

Human Rights Update West Papua – July 2020

covering April – June 2020



Summary

The most significant events in the second quarter of 2020 were the outcomes in multiple trials against Papuan activists who had been prosecuted for the participation or the organisation of protests against racism in August and September 2019. Notably, the trial against the 'Balikpapan 7' drew the attention of Papuan civil society and international human rights observers as the public prosecutor demanded sentences of 5 to 17 years for the defendants.

Number of victims	Q3 '19	Q4 '19	Q1 '20	Q2 '20
Extra-judicial executions or killings	19	4+5	4+1	4+2
Torture / Ill-treatment	84	7	7	13
Assaults against / obstruction of journalists	4	1	-	-
Violations of right to health (victims)	> 60	9	-	-
Violations against / obstruction of HRDs	2	1	-	12
Violations of Free Prior Informed Consent (FPIC)	4	-	-	1
Non-political arbitrary arrests	753	-	1	4
Political arrests	437	156	1	18
Treason & conspiracy charges (articles 106 & 110 KUHP) no. of accused	22	43	-	-
Violations of the right to fair and impartial trial & independence of judges	-	1	36	22
Internally displaced persons (Conflict), new additional cases	> 1,500	N/A	> 1,500	N/A

Religious leaders and other

civil society actors in West Papua feared further outbreaks of riots if the seven activists had been sentenced with such high penalties. In comparison to other trials in Jayapura, Jakarta, Manokwari and Sorong, the demanded sentences for the defendants were disproportionately high. The lawyers representing the protesters at court stated that many of the hearings did not meet the standards of a fair and impartial trial. Fabricated evidence, prioritisation of police reports over court testimonies and deliberate changes in the established agenda were only some of the shortcomings. Moreover, the lawyers claimed that the decision to conduct the trials via video conference turned out to affect the exercise of their mandate negatively. The public was excluded from trials.

The enforcement of measures to respond to the COVID-19 pandemic has led to an increase in human rights violations against West Papuans. Police officers have conducted arrests during sensitive political activities for allegedly violating social distancing policies. Furthermore, there are two reported cases between April and June 2020, where the unprofessional behaviour of police officers during the enforcement of those policies resulted in injuries and one fatality among civilians.

The number of cases of physical assault, obstruction and intimidation of human rights defenders (HRDs) in West Papua has significantly increased, with twelve reported cases. The majority are hacker attacks against the HRDs. Frequent internet advocacy events against racism in West Papua and in support of the 'Balikpapan 7' throughout June 2020 reached an international audience. They likely drew the discontent of loyal government supporters and nationalist groups. The perpetrators of the attacks could not be exposed.

There continue to be more than 40.000 internally displaced Papuans as a result of various military operations in the Papuan highlands. The IDPs continue to be in need of aid, protection and the possibility to return to their homes safely.

Read what [UN mechanisms observe and recommend](#) regarding human rights in West Papua.

The information in this report is collected by local human rights defenders. As human rights defenders face hostile working conditions and legal aid services are lacking in remote areas, this compilation of cases cannot be regarded as complete.

Update on killing of government contractors in Nduga – Mispo Gwijangge released

Judges at the Jakarta District Court have rejected the public prosecutor's indictment in their interlocutory verdict on 8 April 2020. The judges' decision brought an end to 333 days of arbitrary detention. During previous court hearings, Mispo Gwijangge's lawyers and the Indonesian Commission for the Protection of Children (KPAI) requested a forensic examination of his teeth due to indications that the defendant was still a minor. According to the forensic analysis, Mispo Gwijangge was estimated to be around 16 years old – too young to be prosecuted under adult law. This was not the only procedural breach in the law enforcement process. The police arrested Gwijangge without showing a warrant. Later the police and public prosecution of Jayawijaya regency failed to provide access to a translator and legal support during the investigation. It is not known whether Mispo Gwijangge will receive any reparation for the unlawful detention.



Mispo Gwijangge in his detention cell in Jakarta

Read more details on the case [here](#)

Update on trials and detentions after anti-racism protests in West Papua



The 'Balikpapan Seven' (orange uniforms) and the team of lawyers after trial

Statistical data suggests that Indonesian police officers and public prosecutors initiated legal processes against at least 115 suspects. Twenty-two of them have been charged with treason for participating in demonstrations against racism or peacefully advocating for the right to self-determination. Most of the trials resulted in imprisonment sentences for the defendants, ranging from several months up to six years. On 24 April 2020, the judges at the district court in Jakarta found the six political activists guilty of committing treason and criminal conspiracy. Paulus Suryanta

Ginting, Dano Tabuni, Charles Kossay, Arina Lokbere and Ambrosius Mulait were sentenced to nine months, Isay Wenda to eight months imprisonment. The five activists were released on 26 May 2020 after serving their full sentence of nine months. Isay Wenda was already released on 29 April 2020. The five activists and their guarantors signed multiple documents for their early release on the 12 May. However, a political intervention from the central government resulted in the cancellation of their release.

The trials against the 'Balikpapan Seven' drew the attention of international human rights observers and Papuan civil society when the public prosecutor sought particular long sentences for the defendants. On 5 June 2020, the public prosecutor demanded imprisonment sentences between five and 17 years. The penalties were much higher than in other trials against political activists who had been charged with provisions of treason and criminal conspiracy. [Papuan Provincial Parliament \(DPRP\)](#), [the Papuan Peoples Council \(MRP\)](#), [intellectuals](#), [Catholic priests](#) and [other religious leaders in West Papua](#), human rights organisations and [students](#) demanded the unconditional release of the 'Balikpapan 7' via public statements and other peaceful means of support. On 17 June 2020, judges at the Balikpapan District Court sentenced Buchtar Tabuni, Agus Kossay and Stevanus Itlay to 11 months imprisonment. Ferry Gombo, Alexander Gobay, Hengky Hilapok and Irwanus Uropmabin were sentenced to 10 months imprisonment.

Seventeen protesters in Wamena faced trial after being arrested. Most trials are over, except for those of six defendants, Randis Lokbere, Yohanes Payage, Samuel Kurisi, Luky Elopere, Manu Marlon Alua and Konius Doga, still being tried in Biak. Judges of the Biak District Court sentenced Sonni Yando to 3 years imprisonment on 29 June 2020. The sentences against the other ten protesters ranged from four months up to six years. Some verdicts are currently being reviewed by the High Court and the Supreme Court.

Apart from the trial against filmmaker Assa Asso, trials against 11 protesters arrested in Waena, Jayapura, on 23 September 2019 were completed. Nine of them were sentenced to seven months. Two other protesters were

sentenced to one-year incarceration.

In Manokwari, 17 activists were tried. Their sentences varied between one to twelve months imprisonment. The majority of them were released in mid-June 2020. Two defendants, Yusup Wairara and Jafar Marife, are still serving their 12-month sentences. Four activists were charged with treason and criminal conspiracy. On 19 May 2020, judges found political activist Sayang Mandabayan guilty of treason and sentenced her to nine months imprisonment. Erik Aliknoe, Yunus Aliknoe and Pende Mirin were found guilty of incitement and sentenced to nine months imprisonment.

Judges of the District Court in Sorong found Yoseph Laurens Syufi, Paulus Miwak Kareth, Manase Baho and Herman Sabo guilty of treason and sentenced them to eight months and two weeks imprisonment. The public prosecutor did not file an objection against the verdict although he had demanded a sentence of one year and four months. The activists were released on 31 May 2020. Three other anti-racism protesters were sentenced to ten months imprisonment on 25 June 2020. Marius Asso is still on trial for the alleged violation of Article 187 (1) KUHP on Arson, Article 160 KUHP on Incitement and Article 170 KUHP on collective violence against persons or objects.

On 3 June 2020, judges at the Jakarta State Administrative Court ruled that the internet ban imposed by President Joko Widodo and the Minister for Communication and Informatics violated the principle of governance. The Indonesian government blocked or throttled the internet services in 54 cities and regencies across Papua and West Papua, from 21 August through 4 September, 2019, during the demonstrations against racism. The judges ruled that the defendant party has to pay the court fee. The verdict did not make any definite statement as to whether President Jokowi and his minister have to make a public apology. The judges elaborated that the blockage of internet services violates various statutory provisions. The government is allowed to block internet content that violates the law but is not allowed to block all internet services.

Read more details on trials in the [seventh update](#), [eighth update](#) and [ninth update](#)

Read more about the verdict on internet blockage [here](#)

Police investigator in Sorong prevents lawyers from meeting with detainees

According to the Manokwari Institute for Research Study and Development of Legal Aid (LP3BH Manokwari) three lawyers of the Legal Aid Institute (LBH) Kaki Abu were prevented from visiting four suspects who were arrested during a police raid in the regency of Maybrat between 15 and 23 April 2020. The police suspect them of being involved in the killing of a police officer in the regency of Bintuni. On 8 May 2020, the LBH Kaki Abu lawyers went to the Sorong Selatan District Police Office to meet the four detainees and get the power of attorney letter signed. The Head of the Criminal Investigation Unit of the Sorong Selatan District Police, Inspector Vhalio Agafe, reportedly prevented them from accessing the detention facility to talk with the four suspects.

[Read more details](#)

One worker killed and six injured during attack on Freeport Mine

Members of the West Papua National Liberation Army (TPN PB) reportedly attacked the offices of the mining company PT Freeport Indonesia (PT FI) in Kuala Kencana on 30 March 2020. Around 2.00 pm, a group of TPN PB fighters armed with three firearms and traditional weapons reportedly attacked PT FI workers in front of the office building. One employee from New Zealand was killed during the attack, two others injured by bullets. Their condition is still critical. Four workers sustained minor injuries and received ambulant medical care at the Freeport Hospital. The TPN PB has claimed responsibility for the shooting. According to a press release, the TPN PB asked PT Freeport Indonesia to stop all operations at the Freeport mine.

[Read more details](#)



Freeport employee, Graeme Wall, after being shot during attack on the Freeport office in Kuala Kencana, Mimika Regency

Police officers arrest human rights activist and relatives in Mimika Regency – five allegedly beaten during custody



Papuan human rights defender and woman activist Ema Natkime

Police officers in Timika arrested Papuan human rights activist Ema Natkime and five of her relatives as they were driving to the village of Jayanti in the Iwaka District. The officers found large quantities of basic food supplies inside the car and suspected the six passengers were supplying food to members of the West Papua National Liberation Army (TPN PB). Ema Natkime claimed that the Police officers allegedly beat the detainees – except one minor named Imelda Magai – during police interrogation to force a confession. All detainees were released on 8 April 2020, at 5.00 pm.

[Read more details](#)

Two Papuans shot dead in Mimika – Military members allegedly mistook victims for resistance fighters

Human rights defenders reported the killing of two Papuan young men by members of the Indonesian military on 13 April 2020. According to relatives, Eden Armando Bebari and Ronny Wandik left around 8.00 am and went to a river at Mile 34 inside the Freeport concession area to catch fish. In the evening, relatives looked for Eden and Ronny but couldn't find them. The following day, the relatives were informed that the bodies of Eden and Ronny were brought to the public hospital in Mimika. Soldiers of the military mobile border security unit Gab YR 712 and YR 900 had allegedly opened fire at Eden and Ronny claiming they were members of the West Papua National Liberation Army. The relatives emphasised that both victims were not associated with the TPN PB and demanded that the perpetrators should be held accountable following the law.



One of the bodies found at the site of crime

[Read more details](#)

Police operation in Maybrat Regency accompanied by arrests and torture



Internally displaced families after the police raid in Maybrat Regency

Police forces conducted a large-scale operation between 15 and 23 April 2020 in the regency of Maybrat, Papua Barat Province. Mobile brigade police officers (Brimob) searched houses and carried out arrests in various villages. They mainly targeted members and facilities of the West Papua National Committee (KNPB), a movement organisation peacefully advocating for West Papua's political self-determination. Police officers tortured the two KNPB members Edo Lando Sakof and Abadur Mate during the raids. The police operations caused the internal displacement of indigenous families from eight villages, most of them women and children. Four villagers were arrested during the police raid and detained at the Sorong Selatan

District Police station.

[Read more details](#)

Govt fails to respect freedom of expression in West Papua – Police arrest student and summon church leader

Human rights defenders reported two incidents in which the police took action against pupils and a church leader for peacefully expressing their opinion or views. On 2 May 2020, the police in Nabire arrested five school students and temporarily detained them at the Nabire district police station because they had painted the morning star flag with spray paint on their shirts. When the students asked for the reason of the arrest, the police claimed that they had violated the social and physical distancing rules which the local government had promoted to control the Corona Pandemic in the region. All of them were released on 3 May 2020. A few days before the incident, the Papuan Regional Police (Polda Papua) summoned the president of the Papuan Baptist Church, Rev. Sofyan Yoman, to clarify the content of an article which he had written for the news outlet Weko News. The article was published on 3 April 2020 and discussed the interests and historical involvement of Indonesian security forces in the mining operations of the transnational Freeport McMoRan Gold and Copper Mine. Polda Papua Chief, Paulus Waterpauw, stated that he expects Rev. Yoman to apologise for the content of the article or he might face legal consequences for violation of the Electronic Information and Transaction and Act (ITE Law).



Students with self-made Morning Star t-shirts being questioned at the Nabire District Police

[Read more details](#)

Residents reject construction of military base in Tamberau



The new Military District Command (KODIM) in Wembu Sausapor, Tamberau Regency

The Indonesian military (TNI) is building a military base in the regency of Tamberau, Papua Barat Province. Residents claim that military members have pressured them to release 5 hectares of customary land for the construction of a Military District Command (KODIM) and a Military Sub-District Command (KORAMIL) in the Kwoor District. In October 2018, military representatives tried to influence the indigenous land rights owners by handing over money them. However, the landowners returned the money. In late January 2020, the military moved into a former government office building in

Wembu Sausapor which the regent of Tamberau had handed over to the military. The indigenous communities demand the local government to build adequate health and education facilities instead of military facilities. They fear that the presence of the military will lead to violence against residents. The older generation of indigenous Papuans in Tamberau has experienced the violent military operations under Indonesia's former president Suharto, which were accompanied by gross human rights violations against the indigenous population of West Papua.

[Read more details](#)

Korindo palm oil plantation calls police to settle a land dispute – Indigenous Papuan dies as a result of torture



Victim of police violence, Marius Betera

The 'Office for Justice and Peace of the Archdiocese of Merauke' (SKP Keuskupan Agung Merauke) documented the killing of an indigenous Papuan in the regency of Boven Digoel. On 16 May 2020, witnesses saw how a police officer tortured Marius Betera after he complained about the clearing of his garden by one of the company's excavators. The manager had called the police officer and former employee Melkianus Yowei to "handle" the dispute. Officer Yowei punched Mr Betera at least four times to the head and kicked him repeatedly in the stomach. Witnesses stated that the victim was bleeding from the ear after the beating. The victim died at the company's clinic approximately three hours after the incident as a result of the injuries he sustained during the beating. PT. TSE POP A is a subsidiary of the Korindo Group, which operates multiple palm oil and timber companies in West Papua.

[Read more details](#)

Papuan student arrested for Facebook post – Police press charges

Members of the Papuan Regional Police Criminal Investigation Unit (Reskrim Polda Papua) arrested a 25-year-old Papuan student with the initials GM in his house in Jayapura on 1 May 2020 for posting an image of Indonesia's President Joko Widodo wearing a hat with the Morning Star symbol on his Facebook account and YouTube channel. The manipulated image was uploaded on 24 April 2020 on a Facebook account under the name Gerads Miagoni. GM is a student enrolled in a university in Yogyakarta. The police charged the student with article 28 (2) of Law No. 19 /2016 about the amendment of Law No. 11/2008 on Electronic Information and Transaction on hate speech.



Papuan student GM (centre) during police custody. Police officers present the alleged evidence

[Read more details](#)

Allegations of enforced disappearance in Intan Jaya - Two indigenous Papuans missing

Two indigenous Papuans from the village of Janamba in the Hitadipa district of Intan Jaya regency have been reported missing since 21 April 2020. Witnesses saw military members arresting Apianus Zanambani (22 years) and Luter Zanambani (23 years) near the Sugapa National Senior High School 1 (SMA Negeri 1) in the town of Sugapa. On 14 May 2020, relatives of the missing men and the Head of the Indigenous Peoples' Association in Intan Jaya (Polsek Sugapa) reported Apianus and Luter Zanambani missing at Sugapa Sub-District Police Station. The relatives and a group of villagers also reported the incident to the regent of Intan Jaya.

[Read more details](#)



Screenshot of the video taken by the CC TV during the police raid in Nawaripi village

CC TV records police officers torturing a suspect in Mimika Regency

On 14 May 2020, police officers tortured Ayub Jr Hutagaol in the district of Wania, Mimika regency during a police raid to investigate a case of illegal alcohol trade. The torture occurred inside Mr Hutagaol's shop and was caught on CC TV. The [video](#) shows Mr Ayub Hutagaol sitting on the floor, while plainclothes officers hit him with a motorcycle helmet and kick him on the head. It also shows an officer striking Ayub Hutagaol with a plastic chair until it breaks into pieces. A team of lawyers representing Ayub

Huatagaol officially filed the case to the Mimika District Police. District Police Chief, Era Adhinata, announced that he will process the perpetrators through an internal police investigation for violation of the police ethic code and a law enforcement procedure. The video shows that the torture is witnessed by at least four other police officers, who didn't intervene.

[Read more details](#)

Police officers disperse residents with water canon in Jayapura – one person dead

A Papuan man named Justinus Silas Dimara was killed as members of the police forcefully dispersed a group of residents in Hamadi, Jayapura city on 25 May 2020. The residents gathered in front of a closed restaurant to drink alcoholic beverages as the police arrived around 5.30 pm. By doing so, they violated the local government's COVID-19 lockdown policy. The government had announced that the residents in Jayapura should stay at home between 2.00 pm and 6.00 am. The police officers claim that the group refused to follow the instructions



Body of Justinus Dimara at the Hamadi Navy Hospital, Jayapura

to return to their homes, so they dispersed the group using the water cannon of the police vehicle. Justinus Dimara reportedly fell on the ground and bounced his head on the asphalt when the jet hit him. The police officers hospitalised Justinus Dimara in the Hamadi Navy Hospital, where the victim died shortly after admission.

[Read more details](#)

Papua Police Chief presses charges against KNPB member in Mimika – suspect injured during arrest

Police officers arrested two members of the West Papua National Committee (KNPB) on 26 May 2020 in the district of Kuala Kencana, Mimika Regency. One of the arrestees is the KNPB spokesperson in Mimika regency. Police officers shot him in the leg as he allegedly tried to resist the arrest. The police accused him of posting content of hate speech against the Papuan Police Chief, Paulus Waterpauw on his Facebook account. They charged the activist with article 28 (2) in conjunction of Electronic Information and Transaction Law (ITE Law) on hate speech and article 36 of the same law on 'deliberately causing disadvantage to other persons'. The post states that Waterpauw is responsible for the death of two medical workers attacked with firearms in Intan Jaya on 22 May 2020, as well as the killing of two Papuan boys in Mimika on 13 April 2020.

[Read more details](#)

Attacks against human rights defenders advocating for human rights in West Papua



Papuan Lawyer and human rights defender, Yuliana Yabansabra

The number of attacks and harassment against human rights defenders advocating for human rights in West Papua have significantly increased throughout the past weeks. On 8 June 2020 human rights defender Yuliana Yabansabra was physically attacked in Jayapura. She was part of a team of lawyers providing legal support to the seven political detainees being tried under treason charges at the District Court in Balikpapan, Kalimantan Timur province. Three days before the attack, Yulaina Yabansabra spoke out about the human rights situation in West Papua during a public Zoom conference organised by Amnesty International Indonesia. The video conference was interrupted by a series of

deliberate disturbances, including spam calls to some of the speakers' mobile phones and "zoombombing", a type of cyberattack. Activists from the Teknokra Student Press Activities Unit (UKPM) at the University of Lampung in South Sumatra were reportedly intimidated before holding an online discussion on "Racial discrimination against Papuans" on 11 June 2020. Two organisers were threatened via voice chat and phone

calls. One of the organiser's social media accounts was hacked shortly before the event. Further hacker attacks were reported by Papua researcher, George Saa, and human rights lawyer, Veronica Koman.

[Read more details](#)

Police officers arrest four students during peaceful assembly in support of Balikpapan 7

Police officers detained arbitrarily four students at the Jayapura University for Science and Technology (USTJ) during a peaceful open stage event in support of the seven political detainees in Balikpapan on 15 June 2020. The USTJ students had set up a racism-protest post and the public stage on 13 June 2020 to make peaceful orations and express their aspirations for the release of the Balikpapan 7. Around 7.30 am, members of the Jayapura municipality police (Polresta Jayapura) came to the USTJ campus and arbitrarily arrested Marthen Pakage, Semi Gobay, Albert Yatipai and Ones Yalak. The four students are board members of the USTJ executive student body. Albert Yatipai stated that a police officer allegedly ill-treated him during the arrest. The police released the four students on the same day after signing a statement letter in which they had to promise that they won't organise any events outside the university curriculum or commit any violation of health policies for the prevention of the COVID-19 pandemic, again.



The four arrested students show the statement which they had to sign before being released

[Read more details](#)

COVID-19 prevention policies increase violence – Security force members leave three indigenous Papuans injured in Paniai



Sara Yeimo during medical treatment in the ICU at Uwibutu Hospital

The enforcement of COVID-19 prevention policies resulted in further violence against indigenous Papuans in the regency of Paniai. The JPIC Kingmi Papua reported that security force members ill-treated 29-year old Sarah Yeimo and subsequently tortured Yosia Magai and Yupen Magai after bystanders damaged the roadblock of the control post in Wouye Butu village on 10 June 2020. The control post had been set up to prevent people from entering the regency. Apparently, the officers deliberately closed the barrier as Sarah Yeimo walked around the roadblock instead of passing through it. Sarah Yeimo sustained a wound in the left leg when the edge of the iron barrier spiked deeply into her foot. Yosia Magai accompanied her to the Uwibutu hospital, where she received medical treatment. Thereupon, angry bystanders broke the iron barrier as a protest against the ill-treatment of Sarah Yeimo. Shortly after, members of the Police Mobile Brigade (Brimob), the Crowd Control Unit (Dalmas) of the Paniai District Police and military members arrived at the location and questioned witnesses. As one pointed to Yupen Magai, a group of security force members approached him and collectively beat him. Subsequently, three plain cloth officers went inside the hospital and approached Yosia Magai. The plain cloth officers dragged him outside, where around 20 security force officers collectively kicked and punched Yosia Magai until he lost consciousness.

[Read more details](#)

Update on 1st December Commemorations: trial against 23 defendants accused of treason and criminal conspiracy launched in Fakfak

Twenty-three indigenous Papuans are on trial at the Fakfak District Court since 18 June 2020. They have been accused of crimes against state security. They are tried under various indictments, among them Article 106 of the Indonesian Criminal Code (KUHP) on treason, Article 110 KUHP on criminal conspiracy, Article 160 KUHP on incitement and Emergency Law No. 12/1951 on the possession or use of stabbing, striking and slashing weapons. On 1 December 2019, joint security force members arrested 54 indigenous Papuans in the districts Kayauni and Kramonmongga. The police detained villagers for raising the Morning Star flag in commemoration of 1 December, which is regarded as the 'Papuan Independence Day'.



Photo taken in Pikpik village during the police raid on 1 December 2019

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Attorney General rejects the Paniai case files again for further processing

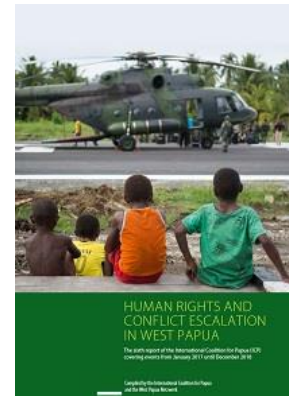
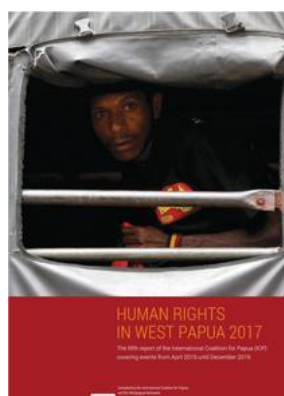
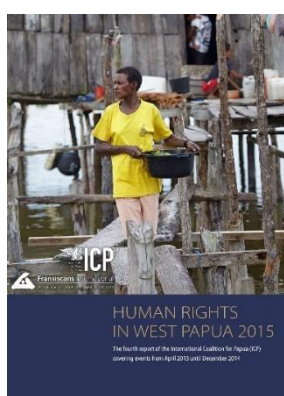
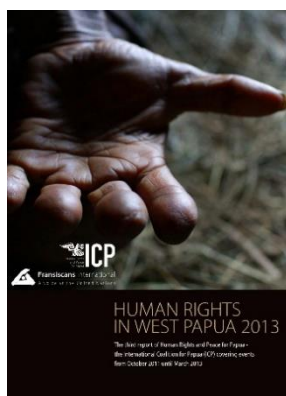
In late May 2020, the Attorney General returned the files of the Paniai Case of 2014. Komnas HAM had submitted a reviewed version of the investigation dossier on 14 April 2020 to be processed by a human rights court. According to the Attorney General, Komnas HAM failed to meet the requirements for further handling the case. Many NGOs in Indonesia criticised that the Attorney General was not willing to prosecute past gross human rights violations and was blocking the prosecution process. Komnas Ham and human rights organisations called on President Joko Widodo to act as a mediator between both institutions to avoid further delays in the process.

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About the ICP: The International Coalition for Papua (ICP) of faith-based and civil society organisations works to address the serious human rights situation in West Papua and supports a peaceful solution to the conflict there. The Coalition together with its partners supports advocacy work and networking at the international level for Papua as a land of peace and documents human rights violations in the region in cooperation with local sources. The ICP recognises all human rights and their fulfilment through active participation of civil society. Therefore, the Coalition sees the need to support partners striving for the recognition of basic human rights and seeking peaceful solutions to the implementation of the right to self-determination. The Coalition supports all human rights including the freedom to express political opinions peacefully, the right to self-determination and the critical role of human rights defenders in a peaceful transformation of the ongoing conflict.

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