

Urgent Call to Protect Human Rights Defenders in Indonesia

- To Mr Joko Widodo, President of the Republic of Indonesia
- To Mr Tito Karnavian, Minister of Home Affairs of Indonesia
- To Mr Yasonna Laoly, Minister for Justice and Human Rights
- To Mr Luhut Binsar Pandjaitan, Coordinating Minister for Maritime and Investment Affairs
- To the Indonesian National Commission on Human Rights
- To the Permanent Mission of the Republic of Indonesia in Geneva
- To the Embassy of the Republic of Indonesia to the Kingdom of Belgium

We have come together as civil society organisations, calling on the Indonesian authorities to put an end to any attempts to thwart freedom of speech and expression against Haris Azhar, the Executive Director of Lokataru and Fatia Maulidiyanti, the National Coordinator of The Commission for Disappeared and Victims of Violence (KontraS), and all other human rights defenders in the country.

On 26 August 2021, the Coordinating Minister for Maritime Affairs and Investment, Luhut Binsar Panjaitan, issued a subpoena to Mr Azhar and Ms Maulidiyanti in relation to a talk show video, which was posted on Youtube on 20 August 2021. In the video, Mr Azhar and Ms Maulidiyanti discussed the findings of joint research carried out by several environmental and human rights organisations. The research suggests that some active and retired Indonesian army officials are involved in the business activities of gold mining sectors and their plans to exploit the Blok Wabu area of Papua Province.

In the subpoena, Mr Pandjaitan demands Mr Azhar and Ms Maulidiyanti explain the reason for posting the video; apologise to Mr Pandjaitan within five days through Mr Azhar's YouTube channel, mass media, and online media; and promise not to re-offend. Mr Pandjaitan threatens further legal action against Mr Azhar and Ms Maulidiyanti under article 45(3) of the amended Electronic Information and Transactions Law to investigate their "criminal activity" and articles 310 and 311 of the Criminal Code for defamation if Mr Azhar and Ms Maulidiyanti refuse to apologise.

Mr Azhar and Ms Maulidiyanti should not be made to apologise.

As civil society organisations, KontraS and Lokataru have a role in monitoring government conduct in order to ensure that elected representatives operate in accordance with the rule of law. Through the talk show, Mr Azhar and Ms Maulidiyanti exercised their right to freedom of expression - a right guaranteed in the Indonesian Constitution. The issuance of the subpoena against them is an attempt to control and silence the critical voices of civil society organisations.

We express their concern over an Indonesian authority's threat to use the country's criminal defamation laws to target human rights defenders legitimately exercising their right to freedom of opinion and expression. This will contribute to the normalisation of the persecution of human rights offenders and will have a chilling effect on the work of civil society organisations.

Specifically, we ask that the Indonesian authorities:


- Guarantee, in all circumstances, the physical integrity and psychological well-being of Mr Azhar, Ms Maulidiyanti, and all other human rights defenders in Indonesia;
- Put an immediate end to all acts of harassment - including at the judicial level - against Mr Azhar, Ms Maulidiyanti and all other human rights defenders in Indonesia; and
- Take all necessary measures to guarantee the right to freedom of expression in the country, in accordance with relevant international and regional human rights standards.

Further inquiries contact Simone Abel at simone.abel@cpjp.org.au

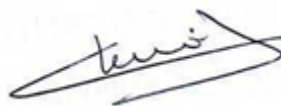
Signed,



Dobby Chew - Executive Coordinator, Anti-Death Penalty Asia Network (ADPAN)



Stephen Keim SC - Chair, Capital Punishment Justice Project (CPJP)



Raphaël Chenuil Hazan - Executive Director, Ensemble contre la peine de mort (ECPM)