



Promoting Human Rights,
Peace and Democracy in Indonesia

WEST PAPUA 2022 FREEDOM OF EXPRESSION AND FREEDOM OF ASSEMBLY REPORT



Funeral of West Papuan Independence Activist, Filep Karma, at the Expo Public Cemetery, Jayapura, on 2nd November 2022. He had been found dead at Base G beach the previous day, officially due to diving accident, though the circumstances are disputed. | Photograph: Jubi.co.id

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Introduction

This report, our fourth focusing on Freedom of Expression and Assembly and West Papua,¹ continues to document a trend of a deteriorating space for expression and human rights more generally in the region.

2022 has been a busy year for big events affecting the broader context of human rights in West Papua. Here is a list of three of the biggest developments:

1. New Provinces, New Security Operation

The new Special Autonomy Law was accompanied on 30 June by three laws to break up Papua into four provinces: Central Papua, Highland Papua, South Papua, and the rump Papua province around Jayapura.² A separate law was passed in November that carved out Southwest Papua province from West Papua Province.³ Mass protests preceded and accompanied the passage of the laws. Despite this, one government minister claimed 82 per cent support for both Special Autonomy⁴ and the creation of new provinces.⁵

The Indonesian Police (Polri)'s Operasi Nemangkawi taskforce in West Papua came to an end in 2021, and was eventually replaced by Operasi Damai Cartenz (Operation Cartenz Peace). This shows the government's willingness to continue using the security forces to lead their engagement in Papua rather than adopt a rights-based approach.

2. New Criminal Code

The passing into law of a new Criminal Code in December includes new laws criminalising 'insults' against the 'dignity' of the President, government, state institutions, and symbols, and spreading teaching against the state ideology of Pancasila. Often, the definitions of what may be criminal are vague and could silence protest⁶ or Human Rights Defenders (HRDs).

This updated criminal code also continues to include articles against Treason.⁷ The data gathered

¹ West Papua is used in this report for the region consisting of the 6 provinces the Indonesian government have designated as Papua, West Papua, Highland Papua, South Papua, Central Papua and Southwest Papua.

² indonesia.go.id, "Inilah Tiga Provinsi Baru di Papua", 15th July 2022, <https://indonesia.go.id/kategori/editorial/5224/inilah-tiga-provinsi-baru-di-papua?lang=1>

³ Kompas.com, "DPR Sahkan RUU Papua Barat Daya Jadi Undang-Undang", 17th November 2022, <https://nasional.kompas.com/read/2022/11/17/11443741/dpr-sahkan-ruu-papua-barat-daya-jadi-undang-undang>

⁴ E. Adyatama, "Mahfud Md Sebut Hanya 8 Persen Masyarakat Papua yang Tolak Otsus", 27th May 2021, Tempo.co, <https://nasional.tempo.co/read/1466394/mahfud-md-sebut-hanya-8-persen-masyarakat-papua-yang-tolak-otsus>

⁵ D.E. Nugraheny, Kompas.com, 'Mahfud MD Sebut 82 Persen Rakyat Papua Ingin Pemekaran', 26th April 2022, <https://nasional.kompas.com/read/2022/04/26/15331841/mahfud-md-sebut-82-persen-rakyat-papua-inginkan-pemekaran?page=all>

⁶ Susanti, B., The Conversation, "Panel ahli: KUHP baru terlalu privat, anti demokrasi, dan membuat masyarakat rentan dipenjara", 6th December 2022, <https://theconversation.com/panel-ahli-kuhp-baru-terlalu-privat-anti-demokrasi-dan-membuat-masyarakat-rentan-dipenjara-196049>

by Papuans Behind Bars suggests that 20 people have been unjustly arrested, tried and/or charged with treason over the course of 2022, with 15 others having been released from detention or from serving sentences.

The full implications of the new code will be monitored as its impact becomes clearer over the coming years.

3. West Papua Update: Paniai and Filep Karma

The court case against Isak Sattu over the Paniai Massacre, returned a 'not guilty' verdict. The Paniai Massacre took place on 8th December 2014. The security forces opened fire on protesters, killing four and injuring dozens. The Attorney General has filed an appeal against the verdict,⁸ and we will continue to monitor the case.

Finally, the passing of legendary Papuan human rights campaigner and ex-political prisoner, Filep Karma, sent shockwaves through the West Papuan and wider community. There are suspicions over the exact circumstances of his passing,⁹ and his funeral proved how important and popular a figure he really was. Despite an attempt by the Jayapura Head of Police to prevent supporters and mourners from flying the Morning Star flag, it was reluctantly tolerated during the ceremony.¹⁰

These important events provide critical background for understanding how the situation of Freedom of Expression and Assembly on West Papua fits into a wider context.

⁷ The full updated Criminal Code can be found here:

<https://peraturan.bpk.go.id/Home/Details/234935/uu-no-1-tahun-2023>

⁸ The Jakarta Post, "AGO appeals against 'Bloody Paniai' ruling", 7th January 2023,

<https://www.thejakartapost.com/indonesia/2023/01/06/ago-appeals-against-bloody-paniai-ruling.html>

⁹ The Guardian, "Filep Karma: West Papuan independence campaigner found dead on beach", 2nd November 2022,

<https://www.theguardian.com/world/2022/nov/02/filep-karma-west-papuan-independence-campaigner-found-dead-on-beach>

¹⁰ Jonh Roy Purba, Detik Sulse, "Momen Simpatisan Filep Karma Kibarkan Bendera Bintang Kejora-KNPB di Jayapura", 2nd November 2022,

<https://www.detik.com/sulse/berita/d-6384000/momen-simpatisan-filep-karma-kibarkan-bendera-bintang-kejora-knpb-di-jayapura>

An Overview of Freedom of Expression and Assembly Violations in West Papua and Indonesia in 2022

Types of FoA/FoE Incidents in 2022



Infographic 1

In this report, in addition to a general prevalence of incidents taking place in West Papua over the course of 2022, we will also specifically analyse the patterns of those responsible and those affected by the incidents, both generally as well as by incident type, before considering the emerging trends that have been developing since our first report in 2019.

General Situation

We recorded a total of 106 incidents, covering 45 incidents of arbitrary dispersals (including restrictions on freedom of assembly and excessive use of force), 8 incidents targeting media and human rights defenders, 29 incidents of arbitrary arrests, 17 incidents of intimidation, torture or ill treatment and killings and 7 incidents relating to internet freedom and freedom of expression online over the course of 2022. We recorded a total of at least 801 people arrested over the course of 2022.

West Papua by Indonesia in May or the declaration of West Papuan independence in December. This can be seen in the higher proportion of these types of incidents in May and December, whilst protests against the imposition of Otsus and the creation of new provinces predominated in June and July, around the time of the law's promulgation. The G20 actions can be seen in the uptick in November. Other types of incidents are more visible in the other months across the year.

West Papua Freedom of Expression and Assembly 2022



Arbitrary Dispersals



Other FoA Restrictions



Arbitrary Arrests



Intimidation, Harassment, Torture & Killings



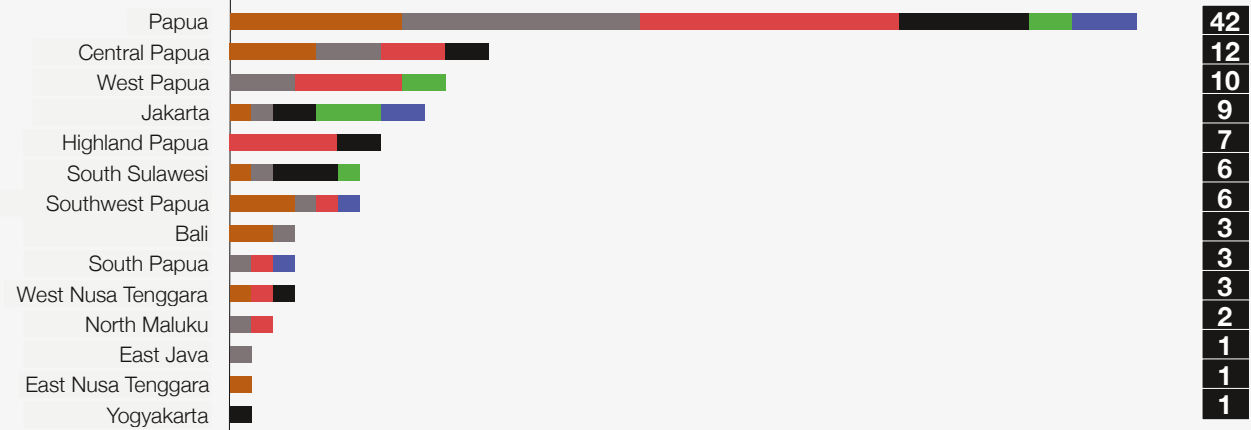
Restrictions & Attacks on HRDs & Media



Internet-related incidents

Province

Cases



Infographic 2

Numbers and Types of Incidents by Month



Arbitrary Dispersals



Other FoE Restrictions



Arbitrary Arrests



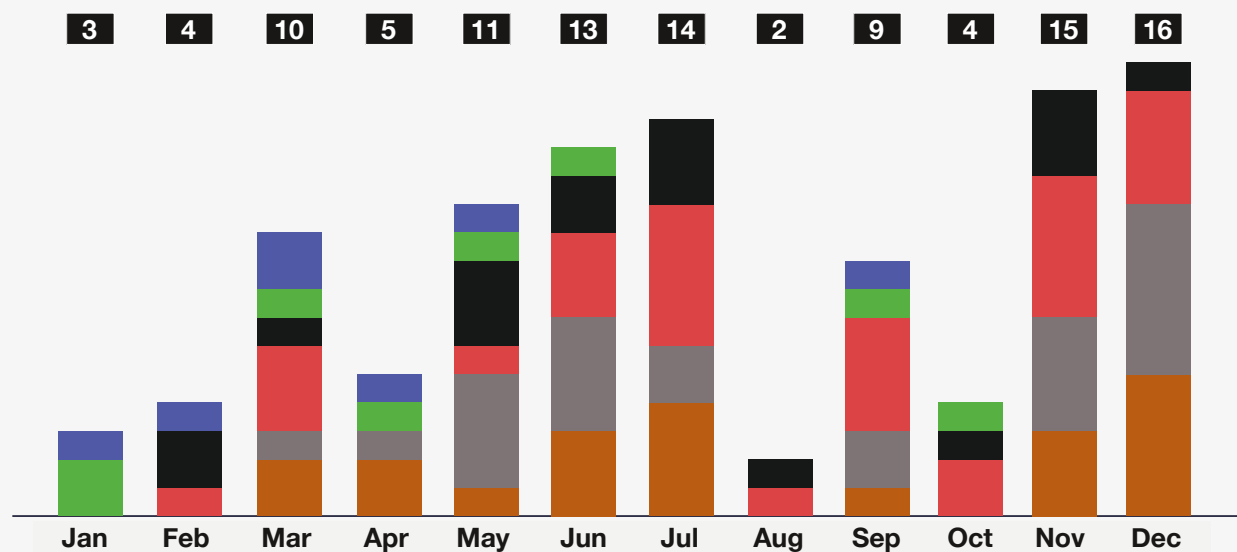
Intimidation, Harassment, Torture & Killings



Restrictions & Attacks on HRDs & Media



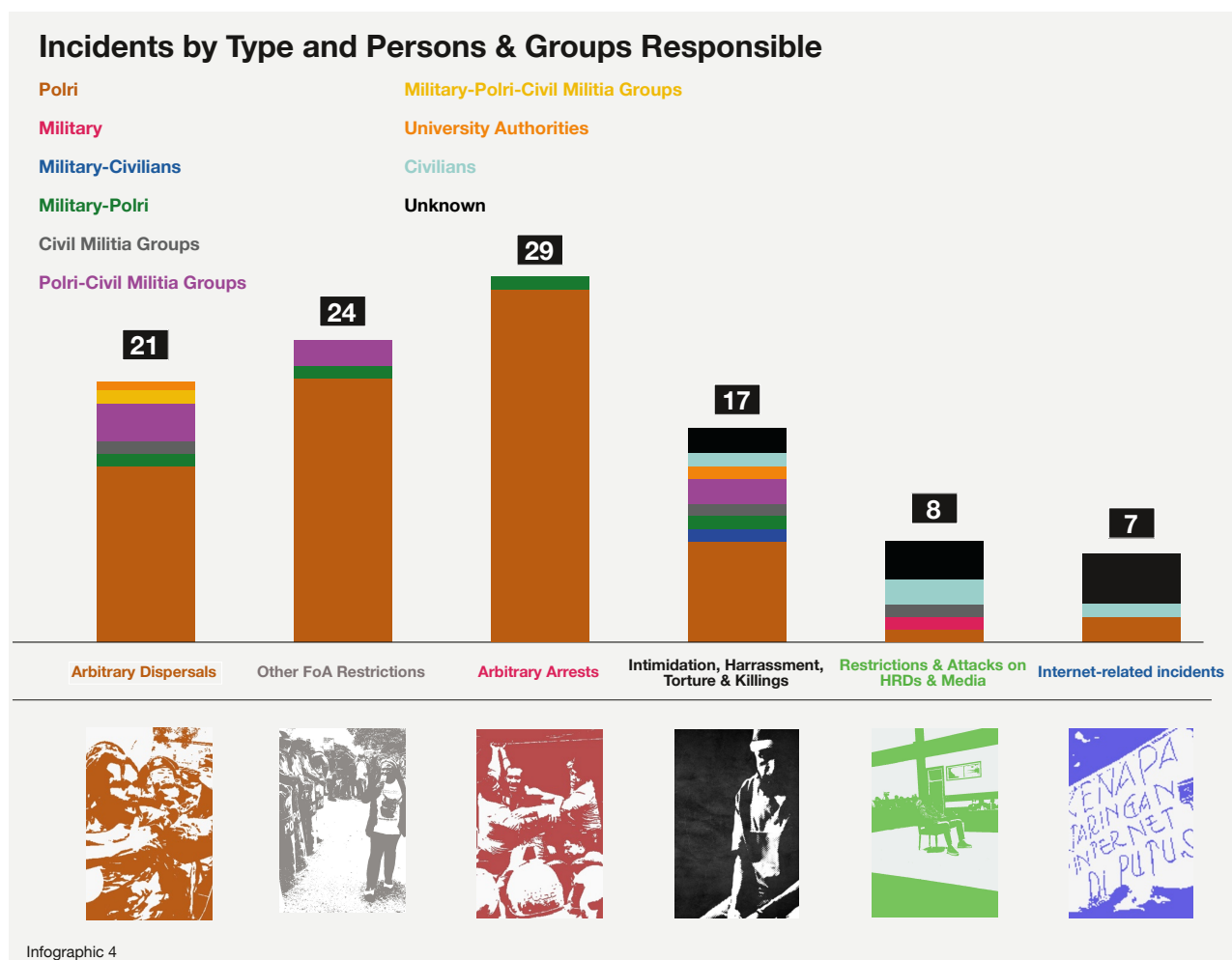
Internet-related incidents



Infographic 3

The data is broken down by province and incident type in Infographic 2. Incidents were recorded in 14 provinces across Indonesia, with the highest proportion (39.6 per cent) taking place in the rump Papua province, highlighting the amount of incidents that take place in Jayapura compared with other parts of the newly split province. Looking at the whole region of West Papua (adding West, Central, South, Southwest and Highland Papua provinces), 75.5 per cent of all Papua-related violations across Indonesia actually occurred in West Papua. The most types of incident being arbitrary dispersals and arbitrary arrests. Although these occurred consistently across the year, many were connected with protests around key anniversary dates such as the annexation of

Meanwhile, Infographic 3 shows incidents by month, with the most prevalent types of incident being arbitrary dispersals and arbitrary arrests. Although these occurred consistently across the year, many were connected with protests around key anniversary dates such as the annexation of West Papua by Indonesia in May or the declaration of West Papuan independence in December. This can be seen in the higher proportion of these types of incidents in May and December, whilst protests against the imposition of Otsus and the creation of new provinces predominated in June and July, around the time of the law's promulgation. The G20 actions can be seen in the uptick in November. Other types of incidents are more visible in the other months across the year.



Incidents by Persons & Groups Responsible and Type

Arbitrary Dispersals

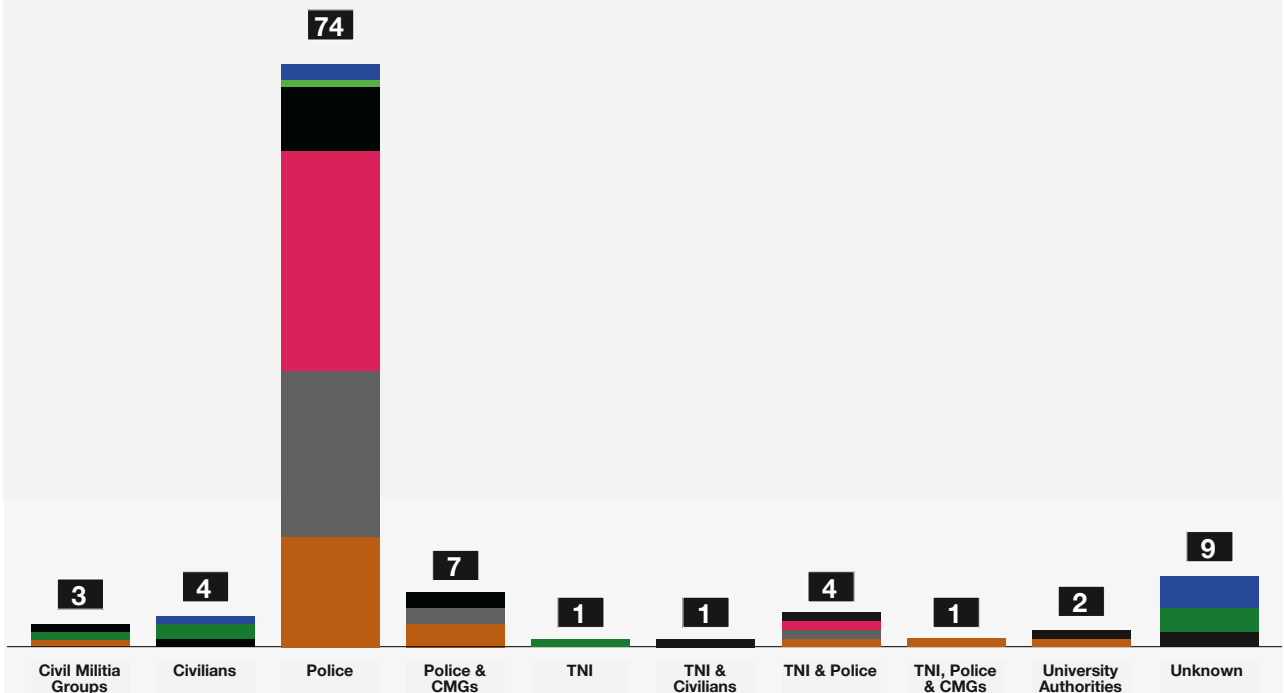
Other FoA Restrictions

Arbitrary Arrests

Intimidation, Harassment, Torture & Killings

Restrictions & Attacks on HRDs & Media

Internet-related Incidents



Infographic 5

Incidents by Province and Persons & Groups Responsible

Polri

Military

Military-Civilians

Military-Polri

Civil Militia Groups

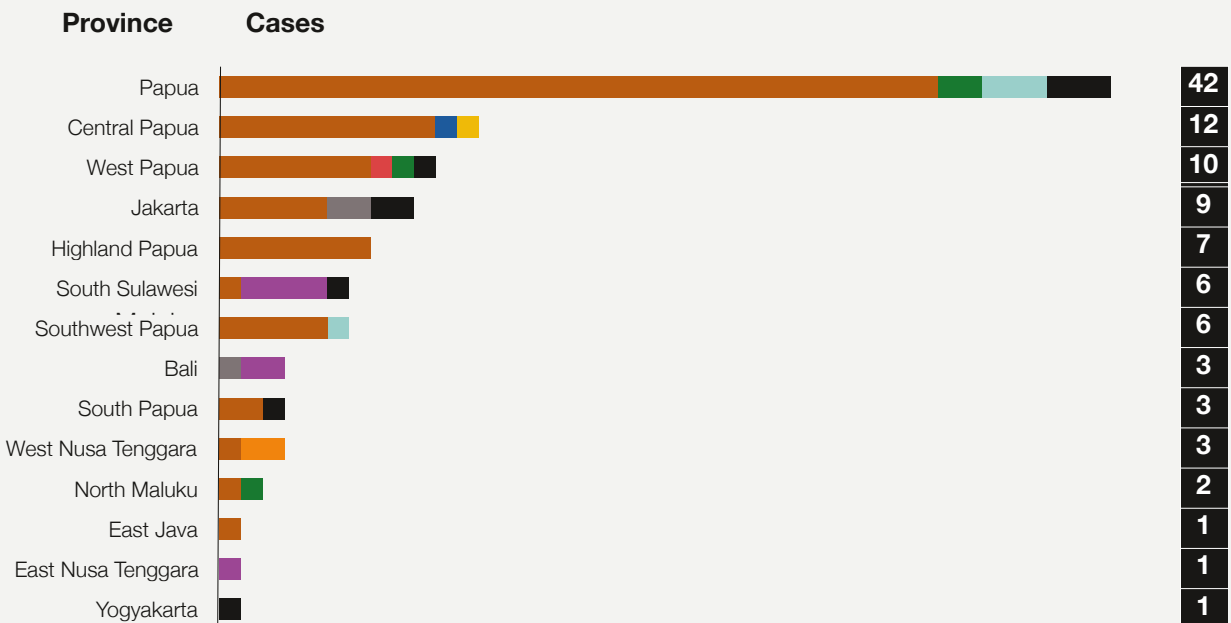
Polri-Civil Militia Groups

Military-Polri-Civil Militia Groups

University Authorities

Civilians

Unknown



Infographic 6

Incidents by Persons or Groups Responsible

Turning to the key actors responsible for Freedom of Expression and Assembly incidents, we note the continued involvement of Indonesian National Police (Kepolisian Negara Republik Indonesia, Polri) in the vast majority, either as the sole actor or in tandem with other actors, such as the TNI, civilians, civil militia groups or a combination thereof. In fact, they were involved with 81.1 per cent of all incidents that took place in 2022. Civil militia groups make up the second biggest proportion, with involvement in 10.3 per cent of all incidents. Another interesting observation is that unknown actors have contributed to almost 8.5 per cent of incidents this year, the third most prolific designation of actors involved in these incidents, increasing a sense of insecurity and unease in West Papua.

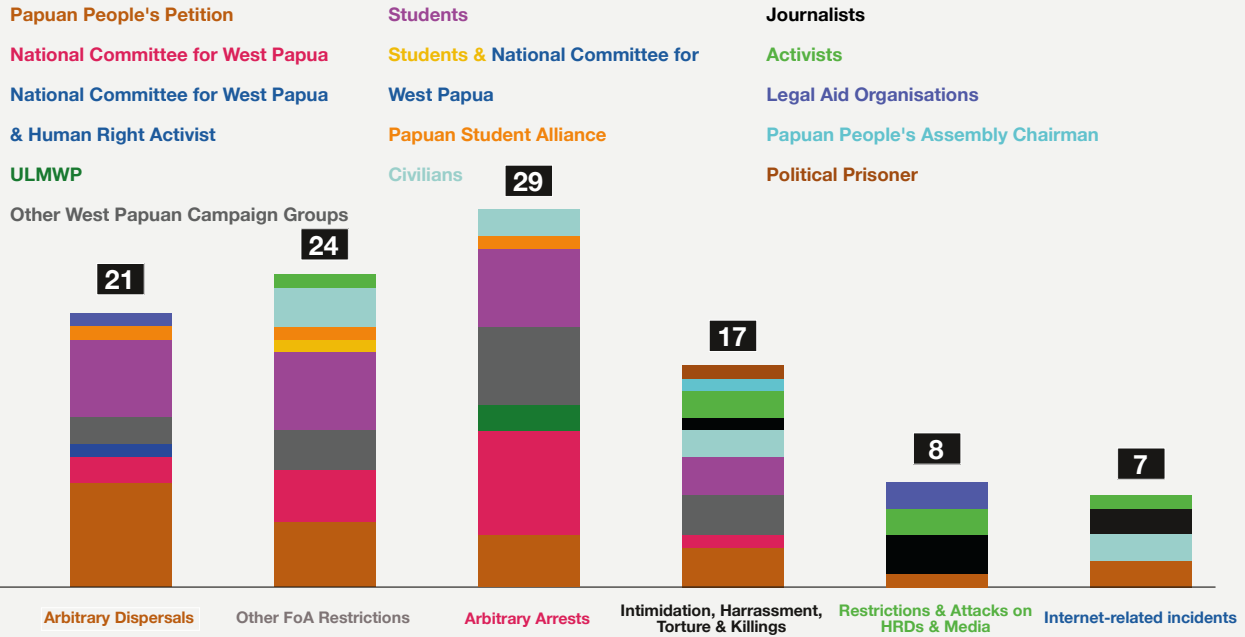
In Infographic 5, breaking down the types of incidents themselves by the groups that were responsible, we can see that Polri have had a major role in incidents of all types. The vast majority of involvement of unknown actors was in incidents involving human rights defenders and media, carrying out intimidation and incidents online, whilst civil militia groups have been most prominent in issues surrounding freedom of assembly, as well as intimidation and harassment. The third infographic highlights the breakdown by province. An interesting point to note here is the preponderance of incidents involving civil militia groups often taking place outside of Papua but which target demonstrations related to Papua.

Incidents by Persons or Groups Affected

With regard to specific groups of people affected by each type of incident, West Papuan campaign groups were by far and away the most affected. This includes Petisi Rakyat Papua (Papuan People's Petition, PRP), the Komite Nasional Papua Barat (National Committee for West Papua, KNPB), Aliansi Mahasiswa Papua (Papuan Student Alliance, AMP) and the United Liberation Movement for West Papua (ULMWP), as well as other groups which are amalgamated into one column in the infographic below. In total, they make up 55.7 per cent of all incidents. Students make up the second biggest group, affected by 23.6 per cent of all incidents, whilst civilians not in any other category make up the third largest at 8.5 per cent.

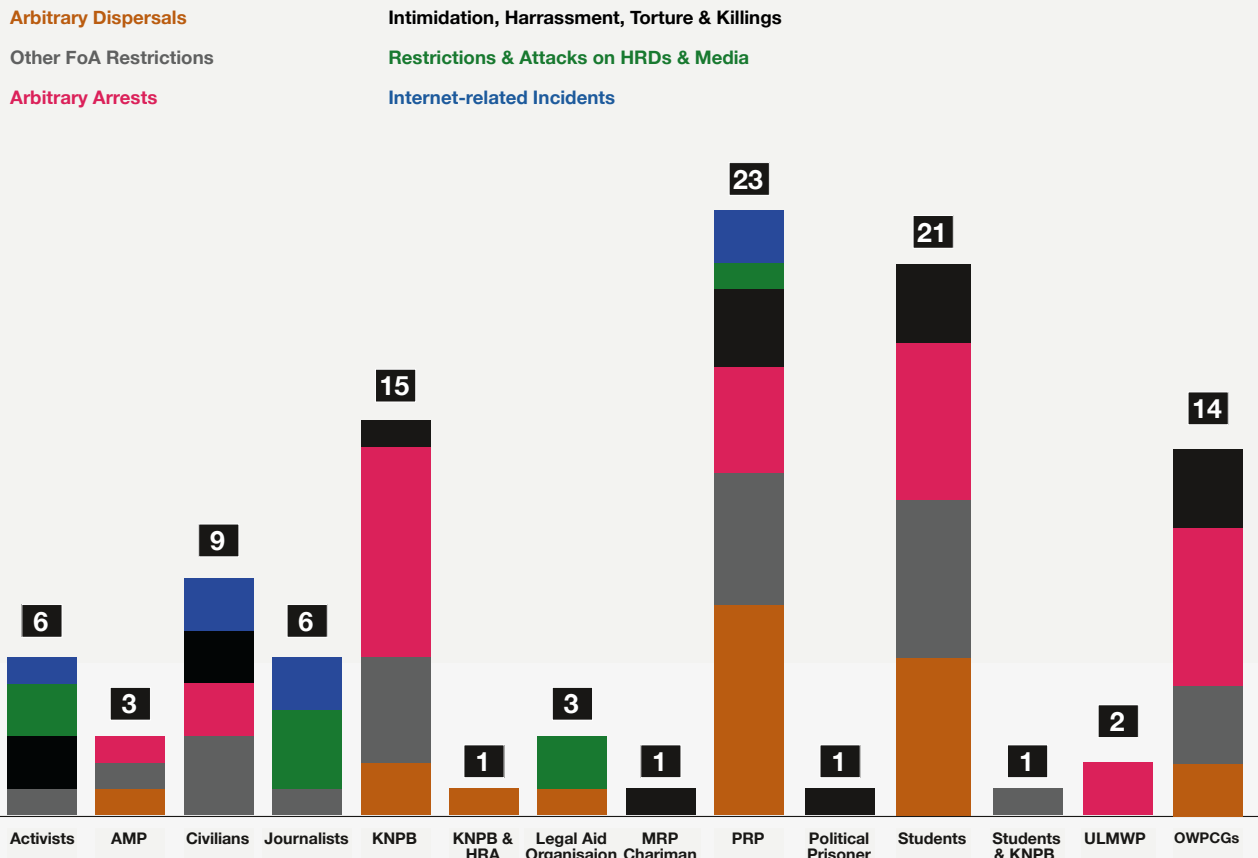
As the second infographic highlights below, whilst West Papuan campaign groups can be seen as being affected across all categories, it is clear that they are disproportionately bearing the brunt of arbitrary arrests and dispersals, shown in their presence in a huge number of these in 2022. Interestingly, a significant number of those affected by various forms of intimidation were people involved in media, HRDs or Legal Aid Organisations. The third infographic shows the distribution across Indonesia of those who were affected. West Papuan Campaign groups often have branches across Indonesia, so have been affected by incidents across a wide geographical spread. Jakarta has seen a high proportion of incidents affecting activists and journalists.

Incidents by Type and Persons & Groups Affected



Infographic 7

Incidents by Persons & Groups Affected and Type



Infographic 8

Incidents by Province and Persons & Groups Affected

Papuan People's Petition

Students

Activists

National Committee for West Papua

Students & National Committee for

Legal Aid Organisations

National Committee for West Papua &

West Papua

Papuan People's Assembly Chairman

Human Right Activist

Papuan Student Alliance

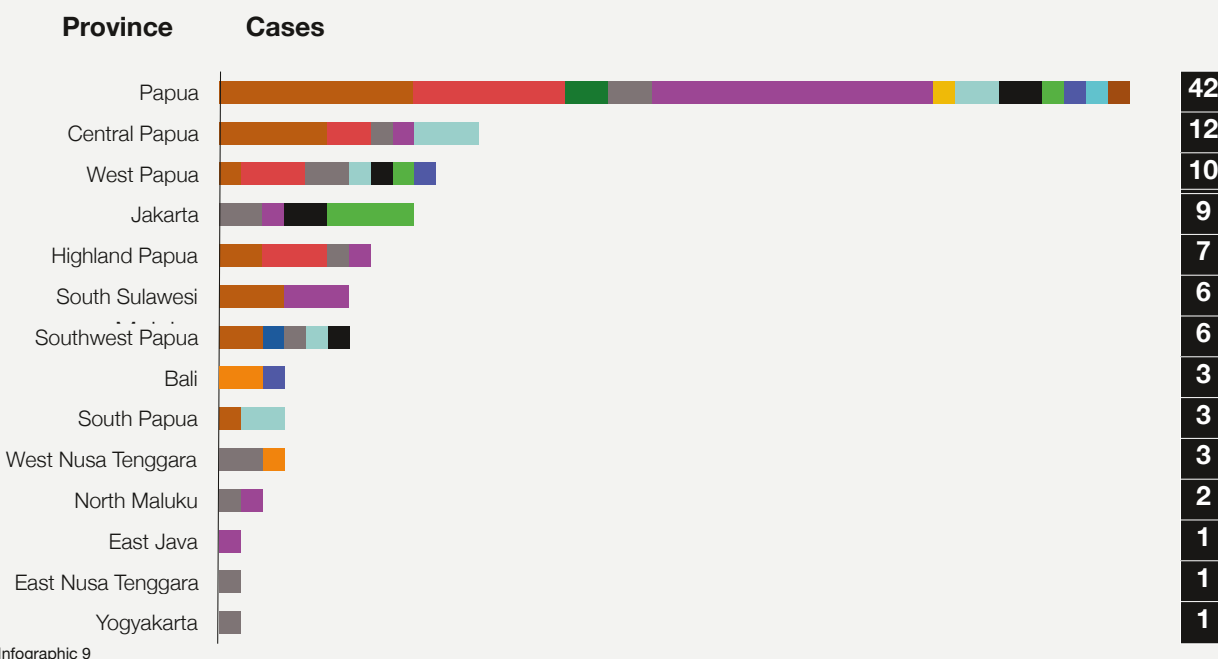
Political Prisoner

ULMWP

Civilians

Other West Papuan Campaign Groups

Journalists



Infographic 9

Trends¹¹

Between 2021 and 2022, there has been a 25 per cent increase in incidents of intimidation and harassment, a 7.1 per cent increase in arbitrary dispersal incidents, the number of arbitrary arrest incidents has seen an increase of 7.4 per cent, whilst the number of arbitrary arrests themselves have increased by 19.4 per cent since last year. The broader context and explanation of these trends will be presented later on in the report.

The below graph highlights the broader trends seen since TAPOL first compiled incidents on Freedom of Expression and Assembly in West Papua. It can be noted that the number of arbitrary dispersal incidents has been rising steadily since 2020, as well as the number of internet-related incidents. The number of intimidation and harassment incidents has decreased, although it should be noted that intimidation was included in arbitrary dispersals and arrests in the 2019 and 2020 reports, whereas the 2021 and 2022 reports regard them as separate categories.

¹¹ Note on Data: For the sake of comparability, incidents that had been previously classified in one category but are now separated into more categories, are brought together in this graph. Therefore, Arbitrary Dispersals 2022 includes "Excessive Use of Force" and "Restriction to Freedom of Assembly". Intimidation 2021 includes numbers from "Torture & Ill Treatment". Intimidation 2022 includes numbers from "Torture & Ill Treatment", "Killing", "Human Right Defenders", "Media Freedom". These categories have changed over the years to reflect the data we have received and changing importance of the types of incidents perpetrated each year, thus requiring more fine-grained analysis and classification.

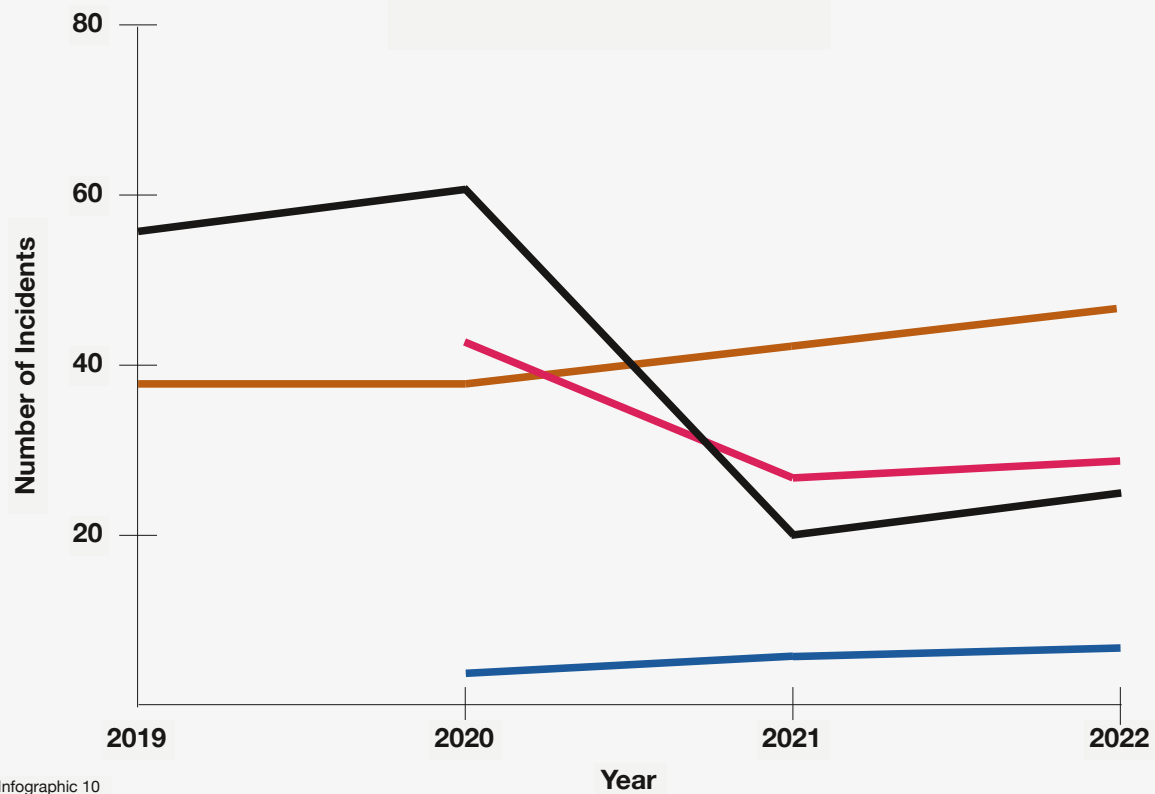
Incident Trends by Type (2019-2022)

Arbitrary Dispersals

Intimidation, Harrassment, Torture & Killings

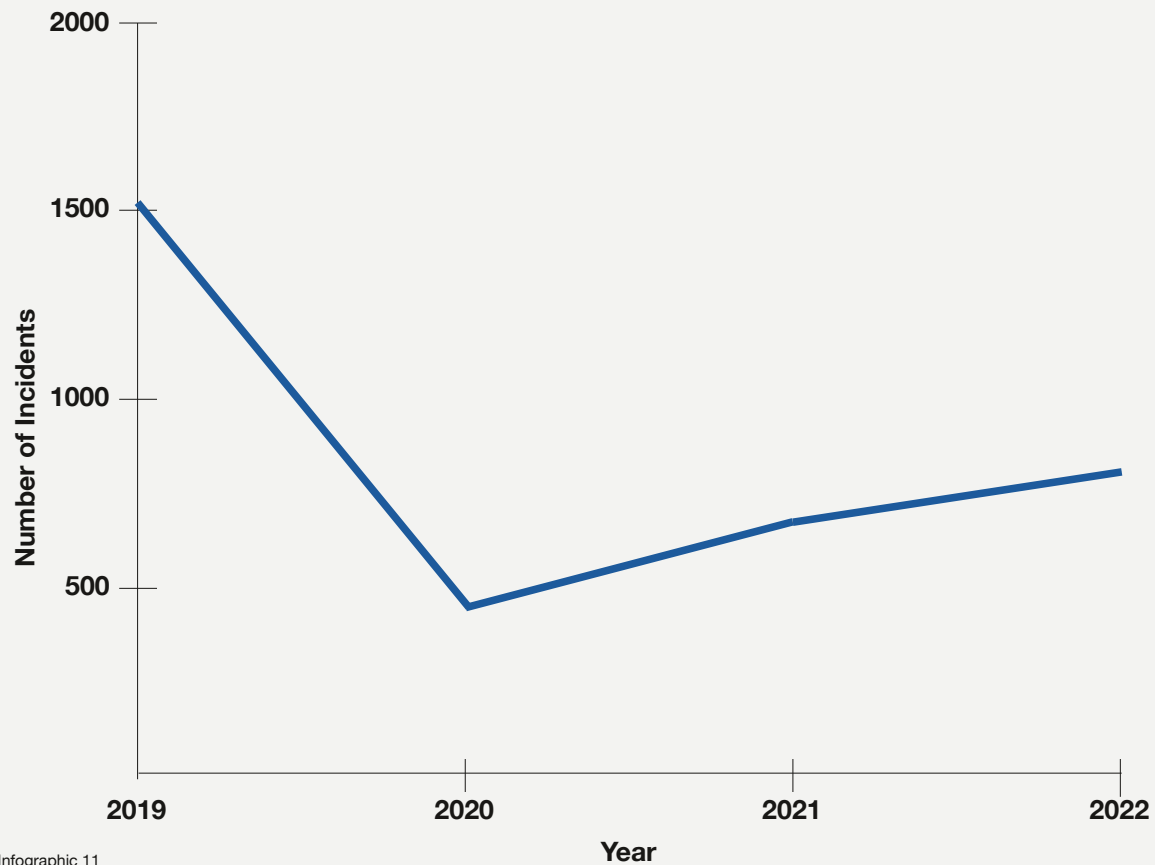
Arbitrary Arrests

Internet-related Incidents



Infographic 10

Arbitrary Arrest Numbers by Year (2019-2022)



Infographic 11

Scope, Definitions and Methodology

The scope of this report includes incidents which took place in 2022 relating to violations of the right to freedom of expression and freedom of assembly in and related to the West Papua region. The key types of violations that we document are: dispersals (forced and arbitrary), other restrictions to freedom of assembly (mainly government restrictions on the holding of demonstrations and excessive violence); arrests; intimidation and harassment, killings, excessive force (including torture, ill treatment and killing); (incidents against human rights defenders and the media); and internet freedom.

Definitions

In using the terms ‘freedom of expression’ and ‘freedom of association and assembly’, this report adopts definitions used in the Universal Declaration of Human Rights (UDHR). Article 19 states that “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.” Article 20 defines Freedom of Assembly and Association as universal, furthermore affirming that “No one may be compelled to belong to an association.” These broad definitions apply to all states which are signatories to this Declaration, including Indonesia. Furthermore, Article 28 of Indonesia’s Constitution affirms that its citizens hold rights in respect of freedom of expression and association/assembly. Furthermore, Article 5 of the UDHR states that “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”

Dispersals, which we discuss in Section 1, involved mainly the dispersal of assemblies while ongoing. There are two categories of dispersals presented in this section: arbitrary and forced dispersals. The other forms of restrictions to freedom of assembly can be seen in the following section.

We next discuss arbitrary arrests, a more specific form of violation which criminalises those exercising rights to expression and assembly. Arbitrary arrests mainly took place during or immediately following dispersals of assemblies and demonstrations.

We then explore intimidation, harassment, torture and killing incidents, highlighting a trend of excessive violence being meted out against those seeking to express their right to free expression and assembly. This is particularly the case for HRDs and media, which are dealt with specifically in the following section. Finally, we cover internet-related incidents, including cyberattacks, criminalisation of online expression and targeted internet shutdowns.

International Legal Context¹²

Besides the already mentioned UDHR and Indonesia’s own Constitution, there are numerous instruments relevant to the protection of Freedom of Assembly & Freedom of Expression that Indonesia has signed and acceded to. An example of this is the International Covenant on Civil and Political Rights (ICCPR), which Indonesia acceded to in February 2006,¹³ Article 19 & 21

¹² For a list of international human rights treaty that Indonesia has signed and ratified, please visit:

https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=80&Lang=EN

¹³ *ibid.*

respectively guarantee the protection of freedom of expression and opinion and freedom of peaceful assembly, whilst 9 and 14 protect civilians from being arbitrarily arrested and detained, and provide for the right to an impartial trial.¹⁴

The United Nations Declaration on the Rights of Indigenous Peoples, which was adopted by the UN General Assembly in 2007 and affirmed by Indonesia,¹⁵ has numerous articles protecting the right to self-determination, including political status and economic, social and cultural development (Article 3), autonomy in local affairs (Article 4) and rights to life, liberty and security of persons (Article 7).¹⁶

Methodology

TAPOL records and compiles incidents of rights violations related to freedom of expression and assembly concerning West Papua. We collect information from several sources: first-hand reports from victims; and also secondary sources such as news reports, local and national human rights and civil society organisations' reports. We rely on first-hand reports, since West Papua is effectively closed off to independent reporting and monitoring. We wish to highlight these contributions, with people risking their safety every day to make information available. For our analysis, we have broken down incidents of rights violations into several different categories. In each category, we reviewed incidents on a case-by-case basis. Oftentimes, we established that multiple violations of rights to freedom of expression and assembly had taken place resulting initially from single 'incidents'. For example, an incident that began with arbitrary arrest may have later led to treason charges. Although we have striven to provide a picture of violations of rights to freedom of expression, association and assembly that is as complete as possible, there are local human rights defenders, community activists/organisations in West Papua with whom we have not been able to corroborate data. Therefore the numbers of violations that we report here may actually be fewer than those committed.

¹⁴ Full text of the ICCPR can be found:

<https://www.ohchr.org/sites/default/files/Documents/ProfessionalInterest/ccpr.pdf>

¹⁵ OHCHR Joint Statement of the Rapporteurs, Reference: AL IDN 4/2021, 22 February 2021,

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=26029>

¹⁶ Full text of the United Nations Declaration on the Rights of Indigenous Peoples:

https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2019/01/UNDRIP_E_web.pdf

Domestic Accountability Mechanisms

A brief description of the broader accountability mechanisms in place in Indonesia will allow us to better understand how widespread human rights abuses across the country should be dealt with. This has particular relevance to Freedom of Expression and Assembly, due to the prevalence of incidents, as well as how this right in particular has been attacked in such grave human rights violations as the Paniai Massacre in 2014.

There is no independent, effective, and impartial mechanism in Indonesia to deal with public complaints about police and military misconduct, including criminal offences involving the right to freedom of assembly. This leaves many victims and their families without access to justice and reparations. While there are independent state institutions that can receive complaints on abuses by the security apparatus, such as the National Human Rights Commission (Komnas HAM), the National Ombudsman (ORI), or, specifically for the police, the National Police Commission (Kopolnas), their findings cannot be submitted to the public prosecutor.

These institutions also cannot carry out official autopsies or examine autopsy reports, death certificates and other medical certificates in suspected human rights violations involving the police or military personnel. In terms of the police, the commissions can only send the findings of their inquiry on police abuses to the police, which forwards them to the Police Division of Profession and Security (Divisi Profesi dan Pengamanan Polri, Propam) unit (the police's internal oversight mechanism) for internal investigation. The main concern of the police internal mechanism under the Propam is that most of the allegations of police misconduct in the context of human rights violations would end up only receiving internal disciplinary sanctions,¹⁷ although under Indonesia's Police Law (No. 2/2002), any police officer who is suspected of committing a criminal offence should face prosecution in a civilian court.¹⁸ On paper, Propam can forward cases of police misconduct to the police's Criminal Investigation Department (CID), who would initiate a criminal investigation and bring it to the prosecutor. It is very rare both in Indonesia and West Papua for police officers accused of committing human rights violations to be tried in a civilian court.¹⁹

In the case of the military, such findings can only be submitted to the military police and cases can never be tried before a civilian court, because under Indonesia's Military Criminal Code, military personnel can only be tried in military courts, even for criminal offences. This includes serious human rights violations, such as unlawful killings, torture and enforced disappearances. All parties in the military criminal justice system - judges, prosecutors and legal defence - are military officials. The main concerns about the military court mechanism are the lack of transparency from the investigation process to the prosecution stage, light sentences compared

¹⁷ The most common disciplinary sanctions are disciplinary detention, suspended promotion, salary deduction, removal from the current police structure or post, re-education and dismissal.

¹⁸ The technical guidelines on how to process any police misconduct to the civilian court mechanism are further regulated by Government Regulation No. 3/2003.

¹⁹ Amnesty International, "Don't Bother, Just Let Him Die": Killing with Impunity in Papua, 2018, p. 54, <https://www.amnesty.org/en/documents/asa21/8198/2018/en/>;

See also ICP, Human Rights in West Papua 2021, 2019 and 2017 in the section of Civil and Political Rights.

with the gravity of the crimes, only implicating low-rank personnel and excluding from prosecution those with command responsibility, and convictions not being taken into consideration when vetting personnel.²⁰

Human rights monitoring groups share a common conclusion that most cases of security forces' abuses in West Papua or elsewhere in Indonesia are dealt with through internal mechanisms, if the allegation of rights violations are ever reported to the police or military, with a significant number of cases not investigated at all.²¹ If the police or military decided to proceed with a report, most of the police and military personnel accused of committing abuses in West Papua have only received disciplinary sanctions and very few face criminal proceedings. These mechanisms were established under Indonesia's outdated Criminal Procedure Code (KUHAP).

Outside of the judiciary, the Non-Judicial Settlement Team of Past Human Rights Violations (Pelaksana Penyelesaian Non-Yudisial Pelanggaran Hak Asasi Manusia Masa Lalu, PPHAM) was recently established by a Presidential Decree issued on 26th August 2022,²² ostensibly to speed up the process of delivering compensation and support to victims of government-recognised serious human rights violations. There are concerns, however, that the creation of this new team may lead to a bypassing of the judicial mechanisms and may become a way for the government to draw a line under serious human rights violations without justice being served.²³

²⁰ ICTJ (International Center for Transitional Justice) and KontraS (the Commission for the Disappeared and Victims of Violence), *Derailed: Transitional Justice in Indonesia Since the Fall of Soeharto*, March 2011, p. 50-51, available at:

<https://www.ictj.org/publication/derailed-transitional-justice-indonesia-fall-soeharto-report>

²¹ See footnote No. 9.

²² The full text of Presidential Decree No 17/2022, which governs the establishment and functions of this team, can be found here:

<https://humanrightsmonitor.org/wp-content/uploads/2022/09/Keppres-No-17-Tahun-2022-Pembentukan-Tim-PPHAM-2-8-220920-204337.pdf>

²³ Human Rights Monitor, "Jokowi issues Presidential Decree 17/2022 on the formation of a team for non-judicial settlement of past serious human rights violations", 26th September 2022,

<https://humanrightsmonitor.org/general/jokowi-issues-presidential-decree-17-2022-on-the-formation-of-a-team-for-non-judicial-settlement-of-past-serious-human-rights-violations/>

Patterns of Freedom of Expression and Violations

Arbitrary Dispersals

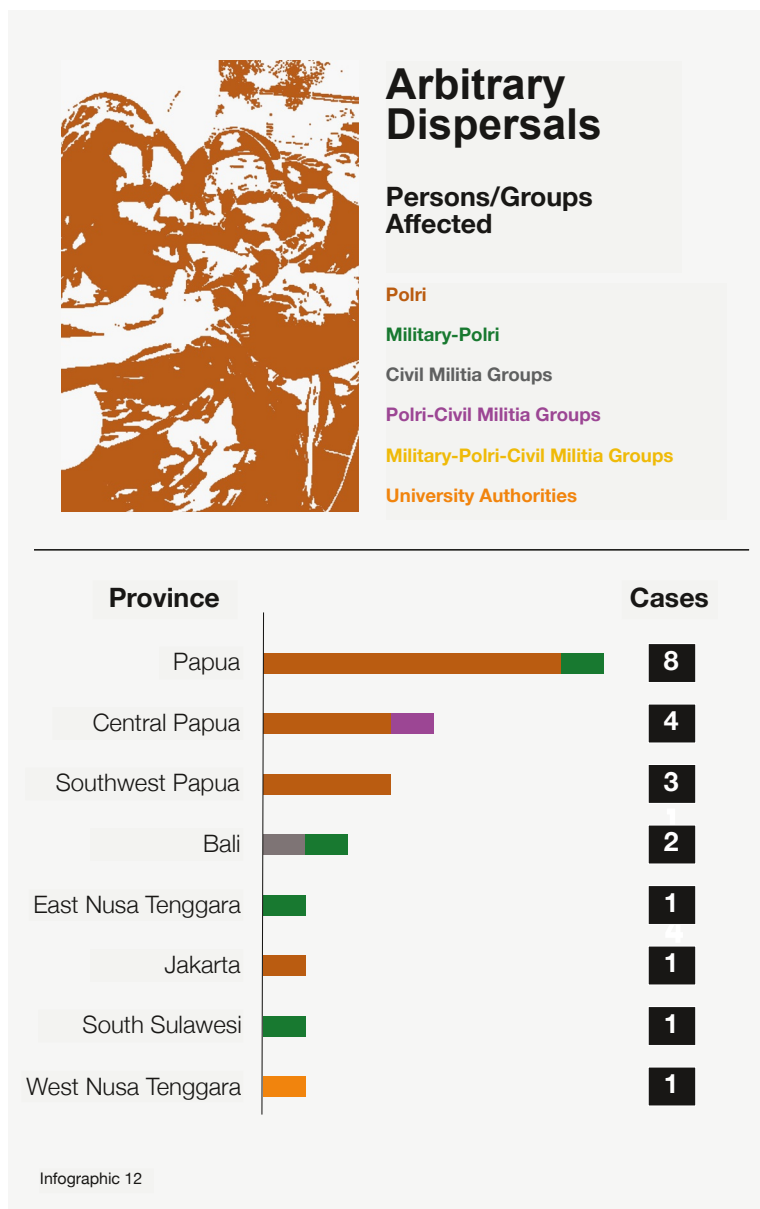
This year, we have been stricter in what we define as Arbitrary Dispersals, only counting incidents whereby a protest already in progress was dispersed by state or non-state actors.

Due to this redefinition, we have noted 21 incidents of arbitrary dispersals taking place in 2022. We note that the majority took place in Papua province (especially in Jayapura), but a few incidents also took place across other parts of West Papua, particularly in Sorong (Southwest Papua province), in Central Papua. It is interesting to note the prevalence of protests and incidents across the country with incidents recorded in a number of provinces outside West Papua including Bali, Jakarta, Sulawesi and Nusa Tenggara provinces.

Polri's committed violations or were involved in all but one of the cases recorded in 2022, continuing to show their deep involvement in the clampdown on Freedom of Expression and Assembly seen in previous reports. In two-thirds of all cases, Polri was the only actor in the dispersal of protests. In other incidents, they have acted alongside the military and with militia groups, continuing to show a process of clamping down on dissent by any means necessary. Militia groups mainly acted outside

of West Papua, with the exception of one particular incident in Central Papua. Nevertheless, they do represent the second most prevalent group in terms of incident perpetrators.

This year, the most targeted groups were those involved with campaigning for self-determination for West Papua. This included the KNPB, PRP, AMP and a selection of other campaigning organisations. Their spread and influence in events is not only being seen in West Papua but also



across the country, with affiliated groups being targeted in Bali & Nusa Tenggara provinces. They accounted for 71.4 per cent of all arbitrary dispersal incidents. Students, including the AMP, were

affected by 33.3 per cent of all incidents, with a high proportion of incidents in Papua province affecting them specifically.

Arbitrary Dispersals

Persons/Groups Affected

Papuan People's Petition

National Committee for West Papua

National Committee for West Papua &

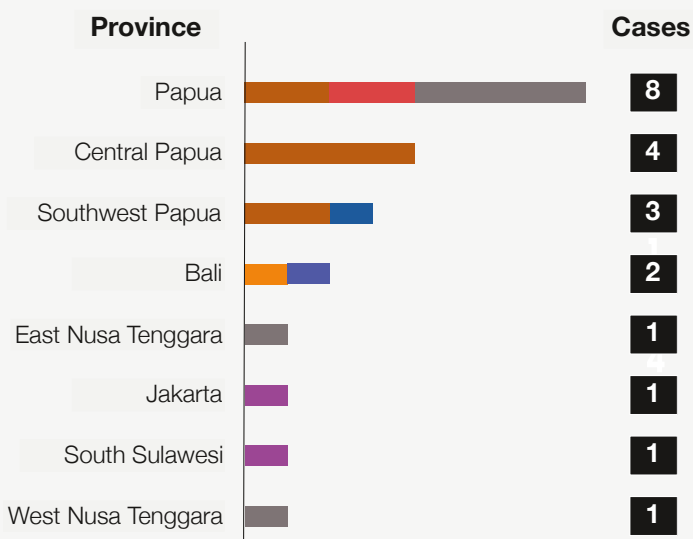
Human Rights Activist

Other West Papuan Campaign Groups

Students

Papuan Student Alliance

Legal Aid Organisations



Infographic 13

Arbitrary Dispersals Inside West Papua

With the subdivision of Papua into new provinces over the course of 2022, huge numbers of demonstrations in protests against the policy ended up being dispersed. In March, hundreds of students at Cendrawasih University in Jayapura protested, and 20-30 police officers were already in position at places where students gathered. Police then dispersed protestors using a water cannon, causing some protestors to flee into student housing in Abepura, from which police did not allow them to leave. Despite attempts by the students to negotiate, the protest was dispersed forcefully.²⁴ This was followed up in April by demonstrations across the

country by the PRP. In Timika in Central Papua, demonstrations were dispersed by the police acting in concert with the TNI and militia groups.²⁵ The dispersal was carried out with tear gas, beatings and harassment by a mob of militia members, leading to at least 13 victims, with eight having been arrested and five injured.²⁶

In June, further protests were carried out throughout the province, as the debate and bill on

²⁴ CNN Indonesia, "LBH Sebut Demo Tolak Pemekaran di Papua Dibubarkan Secara Brutal", 8th March 2022,

<https://www.cnnindonesia.com/nasional/20220308173844-20-768421/lbh-sebut-demo-tolak-pemekaran-di-papua-dibubarkan-secara-brutal>

²⁵ Suara Papua, "Belum Sampaikan Aspirasi, Massa Aksi Tolak DOB di Timika Dibubarkan Paksa", 18th April 2022,

<https://suarapapua.com/2022/04/18/belum-sampaikan-aspirasi-massa-aksi-tolak-dob-di-timika-dibubarkan-paksa/>

²⁶ Tekege, T., Wagadei, "LBH Papua kecam aparat keamanan bubarkan aksi PRP di Timika dengan Kekerasan", 18th April 2022,

https://wagadei.com/2022/04/18/12091/?fbclid=IwAR3b9PZhw2bE_qnyl0IH4IMego3vK81CiHq4nt8FFuwv7HTPyXWO8xZ9CM4

creating new provinces came before the Indonesian Parliament, with the PRP organising the vast majority of these. Protests on 3rd June in Nabire and Sorong were dispersed violently. In Nabire, police shouted at and threatened protestors that they had to disperse themselves within ten minutes. Despite attempts by the crowd to disperse themselves, the police moved in to disperse the protest violently, leading to the arrest of 23 activists.²⁷ In Sorong, the protestors who had arrived at the local parliamentary office to try and meet its head to voice their demands, were dispersed with teargas²⁸ followed by the arrest of 11 people.²⁹ These incidents show the lack of democratic space to question Jakarta's policy of creating new provinces in Papua, challenging claims of local demands for this to be done.

July saw further protests, as the proposal to create new provinces was signed into law. In Timika, Central Papua, 500 police personnel were involved in the dispersal of protests.³⁰ In Jayapura, four students from Cendrawasih University were beaten by the police as they were demonstrating at their campus. Negotiations between students and the police were attempted beforehand, but they failed and the students were dispersed and beaten with batons.³¹ Hundreds of security force personnel were sent to Nabire in preparation for demonstrations on 14th July,³² which then led to the arrests of 11 people.³³ Despite the passing of the law, protests against it show that the issue had not yet been put to the people of West Papua, and they continued to express their feelings against it.

December continues to be a flashpoint for protests, with 2022 seeing commemoration of 61 years since the declaration of West Papuan independence. Sorong saw protests campaigning for self-determination for the people of West Papua.³⁴ After demonstrators took out the Morning Star

²⁷ Yogi, S., Suara Papua, "Aksi PRP di Nabire Dibubarkan Paksa Aparat, 23 Orang Sempat Ditangkap", 5th June 2022,

<https://suarapapua.com/2022/06/05/aksi-prp-di-nabire-dibubarkan-paksa-aparat-23-orang-sempat-ditangkap/>

²⁸ Baru, M., Suara Papua, "Aspirasi Belum Disampaikan, Massa Aksi PRP di Sorong Dibubarkan", 3rd June 2022,

<https://suarapapua.com/2022/06/03/aspirasi-belum-disampaikan-massa-aksi-prp-di-sorong-dibubarkan/>

²⁹ <https://www.facebook.com/103533661428529/photos/a.103681808080381/533118365136721/>, Accessed 3rd March 2023.

³⁰ Labu Lela, M., Tribun-Papua.com, "Sekelompok Warga di Timika Dibubarkan, Sempat Ngotot Ikut-ikutan Aksi Tolak DOB Papua", 14th July 2022,

<https://papua.tribunnews.com/2022/07/14/sekelompok-warga-di-timika-dibubarkan-sempat-ngotot-ikut-ikutan-aksi-tolak-dob-papua>

³¹ Jubi.id, "Four student-protesters beaten by police in Jayapura", 15th July 2022,

<https://en.jubi.id/four-student-protesters-beaten-by-police-in-jayapura/>

³² TB News, "Ratusan TNI-Polri Diterjunkan Amankan Demo 14 Juli Di Nabire", 13th July 2022,

<https://tributanews.papua.polri.go.id/2022/07/13/ratusan-tni-polri-diterjunkan-amankan-demo-14-juli-di-nabire/>

³³ https://www.facebook.com/permalink.php?story_fbid=pfbid02TQC7y7Hg5g2cnqwkKwYUX3asanQHKopV5bU3hDfar4a5QbsLtn9n7jPEaNH3ZLAI&id=103533661428529,

Accessed 3rd March 2023.

³⁴ Tribun-Papua.com, "Simpatian Papua Merdeka Gelar Aksi di Sorong, Koordinator: Hak Kami Menentukan Nasib Sendiri", 1st December 2022,

<https://papua.tribunnews.com/2022/12/01/simpatian-papua-merdeka-gelar-aksi-di-sorong-koordinator-hak-kami-menentukan-nasib-sendiri>

³⁵ Kompas TV, "Demo Satu Desember di Sorong Ricuh, Polisi Bubarkan Dengan Gas Air Mata", 1th December 2022,

<https://www.kompas.tv/article/354216/demo-satu-desember-di-sorong-ricuh-polisi-bubarkan-dengan-gas-air-mata>

³⁶ Jubi TV, "Terjadi Kekerasan saat peringatan Hari HAM Sedunia di Kota Jayapura", 11th December 2022,

<https://jubitv.id/terjadi-kekerasan-saat-peringatan-hari-ham-sedunia-di-kota-jayapura/>

flag, a symbol for an independent West Papua, the police fired teargas and arrested two demonstrators.³⁵ There were also many dispersals due to demonstrations that occurred on International Human Rights Day on 10th December. In Jayapura, four were injured after police fired teargas into a demonstration,³⁶ whilst in Sentani, outside of the city, 51 people were arrested after police dispersed a protest there.³⁷ In Sorong, as many as 350 police personnel broke up protests, seizing KNPB flags, posters and other material they found.³⁸ It is interesting to see so many demonstrations taking place and being broken up by the police on this day, which doesn't usually see this level of activity, and may be linked to the focus on Indonesia at international human rights fora during the UPR (Universal Periodic Review) process this year at the UN. This process prompted an increased recognition for activists and people on the ground of the need for international awareness of what is going on in West Papua for change to occur. In fact, groups such as the KNPB explicitly mentioned the need for international recognition of human rights violations during Indonesian rule in West Papua, as well as reference to the internationally-recognised right to political expression in the International Covenant on Civil and Political Rights,³⁹ highlighting this in full view.

Arbitrary Dispersals Outside West Papua

Numerous dispersals also occurred against protests in solidarity with those campaigning against the creation of new provinces in West Papua. This could be seen in Jakarta where a demonstration was organised by Papuan students on 11th March. 104 students were protesting peacefully in front of the Ministry of Home Affairs before the protest was broken up by police. Five of the students were beaten, and all of them ended up being arrested and taken in for questioning.⁴⁰ This event has proven, yet again, that violent dispersals are not just a feature of law enforcement within West Papua itself, but extend to any discussion of the issue anywhere in Indonesia.

Student groups have been targeted across Indonesia. In June, a protest in Makassar by Papuan students against the creation of new provinces was broken up by militia groups working in concert with police, some of whose officers were wearing plain clothes. Five students were wounded and taken for medical treatment as a result of the breakup of these protests.⁴¹ They had stones thrown at them and were beaten and kicked by the militia group.⁴²

³⁷ Jubi.id, "Peringatan Hari HAM Sedunia di Jayapura dibubarkan polisi dengan water cannon dan gas air mata", 10th December 2022,

<https://jubi.id/tanah-papua/2022/peringatan-hari-ham-sedunia-di-jayapura-dibubarkan-polisi-dengan-water-cannon-dan-gas-air-mata/>

³⁸ Jubi.id, "LBH Kaki Abu kecam Pembubaran aksi Peringatan Hari HAM Sedunia di Kota Sorong", 10th December 2022,

<https://jubi.id/polhukam/2022/lbh-kaki-abu-kecam-pembubaran-aksi-peringatan-hari-ham-sedunia-di-kota-sorong/>

³⁹ Jubi.id, "KNPB imbau masyarakat Papua ikut aksi damai peringati Hari HAM Sedunia", 9th December 2022,

<https://jubi.id/tanah-papua/2022/KNPB-imbau-masyarakat-papua-ikut-aksi-damai-peringati-hari-ham-sedunia/>

⁴⁰ detikNews, "Mahasiswa Papua Sebut 5 Temannya Dipukul Saat Demo, Polisi Bantah", 11th March 2022,

<https://news.detik.com/berita/d-5978845/mahasiswa-papua-sebut-5-temannya-dipukul-saat-demo-polisi-bantah?single=1>

⁴¹ CNN Indonesia, "Kronologi Aksi Mahasiswa Tolak DOB Papua Berujung Bentrok di Makassar", 8th June 2022,

<https://www.cnnindonesia.com/nasional/20220608200456-12-806613/kronologi-aksi-mahasiswa-tolak-dob-papua-berujung-bentrok-di-makassar>

⁴² https://www.facebook.com/permalink.php?story_fbid=pfbid0s5Jj9RDXf6ShQ8juxUa3f3RbuYY2DM2BwA2mrPF4iv4x6eifq59HX4e2utEpNJtfl&id=103533661428529,

Accessed 3rd March 2023.

The hosting of the G20 in Bali in November also provoked a number of demonstrations calling for greater rights for West Papua, with the world's eyes on one of the biggest international diplomatic events of the year. Papuan students in Bali carried out protests, demanding the right to self determination but were blocked by both militia groups and the police. Stones, wood and bottles were thrown at the students, causing them to flee to their dormitory, where they were prevented from leaving.⁴³ An internal meeting of the Indonesian Legal Aid Foundation in Bali was also dispersed by police, with police personnel asking for the identity cards of all present and taking phones and laptops.⁴⁴ Despite claims to other countries that it wanted to promote peace and human rights at the G20 meeting, the authorities showed little interest in promoting this agenda within their own country.

Some demonstrations also occurred outside of West Papua in December, commemorating West Papua's declaration of independence. When Papuan students demonstrated in Kupang, East Nusa Tenggara Province, their demonstration was broken up by Garuda Kupang, a militia group, after hearing a call for Papuan independence from Indonesia. Papuan students were made up of those from the AMP, the Papuan Students' Communication Forum (Forum Komunikasi Mahasiswa Papua (Fokmap) and the Indonesian People's Front for West Papua (Front Rakyat Indonesia West Papua (FRI-WP). The police allowed the dispersal to occur⁴⁵ before arresting 14 of the students.⁴⁶

⁴³ Jubi.id, "Papuan students in Bali reject G20 and demand self-determination", 17th November 2022,

<https://en.jubi.id/papuan-students-in-bali-reject-g20-and-demand-self-determination/>

⁴⁴ CNN Indonesia, "Rapat Internal YLBHI dan 18 Kantor LBH di Bali Dibubarkan Paksa Aparat", 13th November 2022,

<https://www.cnnindonesia.com/nasional/20221113203801-20-873184/rapat-internal-ylbhi-dan-18-kantor-lbh-di-bali-dibubarkan-paksa-aparat>

⁴⁵ Kompas.com, "Demo Mahasiswa Papua di Kupang Dibubarkan, Ormas: Ada Teriakan Menuntut Pembebasan Papua dari NKRI", 2nd December 2022,

<https://regional.kompas.com/read/2022/12/02/192356078/demo-mahasiswa-papua-di-kupang-dibubarkan-ormas-ada-teriakan-menuntut?page=all>

⁴⁶ <https://www.facebook.com/KoranKejora1961/posts/>

[pfbid038FmJF6s81k1H6CT6V8jhHSd3X7MfYvJVUvJuEeWFjCWFwML5Mvy6NwdXHvJgTDtwl](https://www.facebook.com/KoranKejora1961/posts/pfbid038FmJF6s81k1H6CT6V8jhHSd3X7MfYvJVUvJuEeWFjCWFwML5Mvy6NwdXHvJgTDtwl), Accessed on 3rd March 2023,

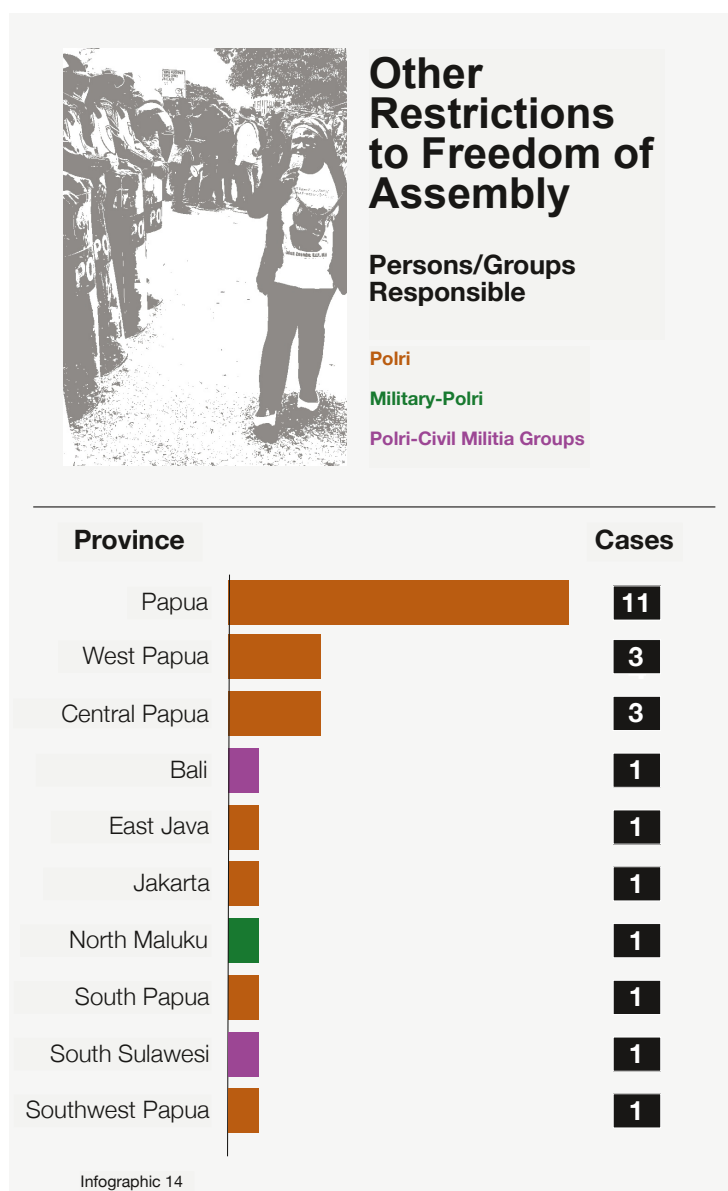
Other Restrictions to Freedom of Assembly

These cover incidents of excessive use of force against those exercising their freedom of assembly, as well as incidents showing restrictions against freedom of expression. 12 incidents were reported from the first category, and 12 incidents from the second, giving a total of 24 incidents. Adding to the previous category of Arbitrary Dispersals, we see a total of 45 incidents covering all types of incidents which had been undifferentiated in previous reports.

The police were involved in all of the incidents recorded in this category, sometimes working alongside TNI and militia groups, though these only occurred outside of West Papua. The vast majority of these incidents occurred in Jayapura and the rump Papua province, though incidents were detected across all parts of West Papua, with the exception of Highland Papua province.

With regard to those affected by these incidents, again, the vast majority of incidents affected campaigning groups for self-determination in West Papua, targeted in 66.6 per cent of all incidents. 33.3 per cent of all incidents involved students being targeted, including those involved in the AMP as well as those operating independently or involved with other groups.

The security forces have often been quick to use violence against protests which are deemed to have separatist elements. Demonstrations in May against the new provinces faced forced disbandment, beatings, pursuit and shootings.⁴⁷ In Jayapura, police used water cannons and teargas against protestors.⁴⁸ In June, four protestors were shot by rubber bullets during a commemoration of the death of Mako Tabuni,⁴⁹ deputy chair of the KNPB who was shot dead by



⁴⁷ Kontras, "Terus Berulang, Negara Selalu Brutal Dalam Menanggapi Aspirasi Masyarakat Papua", 10th May 2022, <https://kontras.org/2022/05/11/terus-berulang-negara-selalu-brutal-dalam-menanggapi-aspirasi-masyarakat-papua/>

⁴⁸ Kompas.com, "Aparat Gabungan Bubarkan Massa Aksi Demo Tolak DOB di Jayapura", 10th May 2022, <https://regional.kompas.com/read/2022/05/10/110631478/aparat-gabungan-bubarkan-massa-aksi-demo-tolak-dob-di-jayapura>

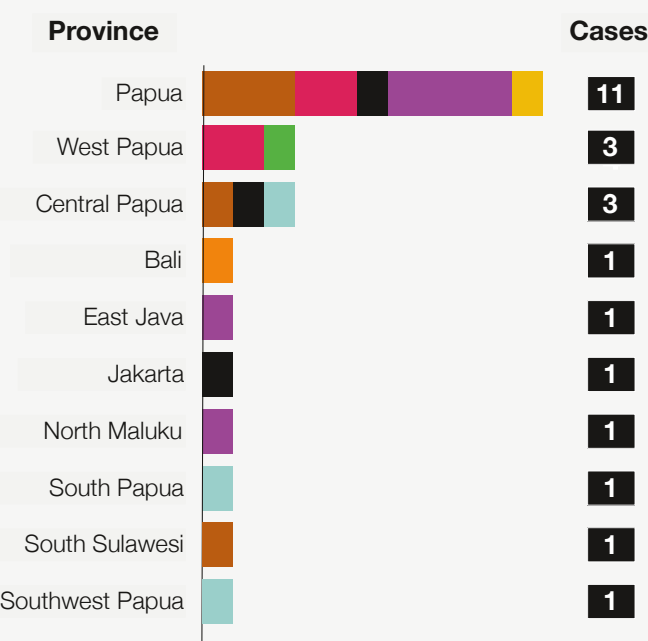
⁴⁹ West Papua Daily, "Four protestors allegedly shot by rubber bullets when commemorating Mako Tabuni's death", 15th June 2022, <https://en.iubi.id/four-protesters-allegedly-shot-by-rubber-bullets-when-commemorating-mako-tabunis-death/>



Other Restrictions to Freedom of Assembly

Persons/Groups Responsible

Papuan People's Petition	Students & National Committee for West Papua
National Committee for West Papua	Papua
Other West Papuan Campaign Groups	Papuan Student Alliance
Students	Civilians
	Activists



Infographic 15

Indonesian police ten years previously.⁵⁰ They had been dispersed after the raising of the KNPB flag, whilst six were arrested and had material seized by the police.⁵¹

Force continued to be used against protestors throughout the year. Police used rattan sticks against student protestors at a protest in Cendrawasih University in July, wounding four students.⁵² The university was the centre of another violent incident in November during the G20 summit, where students were attacked with water cannons, teargas, rubber batons and shields, with seven arrested and 16 injured.⁵³ During the protests on International Human Rights Day, at least 17 people were injured across West Papua.⁵⁴ The frequency with which security personnel use force, and the injuries caused, indicate that it is seen as a reasonable price to pay to clamp down on rights of assembly, especially against those voicing self-determination agendas.

With regard to other restrictions on freedom of assembly, these often occur where demonstrations are prevented from getting underway by the security forces. A demo in Jayapura on 1 April was prevented by 1,000 personnel from the police and army, with water cannons, tear gas and other heavy equipment ready to be used. The head of Jayapura police

confirmed beforehand that any demonstration that took place on the day would be dispersed.⁵⁵ This

⁵⁰ BBC News, "Indonesian police kill Papua separatist Mako Tabuni", 14th June 2012,

<https://www.bbc.co.uk/news/world-asia-pacific-18442620>

⁵¹ "Four protesters allegedly shot by rubber bullets when commemorating Mako Tabuni's death"

⁵² Pademme, A., KBR, "Demo Tolak DOB Papua, 4 Mahasiswa Uncen Terluka". 14th July 2022,

<https://kbr.id/nusantara/07-2022/demo-tolak-dob-papua-4-mahasiswa-uncen-terluka/108961.html>

⁵² Human Rights Monitor, "Papuan students protesting against the G20 summit in Jayapura and Bali face torture, ill-treatment, and intimidation", 19th December 2022,

<https://humanrightsmonitor.org/news/papuan-students-protesting-against-g20-summit-in-jayapura-and-bali-face-torture-ill-treatment-and-intimidation/>

⁵⁴ Amnesty International, "Mass arrests and forced dispersals in West Papua on Human Rights Day", 11th December 2022,

<https://www.amnesty.id/kabar-terbaru/siaran-pers/mass-arrests-and-forced-dispersals-in-west-papua-on-human-rights-day/>

⁵⁵ Jubi TV, "Rakyat Papua demo tolak DOB, Polisi kerahkan 1000 personel hadang massa", 1st April 2022,

<https://jubitv.id/rakyat-papua-demo-tolak-dob-polisi-kerahkan-1000-personel-hadang-massa/?fbclid=IwAR2Lqd5ilBBnOuGzCIUObnScqsiFP6f4IsyOXMLGcDx7f7J0lqc8CWGh2q>

blocking tactic was also used in May in both Paniai, Central Papua, where riot police barricaded the route of a planned march,⁵⁶ as well as in Bali, where Papuan students were prevented from marching by police, militia and local security forces (this traditional security force, unique to Bali, are known as ‘pecalang’)⁵⁷ In addition, militia police and Brimob prevented a march in Manokwari on Human Rights Day in December.⁵⁸

To round off other types of incidents in this category, in June an attack was carried out by a militia group against PRP protestors who had been planning to protest against Special Autonomy in Makassar. They were set upon and beaten as soon as they left their dormitory.⁵⁹ Before 1st December, the head of West Papuan Provincial Police made threats to any potential protestors commemorating the West Papuan Declaration of Independence, saying that “violators will be dealt with strictly, this is an order.”⁶⁰ Finally, even small discussion groups were targeted. Discussions on West Papua were banned, which happened in June at the Universitas Pembangunan Negara (UPN) Veteran, East Java, where the police prevented one from getting underway.⁶¹ ‘Papuan Separatist Attributes’ including the Morning Star flag, were banned in Sorong from any convoy celebrating the World Cup when it was held in December.⁶² This shows a distinct emphasis on the part of security apparatus that any hint of discussion of sensitive issues in West Papua, including expressions of identity, can be criminalised.

⁵⁶ Tadahnews.com, “PRP Aksi Nasional 10 Mei: Masyarakat Paniai Demo Tolak DOB, Cabut Otsus, Dan Segera! Referendum”, 11th May 2022,

<https://www.tadahnews.com/2022/05/masyarakat-paniai-demo-tolak-dob-dan.html>

⁵⁷ Kanal Bali, “Mahasiswa Papua di Bali Gelar Demo Tolak Otonomi Khusus”, 10th May 2022,

<https://kumparan.com/kanalbali/mahasiswa-papua-di-bali-gelar-demo-tolak-otonomi-khusus-1y2ueubo4TF/2>

⁵⁸ Tribun Papua Barat, ‘Aparat Adang Demonstrasi HAM di Manokwari, Massa Blokir Jalan Gunung Salju Amban’, 10th December 2022,

<https://papuabarat.tribunnews.com/2022/12/10/aparat-adang-demonstrasi-ham-di-manokwari-massa-blokir-jalan-gunung-salju-amban>

⁵⁹ West Papua Daily, “Papuan People’s Petition protestors attacked by mass organization in Makassar”. 9th June 2022,

<https://en.iubi.id/papuan-peoples-petition-protesters-attacked-by-mass-organization-in-makassar/>

⁶⁰ Jpnn.com, “Soal Aksi 1 Desember, Irjen Daniel: Pelanggar Akan Ditindak Tegas, Ini Perintah”, 1st December 2022,

<https://www.jpnn.com/news/soal-aksi-1-desember-irjen-daniel-pelanggar-akan-ditindak-tegas-ini-perintah>

⁶¹ Tempo.co, “Diskusi Soal Papua Dibatalkan Polisi, Amnesty International Sebut Indonesia Krisis Kebebasan Berpendapat”, 24th June 2022,

<https://nasional.tempo.co/read/1605153/diskusi-soal-papua-dibatalkan-polisi-amnesty-international-sebut-indonesia-krisis-kebebasan-berpendapat>

⁶² West Papua Daily, “Sorong Police bans Morning Star in local convoys celebrating World Cup”, 7th December 2022,

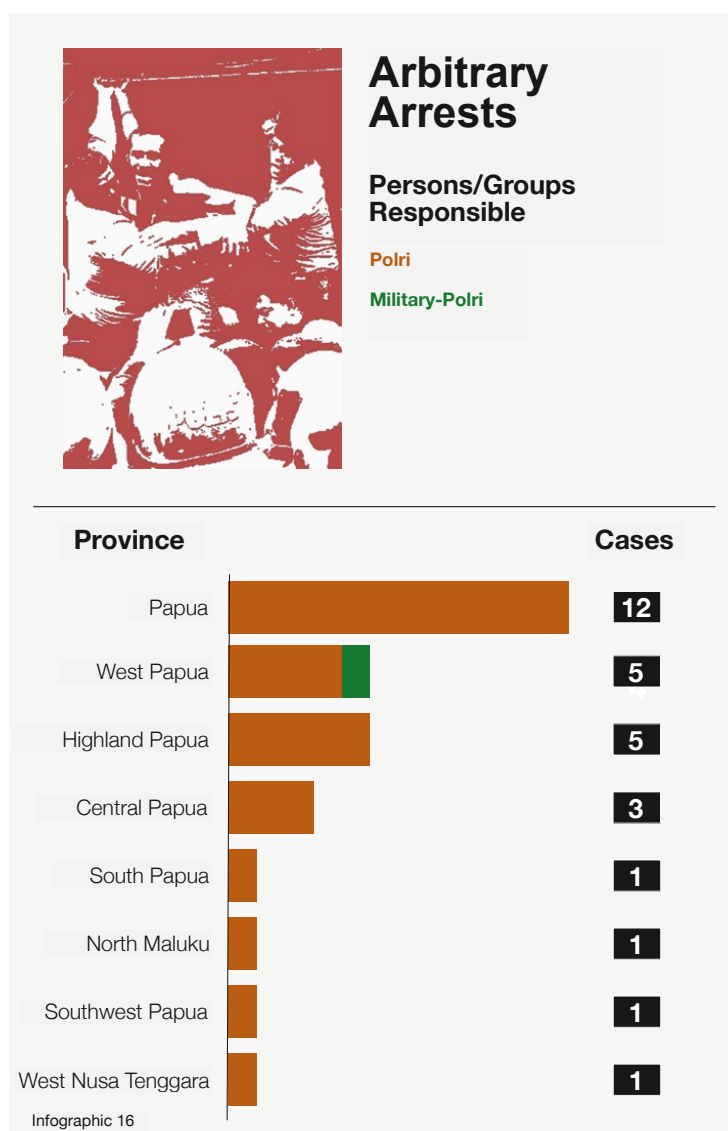
<https://en.iubi.id/sorong-police-bans-morning-star-in-local-convoys-celebrating-world-cup/>

Arbitrary Arrests

Arbitrary arrests relating to West Papua have continued to increase over the course of 2022. The number of arbitrary arrest incidents increased from 27 to 29, and we note too that at least 801 people were arrested in these incidents over the year, an increase of 19.4 per cent since 2021. The police were the sole actor in the vast majority of these incidents, with only one incident in West Papua province also involving the TNI. The implementation of newly-created provinces in West Papua, alongside abuses on the part of Indonesian security forces, have led to continued protests, then mass arrests. This has been supplemented by targeted arrests of leaders from the West Papuan movement for self-determination.

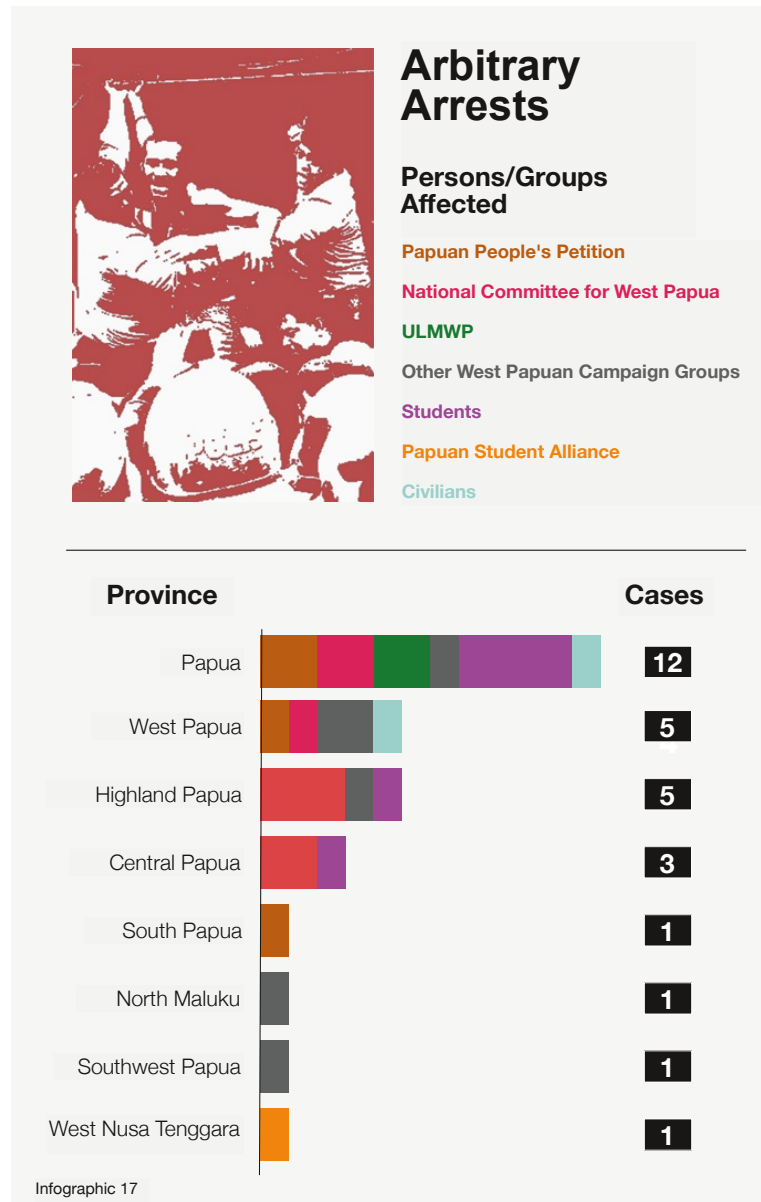
Taking a look at some of the events over the course of 2022, we note two phenomena: targeted arrests and mass arrests. Turning to the former to begin with, the head of the AMP Lombok City Committee, Nyamuk Karunggu, was arrested on 1st January, in what was regarded as racist targeting of the AMP and the FRI-WP, criminalising peaceful activists working on West Papua. He had been arrested during a Morning Star flag raising at Universitas Mataram (Unram), which also commemorated the first anniversary of the founding of AMP Lombok.⁶³ Papuans often bear the brunt of suspicion and arrests when trying to exercise Freedom of Speech on issues close to their heart.

The leadership of West Papuan campaign groups were targeted for arrest, highlighting a worrying trend on the part of Indonesian security services trying to silence the movement. Bazoka Logo, a KNPB leadership figure and Buchtar Tabuni, Chairman of the West Papua Council, were arrested in Jayapura in March, at a meeting organised under the



⁶³ Suara.com, “Aliansi Mahasiswa Papua dan FRI-WP Kecam Tindakan Rasis dan Kriminalisasi Terhadap Mahasiswa di Lombok”, 7th February 2022, <https://www.suara.com/news/2022/02/07/171158/aliansi-mahasiswa-papua-dan-fri-wp-kecam-tindakan-rasis-dan-kriminalisasi-terhadap-mahasiswa-di-lombok>

auspices of the ULMWP.⁶⁴ In fact, it would not be the only time Buchtar Tabuni would be arrested in



2022; he would be arrested again in October. On that occasion, he was questioned by police over his activities for gathering people together, particularly as, in the words of the head of Jayapura city police, they were “against state ideology.”⁶⁵

Another leader who was criminalised was Jefri Wenda, spokesperson for the PRP. He was accused of the planning of a demonstration in July in Pasar Mama Papua in Jayapura, which the police claimed he had no permission for, but which was most likely prevented from going ahead due to his call to reject Otsus, free Victor Yeimo and have a referendum on the future of West Papua.⁶⁶ Also, three members of the leadership of the group ‘Federal Republic of West Papua’ were arrested in Sorong in September and accused of committing acts of treason.⁶⁷ Finally, the head of the KNPB in Timika, Yanto Awerkion, was arrested in September, having been accused by police of being involved in the smuggling of ammunition. He was targeted as part of the police’s Operation Cartensz Peace, with police claiming to have found ammunition in his house during a raid.

However, members of the KNPB head office suspect his arrest was engineered as part of a wider trend of activist criminalisation.⁶⁸

⁶⁴ Tribun-Papua.com, “Pimpinan KNPB Bazoka Logo Ikut Ditangkap bersama Buchtar Tabuni”, 24th March 2022, <https://papua.tribunnews.com/2022/03/24/pimpinan-kenpb-bazoka-logo-ikut-ditangkap-bersama-buchtar-tabuni>

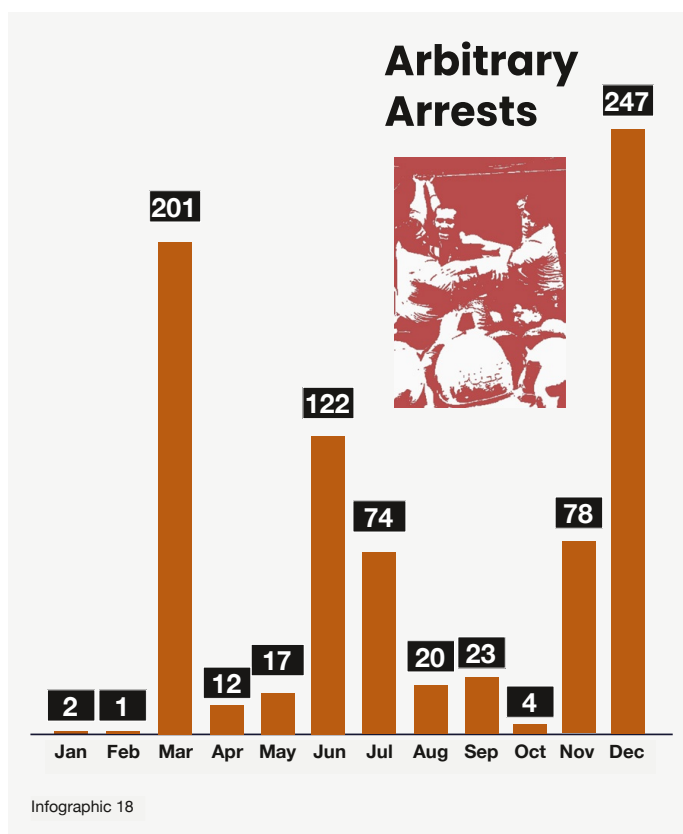
⁶⁵ Jubi.id, “Buchtar Tabuni ditangkap polisi”, 17th October 2022, <https://jubi.id/tanah-papua/2022/buchtar-tabuni-ditangkap-polisi/>

⁶⁶ Kompas, com, “Jubir PRP Jefri Wenda Diduga Mempersiapkan Demonstrasi di Pasar Mama Papua”, 29th July 2022, <https://regional.kompas.com/read/2022/07/29/191346378/jubir-prp-iefri-wenda-diduga-mempersiapkan-demonstrasi-di-pasar-mama-papua?page=all>

⁶⁷ TribunPapuaBarat.com, “Diduga Gelar Aksi Makar, 3 Pucuk Pimpinan NFRPB Ditangkap Aparat di Bandara Deo Sorong”, 20th September 2022, <https://papuabarat.tribunnews.com/2022/09/20/diduga-gelar-aksi-makar-3-pucuk-pimpinan-nfrpb-ditangkap-aparat-di-bandara-deo-sorong>

⁶⁸ Suara Papua, “Diduga Terlibat Jual Amunisi, Ketua KNPB Timika Ditangkap” 26th September 2022, <https://suarapapua.com/2022/09/26/diduga-terlibat-jual-amunisi-ketua-kenpb-timika-ditangkap/>

During protests, some activists were arrested as part of actions by police to put a stop to the protest. In addition to those shot by rubber bullets at the commemoration of Mako Tabuni's death (see Other Restrictions to Freedom of Assembly for more information), four KNPB activists were arrested. One said they didn't even resist police during the event, but were arrested anyway. They were released after several hours of questioning.⁶⁹ Five were arrested in August for speeches made regarding the New York Agreement in 1962, which paved the way for Indonesia's annexation and sham plebiscite of 1969. They were singing Mambesak songs (a popular West Papuan music group, whose leader, Arnold Ap, was shot by Indonesian military personnel in 1984, over suspicions he supported West Papuan independence) and distributing pro-independence pamphlets, which were then destroyed by police.⁷⁰



Eight activists of GempaR Papua were arrested after they set up a book stall in the Cendrawasih University Museum in September. The head of the museum said they had not received the required permission to open the stall, though the head of GempaR Papua claimed it was not necessary, and that they were providing a service to society with their books.⁷¹ 11 were arrested by Jayawijaya police in Highland Papua for taking down the new sign in Wamena for the office of the newly-created Governor of Highland Papua Province. Eight were released shortly afterwards, with another three remaining in detention, facing charges, as the sign was seen as state property.⁷² 12 were arrested in Kaimana, West Papua province in November, as 100 Morning Star flags were raised by activists on the occasion of commemorating the independence declaration of West Papua.⁷³

Moving onto mass arrests, 30 KNPB activists were arrested during a funeral ceremony for KNPB

⁶⁹ West Papua Daily, "Four KNPB activists released after previously arrested during a protest", 15th June 2022,

<https://en.jubi.id/four-knpb-activists-released-after-previously-arrested-during-a-protest/>

⁷⁰ Jubi.id, "Buat mimbar bebas memprotes Perjanjian New York, 5 orang ditangkap polisi", 15th August 2022,

<https://jubi.id/tanah-papua/2022/buat-mimbar-bebas-memprotes-perjanjian-new-york-5-orang-ditangkap-polisi/amp/>

⁷¹ Jubi.id, "Gelar lapak baca di Museum Uncen, 8 orang ditangkap polisi", 1st September 2022,

<https://jubi.id/tanah-papua/2022/gelar-lapak-baca-di-museum-uncen-8-orang-ditangkap-polisi/>

⁷² West Papua Daily, "Three students detained by Jayawijaya police for taking down govt signboard", 12th September 2022,

<https://en.jubi.id/three-students-detained-by-jayawijaya-police-for-taking-down-govt-signboard/>

⁷³ Detik Sulsel, "Pengibaran 100 Bendera Bintang Kejora di Kaimana, 12 Orang Ditangkap", 28th November 2022,

<https://www.detik.com/sulsel/hukum-dan-kriminal/d-6430490/pengibaran-100-bendera-bintang-kejora-di-kaimana-12-orang-ditangkap>

activist Awi Pahabol in Jayapura in March. Two members of the police had been attacked previously, leading to tensions and the intervention by police in the funeral ceremony was a response. Those imprisoned had difficulties receiving legal aid.⁷⁴ 34 PRP activists were arrested by police in Jayawijaya in July for calling for action against Special Autonomy and the new provinces,⁷⁵ whilst in November, 15 were arrested for speeches made in front of Wosi Bus Terminal in Manokwari, calling for Papuan independence and the rejection of Special Autonomy, on the occasion of the 25th anniversary of Papuan Independence Day.⁷⁶ Mass arrests also took place on International Human Rights Day, with at least 116 arrested across the region,⁷⁷ including 51 arrested in Sentani, 30 in Wamena and more elsewhere.⁷⁸

⁷⁴ DiptaPapua.com, “Breaking News: 30 Aktivis KNPB Ditangkap di Jayapura”, 28th March 2022,

<https://diptapapua.com/breaking-news-30-aktivis-knpb-ditangkap-di-jayapura/>

⁷⁵ JagaMelanesia.com, “34 Anggota PRP Sempat Diamankan Polres Jayawijaya, Begini Respons Theo Hesegem”, 30th July 2022,

<https://www.jagamelanesia.com/2022/07/30/34-anggota-prp-empat-diamankan-polres-jayawijaya-begini-respons-theo-hesegem/>

⁷⁶ Jubi.id, “Puluhan warga diangkut ke Polres Manokwari usai rayakan HUT Kemerdekaan Papua di terminal pasar Wosi”, 27th November 2022,

<https://jubi.id/polhukam/2022/puluhan-warga-diangkut-ke-polres-manokwari-usai-rayakan-hut-kemerdekaan-papua-di-terminal-pasar-wosi/>

⁷⁷ Amnesty International, “Mass arrests and forced dispersals in West Papua on Human Rights Day”, 11th December 2022,

<https://www.amnesty.org.au/indonesia-mass-arrests-and-forced-dispersals-in-west-papua-on-human-rights-day/>

⁷⁸ Jubi.id, “LBH Papua: Bubarkan aksi Hari HAM Sedunia, polisi melanggar HAM”, 10th December 2022,

<https://jubi.id/tanah-papua/2022/lbh-papua-bubarkan-aksi-hari-ham-sedunia-polisi-melanggar-ham/>

Intimidation, Harassment, Torture and Killings

Intimidation, harassment, torture and even killings, all in the context of people wishing to express Freedom of Expression and Assembly, show that brutal tactics are being used to try and suppress free discourse on West Papua. We have seen a total of 17 such incidents over the course of 2022. Again, police are the prime actor, with them being involved in 70.6 per cent of all incidents. The upturn in the number of incidents perpetrated by unknown actors is a cause of serious concern, as it creates an atmosphere of impunity and terror among people campaigning on West Papua and the population at large. This sense is strengthened by the participation of civil militia groups, as well as joint incidents between them and the police.

A much wider range of groups were targeted by these incidents in comparison to other categories. Only 41.1 per cent of incidents involved West Papuan self-determination groups. A number of groups targeted included other human rights activists, journalists, students, general civilians and even the chairman of the Papuan People's Assembly (Majelis Rakyat Papua, MRP). Interestingly, 41.1 per cent of these events took place outside of West Papua itself, with a particular focus on South Sulawesi and Jakarta.

Intimidation, Harassment, Torture and Killings Inside West Papua

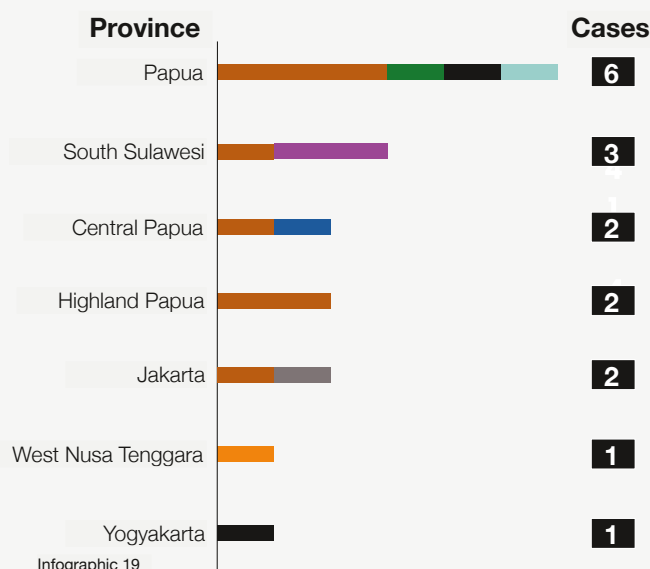
A variety of incidents from all across this spectrum can be seen as occurring in West Papua over the course of 2022. In February, journalists at the Cendrawasih Post faced verbal attacks and harassment as they sought to cover the continuation of the trial of Victor Yeimo in Jayapura. This included threats of sexual violence against female journalists,⁷⁹ highlighting the seriousness of the threats involved against people trying to do their work. Turning to Victor Yeimo himself, the way he has been treated can also be seen as a violation. The preliminary court hearing in the case against him started on 21st February,⁸⁰ which the Cenderawasih Post were trying to cover. However, Victor Yeimo's health problems⁸¹ were



Intimidation, Harassment, Killings & Torture

Persons/Groups Responsible

Polri	Unknown
Military-Polri	Civilians
Civil Militia Groups	Military-Civilians
Polri-Civil Militia Groups	University Authorities



⁷⁹ Cendrawasih Pos, "Jurnalis Cenderawasih Pos Alami Kekerasan Verbal", 22nd February 2022,

<https://cenderawasihpos.jawapos.com/berita-utama/22/02/2022/jurnalis-cenderawasih-pos-alami-kekerasan-verbal/>

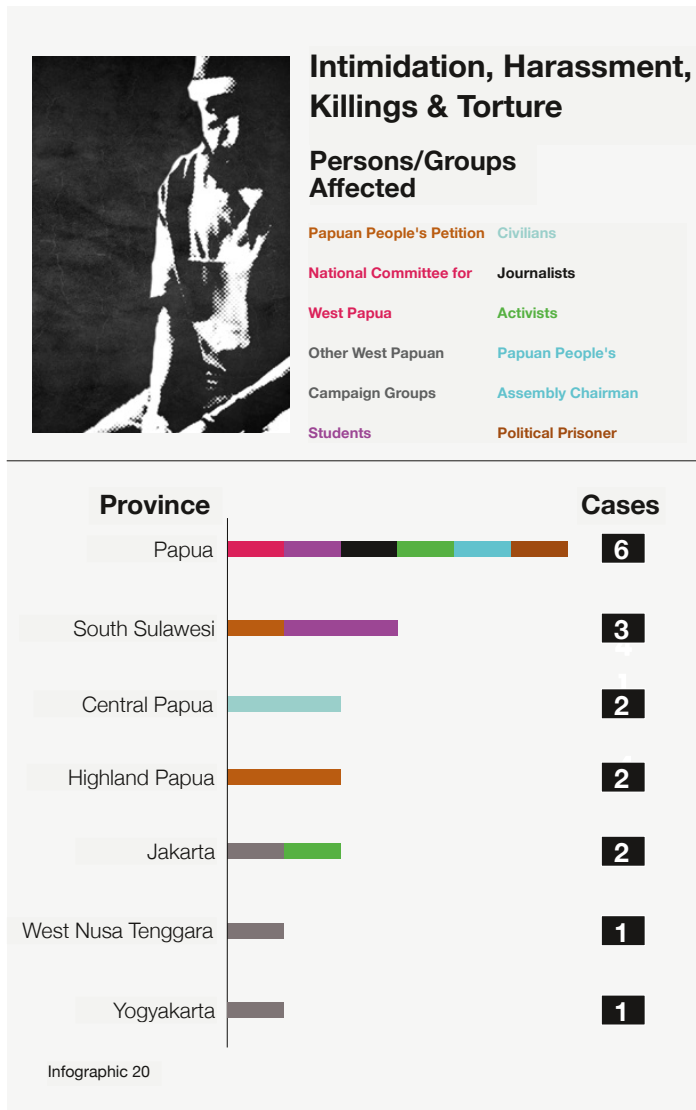
⁸⁰ Suara Papua, "Victor Yeimo: Saya Tolak Dituntut Makar", 22nd February 2022,

<https://suarapapua.com/2022/02/22/victor-yeimo-saya-tolak-dituntut-makar/>

⁸¹ More information on the details of this can be found in TAPOL, "Update on Victor Yeimo - Trial adjourned due to deteriorating health condition, delayed medical treatment, responses from the UN", 21st September 2021,

<https://www.tapol.org/news/update-victor-yeimo-trial-adjourned-due-deteriorating-health-condition-delayed-medical>

being inadequately attended to whilst he was in detention, with calls for him to be allowed to be put under house arrest and receive adequate treatment.⁸²



Killings of protestors, whilst rare, have occurred in 2022, a worrying development which was not seen in 2021. In March Yahukimo witnessed demonstrations against the forming of new provinces, including the Papua Highland Province where it is located. This saw two people shot dead by police, Yakob Dell (30) and Espron Wipea (22). Moreover, two further people, Itos Hitlay and Luki Kobak, were injured after being shot in the legs, while one policeman received head injuries. The police claimed they had been provoked and said they would look at police standard operating procedures in future.⁸³ However, this fits into the picture we have seen previously of a lack of domestic accountability mechanisms of redress being accessible for the public to hold police to these promises of improvements. Moreover, in Paniai Regency, Central Papua, protests arose out of frustrations that were made evident in a meeting of the Village Head Election Deliberative Body. Protests led to facilities at the Regent's Office being burnt. Then

police fired warning shots to disperse the crowd, and the result was that one victim died of a gunshot wound, though police claimed it was due to a sharp cut in the abdomen.⁸⁴ These incidents represent some of the bloodiest incidents that occurred during 2022, and it is concerning that fatalities in protests are becoming more visible again.

The continuing saga of those arrested at the Cendrawasih Sports Building for raising the Morning Star flag⁸⁵ saw more developments in 2022. It was reported in July that one of the prisoners,

⁸² PapuaTerkini.com, "Alasan Kesehatan, Kadepa Minta Victor Yeimo Harus Dipindahkan ke Tahanan Kota", 22nd February 2022, <https://papatertini.com/2022/02/alasan-kesehatan-kadepa-minta-vicktor-yeimo-harus-dipindahkan-ke-tahanan-kota/>

⁸³ Kompas.com, "2 Warga Tewas Tertembak dalam Demonstrasi di Yahukimo, Kapolda Papua Cek SOP Personelnya", 16th March 2022, <https://regional.kompas.com/read/2022/03/16/044759978/2-warga-tewas-tertembak-dalam-demonstrasi-di-yahukimo-kapolda-papua-cek-sop?page=all#page2/>

⁸⁴ West Papua Daily, "Independent team needed to investigate chaos in Paniai: Lawmaker", 12th July 2022, <https://en.jubi.id/independent-team-needed-to-investigate-chaos-in-paniai-lawmaker/>

⁸⁵ For more information on the Morning Flag raising incident in December 2021, see our 2021 Report, p.20.

Maksimus Simon Petrus You, had been beaten by an officer at the prison, damaging his right eye and causing bleeding in his lips. It was said that the officer in question had been drinking before he beat up Mr You.⁸⁶ Meanwhile, another of the prisoners, Zode Hilapok, died on 22nd October. A health condition had become evident during his incarceration (most likely tuberculosis or a lung disease) but the negligence of prison staff and delays in receiving healthcare meant his condition continued to deteriorate before he finally passed away.⁸⁷ He had yet to stand trial, but the others were found guilty of treason and charged with 10 months in prison, after which they were released in September after having served their sentences.⁸⁸

A KNPB activist, Stevanus Itlay, had his house searched by plainclothes police in Sentani in October, with the KNPB spokesman saying the reason given by police was that the search related to a stolen motorcycle. The KNPB said that this claim was far-fetched. He had been previously arrested for participating in the Papuan Uprising in 2019, charged with treason and found guilty and imprisoned in 2020.⁸⁹ Even Timoteus Murib, chairman of the Papuan People's Assembly, faced threats from the chief of police in Papua for his declaration of support for West Papuan independence at a UN Human Rights Council event in Geneva in November. The police chief made it clear that "of course, following his statement in the video, we will be monitoring his activities."⁹⁰ Similarities can be seen between this case and the case of Papuan Governor Lukas Enembe, who had corruption allegations brought against him,⁹¹ was sick and needed constant permission and oversight from the authorities to keep receiving medicine.⁹² This targeting of Papuan figures, even those involved in Indonesian governance structures, shows that no-one is safe from such government attempts at control.

Intimidation, Harassment, Torture and Killings Outside West Papua

Outside of West Papua, intimidation and harassment continued to occur around the country against activists campaigning on these issues, as well as students from the region. In May, PRP demonstrators in Makassar, calling for the rejection of Special Autonomy were attacked by a militia group, causing several of them to be injured. They were beaten and stabbed with flagsticks, the coordinator received head injuries, two demonstrators received injuries to their noses, whilst two others were injured on the mouth. They had been gathered in front of the

⁸⁶ Jubi.id, "Satu dari 7 pengibar Bintang Kejora dipukul petugas Lapas Abepura", 30th July 2022,

<https://jubi.id/tanah-papua/2022/satu-dari-7-pengibar-bintang-kejora-dipukul-petugas-lapas-abepura/>

⁸⁷ TAPOL, "TAPOL's Condolences upon the Death of Zode Hilapok", 25th October 2022,

<https://www.tapol.org/news/tapol%E2%80%99s-condolences-upon-death-zode-hilapok>

⁸⁸ Asia Pacific Report, "Revelations on the murky fate of flag 'treason' prisoners in West Papua", 1st December 2022,

<https://asiapacificreport.nz/2022/12/01/revelations-on-the-murky-fate-of-flag-treason-prisoners-in-west-papua/>

⁸⁹ West Papua Daily, "KNPB questions police action in searching Steven Itlay's house", 25th October 2022,

<https://en.jubi.id/knpb-questions-police-action-in-searching-steven-itlays-house/>

⁹⁰ UCA News, "Indonesian police keep tabs on Papuan leader", 15th November 2022,

<https://www.ucanews.com/news/indonesian-police-keep-tabs-on-papuan-leader/99429>

⁹¹ BBC News, "Papua: Isu 'politisasi' dan 'kriminalisasi' penetapan tersangka Gubernur Lukas Enembe oleh KPK, ketidakpercayaan publik atau sentimen identitas?", 22nd September 2022,

<https://www.bbc.com/indonesia/indonesia-62996678>

⁹² Kompas TV, "Kasih Unjuk Obat, Lukas Enembe Mengaku Masih Sakit dan Tidak Bisa Kelelahan", 1st October 2022,

<https://www.kompas.tv/article/333772/kasih-unjuk-obat-lukas-enembe-mengaku-masih-sakit-dan-tidak-bisa-kelelahan>

Papuan student dormitory before being set upon by the militia group. Afterwards, some demonstrators were contacted from unknown phone numbers on WhatsApp and threatened.⁹³ This was not the only time in the year where Papuan students' dormitories in Makassar were the location of a serious incident. In June, another student demonstration led to the intervention of militia groups which wished to break them up. Both sides experienced injuries in the fighting which followed, and police eventually came in to secure the dormitories.⁹⁴ Makassar has been a hotbed of such activity in recent years, so the continuation of incidents between militia groups and Papuan students shows a pattern of seriousness and persistent issues there.

These actions against Papuan university students also occurred in the city of Mataram, West Nusa Tenggara province, where the Rector of Mataram University, in tandem with security guards and local police, carried out actions that intimidated Papuan students and the Indonesian solidarity campaign for West Papua. The rector called for a meeting with them, accompanied by police officers, campus security, gangsters and campus bureaucracy. Several of the campus security and gangsters that came in were drunk and shouted slogans against Papuan independence.⁹⁵

In Jakarta, we saw an incident in May where the People Together Alliance (Aliansi Bersama Rakyat, ABR), a diverse coalition of civil society groups which included PRP, held a long march to the National Monument for a protest against the government, economic situation, weakening democracy and the situation in Papua. They were met by hundreds of police and military personnel, who intimidated the demonstrators and called on them to disperse, claiming that they did not have government permission, despite the United Action Alliance for the 21st May 2022 having received it (the ABR being a member). Police surrounded the protestors with barricades, and intimidated the coordinators. It was suspected that the involvement of a Papuan group led the police to act this way, as police moved in to confront the demonstration after the PRP made speeches on the right of self-determination, having been passive up until that point.⁹⁶ In December, a protest in front of the UN Office in Jakarta by Papuans commemorating 61 years since Operation Trikora, when Indonesian troops were sent to what was then known as Dutch New Guinea, to fight the Dutch. A group calling itself Defend the Unitary State of the Republic of Indonesia (Bela NKRI) broke up the demonstration, breaking through police lines to forcibly remove protesting Papuans from the location. The protest had permission, so we would question how the group was allowed to break up the demonstration, and the actions (or inaction) of the police during the dispersal.⁹⁷

⁹³ Jubi.id, "Demonstran Petisi Rakyat Papua di Makassar diserang massa ormas", 11th May 2022,

<https://jubi.id/tanah-papua/2022/demonstran-petisi-rakyat-papua-di-makassar-diserang-massa-ormas/>

⁹⁴ CNN Indonesia, "Asrama Mahasiswa Papua Makassar Dijaga Ketat Usai Bentrok dengan Ormas", 8th June 2022,

<https://www.cnnindonesia.com/nasional/20220608172620-12-806524/asrama-mahasiswa-papua-makassar-dijaga-ketat-usai-bentrok-dengan-ormas>

⁹⁵ https://m.facebook.com/story.php?story_fbid=pfbid02EuHBd9pKdKHwDcr9PAhPGGKmzWZDSXiBuBgNgDqHLzBf1CtD64Lkog5PvajiSN2l&id=100070088827853&sfnsn=wiwspwa&mibextid=VhDh1V, Accessed 7th March 2022.

⁹⁶ Pembebasan, "Aksi Aliansi Bersama Rakyat Di Jakarta Mendapatkan Intimidasi Dari Aparat", 22nd May 2022, <https://pembebasan.org/aksi-alian-si-bersama-rakyat-di-jakarta>

⁹⁷ CNN Indonesia, "Massa Aksi Trikora Papua Bubar, Sempat Didorong-Dilempar Kertas", 19th December 2022,

<https://www.cnnindonesia.com/nasional/20221219183750-12-889421/massa-aksi-trikora-papua-bubar-sempat-didorong-dilempar-kertas>

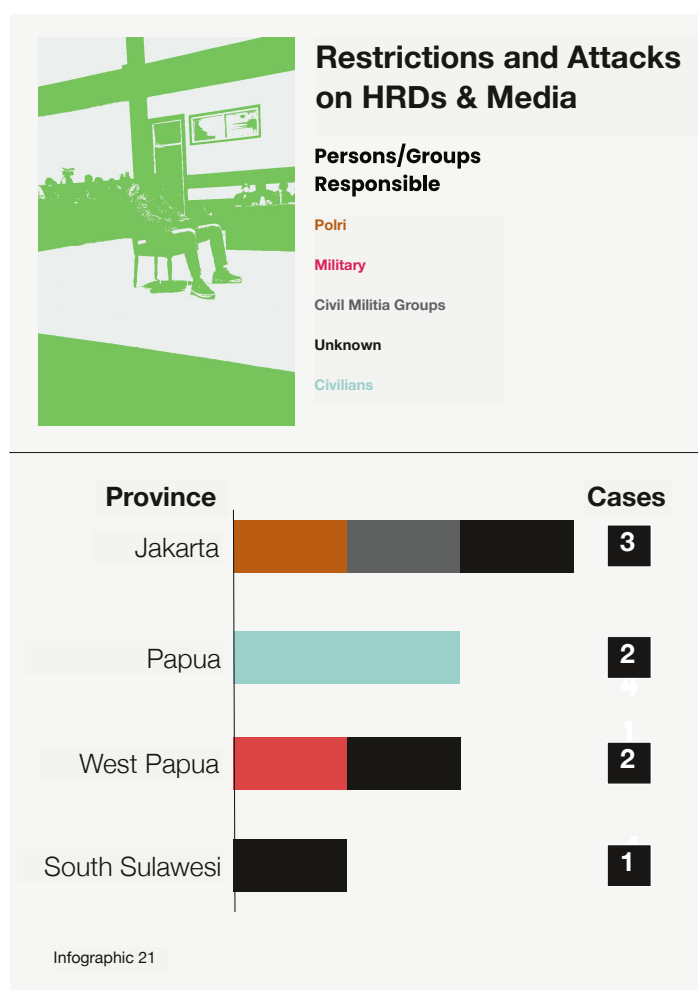
Restrictions and Attacks on HRDs and Media

This year, we have dedicated a full chapter to exploring how attacks on HRDs and media have intensified as the space for expression has tightened in West Papua. We noted a total of eight incidents targeting HRDs and media actors over the course of 2022. In comparison with other categories, police are not the dominant actors perpetrating these incidents, being involved in only one incident. A total of three incidents were perpetrated by unknown actors, whilst two were carried out by civilians not affiliated to any one group.

Beginning with Human Rights Defenders, in January, Leonardo Ijie, advocate at Kaki Abu Legal Aid in Sorong, Southwest Papua, was criminalised for his work advocating for and protesting against the forced transfer of the Sorong Six prisoners from Sorong to Makassar.⁹⁸

Footage of him at the protest was edited to make it appear as if he was insulting religion, which led to a report being sent to the local police leading to investigations.⁹⁹ Meanwhile, the office of Papua's Legal Aid Organisation was attacked, with suspected connections to its assistance in and coverage of cases relating to Human Right Violations. A motorbike that was left in the garage was set on fire, with gasoline and a wick also found in the garage.¹⁰⁰

Meanwhile, elsewhere in Indonesia, members of the Red and White (Laskar Merah Putih) militia group protested in front of the Amnesty International offices in Jakarta in March, calling on the Foreign Ministry to ban Amnesty International. They were dressed in military fatigues and told Director Usman Hamid to "not provoke Papuan society." Amnesty had been against the terrorism designation of the Free Papua Organisation (Organisasi Papua Merdeka, OPM).¹⁰¹ This all follows a number of high profile attacks on HRDs in the past,



⁹⁸ More information on the case and events of this prisoner transfer can be found in a video we produced alongside Kaki Abu and Makassar Legal Aid Organisations, which can be accessed here:

<https://www.tapol.org/news/sorong-six-tortured-repeatedly-transported-secretly>

⁹⁹ Suara Papua, "Diduga Nistakan Agama, Advokat LBH Kaki Abu Sorong Dilaporkan ke Polisi", 6th January 2022,

<https://suarapapua.com/2022/01/06/diduga-nistakan-agama-advokat-lbh-kaki-abu-sorong-dilaporkan-ke-polisi/>

¹⁰⁰ Tempo.co, "Serangan ke Kantor LBH Papua Diduga Terkait Kasus Pelanggaran HAM", 9th May 2022,

<https://nasional.tempo.co/read/1589954/serangan-ke-kantor-lbh-papua-diduga-terkait-kasus-pelanggaran-ham>

¹⁰¹ Harian Terbit, "LMP DKI Desak Menlu Bubarkan Yayasan Amnesty International Indonesia", 17th March 2022,

<https://www.harianterbit.com/nasional/pr-2742983097/lmp-dki-desak-menlu-bubarkan-yayasan-amnesty-international-indonesia>

such as the cases of Veronica Koman's family, Fatia Maulidyanti and Haris Azhar, and presents many difficulties for HRDs to carry out their work in holding people to account and protecting human rights relating to West Papua.

Media freedom has also been under attack in 2022. In April, two INEWS TV journalists were persecuted in the Yapen Islands in Papua province, where around 20 perpetrators attacked them and destroyed their camera equipment, leaving them injured.¹⁰² Two further journalists were intimidated in October in Manokwari. They had been covering the case of a member of the TNI who had shot somebody, which was taking place at the district military court. As has been noted previously, these are the only places military personnel can be tried. The journalists faced violence whilst in court when staff took away their phones to delete documents from the session, apparently under orders from TNI Headquarters.¹⁰³ This demonstrates that concerns around the military courts' lack of accountability are justified, as media personnel are being harassed and prevented from carrying out reporting of the trial. In June, media sites carrying news of the protest in front of Papuan student dormitories in Makassar were hacked. Journalists were intimidated and several sites carrying the story took it down after police got involved, including Suara Tutarea.¹⁰⁴ These actions all create a climate of fear and disinformation, aimed at carrying out the twin strategies of dissuading or distorting, respectively, the people covering the truth of events occurring in West Papua.

¹⁰² Costa, F. M. L., Kompas.com, "AJI Kecam Penganiayaan Dua Wartawan di Kepulauan Yapen", 6th April 2022, <https://www.kompas.id/baca/nusantara/2022/04/06/20220406fio-aji-kecam-penganiayaan-dua-wartawan-di-kepulauan-yapen>

¹⁰³ Weking, F.S., TribunPapuaBarat.com, "Panitera Pengadilan Militer Jayapura Intimidasi Dua Wartawan di Manokwari", 17th October 2022, <https://papuabarat.tribunnews.com/2022/10/17/panitera-pengadilan-militer-jayapura-intimidasi-dua-wartawan-di-manokwari>

¹⁰⁴ <https://www.facebook.com/KoranKejora1961/posts/pfbid02YmU3R1JPMegiqigDW16m4SyHtwcrz4NMgqxKjST2MfKASAJ8p93t5dR12JPRjQ5Cl>. Accessed 7th March 2023.

Internet Freedom

TAPOL noted a total of seven incidents relating to free expression on the internet over the course of 2022. This included internet blackouts that affected West Papua, as well as intimidation online, criminalising calling for protests online and hacking activists' accounts. The continued use of the Information and Electronic Transactions Law (ITE) has stifled and criminalised activities and free expression online, including in relation to West Papuan self-determination.

Two major disturbances to internet connections affected West Papua causing widespread disruption of services. The internet stopped working three times in Jayapura on the 25th January,¹⁰⁵ whilst the same happened in Boven Digoel and Merauke in March. Authorities claimed that the cause was a defective undersea fibre-optic cable, causing multi-day internet blackouts for people living in these areas.¹⁰⁶ Whether the former incident was linked to the start of the new police security operation on the same day cannot be verified but similar incidents have occurred on other important days, hampering communication between activists. It is interesting to note that, whilst we could see no correlation between the latter incident and demonstrations in the area at the time, demonstrations did take place in front of the local parliament offices in Merauke against Telkomsel, the internet provider, against the poor service and demanding compensation after a month of disrupted service.¹⁰⁷



Last year, we reported that the authorities had criminalised Haris Azhar and Fatia Maulidiyanti over comments they made relating to the Coordinating Minister of Maritime and Investment Affairs, Luhut Binsar Pandjaitan, due to his involvement in business interests in West Papua.¹⁰⁸ They were accused of defaming Luhut's name and reputation and officially named as suspects in

¹⁰⁵ Kompas.com, "Jaringan Telekomunikasi di Jayapura Sempat Terputus, Aktivitas Warga Terganggu", 25th January 2022, <https://regional.kompas.com/read/2022/01/25/193305778/jaringan-telekomunikasi-di-jayapura-sempat-terputus-aktivitas-warga>

¹⁰⁶ InfoPublik, "Gangguan Jaringan Internet Disebabkan Putusnya Kabel Fiber Optik Bawah Laut", 29th March 2022, <https://infopublik.id/kategori/nusantara/619790/gangguan-jaringan-internet-disebabkan-putusnya-kabel-fiber-optik-bawah-laut>

¹⁰⁷ Abaa, G. S. A., Tribun-Papua.com, "Demo Telkomsel di Merauke, Massa: Internet Lenyap, Masyarakat Merayap!", 29th April 2022, <https://papua.tribunnews.com/2022/04/29/demo-telkomsel-di-merauke-massa-internet-lenyap-masyarakat-merayap?page=2>

¹⁰⁸ For more information on the cause of the incident, please take a look at our 2021 West Papua Freedom of Expression and Assembly Report: https://www.tapol.org/sites/default/files/sites/default/files/pdfs/West_Papua_2021_Freedom_of_Expression_Assembly_Report.pdf

the case in March.¹⁰⁹ They were charged under Article 27 of the Information and Electronic Transactions Law (UU ITE) and both were summoned by Jakarta Police for the investigation process.¹¹⁰ An incident related to this case actually happened back in February, when hacking and disinformation attacks were conducted against the Independent Journalists' Alliance (Aliansi Jurnalis Independen, AJI) Chairman, Samito Madrim. The attackers called for police to arrest Haris and Fatia,¹¹¹ showing a concerted campaign on the part of unknown actors to silence those supporting them.

In April, the head of the Journalist Union of Indonesia (Persatuan Wartawan Indonesia, PWI) in Sorong, Raya Wahyudi, and the head of the Indonesian Television Journalist Association (Ikatan Jurnalis Televisi Indonesia, IJTI), Andrew Surapati, were reported to the police. They were accused of defamation, spreading fake news, and violations under the UU ITE, by the Indonesian Citizen Journalist Union (Persatuan Pewarta Warga Indonesia, PPWI) in Sorong. It seemed to be borne out of an internal disagreement between the organisations they represent,¹¹² but the fact that reporting to the police is being used to settle scores is part of a wider worrying trend. These cases both show that it is the laws around defamation (retained and worsened by the new Criminal Code) and the problematic UU ITE which are the problem here, and its use by political figures to silence activists is of greatest concern, whilst more general use of these laws to settle scores adds to a climate of freezing out free expression.

The PRP faced a few internet-related incidents in 2022. The spokesperson, Jefri Wenda, was arrested in May for alleged violations against the UU ITE for calling on people to take to the streets to protest against Special Autonomy in a number of cities in Papua. Six people were arrested and called in as witnesses by the police.¹¹³ It was also reported to TAPOL that the PRP Facebook account was hacked on 15th September by unknown actors who published inappropriate pictures. It was returned to the control of PRP on 23rd September. These incidents show that groups and figures promoting West Papuan self-determination are often targets, both through misuse of the law and through hacking, to try and silence and intimidate them.

¹⁰⁹ Kompas.com, "Haris Azhar dan Fatia Segera Diperiksa sebagai Tersangka Pencemaran Nama Baik Luhut", 19th March 2022, <https://megapolitan.kompas.com/read/2022/03/19/11012801/haris-azhar-dan-fatia-segera-diperiksa-sebagai-tersangka-pencemaran-nama?page=all>

¹¹⁰ Amnesty International UK, "Indonesia: Human Rights Defenders Charged with Defamation", <https://www.amnesty.org.uk/urgent-actions/human-rights-defenders-charged-defamation>, Accessed 6th March 2023

¹¹¹ Aliansi Jurnalis Independen, "Hacking and Disinformation Attacks Against AJI's Chairperson are a Threat to Press Freedom and Freedom of Expression", 25th February 2022, <https://aji.or.id/read/press-release/1344/hacking-and-disinformation-attacks-against-ajis-chairperson-are-a-threat-to-press-freedom-and-freedom-of-expression.html>

¹¹² Aliansi Jurnalis Independen, "PPWI Laporkan Ketua PWI dan IJTI Sorong ke Polres", 23rd April 2022, <https://advokasi.aji.or.id/read/data-kekerasan/2032.html?v=2022&m=1&ve=2022&me=12>, Accessed 7th March 2023.

¹¹³ West Papua Daily, "Police arrests spokespersons of Papuan People's Petition, KNPB for inviting people to protest", 11th May 2022, <https://en.jubi.id/police-arrests-spokespersons-of-papuan-peoples-petition-knpb-for-inviting-people-to-protest/>

Conclusion

2022 was a significant year of change for West Papua, with important trials, the passing away of a legendary independence activist, and, of course, the Indonesian Government's complete reorganisation of the region through the division and creation of new provinces. The focus of the government in the UPR is indicative of their attitude: despite being a forum on human rights, they focussed almost completely on economic objectives in the region, rather than listening to the concerns of the people and activists on the ground regarding increasing feelings of powerlessness in the face of government intransigence. The mass protests and continued government-led crackdown are a testament to this disconnect.

First, the continuation of worsening trends across several different types of incidents highlight the continued inability or intransigence of elements in the Indonesian administration to accept that their approach to dealing with problems in the region through economic development and more military and police presence, has still not succeeded. Whatever the rhetoric is to try and sugarcoat the approach to be 'persuasive' to the general population or that it is a 'humane' approach, the increase of protest activity shows the population are not convinced. The increased number of protests highlighted the government's continued repression of open discussion on West Papua, as it has meant that further incidents have been created by cracking down on them. Indeed, it can be seen from the passing of the new Criminal Code, and the laws extending Special Autonomy and creating new provinces in West Papua, that these actions are linked to the greater prevalence of incidents, and could be making the situation worse.

Second, the increased numbers of arrests and dispersals are a source of continuing concern and make it clearer than ever that the trend over the past three years has been one of a continually worsening situation with regard to Freedom of Expression and Assembly, ever since the 2019 Papuan Uprising. It has been a twin phenomenon, of increasing numbers of incidents of mass arrests, as well as targeted arrests of those in a leadership role within pro-independence organisations. It may also be related to the much improved Covid situation in Indonesia in 2022, with restrictions lifting and the rollout of vaccines meaning more demonstrations are occurring on the streets. The increase of mass arrest incidents and the numbers of those being arrested shows the continuation of tactics of intimidation being used to silence mass dissent. In addition, the increase of targeted arrests shows a concerted effort on the part of the Indonesian authorities to silence those at the top, aiming to damage their organisations and clamp down on free expression through these efforts.

Third, the police continue to be the primary actor involved in the vast majority of incidents we have recorded. An increased police presence, as planned in the new Operation Cartensz Peace and as seen in protests against the new provinces and special autonomy, has been a consistent facet of Indonesia's policy in West Papua over the years. This policy criminalises dissenting opinions and has seen police take action against those protesting Special Autonomy, or promoting self-determination in West Papua, or even those protecting the right of others to express their viewpoints. Along with the use of Brimob and enabling paramilitaries to disperse protests, these actions have had a freezing effect on civil society, a legitimising effect on the actions of paramilitaries, as well as normalising violence against those whose opinions the government is not happy with. It has closed down civic space and discourse and has fed a cycle of increased frustration by citizens in the region, causing more protests.

The continued worsening trend, despite new initiatives, promises and approaches by the government, show that they are not working to actively improve the state of Freedom of Expression and Assembly in West Papua. The UPR process showed that the government is focussing on improving the economy which it claims will deal with issues such as Papuan marginalisation. What will certainly be interesting to watch will be the future impact of the creation of new provinces on trends. So many of the incidents in recent years have been around protests against Special Autonomy and the creation of new provinces, so we will monitor what occur, now that these are both a reality.

Recommendations

To the Government of Indonesia:

- The Indonesian Government should strengthen judicial mechanisms to bring justice to victims of gross human rights violations in relation to freedom of assembly, and ensure that non-judicial settlements do not act as an excuse to bypass these mechanisms. Doing so would combat the culture of impunity that continues to allow police and state actors to drive the majority of incidents, including in tandem with non-state actors. The Government should also reform the security sector to ensure compliance with human rights norms from the ground up with regard to freedom of assembly, providing that security is not used as an excuse to conduct actions that criminalise and attack civil society.
- The government should wholeheartedly protect and promote the work of HRDs and media in their critical roles, and not impose conditionalities or vague terms of only wishing to protect 'legitimate' actors. This includes stopping the criminalisation of HRDs and the media carrying out their role in holding those in power to account for their actions and their effects on human rights, and the climate of enabling this provides for non-state actors to attack and target activists and organisations carrying out this vital role. It also includes strengthening protections for HRDs and the media, facilitating an environment for them to carry out their work without fear of intimidation, and ending the impunity of those who may seek to impede them in carrying this out.
- The government should reverse the worrying trend of new laws being implemented that weaken Freedom of Expression and Assembly, democratic accountability and which go against the views and desires of people on the ground. This includes a need to urgently review its new Criminal Code to strike out provisions that may serve to discriminate against the people's right to freedom of assembly, particularly provisions around the Treason articles, which have demonstrably been used to target activists working to promote the right of self-determination in West Papua.

To the international community:

- Put pressure on Indonesia to urgently accept the visit of the UN High Commissioner of Human Rights to West Papua. This was brought up during the UPR, and the various delays in the process of organising the visit has put big questions behind the Indonesian government's commitment to upholding human rights, including Freedom of Expression and Assembly, in West Papua.
- UN Member States and UN bodies must put meaningful pressure on Indonesia beyond events such as UPR, which only takes place once every five years, particularly with regards to Freedom of Expression and Assembly, protection of HRDs and West Papua.

