



Quarterly Update

JANUARY-MARCH 2022

Summary

PBB recorded a total fourteen (14) **new political detainees** between the period of **January 2022 and March 2022**. We also recorded an additional eleven (11) people **wanted by police** and two (2) Indonesian human rights defenders who have been **questioned and designated as suspects** by police for defamation for this period. This report provides an overview of the cases relating to these new detainees and suspects of the period January-March 2022, as well as providing an update for cases of prisoners/detainees from 2021. The attached political **prisoners list** also provides information about the existing political prisoners who have been sentenced and are currently serving their sentences in various prisons.

Issues of concern: **Minors in custody, Torture and ill-treatment of arrestees, Access to health in detention, Transfers of political prisoners and access to legal assistance, Free and fair trial for political prisoners cases.**

Background

Following a renewal of Special Autonomy legislation for the provinces of Papua and Papua Barat (collectively known as West Papua) in July 2021, the Indonesian government intends to accelerate the creation of new autonomous regions (Daerah Otonomi Baru or DOB), in such a way that exceptions are applied. Government Regulation number 106/2021 on DOB creation in Papua province bypasses the Local Government Law 23/2014 by disregarding the required preparatory DOB and other basic and administrative requirements.

The exceptions and Jakarta's target of the establishment of new provinces in 2023 would give no space for any proper public consultation, repeating the story of previous terms of the Special Autonomy law for Papua and Papua Barat. Hundreds of people have been protesting in the streets around the region as well as in other provinces of Indonesia, which resulted in arrests and intimidation of protestors through forced and arbitrary dispersals.

Dissatisfaction with Jakarta's approach to West Papua gives rise to more grassroots movements. Petisi Rakyat Papua or PRP (the Papuan People's Petition), a movement which now has 122 organisations in its solidarity network, was launched on 4 July 2020 with the following objectives: reject *pemekaran*,¹ reject special autonomy, and support self-determination for West Papua. Since launching the PRP has held many peaceful rallies in West Papua. More protests and arrests are taking place at the time of writing and will continue to take place in the following months.

The central government continues to deploy more law enforcement operations in 2022. Two new operations - *Operasi Damai Cartenz*² and *Operasi Rasaka Cartenz*³ - began taking place in early 2022. According to the Indonesian Police (*Polisi Republik Indonesia* or Polri) spokesperson, *Operasi Damai Cartenz* replaces *Operasi Nemangkawi*⁴ and will primarily focus its operations in 5 regencies: Pegunungan Bintang, Nduga, Yahukimo, Puncak, and Intan Jaya.⁵ The latter, *Operasi Rasaka Cartenz* will be operating in 24 other regencies outside of the five above.⁶ More suspects for political arrests also stemmed from the increased armed conflict in the region. For example, the shooting and killing of Indonesian security forces in Maybrat in September 2021 and most recently the shooting of Indonesian security forces in January 2022 also in Maybrat. In relation to the shooting incidents, the authorities intensified targeting members of the West Papua National Committee (Komite Nasional Papua Barat or KNPB)⁷ for arrest. KNPB is a peaceful political organisation that conducts campaigns for self-determination through democratic means.

New Cases

Enos Tipigau, was arrested with six others on 5 February 2022 by the law enforcement unit from *Operasi Damai Cartenz* and Mimika District Police. According to a police report Tipigau had been placed on a police search list for his alleged involvement in several crimes including: Shooting a civilian by the name of Zainudin on 15 August 2020; shooting the deputy chief of Papua regional police and his entourage on 25 September 2020 in Sugapa airport; shooting at Sugapa police in Intan Jaya on 30 September 2020; shooting a civilian by the name of Ramli on 8 February 2021; shooting at Sugapa military post in February 2021; and setting fire to a shop in October 2021. Enos Tipigau remained in detention while the police released six individuals that were arrested with him. According to the Chief of Police of Mimika, I Gusti Gde Era Adhinata, Enos Tipigau is a member of TPNPB under the command of Undius Kogoya in a unit that usually operates in the Intan Jaya area. Enos Tipigau is currently being detained at Mimika Police station while the police are carrying out investigations into his alleged crimes.

Abraham Mate or Bram was arrested on 21 February in Manokwari. Mate, a supporter of KNPB, has been on police search warrants in relation to his alleged involvement in the attack on the Kisor military post (see Sorong 6).

Irinus Telenggen and Nias Wakerkwa were arrested on 23 and 24 February and charged with illegal arms possession and causing physical harm to police officers in Puncak. Their lawyers from LBH Talenta Keadilan Papua in Nabire (LBH TKPN) reported that they were hindered by the authorities from signing the power of attorney. They are currently detained at Nabire Regency Police (Polres) after being transferred from Puncak.

On 25 February 2022, Papua Barat Regional Police distributed a search warrant for eleven members of KNPB's Maybrat Chapter. They are Arnoldus Kocu, Manuel Aimau, Chusme Altief, Sepnat Fatem, Zakarias Kamat, Rendy Fatem, Hamelus Assem, Vincen Frabuku, Thomas Assem, Libertus Assem, and Wamen. The search was prompted by a shooting incident on 20 January targeting military personnel of Papua Barat Regional Military Command (Kodam XVIII Kasuari). One soldier was killed and two injured in the incident.⁸

On 11 March 2022, Alfius Wenda was arrested with 89 other people who had been protesting in front of the Presidential Palace in Jakarta, Indonesia. The Indonesian police dispersed the protest and made the arrests. All protest participants were released except for Alfius Wenda who remains in detention, accused of hitting the Chief of Metro Central Jakarta's Police Intelligence Unit in the head. Reports have said that there were six other protest participants who were injured by police that day, however the police have denied using force.⁹

Yanis Suhun and Vetty Kobak were arrested on 20 March 2022 at a protest in Dekai Yahukimo on 15 March 2022, which resulted in unrest between civilian protestors and police. 10 people were shot by the police with two dying instantly. There is no report yet as to what the charges are. It is believed that the two men had driven cars of protest organisers on the day of the protest.

Bazoka Logo was arrested on 24 March 2022 in Jayapura along with Buchtar Tabuni, Kibo Telenggen, Jekson Wakerkwa, Yohanis Wandikbo, Lawe Wandikbo and Gilbert Kogoya. They were arrested for allegedly attacking police officers. Police say that they had been carrying out a routine patrol when they obtained information about a meeting organised by ULMWP. The police allege that when they went to investigate further, they were attacked by the group.

Ongoing Cases Updates

West Papua Uprising

(On trial)

-Victor Yeimo-

Victor Yeimo's pre-trial hearing was called off on 27 August 2021 on grounds of his ill health. His first trial began on 20 January 2020 with the reading of indictment, but Yeimo was unfit to appear in Court. Public prosecutors indicted Victor Yeimo for treason (articles 106 juncto article 55 (1), and article 110 (1 and 2)), and incitement to commit a criminal act (article 160 joint article 55 (1) which can carry a prison term of up to 20 years. He is accused of involvement in mobilising massive protests in August 2019 that led to unrest, resulting in the burning and damaging of public facilities and properties.

Yeimo denies the allegations, arguing that his conscience urges him to speak up against racism toward West Papuans, and that he was one among many public figures, including the Governor of Papua, who gave speeches at the large rally. Gustaf Kawer, one of Yeimo's lawyers, is concerned that the charges have been manufactured to criminalise Yeimo, who attended the rally as a participant and was invited to speak.

Victor Yeimo appeared in court on 21 February 2022, despite protests from Yeimo's lawyers that he still needs to undergo further hospital treatment for chronic Tuberculosis. The Prosecutors requested that Yeimo's detention be reinstated such that he would be placed in detention at Abepura Prison. However Yeimo's lawyers questioned the poor condition of the detention cell. On 25 February Mr. Yeimo's lawyer presented an exception (objection) in the Court. Yeimo did not appear because he was sick. The panel of Judges then issued a continuation of suspension of detention because the defendant is sick. This means that the time that is used during his treatment will not count towards his detention.

The hearing continued on 25 March, which was held for the reading of exceptions. It was postponed because Mr. Yeimo was sick.

-Frans Wasini-

Frans Wasini, a Universitas Cendrawasih (Uncen) student, was wanted by police for his involvement in the 2019 Uprising. Wasini was arrested on 20 May 2021, a week after Victor Yeimo was arrested. He was charged with treason and incitement for his involvement in the 2019 Uprising protest. After nearly a year in detention, he was released from detention on 17 February 2022 due to the expiration of terms of detention. His trial continued on 18 February and he was charged with treason and incitement.¹⁰ However, at trial on 15 March, he was found not guilty of treason but guilty of incitement to commit a criminal act. He has been sentenced to 10 months' imprisonment, although the prosecutors had originally demanded 10 years. Prosecutors appealed the verdict on 18 March and on 30 March it was reported that the judges are reviewing evidence of appeal from the Prosecutors



Zode Hilapok at Dok 2 hospital Jayapura, 27 April 2022

Jayapura 8

(On trial)

Eight students were charged with treason in relation to the raising of a Morning Star flag on 1 December 2021. Melvin Yobe, Melvin Wane, Devian Tekege, Ambrosius Elopere, Maksimus You, Yosep Matuan, Lius Uropmabin and Zode Hilapok have been dubbed the 'Jayapura 8'.

A pre-trial hearing scheduled for 19 April 2022 was adjourned due to the ill-health of Melvin Yobe and Zode Hilapok. Yobe has been receiving treatment for tuberculosis since before his arrest, whilst Hilapok is suffering from COVID. On 24 April, Zode Hilapok was admitted to Dok 2 hospital in Jayapura for several health conditions and tested positive for COVID. The trial has been postponed until further notice because the detainees are currently under COVID-19 quarantine.

Arso 7

(Sentenced)

On 28 July 2021, Aser Rumere, Kundrat Rumkorem, Abraham Rumkorem, Yukila Tabuni, Isak Usior, Septinus Rumere, and Yanus Kogoya were arrested in East Arso, on their way home after attending an event marking the anniversary of TPNPB in Papua New Guinea. On 21 April 2022, they were charged with treason and sentenced to 10 months' imprisonment, after having been found guilty. All accepted the verdict and will be released in June 2022.¹¹

Sorong 6

(On trial)

Amos Ky, Agustinus Yaam, Maikel Yaam, Maklon Same and RY, YW are prisoners, known as the Sorong Six, who were arrested after the 'Kisor incident' where a military post was attacked and four soldiers in Maybrat, West Papua province were killed in September 2021. The six were accused of involvement in the attack and transferred secretly from Sorong (West Papua) to Makassar in December (see previous Update). The latter two are minors whose identities ought to be protected.

From its beginning, the trial of the Sorong Six was tainted with irregularities. On 30 March 2022, a verbal examination of witnesses was scheduled to take place, namely the South Sorong Police investigators, who were suspected of torturing the detainees during custody. However, without prior notification, the judge changed the agenda to examine the defendants instead. The judge asked the defendants if they wanted to change their previous statement or pleas. Three of the defendants, Maikel Yaam, Amos Ky, and RY, agreed and answered the judge's question by admitting the charges against them. As a result of the confessions of the three defendants, the three investigators from South Sorong Police were not called as witnesses by the judge.

The change of stories was surprising. In previous court hearings trial agendas, the defendants had consistently denied charges against them and said that they had been tortured while undergoing police questioning.¹²

Issues of Concern

In the last quarterly report PBB reported the arrest of four school children, three of whom were aged 16 or younger at the time of their arrests. Maklon Same (19) a high school student, LK (15) junior high school student, RY (16) junior high school student and YW (16) were arrested in relation to the attack and killing of four members of the Indonesian military in Maybrat regency. They, along with the other adult suspects who were arrested for the killing incident, were reportedly tortured while in the custody of police investigators from the South Sorong district Police. All have now faced trials. LK was sentenced to 8 years in prison, while the other three were transferred 868 miles (1397 kilometres) from Sorong to Makassar in South Sulawesi Province of Indonesia where they are currently being tried in Court.

PBB is concerned for the well-being of these minors and the issue of fair trial for the minors especially in locations far away from their families and the people they can rely on. For example, LK is being imprisoned in the adult prison at Lapas Sorong. Maklom Same, RY and YW are currently facing trial in Makassar with the other three of 'Sorong 6' case. Despite their under-age status, their identities were not sealed while their trials were held in closed court proceedings. Recent revelation of irregularities regarding the trial process raises more concerns. Three Sorong Police investigators, who were supposed to appear in court in Makassar, visited three of the defendants and convinced them to change their plea for a promise of returning to Papua if they did.

More broadly, the health of the Papuan political prisoners has been in the spotlight. Due to the lack of protection of detainees in detention cells, some political detainees have been testing positive for COVID recently, some with very severe symptoms, as in the case in the Jayapura 8 detainees.

References

1. Pemekaran refers to a further division of an administrative area as part of the decentralisation process by the central government in Indonesia. The process sees the creation of more districts from an existing one which resulted in the creation of new territorial boundaries and administrative units.
2. Operasi Damai Cartenz was deployed in January 2022 to replace Operasi Nemangkawi with the objective to use a softer law enforcement approach to conflict in West Papua. The operation is equipped with 1,925 joint police and military personnel, of which 1,824 are police officers and 101 are TNI officers. Of the police contingent, 528 personnel are from Polda Papua, 1,296 personnel are from the Headquarter of the Indonesian Police (Mabes Polri). The Damai Cartenz operation is replacing the Nemangkawi operation which was deployed in 2019. CNN Indonesia, 'Hampir Seluruh Personel Operasi Damai Cartenz dari Luar Papua' 19 January 2022. <https://www.cnnindonesia.com/nasional/20220119040815-12-748350/hampir-seluruh-personel-operasi-damai-cartenz-dari-luar-papua>
3. Operasi Rasaka Cartenz is deployed on 3 February to 31 December 2022. It is a territorial operation led by Papua Regional Police (Polda Papua) and local district police covering all other districts outside of the Damai Cartenz operation. It has 425 personnel. L. Rahmawati, 'Ini perbedaan Operasi Damai Cartenz dan Rasaka Cartenz Papua', 20 January 2022, Antara News. <https://www.antaraneews.com/berita/2654337/ini-perbedaan-operasi-damai-cartenz-dan-rasaka-cartenz-papua>
4. The Nemangkawi Operation was deployed in 2019 in response to the killing of road construction workers in the Nduga region in December 2018. The task force's main purpose was to go after West Papua armed groups who were the perpetrators of the killings. Throughout 2019, 2020 and 2021 the Nemangkawi task force also took part in arresting civilian protests and political activists. The Nemangkawi Operation was concluded on 25 January 2022 and replaced with the Damai Cartenz Operation. Laily R and Rahmad Nasution, 'Nemangkawi task force's operational period extended till Jan 25', 3 January 2022. <https://en.antaraneews.com/news/207601/nemangkawi-task-forces-operational-period-extended-till-jan-25>
5. L. Rahmawati, 'Ini perbedaan Operasi Damai Cartenz dan Rasaka Cartenz Papua', 20 January 2022. <https://www.antaraneews.com/berita/2654337/ini-perbedaan-operasi-damai-cartenz-dan-rasaka-cartenz-papua>
6. L. Rahmawati, 'Ini perbedaan Operasi Damai Cartenz dan Rasaka Cartenz Papua', 20 January 2022. <https://www.antaraneews.com/berita/2654337/ini-perbedaan-operasi-damai-cartenz-dan-rasaka-cartenz-papua>
7. The KNPB was established in 2008. The organisation is headquartered in Jayapura and has offices throughout the territory of West Papua. The main aim of this non-violent organisation is to achieve the fulfillment of West Papuans' right to self-determination through a referendum. <https://suarapapua.com/2018/10/30/declaration-of-congress-ii-of-west-papua-national-committee-knpb/>
8. Tribun-Papua, '11 Foto DPO Terduga Pelaku Penembakan Prajurit TNI di Maybrat Disebar di Pasar hingga Rumah Warga', 26 February 2022. <https://papua.tribunnews.com/2022/02/26/11-foto-dpo-terduga-pelaku-penembakan-prajurit-tni-di-maybrat-disebar-di-pasar-hingga-rumah-warga>
9. CNN Indonesia, 'Demo Papua Berujung Ricuh di Dekat Istana, Total 90 Orang Ditangkap', 19 January 2022. <https://www.cnnindonesia.com/nasional/20220311184249-12-770111/demo-papua-berujung-ricuh-di-dekat-istana-total-90-orang-ditangkap>
10. H. Yeimo, 'Fransis Wasini tidak terbukti lakukan makar', 16 March 2022. <https://jubi.id/tanah-papua/2022/lagi-mahasiswa-yang-terlibat-demo-anti-rasisme-papua-divonis-makar/>
11. H. Yeimo, 'Hadiri upacara HUT TPNPB, 7 terdakwa makar dihukum 10 bulan penjara', 21 April 2022. <https://jubi.id/tanah-papua/2022/hadiri-upacara-hut-tpnpb-7-terdakwa-makar-dihukum-10-bulan-penjara/>
12. Maikel has denied involvement three times: when he became a crown witness in the LK trial—a child in conflict with the law (ABH) who was tried for the same case but the trial took place at the Sorong District Court—on November 25, 2021; during the agenda for reading the indictment of the case (number 70/Pid.B/ 2022/PN Mks on February 2, 2022); and again when he became a crown witness for case number 69/Pid.B/2022/PN Mks, in which MS, YW, and AY were tried. Both Amos Ky and Ry denied charges against them under oath on February 2, 2022 and when they were crown witnesses during the March 24 trial

PAPUANS BEHIND BARS

Papuans Behind Bars, launched in April 2013, is an online resource which aims to draw attention to and campaign for the release of West Papua's political prisoners. Many political prisoners have suffered arbitrary arrest, violence, abuse, torture, unfair trials, intimidation and neglect. Several organisations are involved in compiling documentation on Papuan political prisoners. The site is currently managed by TAPOL. Visit Papuans Behind Bars and TAPOL websites to find out more information.

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