

## Indonesia: End impunity and arbitrary arrests in West Papua

(London 24 June 2016) –A new report by [Papuan Behind Bars](#) (PBB) exposes the Indonesian government's increased use of arbitrary arrests to shut down protests in West Papua in 2015. At the launch of the report, held at the Amnesty International Secretariat in London on 24 June, UK-based NGO, [TAPOL](#), urged the Indonesian government to answer for ongoing impunity, state violence and increased arbitrary arrests in West Papua.

"The Indonesian government must end mass arrests at peaceful demonstrations as freedom of expression and peaceful assembly are in accordance with Indonesia's obligations under international human rights law" Todd Biderman (Coordinator, TAPOL)

The 28-page report 'Rising voices, rising arrests: A look at West Papua in 2015' exposes how freedom of expression and assembly in the region remains severely restricted. This is in spite of the release of five prominent long-term political prisoners in May 2015, and President Joko Widodo's assurances that West Papua is open to foreign journalists.

Based on data and testimonies collected and verified by PBB, the report shows that 1083 Papuans were arrested arbitrarily across Indonesia in 2015. This represents the highest number of arbitrary arrests documented in a single year since comprehensive records began in 2012. 80% of those detained were arrested for participating in or planning peaceful demonstrations.

The report shows a change in the pattern of charges. In a positive development, the use of treason charges under Article 106 of the Indonesian Criminal Code against political detainees decreased significantly and the use of the controversial Emergency Law 12/1951 ceased altogether. However, the use of charges of incitement under Article 160 of the Indonesian Criminal Code increased.

"The escalation in arbitrary arrests raises serious concerns that the Indonesian government is deliberately using Article 160 to criminalise peaceful political protests and limit freedom of expression and assembly in Papuan civil society" Todd Biderman, TAPOL

The report also shows that, although the number of cases of torture of detainees on arrest and in detention decreased significantly, reports of torture outside of detainee cases remain frequent. The report also gives evidence that ill-treatment of detainees is on the rise. In 2015, 690 cases of ill-treatment of detainees were recorded, more than four times as many as than in 2014. Testimonies from political prisoners highlight their concerns over being denied visits from their families, being under constant surveillance and poor or complete lack of access to medical treatment.

In addition, the report exposes ongoing state violence and impunity of state security personnel. At least 11 people died as a result of state violence in West Papua in 2015. Further, the culture of impunity remains embedded amongst security forces, the perpetrators of the fatal shooting of four teenagers in Paniai regency, Papua province, in December 2014, have still not been brought to trial.

The report's publication comes at a time when national, regional and international actors are increasingly voicing concerns over human rights abuses in West Papua.

At the launch of the report Budi Hernawan, lecturer at the University of Paramadina in Jakarta stated: "State violence constitutes the mode of governance of Papua over the last fifty years. My own doctoral research on the practice of torture in Papua from 1963-2010 confirms this pattern. The

Indonesian state security apparatus do not hesitate, not only to use excessive violence against Papuans but also to demonstrate that they can do anything they want to the bodies of Papuans.”

UK opposition leader, Jeremy Corbyn noted at the recent meeting of the International Parliamentarians for West Papua that human rights and justice “should be the cornerstone of foreign policy, the cornerstone of our [the UK’s] relationship with every other country.”

The serious issue of human rights violations, including arbitrary arrests, summary executions, and torture in West Papua was raised at the United Nations Human Rights Council in June 2016 by the delegations of the Solomon Islands and Vanuatu. Both delegations urged the Human Rights Council and the Government of Indonesia to work together to facilitate a visit by Mr David Kaye, the current UN Special Rapporteur on Freedom of Opinion and Expression to West Papua.

This echoes promises that the Indonesian government made during the country’s previous Universal Periodic Review (UPR) in 2012, promises that it has yet to follow-up on. Indonesia’s human rights record will come under the international spotlight again for the country's UPR in 2017. PBB’s 2015 report calls on Indonesia to “Allow free and unrestricted access for all UN Special Rapporteurs wishing to visit and report on Papua.” Ahead of the 2017 UPR, TAPOL urges the Government of Indonesia to take meaningful actions in-line with their international human rights commitments towards ending arbitrary arrests, torture, and ill-treatment of detainees, as well as to address ongoing impunity within the security forces.

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