

By Norman Voss
Column: Indonesian Justice

Hong Kong, China — The increasing number of arrests and detentions on political grounds in the Papuan provinces of Indonesia are a matter of grave concern. In recent months, several incidents were reported in which indigenous Papuans were arrested and charged with subversion and secession after engaging in peaceful political protests.

For example, Buktar Tabuni was arrested on Dec. 3 last year following a peaceful protest he had helped organize on Oct. 16. He was charged under Articles 106, 110, 160, 212 and 216 of the Indonesian Penal Code, despite the fact that he had conformed with legal requirements regarding public protests.

Tabuni was later transferred to Abepura Prison, where he was allegedly subjected to torture and ill-treatment.

Following Tabuni's arrest, other activists gathered lawfully at Theys Eluay Memorial Park in Jayapura, Papua, to demand the release of political prisoner Tabuni and the right to exercise the freedoms of expression and assembly. On Dec. 17, Seblom Sambom, one of the participants in the gathering, was also arrested and faces charges under Article 216 for participating in the protest on Oct. 16. Punishment may be up to 20 years imprisonment.

On Oct. 17, one day after the October protest, Yosias Syet was found dead in his home. Syet was a known activist in Papua and had helped in the preparation of the lawful protest the day before. There is reason to believe that his murder was related to the exercising of his right to freedom of expression and assembly and that the security forces in Papua were involved in his murder.

Since Indonesia took over sovereignty of the western half of the Papuan island after a questionable referendum supervised by the United Nations, many indigenous people have experienced a deterioration of their livelihood due to mining activities, exploitation of natural resources, transmigration of non-Papuans into the region and a heavy military presence.

Protests by indigenous Papuans and attempts to exercise the right to self-determination as promised in the U.N. handover of the province have been answered with armed violence, including massacres, in the past.

Not long ago, a political process was underway between Jakarta and the indigenous Papuans. At that time, political acts were treated as political acts and responded to with dialogue. Former President B. J. Habibie, who was in office till 1999, held meetings with Papuan representatives on the issue of self-determination.

But the recent pattern has been different. Political protest is addressed with arrests and the increasing use of charges of subversion and treason, which was not the case before, although the laws have not changed.

Even with the new autonomy law for West Papua, the peaceful expression of political views is met with arrests and torture. The climate for human rights defenders remains hostile and activists are vulnerable to political arrest and prosecution.

The government of Indonesia is urged to suspend all arrests and prosecutions resulting from persons exercising their right to the freedom of expression of political views and the right of assembly. The application of subversion and treason articles in the penal code must stop. Many democracies do not even have such articles, as such legislation denies freedom of conscience, opinion and expression.

Are these cold war tactics? Has the reformation spirit of political dialogue come to an end? All political prisoners and prisoners of conscience must be released.

--

(Norman Voss is a staff member of the Asian Human Rights Commission in Hong Kong. He studied physics and pursued a master's degree in international and public affairs. His work

presently includes human rights
rights reforms.)

issues in Indonesia and the advocacy of human