluku province.

The ten activists had gathered this morning in Ambon city, Maluku province, to march peacefully on the anniversary of the RMS movement's declaration of independence in 1950. They were carrying musical instruments, United Nations flags and the prohibited "Benang Raja" flags.

As the marchers gathered, Ambon and Lease Islands District Police personnel appeared and arrested and took away at least ten activists. Their families are not aware of their current location but according to the local police the activists could be charged with "rebellion".

The rights to freedom of expression, opinion and peaceful assembly are guaranteed under the International Covenant on Civil and Political Rights (ICCPR), to which Indonesia is a state party, as well as the Indonesian Constitution. Today's actions by the Indonesian police are a clear violation of these rights.

Amnesty International is also concerned for the safety of the activists, who may be at risk of torture or other ill-treatment. The organization has documented cases in the past where police tortured and ill-treated detained political activists in Maluku. To date, no independent investigation has been carried out into these human rights violations and none of the suspected perpetrators have been held to account.

Amnesty International calls on the authorities to ensure that the activists are immediately and unconditionally released. Pending their release, the Indonesian authorities must ensure that the activists are not tortured or otherwise ill-treated while in detention, and that they are granted access to their family members, lawyers and medical professionals, if required.

Background

A number of laws in Indonesia are used to arrest peaceful political activists, in particular those from areas with a history of pro-independence movements, such as Maluku and Papua. Dozens of political activists from these areas have been convicted in recent years – some for as long as 20 years – for attending, organizing or participating in peaceful political activities and protests, or possessing, raising or waving prohibited pro-independence flags. Amnesty International considers them to be prisoners of conscience and calls for their immediate and unconditional release. The organization estimates there are currently 70 prisoners of conscience from Maluku and Papua.

Amnesty International urges the Indonesian authorities to revoke or amend all laws that criminalize freedom of expression, to bring them in line with international human rights law and standards. In

particular, Articles 106 and 110 of the Criminal Code which criminalize peaceful “rebellion”, and Article 6 of Government Regulation No. 77/2007 which prohibits the display of regional logos or flags also used by separatist organizations, should be revoked.

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