

Indonesian Public Prosecutors have triggered an attack against a Political Prisoner, Buchtar Tabuni, at the Jayapura District Court, 22 April 2009, in Jayapura, West Papua

On Thursday 22 April 2009, Buchtar Tabuni, was taken by members of the public prosecution team and police from prison to attend a hearing of his trial at the Jayapura District Court. The hearing was scheduled to hear the testimony of an expert witness.

Upon entry to the courthouse Buchtar requested to be put in the cell at the back of the court. He said that wished to see his defense lawyer's as had been the usual practice before the trial commenced. Team members of public prosecutor and police responded to his request with repressive actions by dragging and beating Buchtar and forcing him into the court cell.

During the incident Buchtar Tabuni said he was held tightly by 3 of the team members of public prosecutor office while he was attacked by members of the Indonesian Police and Indonesia security forces intelligent agents, who were wearing civilian's clothes and carrying pistols. The Police and intelligence agents beat him and kicked him. This resulted in him suffering back and backbone pain and a wound to his left arm and blisters on his feet. A witness also independently verified that he saw the members of public prosecutor drag Buchtar forcefully and police beat him.

Buchtar said that he was trying to protect his head and face from the attackers while being held and dragged. Buchtar said that members of public prosecutor who were holding his arms had also laid their hands on him. He said that he was hit by a hard object at his back and his arm when he covering his head during the attack. This was confirmed with the medical report (Fig.2 below), that states 1.there is a scratch wound at left elbow; 2.there is a pain in the back bone; 3.there is a pain oat the leg marks of beaten. The diagnose states there is a wound (ulkus luka) and marks of in sharp object (trauma tumpul).

One of Buchtar's defense lawyers said the hearing was cancelled because the expert witness did not show up. He said that Buchtar Tabuni's defense team was angry at the police and members of public prosecutors because these two institutions used violence against their client.

He said that the incident happened while team of defense lawyers were waiting in their room and had not realized that Buchtar had been taking to the courthouse through another gate (not the usual one). The defense lawyer also reported that 80% of the courtroom was stacked by Indonesian security forces members, including intelligent agents.

The defense lawyer said that in front of judges, the public prosecutor pronounced that he got a direct order from his superior (office of Chief Public Prosecutor) to bring Buchtar through non-formal gate, but did not state a clear reason for this change of procedure. The Judge asked the Public Prosecutor to take Buchtar Tabuni to the hospital and that he be checked by a doctor immediately.

Instead Buchtar was taken to Abepura prison by Public Prosecutor and left there. His defense lawyers came at the prison and asked officials of the prison to provide a medical treatment and check (visum report) in the prison for Buchtar.

Buchtar received a medical check by a nurse, appointed to work as a health worker in the prison. Some of his defense team then went to the police office to report the incident.

On 18 February 2009, Buchtar Tabuni (30) had been charged under article 106 of the Criminal Code regarding 'makar' or 'subversion', Article 160 of the Criminal Code regarding acts of incitement (rebellion) and article 212 of the Criminal Code regarding resisting personnel of the state, on his first trial. Buchtar Tabuni was arrest on 2 December 2008 in relation to a mass demonstration, which occurred in Jayapura supporting the establishment of International Parliamentarians for West Papua, which took place in London of 15 October 2008.

Paula Makabory from Institute for Papuan Advocacy and Human Rights said today, "This attack on Buchtar Tabuni shows the fundamental bias in the Indonesian judiciary system in courts prosecuting West Papuan political prisoners. There is little hope that Indonesian judicial procedure will bring about a fair or safe trial for Buchtar Tabuni and the many other West Papuan political prisoners."

"A culture of injustice, persecution and Human Rights abuse exists within Indonesian state institutions which are hostile to West Papuan people. Indonesian state institutions, such as public prosecutors office and the court system, which have obligations under International law

and Indonesia's national laws to ensure justice for West Papuan people are actually at the fore front of the attack on the indigenous people of West Papua and their civil & political rights.”