

(HRW/IFEX) - The following is a 19 March 2008 Human Rights Watch press release:

Indonesia: Free Peaceful Protesters in Papua
Activists Face Charges for Nonviolent Expression

London, March 19, 2008 - The Indonesian government should order the immediate release of nine Papua activists arrested for displaying the Papuan Morning Star flag, Human Rights Watch said today. All charges against them should be dropped.

On March 13, police arrested nine people in Manokwari, West Papua, during a demonstration against a 2007 law banning the display of separatist symbols, including the Morning Star Flag. One of the nine in custody is reported to be a 16-year-old boy. Indonesia's arrest and detention of peaceful activists violates the internationally recognized rights to freedom of expression and assembly.

"Raising a flag at a demonstration is a nonviolent act, but in Indonesia it can land you in prison," said Elaine Pearson, deputy Asia director at Human Rights Watch. "If Indonesia wants recognition as a rights-respecting nation, it should stop imprisoning people for acts of peaceful expression."

In July 2007, Human Rights Watch welcomed the ruling of the Indonesian Constitutional Court declaring unconstitutional certain provisions in Indonesia's criminal code prohibiting free expression. Despite the ruling, several Indonesian laws continue to restrict freedom of expression in violation of international law, including article 6 of Government Regulation 77/2007, which prohibits the display of the Morning Star Flag in Papua, the South Maluku Republic Benang Raja flag in Ambon and the Crescent Moon flag in Aceh.

"Crucial Indonesian legal reforms on free expression have no bearing on events in Papua," said Pearson. "Unfortunately, once again there is a different set of rules for Papua and other areas with separatist sympathies than for the rest of Indonesia."

Human Rights Watch is also concerned that the nine individuals facing trial for breaching Regulation 77/2007 will also be charged with makar, which translates into English as "rebellion." In the past, Papuan activists openly supporting separatism have been sentenced to a 20-year prison term for the peaceful expression of their political views. On March 12, two pro-independence demonstrators in the province of Maluku were sentenced to 15 and 17 years in prison for possession of the South Maluku Republic Benang Raja flag.

Human Rights Watch takes no position on Papuan claims to self-determination, but it supports the right of all individuals, including independence supporters, to express their political views peacefully without fear of arrest or other forms of reprisal.

Peaceful campaigning for self-determination is a right protected by international human rights law, including the International Covenant on Civil and Political Rights, which Indonesia ratified in February 2006.

"Committing to the human rights treaties Indonesia recently ratified means more than signing on the dotted line," said Pearson. "It means stop punishing people for peaceful acts of expression."