



FREEDOM NOW

October 20, 2015

President Joko Widodo
President of the Republic of Indonesia
Istana Merdeka
Jakarta 10110
Indonesia

Your Excellency:

I write to you today to request your help in resolving human rights violations committed during and perpetuated by the administration of Susilo Bambang Yudhoyono. As party to both the International Covenant on Civil and Political Rights and the ASEAN Human Rights Declaration, Indonesia has committed to protect its citizens' right to freedom of expression and rights against unlawful detention. Despite the development of an increasingly robust democracy in Indonesia and your administration's pledges to expand respect for fundamental rights in the country, the continuing imprisonment of peaceful activists remains a stark reminder of the government's failure to meet its obligations under international law.

On December 1, 2004, several hundred Papuans gathered at Trikora Field in Abepura, Papua, to celebrate the anniversary of the 1961 Papuan declaration of independence from Dutch rule. Those present shouted "freedom" and raised the Morning Star flag – a symbol of Papuan independence. When Indonesian police attempted to forcibly disband the rally, some attendees threw wood, rocks, and bottles in protest. Police then fired into the crowd. Filep Karma, a prominent activist who has repeatedly and explicitly denounced the use of violence, was arrested along with several individuals for organizing and participating in the ceremony.

The trial of Mr. Karma featured a number of procedural irregularities. The presiding judge demonstrated a clear bias against him, interrupting a statement by Mr. Karma by saying "smash in the head of Filep if he's naughty." Mr. Karma's lawyers were excluded from participating in the trial and providing Mr. Karma with a defense, his right under international law and Indonesian law. While the trial was in process, his lawyers were subjected to harassment and intimidation by authorities. On May 26, 2005, Mr. Karma was sentenced to 15 years in prison, a sentence tripling the prosecution's request of only five years.

Having spent nearly one-fifth of his life in prison, Mr. Karma suffers from a number of health issues, including acute prostate problems and leg injuries, which date to injuries received from rubber bullets fired by armed forces during another demonstration. These health issues have worsened dramatically over the last decade and have been exacerbated by his imprisonment.

Indonesia's handling of Mr. Karma's case has attracted considerable international censure. The UN Working Group on Arbitrary Detention deemed the imprisonment of Mr. Karma a violation of international law and called for his release. In 2008, 40 Members of Congress urged then-President Yudhoyono to release Mr. Karma; 26 Members of Congress sent a follow up letter in 2011.

As a passionate advocate for human rights, Mr. Karma does not deserve a jail cell, and neither do the individuals who also participated in the 2004 protest and who still remain imprisoned. These individuals were exercising their rights to free expression and assembly, and they have been wrongly imprisoned for more than ten years.

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Our mission is to free prisoners of conscience through focused legal, political and public relations advocacy efforts.

We applaud your administration's willingness to work towards improved human rights in the country, however, if your administration wishes to forge a truly democratic path for Indonesia then you must immediately facilitate the release and rehabilitation of Mr. Karma and his fellow peaceful activists who participated in the flag-raising ceremony upon terms that are respectful of these activists' exercise of their fundamental rights. The release of these individuals should be unconditional and not contingent on an admission of guilt for any alleged wrongdoing. For Indonesia to fully join the community of rights-respecting democracies it must unconditionally release those who continue to languish in prison for peacefully exercising fundamental liberties – including the right to freedom of expression.

Sincerely,



Maran Turner
Executive Director
Freedom Now

cc:

Ambassador Budi Bowoleksono
Ambassador Extraordinary and Plenipotentiary of the Republic of Indonesia to the U.S.
Embassy of Indonesia to the U.S.

The Honorable John Kerry
Secretary of State
U.S. Department of State

Mr. Daniel Russel
Assistant Secretary of State for East Asian and Pacific Affairs
U.S. Department of State