

URGENT ACTION

7 PAPUAN ACTIVISTS JAILED FOR ANTI-RACISM PROTEST

On 17 June 2020, seven Papuan activists were convicted of treason (*makar*) and sentenced to between ten and 11 months in prison for their role in an anti-racism demonstration in August 2019. Imprisoned solely for peacefully exercising their human rights to expression and peaceful assembly, they are considered prisoners of conscience and must be immediately and unconditionally released.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Ir. H. Joko Widodo
President Republic of Indonesia
State Secretariat
Jl. Veteran No. 17-18
Kota Jakarta Pusat, DKI Jakarta
Indonesia (10110)
Twitter: @jokowi

Dear Mr. President,

I am writing to express my concern about **Ferry Kombo, Alexander Gobai, Agus Kossay, Stevanus Itlay, Hengki Hilapok, Buchtar Tabuni and Irwanus Uropmabin** who were arrested last year for their participation in a peaceful anti-racism protest in Jayapura in August 2019.

Charged under article 106 of the Criminal Code, the Balikpapan District Court sentenced them to between ten and 11 months of imprisonment. I find it alarming to learn that the Indonesian authorities have consistently used the overly vague offence of treason (*makar*) to prosecute dozens of peaceful pro-independence political activists over the last decade.

The seven Papuan activists are considered prisoners of conscience, as they have been detained solely for peacefully exercising their human rights to freedom of expression and freedom of peaceful assembly. During this COVID-19 pandemic, their health and lives are at risk since the prison is full and access to health treatment is limited. They should not stay even a single night behind bars.

Therefore, I urge you to:

- **Immediately and unconditionally release Ferry Kombo, Alexander Gobai, Agus Kossay, Stevanus Itlay, Hengki Hilapok, Buchtar Tabuni and Irwanus Uropmabin,**
- **Pending their release, ensure that they are protected from torture and other ill-treatment and have regular access to their family members, access of medical care, and lawyers of their choice. They must be assisted by their lawyers in all stages of the legal process, in line with the right to a fair trial.**
- **Immediately and unconditionally release all prisoners of conscience who should not have been detained, charged with treason and imprisoned for solely peacefully exercising their rights to freedom of expression and freedom of peaceful assembly.**

Yours sincerely,

ADDITIONAL INFORMATION

Ferry Kombo, Alexander Gobai, Henky Hilapok and Irwanus Uropmabin were arrested between 6 and 11 September 2019 in Jayapura, Papua. They were accused of being masterminds of the 29 August 2019 Jayapura “riot,” because their student union was the only organization that informed the police that there would be a peaceful anti-racism protest in Jayapura. Between 9 and 23 September in Jayapura, the police arrested three KNPB leaders (Agus Kossay, Stevenus Itlay and Assa Asso) and a ULMWP activist who was also a former chairperson of the KNPB (Buchtar Tabuni). They all have been convicted of treason (*makar*).

The trial against the seven Papuan activists began on 11 February 2020. On 11 June the public prosecutor demanded the prison sentences between 5 to 17 years for the seven PoCs. The lawyers of the defendants have argued that the indictments failed to mention a clear time, place or how the defendants were involved in a criminal offense. However, on 17 June 2020 the Balikpapan District Court in East Kalimantan issued the verdict guilty of *makar* and the following sentences for the seven POCs: 10 months for Ferry Kombo, Irwanus Uropmabin, Hengky Hilapok and Alexander Gobai, and 11 months in prison for Buchtar Tabuni, Agus Kossay and Steven Itlay.

Article 106 of the Criminal Code authorizes the courts to sentence a person “to life imprisonment or a maximum of twenty years imprisonment for *makar*” and often used to criminalize the Papuan activists. In addition, Article 110 stipulates that conspiracy to commit *makar* is punishable as a violation of Article 106. There has been an increase in the imposition of treason (*makar*) in recent years on at least 44 Papuan activists due to peacefully exercising their rights to freedom of expression, association and peaceful assembly.

The treason articles in the Criminal Code is still often applied with a definition that is too general and vague so that it no longer concerns the original purpose of the article. So, this article can be arbitrarily used to limit the rights to freedom of opinion, expression, peaceful assembly and association.

The Indonesian authorities have used these criminal code provisions to prosecute dozens of peaceful pro-independence political activists in Papua and Maluku over the last decade.

Amnesty International does not take any position on the political status of any province or region in Indonesia, or any other state, including calls for independence. However, the organization believes that the right to freedom of expression also includes advocating for independence.

PREFERRED LANGUAGE TO ADDRESS TARGET: [Bahasa Indonesia, English]

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: [3 August 2020]

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: [Ferry Kombo, Alexander Gobai, Agus Kossay, Stevanus Itlay, Hengki Hilapok, Buchtar Tabuni and Irwanus Uropmabin] (He/Him or They/Them).