

# AMNESTY INTERNATIONAL PUBLIC STATEMENT

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## **Indonesia: Papuan activist imprisoned for peaceful political activities**

Papuan activist Melkianus Bleskadit has been imprisoned in West Papua province for his involvement in a peaceful protest and for raising an independence flag. His sentence highlights the continuing use of repressive legislation to criminalize peaceful political activities in the province. Amnesty International calls for his immediate and unconditional release.

On 14 December 2010 a group of activists including students took part in a peaceful march in Manokwari, West Papua province, protesting against injustice and human rights violations by the Indonesian security forces against Papuans. The march ended at the Penerangan field in Manokwari where other political activists had gathered to commemorate the anniversary of the independence of “West Melanesia”.

During the ceremony the “14 Star Flag”, a symbol of West Melanesian independence, was raised. The Manokwari Sub-district Public Order Police (Polres) arrested seven political activists: Melkianus Bleskadit; Daniel Yenu, a priest; and five students – Jhon Wilson Wader, Penehas Serongon, Yance Sekenyap, Alex Duwiri and Jhon Raweyai.

All seven men were charged with “rebellion” under Article 106 of the Indonesian Criminal Code which carries a maximum sentence of life imprisonment, and with “incitement” under Article 160.

On 18 August the Manokwari District Court sentenced Melkianus Bleskadit to two years’ imprisonment while Daniel Yenu was sentenced to seven months and 16 days’ imprisonment on 23 August 2011. Daniel Yenu has been released as he has spent more than eight months in detention. The trials of the five students are ongoing.

Daniel Yenu’s lawyer has also raised concerns about his trial. The lawyer alleges that evidence not obtained from the location of the incident was introduced during the trial and that Daniel Yenu was brought before the court on 16 August and forced by the judges to defend the charges against him without the presence of his lawyer, who was preparing a written defence brief.

The International Covenant on Civil and Political Rights (ICCPR), to which Indonesia is a state party, and the Indonesian Constitution guarantee the rights to freedom of expression, opinion, association and peaceful assembly. While the Indonesian government has the duty and the right to maintain public order, it must ensure that any restrictions to freedoms of expression and peaceful assembly are no more than is permitted under international human rights law.

Amnesty International calls on the Indonesian authorities to withdraw government regulation No. 77/2007 that bans the display of regional logos or flags, which are used by separatist organizations. Amnesty International believes that this regulation is contrary to the spirit of the 2001 Special Autonomy Law that granted Papuans the right to express their cultural identity. Furthermore, the ban on waving these flags cannot be considered legitimate grounds for restricting freedoms of expression and association as set out in the ICCPR.

Amnesty International is aware of at least 90 political activists in the provinces of Maluku and Papua who have been imprisoned solely for their peaceful political activities. Amnesty International considers them to be prisoners of conscience and calls for their immediate and unconditional release.

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 any other political solutions that do not involve incitement to discrimination, hostility or violence.