



Promoting human rights, peace and democracy in Indonesia

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Mr Maina Kiai
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cc. Mr Zeid Ra'ad Al Hussein, UN High Commissioner for Human Rights
Mr Juan Mendez, UN Special Rapporteur on torture and other cruel, degrading or inhuman treatment or punishment
Ms. Victoria Tauli-Corpuz, UN Special Rapporteur on Indigenous Peoples
Mr. Christof Heyns, UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions
Mr. Laurent Meillan, Deputy Head, OHCHR Regional Office for South East Asia

12 December 2015

Urgent Appeal

Indonesia: Killings, torture, mass arrests and excessive use of force against Papuans commemorating 1 December

We are writing to you on behalf of TAPOL, International Coalition of Papua (ICP), Franciscans International, VIVAT International-Indonesia, KontraS (Commission for the Disappeared and Victims of Violence) and the Legal Aid Institute Jakarta (*Lembaga Bantuan Hukum Jakarta*, LBH Jakarta) in relation to the killings, torture, mass arrests and excessive use of force against indigenous Papuans participating in activities commemorating 1 December, a date they consider to be their national day, during 28 November – 1 December 2015. We believe that the conduct of Indonesian security forces violated the fundamental right to life, the right to freedom from torture and the rights to freedom of expression and assembly.

These mass arrests, killings, torture and excessive use of force represent a severe decline in the environment for free expression and assembly in Indonesia. While it is sadly common for Papuan demonstrators to face human rights abuses within their home region, recent police action in Indonesia's capital city of Jakarta shows that Papuans who express their opinions remain at risk of arbitrary arrest and ill-treatment throughout Indonesia. We believe that recent police action against indigenous Papuans, student demonstrators and journalists across Indonesia – in Jakarta, Yapen Island and Nabire – represents a systematic pattern of repression of dissenting Papuan voices.

We believe that the pattern of mass arrests and the use of excessive force and torture by security forces in Papua will continue unless action is taken. We, the undersigned organisations, are seriously concerned at this deterioration in the situation for Papuans seeking to peacefully express their views. We therefore urge you to:

1. Raise these cases with the Indonesian government, stressing the right to remedy, reparation, restitution, compensation, non-repetition, and punishment of the perpetrators, in line with the UN Guidelines on the right to remedy.
2. Raise these cases and the urgent and serious trend it represents in a public statement.

We further request that you enter into dialogue with the Special Rapporteur on torture, the Special Rapporteur on Indigenous Peoples and the Special Rapporteur on extrajudicial executions on the matter.

Background and context

1 December marks the date which West Papuans consider to be their national day, although this is not recognized by the Government of Indonesia. Peaceful commemorative activities are sometimes held on significant dates such as 1 December, and 1 May, which marks the anniversary of the administrative transfer of West Papua to Indonesia in 1963. Such commemorative activities may include the raising of the Morning Star flag and community prayer sessions. Indigenous Papuans who participate in such activities have been subject to arbitrary detention, excessive use of force and even torture.

According to information from civil society monitoring collective [Papuans Behind Bars](#), since 2012, 11 people have been arrested for commemorating 1 December, while 42 people have been arrested for commemorating 1 May. In 2015, a total of 355 people were arrested, while four people were killed due to shootings and torture and at least 145 people were injured due to excessive use of force by state security forces in reaction to activities commemorating 1 December. Similarly, 264 people were arrested in three cities in Papua because of their participation in peaceful activities commemorating 1 May this year. These mass arrests represent an urgent decline for the respect of the human rights of indigenous Papuans seeking to exercise their right to free speech and assembly by Indonesian police and military authorities.

Detailed information

Yapen Island

Summary

On 1 December 2015, four people were killed and eight others seriously injured by military officers from Military District Command 1709 and Yapen Regional Police during a security patrol in Wanampompi village in Anggaisera District, Yapen Island regency. Yonas Manitori and Darius Andiribi died on the spot after being shot, while Herik Manitori and Yulianus Robaha were tortured to death after suffering initial gunshot wounds. Eight other villagers also suffered serious injuries as a result of security officers opening fire.

Information from local human rights sources reported that villagers in Wanampompi village held annual commemorative activities on 1 December. This included the raising of the Morning Star flag followed by a prayer session.

Torture and arbitrary use of firearms

On 1 December 2015, at 06:00, a joint security task force conducted a patrol in Wanampompi village in Anggaisera District, Yapen Island Regency. The task force consisted of officers from the Yapen Regional Police (*Polres Yapen*) and Military District Command 1709. Yonas Manitori, a local villager, was shot and died on the spot when he approached the convoy and questioned the purpose of the patrol. Upon seeing this, two other villagers, Herik Manitori and Yulius Robaha, attempted to come to the aid of Yonas Manitori, but were both shot. When other villagers attempted to help the three men, security forces reacted by firing shots at them. The shootings led to death of another villager, Darius Andiribi, and seriously injured eight other people. Upon being shot, Herik Manitori and Yulianus Robaha were both dragged onto trucks and tortured to

death. Herik Manitori's stomach was torn open with a bayonet blade and his eyes were damaged by an unknown method of torture. The type of torture faced by Yulianus Robaha is unknown. Please refer to Appendix 1 to find detailed information on 12 victims of violence perpetrated by security forces in Yapen Island on 1 December 2015.

Jakarta

Summary

On 1 December, 306 people were arrested in Jakarta after attempting to conduct a long march to commemorate the date which West Papuans consider to be their national day. Most of those arrested were Papuan students who were members of the Papuan Student Alliance (*Aliansi Mahasiswa Papua*, AMP). According to comprehensive reports from AMP, at least 133 people suffered injuries and/or health complications when Jakarta Metro police officers (*Polda Metro Jaya*), uniformed and plainclothes intelligence officers and Mobile Brigades (*Brigade Mobil*, Brimob) officers attempted to forcibly disperse demonstrators by beating them and firing teargas in their direction. At least five of the 133 injured suffered serious injuries (see Table 2). Two female protestors faced sexual abuse by police officers when they were stopped on their way to join the demonstration. Two foreign journalists faced police intimidation and harassment, including one of them, Archicco Guilianno from Australia Broadcasting Corporation (ABC), being beaten by a police officer.

Excessive use of force and arbitrary arrests

According to credible information from local human rights sources, arbitrary arrests, detention and excessive use of force occurred in different locations close to the Hotel Indonesia traffic roundabout in Central Jakarta. Demonstrators had intended to gather at the roundabout before embarking on a march headed towards the Presidential Palace.

At around 08:30, the first group of demonstrators had gathered outside BCA bank, close to the Hotel Indonesia traffic roundabout. They were closely guarded and contained by Jakarta Metro police officers, Public Order police (*Sabhara*), traffic police and intelligence officers. Representatives from the Jakarta Legal Aid Institute (*Lembaga Bantuan Hukum Jakarta*, LBH Jakarta), who provided legal accompaniment for AMP, attempted to negotiate with police officers to allow demonstrators to continue with the planned march. During the containment, police officers attempted to force demonstrators to remove articles of clothing and decoration which displayed the Morning Star flag, a symbol of Papuan independence.

At 10:43, the demonstrators attempted to join another group of demonstrators that had gathered at a second location nearby, but were blocked by security forces. At 11:00, after another failed attempt at negotiating with the police, demonstrators attempted to break out of the police blockade three times. Police reportedly reacted by firing tear gas, throwing stones and sticks and firing one blank round and one live round at demonstrators. Niko Suhun, a 23-year-old Papuan student and AMP member, was shot in the head with a rubber bullet and collapsed on the spot. Police continued to beat him with batons when he was unconscious. Zet Tabuni, a 26-year-old AMP member, was beaten when he attempted to help Niko Suhun when he collapsed. Tabuni was reportedly punched on the temple by a police officer wearing a knuckleduster ring. Reports stated that from 11:00 to 12:20, police continued to contain the group of demonstrators, kicking and beating them with rattan canes.

According to an AMP report, at least 133 people suffered injuries from tear gas inhalation and excessive use of force employed by police officers. Local sources collected detailed information on thirteen demonstrators that suffered ill-treatment during the demonstration (see Appendix 2). Two female demonstrators – Eka Kosay and Martina Douw – faced sexual assault and harassment by police officers when they were on their way to join other demonstrators at the Hotel Indonesia roundabout.

At around 12:20, police began rounding up demonstrators and forcing them into buses to be detained in Jakarta Metro Police Headquarters (*Polda Metro Jaya*).

Information received by credible local human rights sources reported that at around 08:35, a second group of demonstrators gathered outside the German Embassy, close to the Hotel Indonesia traffic roundabout, were similarly contained and guarded by Jakarta city police and Brimob officers. Attempts to negotiate with police to allow them to continue with the planned march were unsuccessful. At around 11:10, police announced to demonstrators that the gathering was only allowed until 12:00. At 12:00, at least 151 demonstrators were rounded into Crowd Control (*Pengendalian Massa*, Dalmas) vehicles to be detained in Jakarta Metro Police Headquarters. 22 demonstrators gathered at a third location were similarly arrested and brought to Jakarta Metro Police Headquarters.

Attack and harassment of journalists

Two foreign journalists faced intimidation and harassment while reporting on the AMP demonstration in Jakarta. Archicco Guilliano from Australia Broadcasting Corporation (ABC) was struck by police officers when he refused to bow to their demands of erasing footage he had recorded of violence inflicted on demonstrators. Stephanie Vaessen from Al Jazeera was reportedly filming the demonstration on her mobile phone when she was approached by five police officers who ordered her to delete the footage. When she refused, the police officers reportedly snatched her phone and deleted the footage before returning it to her.

Arbitrary detention and criminal charges against two demonstrators

According to AMP demonstrators who were detained in Jakarta Metro Police Headquarters, police intimidated and threatened the detainees. At around 17:00, all but 22 demonstrators were released from detention. The 22 people left in detention underwent further interrogation. At 11:00, 20 of the 22 detainees were released. The two remaining detainees, Enos Suhun and Eliakim Itlay, were charged with violence against persons or property, incitement, violence or threat of violence against a state officer and maltreatment under Articles 170, 170, 212 and 351 of the Indonesian Criminal Code. On 4 December, the two men, who are students at a vocational teaching college (STKIP Surya Tangerang) in Tangerang, were released from detention in Jakarta Metro Police Headquarters. They are currently required to report regularly to the police and are expected to stand trial imminently.¹

Nabire

Summary

49 people were arrested in two separate incidents in Nabire in relation to peaceful activities in commemoration of 1 December. On 28 November 2015, 17 Papuans were detained by Nabire police and Brimob officers when they attempted to clean a site at Bunga Bangsa Papua Field in preparation for a prayer session in commemoration of 1 December. The 17 men were detained overnight and released the following day. On 1 December 2015, 32 Papuans were arrested when they assembled at Bunga Bangsa Papua Field to participate in the commemorative prayer session. Police officers forcibly dispersed the crowd, reportedly beating people with rifle butts and wooden beams. The 32 detainees were interrogated at Nabire Regional Police Station before being released without charge. Credible reports from local human rights sources stated that at least four of the detainees sustained injuries due to police beatings. Please refer to Appendix 3 to

¹ “Dua mahasiswa Papua Yang Ditahan Di Polda Metro Sudah Dibebaskan,” *Tabloid Jubi*, 4 December 2015, <http://tabloidjubi.com/home/2015/12/04/dua-mahasiswa-papua-yang-ditahan-di-polda-metro-sudah-dibebaskan/>

find detailed information on victims of excessive use of force by police in Nabire on 1 December 2015.

Intimidation and attack of Papuan journalist

On 1 December, Topilus B Tebai, the editor of Papuan news site Majalah Selangkah, was intimidated and harassed by Nabire Regional police officers while reporting on the planned commemorative prayer session.² Tebai was taking photos of police activity at the scene when he was approached by two police officers who stopped him and asked for his camera. One of the police officers reportedly tried to kick Tebai. When he told the police officers that he was a journalist and showed his press card, they began yelling at him and demanded to speak to his superiors. When Tebai protested, five more police officers forcibly removed his camera, kicked him and removed him from the area.

Recommendations

We request you to raise these cases with the Indonesian government, urging them to:

1. Support the National Human Rights Commission of Indonesia and other independent human rights bodies to conduct impartial, thorough and transparent investigations into the deaths, arrests and excessive use of force on Papuans commemorating 1 December.
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 and beliefs.
3. Ensure that national and international journalists and institutions are free to conduct journalistic work without restriction, in accordance with international human rights standards.
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. Encourage and support visits to Papua by parliamentary delegations.

Yours sincerely,

Sofia Nazalya
Campaigner, TAPOL

TAPOL
International Coalition of Papua
Franciscans International
VIVAT International-Indonesia
KontraS (Commission for the Disappeared and Victims of Violence)
Legal Aid Institute Jakarta (*Lembaga Bantuan Hukum Jakarta*, LBH Jakarta)

² “Journalists attacked in two separate incidents in Indonesia,” *Tabloid Jubi*, 3 December 2015, <http://tabloidjubi.com/eng/journalists-attacked-in-two-separate-incidents-in-indonesia>

Appendix 1: Victims of torture/shootings by security forces in Yapen Island, 1 December 2015

	Name	Age and sex	Violence inflicted	Current status	Instruments used	Perpetrator
1	Yonas Manitori	42 years, male	Shot below the navel	Died	Firearm	Military District Command 1709 officers, Yapen Regional Police
2	Darius Andiribi	56 years, male	Shot in the chest	Died	Firearm	Military District Command 1709 officers, Yapen Regional Police
3	Herik Manitori	45 years, male	Shot on the leg, forced onto a truck and tortured. His stomach was torn open and his eyes were damaged by an unknown method of torture.	Died	Firearm, bayonet	Military District Command 1709 officers, Yapen Regional Police
4	Yulianus Robaha	56 years, male	Shot at close range on both thighs, dragged onto a truck and tortured.	Died	Firearm, method of torture unclear	Military District Command 1709 officers, Yapen Regional Police
5	Paulinus Wororoai	48 years, male	Shot in the ribs and penetrated through the waist	Fractured rib and heavy wounds	Firearm	Military District Command 1709 officers, Yapen Regional Police
6	Zakarias Torobi	35 years, male	Shot in the leg and thigh	Fractured bones and heavy wounds	Firearm	Military District Command 1709 officers, Yapen Regional Police
7	Yance Manitori	38 years, male	Shot in the right ankle and knee	Heavy wounds	Firearm	Military District Command 1709 officers, Yapen Regional Police
8	Agus Manitori	48 years, male	Shot in the legs	Fractured bone and heavy wounds	Firearm	Military District Command 1709 officers, Yapen Regional Police
9	Daud Ayomi	48 years, male	Shot in the right hand	Fractured bones and heavy wounds	Firearm	Military District Command 1709 officers, Yapen Regional Police
10	Pilemon Ayomi	50 years, male	Shot in the shoulder	Heavy wounds	Firearm	Military District Command 1709 officers, Yapen Regional Police
11	Alius Karimati	48 years, male	Shot in the hand	Fractured bones and heavy wounds	Firearm	Military District Command 1709 officers, Yapen Regional Police
12	Anton Runaweri	50 years, male	Shot in the back of the neck, which penetrated through the jaw	Broken jawbone and heavy wounds	Firearm	Military District Command 1709 officers, Yapen Regional Police

Appendix 2: Victims of excessive use of force/sexual abuse by police in Jakarta, 1 December 2015

	Name	Age and sex	Force inflicted	Status/Injuries	Instruments used	Perpetrator
1	Zet Tabuni	26 years, male	Beaten by multiple officers, punched on the temple with a knuckleduster ring	Cut on the temple.	Rattan canes, knuckleduster ring, fists, jackboots.	10 police, intelligence and Mobile Brigades (Brimob) officers
2	Niko Suhun	23 years, male	Fainted when shot with a rubber bullet, beaten with batons when unconscious, severely beaten on the head	Critical condition; receiving treatment at the National Brain Centre Hospital for serious head injury.	Rubber bullet, batons, fists, jackboots.	Police officers
3	Sander Togotili	24 years, male	Beaten, hit on the back of the head, beaten with batons.	Deep head wound, cuts to the left ear and right hand.	Batons, fists, jackboots.	Police officers
4	Arif Nugroho	In his 20s, male	Beaten and kicked.	Deep knee wound	Fists and jackboots.	Police, intelligence and Brimob officers
5	Rini Murib	21 years, female	Fainted due to tear gas inhalation.	Teargas inhalation injuries.	Tear gas.	Police officers
6	Jhon Gobai	20 years, male	Punched and kicked.	NA	Fists and jackboots.	Police officers, traffic police, intelligence officers
7	Frans Nawipa	23 years, male	Beaten	NA	Fists and jackboots.	Police officers
8	Mikael Kudiai	22 years, male	Beaten	NA	Fists and jackboots.	Police officers
9	Steven Walela	24 years, male	Beaten	NA	Fists and jackboots.	Police officers
10	Zayu Bingga	24 years, male	Clothes torn, beaten.	NA	Fists and jackboots.	Police officers
11	Domin Yoi	24 years, male	Clothes torn, beaten on the back with rattan cane while defending female activists	NA	Rattan cane, fists and jackboots.	Police officers
12	Eka Kosay	20 years, female	Faced sexual abuse. Forced to take her clothes off and molested by police officers.	NA	Sexual assault.	Police officers
13	Martina Douw	22 years, female	Faced sexual abuse. Forced to take off her top to expose her breasts.	NA	Sexual assault.	Police officers

Appendix 3: Victims of excessive use of force by police in Nabire, 1 December 2015

	Name	Age and sex	Force inflicted	Status/Injuries	Instruments used	Perpetrator
1	Mikhael Zonggenau	45 years, male	Beaten	Wounds on the nose and lips	Rifle butt, wooden beam	Nabire Regional Police
2	Zeth Giay	42 years, male	Beaten	Head wound	Wooden beam	Nabire Regional Police
3	Samuel Kotouki	23 years, male	Beaten	Wounds on the back and lips	Rifle butt, wooden beam	Nabire Regional Police
4	Marthinus Adii	23 years male	Beaten	Cut on the lips	Rifle butt	Nabire Regional Police