Update on the Human Rights situation in Papua, Indonesia
First quarter of 2010

Sine 2009 the political, social and economic situation in Papua reached some new dynamics compared to the years of repressive silence after 16 March 2006 and its traumas for civil society. Particular in the coastal areas indigenous groups are continuously organizing demonstrations in order to express their dissatisfaction about the deteriorating marginalization of the native people of Papua. Representatives of the youth, women and adat (traditional) groups are making use of the people's right to freedom of expression and freedom of assembly. It is a positive signal that Papuan groups are using existing democratic spaces despite a long history of repression and experiences of trauma and fear. Those demonstrations are under strict surveillance of the Indonesian security forces and the demonstrators take the risk of arrest, detention and possible ill-treatment when taking the streets criticising the current state policies on Papua. During these demonstrations the call for dialogue between Papua and Indonesia under international mediation as well as for self-determination and a referendum of the political status of Papua are regularly expressed (such as in Timika on 27.01., in Jayapura on 22.02., 18.03., 22.03. or in Manokwari on 22.03.). The demonstrators are consciously taking the risk to be arrested and charged of separatism under article 106 of the Indonesian Criminal Code. Nevertheless they continue expressing their dissatisfaction about the given situation in Papua.

Civil and Political Rights: Current arrests, trials and imprisonments

A mass arrest occurred in Jayapura on 22 March 2010 when 32 people were arrested during a demonstration in relation to the planned visit of US-President Obama to Indonesia. The demonstrators had demanded a meeting with President Obama about the current situation in Papua and their request for self-determination. The police reacted with warning-shots into the air pressuring the demonstrators to break up the demonstration. Most of the arrested were released the same or the following day. **Marya Koyoga** and **Linus Pagawa** however remain in custody and are reportedly facing charges of illegal weapon possession (Art. 12/ 1951). Other demonstrations are reported from Timika on 27.01., Jayapura on 22.02., 18.03. and Manokwari on 22.03. just to cite a few.[1] A close monitoring of demonstrations and the fate of the arrested is permanently required by the members of the FBN.

In March 2010 at least four trials related to demonstrations in 2009 have started at the District Court of Jayapura and the District Court of Biak:

1. **Yusuf Animan (27)**, **Yeret Runaweri (59)**, **Nataniel Runggaimusi** and **Yance Muabuai** are facing charges of subversion under article 106 of the Indonesian Criminal Code (KUHP) at the District Court of Jayapura for their alleged involvement in the flag-raising incident in Kapeso, Mamberamo Raya Regency, Papua Province, in May 2009[2];
2. **Semuel Yaru (52)** and **Luther Wrait (52)** are facing charges of subversion under article 106 of KUHP at the District Court of Jayapura for their alleged involvement during a demonstration in the city of Jayapura, Papua Province, on 16 November 2009. The defendants are accused for demanding self-determination and carrying the Morning Star Flag during the demonstration.[3]
3. **Victor F. Yeimo (27)** is facing charges of subversion under article 106 of KUHP at the District Court of Jayapura for his alleged involvement in a demonstration in the city of Jayapura, Papua Province, on 10 March 2009. Victor Yeimo is accused for requesting self-determination during the demonstration.[4]

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[1] West Papua Network (WPN): E-Informationsbrief 29.03.2010: „Hoffnungsträger Obama – Demonstrationen in Papua vor Besuch des US-Präsidenten".
[2] Bintang Papua, 29.03.10
[3] Bintang Papua, 05.04.10
[4] Bintang Papua 29.11.09, 11.03.10, 18.03.10

4. **Septinus Rumere (62)** is facing charges of subversion under article 106 of KUHP at the District Court of Biak for putting up the the Morning Star Flag in Orwer village, East Biak District, Biak Regency, Papua Province, on 1 December 2009. Rumere had peacefully celebrated Papua's Anniversary Day with a prayer and had then put a stick with the Indonesian and the Morning Star Flag into the ground. The Indonesian Flag had been tied at the top of a wooden stick and the Morning Star Flag below. Rumere is reportedly detained since 22 December 2009 and is suffering health problems which are not adequately taking care of by the police authorities.[5]

A matter of concern remains the insufficient response of the prison and governmental authorities towards the **health condition of political prisoner Filep Karma** in Abepura Prison, Jayapura city, Papua Province. Filep Karma is suffering from serious prostate problems since August 2009 and according to medical records from Jayapura Hospital in October 2009 requires medical treatment in Jakarta. Despite pressure from Filep Karma himself to the respective state authorities and from local and international non-governmental organisations (such as AI, WPN and others) Filep Karma has not been transferred to Jakarta till the present. Karma's family is required to cover the transportation costs for Filep Karma, one family member, a prison guard and a police man. Though these costs are a state responsibility significant financial contributions have been made by several Amnesty International groups which should allow the transfer to Jakarta. Nothing however has happened on Karmas case up to the present time.[6]

Ill-treatment, torture and extra-judicial killings

On 17 March 2010, at 3:30 pm, **Rev. Kindeman Gire** from the GIDI church (Gereja Injili di Indonesia) was **reportedly shot dead** by members of the Indonesian army (Tentara Nasional Indonesia/ TNI) in the village of Kalome, Tingginambut District, Puncak Jaya Regency, Papua Province. Rev. Kindeman Gire had been waiting at a street when soldiers of the **Infantry Battalion Yonif 756** approached the pastor and intimidated him. At the same moment another church worker, **Pitinius Kogoya**, passed by and also became the target of the militaries harassment. The soldiers separated the two men and reportedly started ill-treating them until their faces were swollen. Pitinus Kogoya managed to escape the scene and heard the soldiers killing Rev. Kindeman Gire with two shots. The following day, on 18 March 2010, at 5am, members of the Indonesian army reportedly **attacked a traditional hut (honai**) on the way from Kalome village, Tingginambut District, to Mulia, the capital city of Puncak Jaya Regency. The 13 inhabitants of the hut were reportedly ill-treated by the soldiers[7]. The killing of Rev. Kindeman Gire and the attack reportedly by the same group of Indonesian soldiers the following day needs further investigation and confirmation from the FBNs partner organisations in Papua.

On 25 March 2010, **Ikimo Kosay (26)** was ill-treated during police custody at the police station at Pasar Jibama, Wamena city, Jayawijaya Regency, Papua Province. Police officer Daniel Tapilatu poured hot water over Ikimo Kosay in a police cell. The victim experienced serious burns at his left cheek, right ear, left and right bottom.[8] Photos of the victim available.

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[5] Tim Advocaci „Kasus Pengibar Bendera Bintang 1 Desember 2009"

[6] WPN: E-Informationsbrief 25.02.2010: „Unzureichende medizinische Versorgung für politisch Gefangene in Papua – das Beispiel Filep Karma". The WPN also monitors the situation through regular correspondence with „Solidaritas Korban Pelanggaran HAM Papua.

[7] Report by Piron Moribnak, 24.03.2010, Mulia, Puncak Jaya.

[8] Brief (Nr. 065/SRT-LKP/JAPH-HAM/Kab.Jayawijaya/2010) der Menschenrechtsorganisation "Jaringan Advokasi Penegakan Hukum dan HAM Pengunungan Tengah Papua" an den Polizeichef von Jayawijaya.

Economic, Social and Cultural Rights

MIFEE-Project

Economical investment constantly accelerates in the Provinces of Papua and West Papua. On 17 January 2010, the Indonesian President Susilo Bambang Yudhoyono (SBY) launched a **large scale food- and energy plantation for the Merauke District** called MIFEE (Merauke Integrated Food and Energy Estate). This project aims to turn 1,6 million hectare of land into agricultural land for cash-crops such as rice, corn, soya beans and oil palm trees. It is designed to develop Indonesia into one of the world largest food and energy producer. The program falls under Law No. 41/ 2009 on the "Protection of Areas for Sustainable Food Agriculture" (Perlindungan Lahan Pertanian Pangan Berkelanjutan) and is based on Presidential Instruction No. 01/ 2010 on the "Acceleration of the Development Corridor of Merauke". According to Deputy Minister of Agriculture, Baya Krisnamurthi, an initial investment of approximately 6 billion US-Dollars is needed. 36 national and international companies have reportedly expressed interest in the project and the government is planning to start the project in 2010. Six national investors (Bangun Tjipta, Medco Group, Comexindo, Digul Agro Lestari, Buana Agro Tama and Wolo Agro Makmur) reportedly already possess a licence which allows a 60-year land-use.

The project gained heavy criticism in Papua, Indonesia and abroad. According to the environmental organisation Greenomics, only 500.000 hectare of land is classified production forests in the Merauke region. In order to implement MIFEE 1, 1 million hectare of healthy forest would need to be cleared leading to environmental destruction and severe land-loss of the indigenous population. The development of the large-scale plantation would also require additional labour forces coming from outside Papua. The *West Papua Advocay Team* (WPAT) estimates the Merauke population to raise from currently 175.000 to 800.000 inhabitants should the investment plan materialize. From the lessons learned in other regions of Papua, one can predict a severe marginalization of the indigenous Papuans through the implementation of the MIFEE-project which is likely to put the survival of the indigenous people in Merauke at risk.[9]

Resumption of Transmigration Programme

The Provincial Governments of Papua and West Papua reportedly open their region again for the much criticized **transmigration programme**. In February 2010, Abraham O. Aturi, Governor of West Papua signed a Memorandum of Understanding (MoU) with the Governor of West Java which allows 7.000 families from West Java to be settled in Sorong, Province West Papua[10]. There are also unconfirmed reports about the resumption of the transmigration programme to the highlands of Papua.

Book Ban

The Attorney's General Office (AGO) is reportedly planning to **ban further books** which are considered to be a threat to public order. In December 2009 the AGO already published decrees banning five books, amongst them a book by the Chairman of the Baptist Church in Papua, Rev. Socratez Sofyan Yoman: "*Suara Gereja Bagi Umat Tertindas Penderitaan, Tetesan Darah, dan Cucuran Air Mata Umat Tuhan di Papua Barat Harus Diakhiri*". According to a report by the West Papua Advocay Team (WPAT), the AGO is planning to ban additional 20 books. Amongst those on the black list are "The Indigenous World 2009" published by the International Working Group for Indigenous Affairs, the Indonesian translation of the UN Declaration on the Rights of Indigenous People (Hak Asasi Masyarakat Adat) and "Rakyat Papua Barat Mencari Keadilan" (A Nations Plea: West Papua People Looking for Justice) by Sendius Wonda.[11]

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[9] The Strait Times 27.02.10; The Jakarta Post 05.03.10 and 03.04.10; Reuters 25.03.10; IRIN 26.03.10

[10] Jawa Pos National Network, 05.03.10

[11] Lembaga Bantuan Hukum Masyarakat: CAVEAT. Indonesia's Monthly Human Rights Analysis. Volume 09/II, Februar 2010, S. 8-10; West Papua Advocay Team (WPAT): West Papua Report February 2010.

"International Conference on Cultural Diversity" under pressure from central government

The Provincial Governments of Papua and West Papua also increasingly start to promote Papua as tourist destination (Raja Ampat, Carstenz and other areas). Together with the UNESCO the Provincial Government of Papua is organizing an "International Conference on Cultural Diversity" to be held in Jayapura in November 2010 which seems to have its emphasis on the commercialisation of the Papuan culture rather than a genuine strengthening of its identity. According to an UNDP volunteer in Jayapura, all initial critical elements of the conference regarding the threats towards the indigenous Papuan culture have been withdrawn by the UN under heavy pressure from the central government in Jakarta. The initial Terms of Reference (ToR) of the conference had to be strictly revised and the initial plan to aim at concrete measures for the protection of the indigenous culture was dropped.[12]

Armed Conflicts: Freeport and Mulia

The **series of attacks on Freeport** employees travelling the road from Timika to Tembagapura, Mimika Regency, Papua Province, continued in the beginning of 2010 with another shooting on **24 January 2010** which left nine people injured[13]. The police so far failed identifying the perpetrators of the attacks which occur since July 2009. The lack of transparency into the cases and the actual events around the Freeport mine gives room for speculations and helps those seeking to create conflicts in Papua. On 20 January 2010, 50 police officers involved in the killing of Kelly Kwalik in December 2009 were honoured by the Indonesian National Police headquarters. They would receive priority attention in regard to promotion, National Police spokesman Insp. Gen. Edward Aritonang is cited in the *Jakarta Globe*[14].

Shootings between the military, police and alleged OPM/ TPN members in the region of **Mulia**, Puncak Jaya Regency, Papua Province, started in January 2009 and continue to the present in 2010. On **15 February 2010**, Sec. Brigadier **Sahrul Mahulau (23)** of the Police Mobile Brigade (Brimob), was shot dead by unidentified men in the city of Mulia[15]. On **22 March 2010**, an exchange of fire between alleged OPM/TPN members and 13 Indonesian soldiers occurred in Puncak Senyum, Tingginambut District, Puncak Jaya Regency, after a military vehicle of the battalion Yonif 753 had been attacked[16]. During a following military raid one civilian woman, **Enditi Tabuni**, was reportedly shot in Wondenggobak village, Puncak Jaya Regency[17]. On **13 April 2010**, at 11am, an unidentified armed group attacked workers of the construction company *PT Modern Widya Technical* in Bremele village, Mewulok District, Puncak Jaya Regency**. Abdullah**, **Elimus Ramandey (33)** and **Hans Ling Satja (30)** were shot dead and died on the spot. **Paingot Sirait** was shot three times and experienced severe injuries. The victims had been working on a highway-project between Mulia and Mewulok. Due to the recent violence many inhabitants from Bremele village have fled to Mulia city.[18]

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Wuppertal, 15 April 2010

[12] Internal report by UNDP volunteer Jayapura
[13] WPN E-Informationsbrief 27.01.2010: „Nach Kwaliks Tod: Freeport-Busse bleiben unter Beschuss".
[14] The Jakarta Globe, 13.01.2010
[15] WPN E-Informationsbrief 18.02.2010: "Polizist in Mulia getötet – Unbekannte Tätergruppe entkommt mit Waffe und Munition".
[16] Bintang Papua 23.03.10; The Jakarta Globe and Antara 24.03.2010
[17] Report by Piron Moribnak, 24.03.2010, Mulia, Puncak Jaya.
[18] The Jakarta Post 13, 15 and 28 April 2010