



Killings, injuries and arrests of peaceful protestors: 1 May Papua commemoration

TAPOL would like to bring your attention to an urgent deterioration in the situation in Papua. The killing of Papuan activists in Sorong, the arrest of at least 30 peaceful demonstrators in Timika, Sorong, Biak, Abepura and Jayapura and the brutal treatment of demonstrators by Indonesian security forces represent a significant deterioration in the handling of 1 May commemorative events when compared with recent years.

1 May 2013 was the 50th anniversary of the administrative transfer of Papua to Indonesia. While the date is always a tense one in Papua, the 50 year anniversary held particular meaning for Papuans. Prior to the day itself, the Indonesian authorities issued a statement banning demonstrations commemorating 1 May, which clearly violated the fundamental rights of freedom of expression, association and assembly as guaranteed in the Indonesian Constitution.¹

During similar events on 1 May 2012, around 13 people were arrested for their participation in a demonstration commemorating 1 May at which the Morning Star flag was raised.² All were released without charge with the exception of Timur Wakerkwa and Darius Kogoya who, according to the Papuans Behind Bars website were convicted of treason and continue to serve three year and two-and-a-half year prison sentences respectively.³

Of the 30 demonstrators arrested, three have reportedly been released. 22 have reportedly been charged with treason, and Victor Yeimo has been transferred to Abepura prison to continue serving a previous sentence under Article 106 (despite a previous opportunity to follow this up, upon which the police chose not to act).⁴ The current status of the remaining 7 is still unconfirmed. See Appendix 1.

Arrests and excessive use of force in Sorong, Timika, Biak and Abepura

On 30 April, at around 17:00 East Indonesia time, community members of Aimas district in Sorong gathered at the house of Isak Klaibin, where they planned to commemorate the 1 May anniversary. Credible reports from human rights sources state that police and military forces in four vehicles arrived a few hours later and surrounded the house. The security forces fired several warning shots, which agitated the demonstrators who then proceeded towards the vehicles.⁵ When this happened, the security forces fired into the crowd for twenty minutes, causing the deaths of two activists, Apner Malagawak and Thomas Blesia.⁶ Salomina Klaibin, the sister of Isak Klaibin, was shot in the stomach and shoulder and died in hospital a few days later. At least two other demonstrators were injured, with one

in critical condition. At least seven activists have been arrested following this incident and have been charged with treason.⁷ Yan Christian Warinussy, Director of the Institute of Research, Analysis and Development for Legal Aid (LP3BH) which is accompanying the seven activists has stated that the police have attempted to hinder their access to legal counsel, citing Article 115 of the Indonesian Criminal Procedure Code, which states that while lawyers may observe the interrogation of treason suspects, they may not actually hear what is being said. According to Warinussy, police do not normally invoke this Article in such cases.

On 1 May, a group of Papuans in Timika conducted a ceremony at which the Morning Star flag was raised, resulting in the arrests of 16 people who are currently at risk of torture,⁸ with reports that ten of the detainees face treason charges.⁹ Reports from credible local sources state that five demonstrators were injured when police opened fire during the flag raising ceremony.¹⁰

In Biak, a similar flag-raising event led to the arrests of at least six activists, with reports of at least one person hurt when police opened fire into the crowd of 50 people who had gathered at the ceremony commemorating 1 May.¹¹

In Abepura, the West Papua National Committee (*Komisi Nasional Papua Barat*, KNPB) leader for Sorong district, Martinus Yohami, was arrested on 1 May while giving a speech during a peaceful demonstration¹². It is not known what he is being charged with.

Markus Yenu, a human rights activists and a leader of the West Papua National Authority (WPNA) in Manokwari, has been consistently targeted for his involvement in political activities and leading demonstrations. On 1 May, police moved to arrest him during a commemorative march in Jayapura, but protestors positioned themselves between Yenu and the police, allowing him to disappear into the crowd.¹³ It is believed that he is now in hiding.

Papuan civil society movement demanding accountability met with violence

On 8 May, another ban on public demonstrations was issued when a coalition of human rights groups and civil society organisations announced their intention to carry out nation-wide demonstrations on 13 May demanding accountability from the government following the 1 May events.¹⁴

On 13 May, protestors gathered outside the Cenderawasih University in preparation to march. Authorities responded by arresting KNPB leader Victor Yeimo and three other activists; Yongky Ulimpa, Ely Kobak and Marten Manggaprouw, when Yeimo attempted to negotiate with the police to allow the march to proceed. There have been unconfirmed reports that the four activists have been tortured by the police in detention.¹⁵ Cenderawasih University student Markus Giban was arrested and has suffered a broken arm from being reportedly tortured by Jayapura police.¹⁶ There have also been reports that following the arrests of the four activists, police used excessive force on the crowd of demonstrators, severely beating them and destroying several motorcycles during an attempt to disperse the protestors.¹⁷ Local activists also report that since this event, security forces have been clamping down

on civilians in Sentani, Abepura and Jayapura Kota, mobilising tanks and police vehicles, and are said to be carrying teargas equipment¹⁸ and water cannons.¹⁹

Indonesia's human rights abuses disregard its legal obligations

The measures taken by the Indonesian authorities during these two weeks in May are egregious violations of the fundamental rights to free expression, assembly and association. These violations are contrary to the guarantees enshrined in the Indonesian Constitution, as well as in the International Covenant on Civil and Political Rights, to which Indonesia has acceded. In response to the actions taken by the Indonesian authorities, the UN High Commissioner for Human Rights Navi Pillay has called on the Government to allow peaceful protests and hold accountable those responsible for the violence.

Recommendations

In light of these developments, we encourage you to act by urging the Indonesian government to:

1. Order an urgent and independent investigation into the deaths, arrests and excessive use of force on demonstrators commemorating 1 May, and those demanding accountability on 13 May.
2. Unconditionally release all those who have been arrested as a result of peaceful activities commemorating 1 May, and all those imprisoned for expressing their opinions or beliefs.
3. Issue an immediate apology to the victims of abuses at the hands of the Indonesian security forces, and to families who have lost their loved ones.
4. Protect, promote and fulfil its human rights obligations under international law by respecting the fundamental right of Papuans and all Indonesians to free expression, assembly and association.

We also urge you to:

1. Visit Papua as a matter of priority, in order to show your concern and to assess the situation directly.
2. Lobby for unrestricted access to Papua for diplomats, international journalists, human rights NGOs and humanitarian organisations.
3. Encourage and support visits to Papua by parliamentary delegations.

16 May 2013

Appendix 1

Name	Date of arrest	Charges	Case	Detained in
Isak Klaibin	30 April 2013	Treason	Peaceful gathering	Sorong police detention
Klemens Kodimko	30 April 2013	106, 107, 108, 110, 160, 164	Peaceful gathering	Sorong police detention
Obeth Kamesrar	30 April 2013	106, 107, 108, 110, 160, 164	Peaceful gathering	Sorong police detention
Antonius Safuf	30 April 2013	106, 107, 108, 110, 160, 164	Peaceful gathering	Sorong police detention
Obaja Kamesrar	30 April 2013	106, 107, 108, 110, 160, 164	Peaceful gathering	Sorong police detention
Yordan Magablo	30 April 2013	106, 107, 108, 110, 160, 164	Peaceful gathering	Sorong police detention
Hengky Mangamis	30 April 2013	106, 107, 108, 110, 160, 164	Peaceful gathering	Sorong police detention
Domi Mom	1 May 2013	Treason	Flag-raising ceremony	Timika police detention
Altinus Uamang	1 May 2013	Treason	Flag-raising ceremony	Timika police detention
Musa Elas	1 May 2013	Treason	Flag-raising ceremony	Timika police detention
Jhoni Niwilingame	1 May 2013	Treason	Flag-raising ceremony	Timika police detention
Hari Natal Magai	1 May 2013	Treason	Flag-raising ceremony	Timika police detention
Jhon Kum	1 May 2013	Treason	Flag-raising ceremony	Timika police detention
Semuil Deikme	1 May 2013	Treason	Flag-raising ceremony	Timika police detention
Miryam Stenamun	1 May 2013	Treason	Flag-raising ceremony	Timika police detention
Mon Deikme	1 May 2013	Treason	Flag-raising ceremony	Timika police detention
Aminus Hagabal	1 May 2013	Treason	Flag-raising ceremony	Timika police detention
Yakob Onawame	1 May 2013	Treason	Flag-raising ceremony	Timika police detention
Heri Onawame	1 May 2013	Treason	Flag-raising ceremony	Timika police detention
Biru Kogoya	1 May 2013	Treason	Flag-raising ceremony	Timika police detention
Beanal	1 May 2013	Treason	Flag-raising ceremony	Timika police detention
Alpon	1 May 2013	Treason	Flag-raising ceremony	Timika police detention
Unknown	1 May 2013	Unknown	Flag-raising ceremony	Biak
Unknown	1 May 2013	Unknown	Flag-raising ceremony	Biak
Unknown	1 May 2013	Unknown	Flag-raising ceremony	Biak
Unknown	1 May 2013	Unknown	Flag-raising ceremony	Biak
Unknown	1 May 2013	Unknown	Flag-raising ceremony	Biak
Unknown	1 May 2013	Unknown	Flag-raising ceremony	Biak
Martinus Yohani	1 May 2013	Unknown	Peaceful demonstration	Abepura (unclear, police detention or prison)
Victor Yeimo	13 May 2013	160 from a previous case in 2009	Negotiated with police to allow a peaceful demonstration	Abepura prison

Notes

- ¹ ["Gubernur dan Polda Papua Dinilai Langgar HAM,"](#) Tabloid Jubi, 27 April 2013
- ² ["Peristiwa penangkapan 14 Warga Sipil,"](#) KontraS, May 2012
- ³ ["Papuan prisoner: Darius Kogoya,"](#) Papuans Behind Bars
- ⁴ ["Papuan prisoner: Victor Yeimo,"](#) Papuans Behind Bars
- ⁵ "Recent Incidents in West Papua related to commemoration of 1 May," report by Justice, Peace and Integrity of Creation (JPIC) Desk of Protestant Church in Tanah Papua (GKI-TP), 4 May 2013
- ⁶ ["Aktivis Papua Kecam Penembakan Sorong,"](#) Aliansi Demokrasi untuk Papua (ALDP), 5 May 2013
- ⁷ ["Enam Tersangka Aimas Dituduh Melakukan Makar,"](#) Suara Papua, 10 May 2013
- ⁸ ["KNPB Serukan Aksi Nasional Bagi Korban 1 Mei 2013,"](#) Suara Papua, 8 May 2013
- ⁹ ["Al Minta Investigasi Independen Untuk Insiden 1 Mei,"](#) Tabloid Jubi, 10 May 2013
- ¹⁰ Ibid.
- ¹¹ Report from local human rights source received by e-mail entitled "Mom Salomina Klaibin demonstran 1 Mei 2013 di Sorong meninggal dunia," 7 May 2013
- ¹² ["Demo & Ibadah KNPB Peringati 50 Tahun Aneksasi di Jayapura,"](#) KNPB News, 1 May 2013
- ¹³ ["Deaths mark 50 years of West Papua occupation,"](#) The Fiji Times, 8 May 2013
- ¹⁴ ["KNPB Serukan Aksi Nasional Bagi Korban 1 Mei 2013,"](#) Suara Papua, 8 May 2013
- ¹⁵ ["Ketua KNPB Pusat di tangkap, Timika Aksi Doa di Tempat,"](#) KNPB News, 13 May 2013
- ¹⁶ ["Satu Anggota KNPB Disiksa Hingga Patah Tangan,"](#) Suara Papua, 13 May 2013
- ¹⁷ ["Akhirnya, Aparat TNI/Polri "Berhasil" Batalan Aksi di Kantor MRP,"](#) Suara Papua, 13 May 2013
- ¹⁸ ["Aksi Demo Damai Hari ini Diblokade Polisi, Ketua Umum KNPB dan 3 Demonstran Ditangkap,"](#) KNPB News, 13 May 2013
- ¹⁹ ["Aparat Bubarkan Paksa Massa Aksi, Ketua KNPB Ditangkap,"](#) Majalah Selangkah, 13 May 2013