



To: Health Professional Network
From: Health and Human Rights Team
Date: 5 May 2010

Health Professional Action
Denial of medical care for Filep Karma
Indonesia

Filep Karma, a 50-year-old prisoner of conscience, is in need of urgent medical care at Abepura Prison in the Indonesian province of Papua. He has been very ill since August 2009. Amnesty International has received information that he looks pale, has lost a lot of weight and has to lift his legs when he sleeps to ease the pain. A recent medical report recommended that he undergo further treatment in Jakarta. However, the prison authorities have told him they cannot send him for medical treatment, as they have limited funds.

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Filep Karma has been in prison since December 2004. He suffered health problems before his arrest, but the conditions at the prison and the refusal of the authorities to provide adequate medical care have exacerbated his problems. Sources in Indonesia have stated that Filep Karma has suffered beatings and ill-treatment by the prison guards. In August 2009, he had complained of intense pain in the lower abdomen, difficulty in urinating and testicular swelling. These conditions may be life-threatening. Further medical tests confirmed that he was suffering from bronchopneumonia, excess fluid in the lungs, urinary tract infection and various other medical problems. It was also recommended in the report that he receive further treatment in Jakarta, but prison authorities refused to send him due to lack of funds. Amnesty International and other human rights advocates have been working to secure him access to treatment in Jakarta but attempts have been unsuccessful.

Amnesty International calls on the prison authorities to ensure that he receives full and immediate access to medical care consistent with the UN Standard Minimal Rules for the Treatment of Prisoners. This standard also provides that prisoners needing treatment not available in the prison hospital, clinic or infirmary should be transferred to an appropriate institution outside the prison for assessment and treatment. Amnesty International is also calling on the prison authorities to cover the costs of such treatment as required by the United Nations Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment (Principle 24). Furthermore, under the Indonesian Government Regulation No.

32/1999 Article 17(4), on Terms and Procedures on the Implementation of Prisoners' Rights in Prison, the prison authorities are required to provide adequate access to medical treatment. Amnesty International believes the denial of medical care to Filep Karma may amount to cruel, inhuman or degrading treatment.

Background Information

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 arrests 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. The Indonesian authorities have reacted strongly towards individuals who have expressed claims for independence. Amnesty International has documented dozens of arrests in past years of peaceful political activists. Some were sentenced to terms of imprisonment for raising prohibited pro independence 'Morning Star' flag in Papua.

Former civil servant Filep Karma was among approximately 200 people who took part in a peaceful ceremony in Abepura, Papua Province on 1 December 2004. In commemoration of the declaration of Papuan independence in 1962, the Morning Star Flag was raised. Police then advanced on the crowd, firing warning shots and beating people with batons. Filep Karma was arrested, tried and received a 15 year prison sentence. Amnesty International considers him to be a prisoner of conscience.

During Filep Karma's trial, police responded with extreme force to large demonstrations that took place outside the courthouse on 10 May 2005. Many people were injured. A senior police officer was dismissed as a result, but he did not face criminal charges. There has been no formal inquiry into the events. Filep Karma was convicted of treason and sentenced on 26 May 2005. He is serving a sentence of 15 years' imprisonment, which was confirmed by the Supreme Court on 27 October 2005.

Conditions in Abepura prison are reportedly poor. Despite the heat, bathing is restricted to once or twice a week due to a lack of fresh water. Filep Karma did receive temporary medical leave from the prison in 2007 in order to receive hospital treatment.

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

Recommended Action:

Please write to the Indonesia authorities below:

- Explaining that you are a health professional concerned about human rights;
- Expressing concern at reports that Filep Karma, currently held in Abepura Prison, Papua, is not receiving adequate medical care;
- Urging the authorities to ensure that Filep Karma receives full and immediate access to medical care, in accordance with the provisions set out in the UN Standard Minimum Rules for the Treatment of Prisoners;
- Calling for the authorities to allow Filep Karma to travel to Jakarta to receive urgent medical care, as recommended by doctors in the Jayapura hospital in Papua;
- Urging the authorities to cover the cost of such treatment in accordance with the UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment (Principle 24);
- Calling for the immediate and unconditional release of Filep Karma as his imprisonment appears to be politically motivated and breaches his right to peaceful demonstration.

Addresses

Head of Abepura Prison
Anthonius M. Ayorbaba
Lembaga Pemasyarakatan (Lapas) Abepura
Jl. Kesehatan 11
Jayapura
Papua 99351, Indonesia
Fax: +62 967 581 705
Email: lapas_abepura@ditjenpas.go.id
Salutation: Dear Anthonius M. Ayorbaba

Head of the Papuan Provincial Department of Justice and Human Rights
Nazarudin Bunas
Jl. Raya Abepura No. 37
Kotaraja - Jayapura 99117, Papua
Fax: +62-967-586112
Salutation: Dear Nazarudin Bunas

And copies to:

Director General of Prisons
Ministry of Justice and Human Rights
Drs. Untung Sugiyono
Jl. Veteran No. 11
Jakarta Pusat
Indonesia
Fax: +62 21 384 1711
Salutation: Dear Director General

Please also send copies to diplomatic representatives of Indonesia accredited to your country.

If you receive no reply within six weeks of sending your letter, please send a follow-up letter seeking a response. Please send copies of any letters you receive to the International Secretariat, attention of Health and Human Rights Team, 1 Easton Street, London WC1X 0DW or e-mail: health@amnesty.org