

# Human Rights Watch

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<https://www.hrw.org/news/2012/01/28/indonesia-drop-charges-against-papuan-activists>

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(New York) The Indonesian government should drop charges against five Papuan activists who are being prosecuted for peacefully expressing their political views, Human Rights Watch said today. On January 30, 2012, the district court in Jayapura, the Papua provincial capital, will begin the treason (*makar*) trial of five leaders of the Papuan Peoples Congress, which the authorities forcibly dispersed last October.

The Indonesian government should show its commitment to peaceful expression by dropping the charges against these five Papuan activists, said [Elaine Pearson](#), deputy Asia director at Human Rights Watch. Its appalling that a modern democratic nation like Indonesia continues to lock up people for organizing a demonstration and expressing controversial views.

On October 19, 2011, Indonesian security forces, using excessive force, broke up a three-day Papuan Peoples Congress gathering in Jayapura, Human Rights Watch said. After one of the leaders read the 1961 Papua Declaration of Independence out loud, police and the army fired warning shots to disperse the approximately 1,000 Papuans gathered for the peaceful demonstration supporting independence for Papua. The security forces then used batons and in some instances firearms against the demonstrators, killing at least three and injuring more than 90 others. Witnesses said that demonstrators had been struck on the head and several suffered gunshot wounds.

Following the incident, eight police officers, including the Jayapura police chief, Imam Setiawan, were given written warnings for committing a disciplinary infraction by not giving priority to the protection of civilians. However, no other action was taken against police or military personnel for possible misuse of force.

Five of the activists Forkorus Yaboisembut, Edison Waromi, August Makbrowen Senay, Dominikus Sorabut, and Selpius Bobii were charged with treason under article 106 of the Indonesian Criminal Code and have been held in police detention since October 19. Another Papuan, Gat Wenda, a member of the *Penjaga Tanah Papua*, or *Pepta* (Papua Land Guard), which provided security at the Congress, will be tried separately on charges of possessing a sharp weapon.

At least 15 Papuans have been convicted of treason for peaceful political activities. They include Filep Karma, a civil servant who has been imprisoned since December 2004. About 60 other people throughout Indonesia, mostly activists from the Moluccas Islands, are also imprisoned on charges related to peaceful acts of free expression. Human Rights Watch renewed its call for the Indonesian government to release all political prisoners and allow human rights organizations and foreign journalists unimpeded access to visit Papua.

The Indonesian Criminal Code should be amended to ensure that no one is prosecuted for treason for exercising their rights to peaceful protest protected under the Indonesian constitution and international law, Human Rights Watch said. The constitution in article 28(e) states, Every person shall have the right to the freedom of association and expression of opinion. Article 28(f) provides, Every person shall have the right to communicate and obtain information for the development of his/her personal life and his/her social environment, and shall have the right to seek, acquire, possess, keep, process, and convey information by using all available channels. The International Covenant on Civil and Political Rights, which Indonesia ratified in 2006, similarly protects the rights to free expression and peaceful assembly.

Human Rights Watch takes no position on claims to self-determination in Indonesia. Consistent with international law, however, Human Rights Watch supports the right of everyone, including independence supporters, to express their political views peacefully without fear of arrest or other forms of reprisal.

The Indonesian government should be prosecuting the people responsible for the ugly and unnecessary crackdown that left three Papuans dead, not those who read out a 1961 independence statement, Pearson said. Pursuing this trial will only deepen the resentment that many

Papuans feel against the government.

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