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International Lawyers for West Papua: Political prisoners must be released, not sentenced next week

We call upon the Indonesian authorities to immediately and unconditionally release the seven West Papuan political prisoners who are currently due to be sentenced next week.

The prosecutor has sought sentences of up to 17 years for charges including 'treason/rebellion'. Among the prisoners is Agus Kossay, the Chairman of the West Papua National Committee (KNPB), Buchtat Tabuni, a leader of the United Liberation Movement for West Papua's Legislative Committee and Steven Itlay, a leader of civil society group the National Committee for West Papua. These organisations are committed to West Papua's self-determination.

The case against these three political prisoners and several others relate to their alleged involvement in protests last August. West Papuans detained for the peaceful expression of their political views should be released immediately because their detention is unlawful under international law. The sentences sought are excessive and appear to be an attempt to make an example of West Papuan political activists.

The seven, including senior ULMWP politicians, KNPB leaders and student leaders are being threatened with the following sentences:

1. Buchtat Tabuni, 17 years in prison
2. Agus Kossay, 15 years in prison
3. Steven Itlay, 15 years in prison
4. Alex Gobay, 10 years in prison (student)
5. Ferry Combo, 10 years in prison (student)
6. Hengky Hilapok, 5 years in prison (student)
7. Irwanus Uropmabin, 5 years in prison (student)

In comparison, none of the military and police officials whose actions triggered violence during protests last year have been charged. Three Indonesians convicted in relation to the racism towards West Papuans which sparked the protests, including calling for West Papuans to be killed and tortured, were sentenced to 5, 7 and 10 months in jail.

In 2006, Indonesia acceded to the International Covenant on Civil and Political Rights (ICCPR), which recognises freedom of speech and freedom of assembly, prohibits arbitrary arrest and detention and protects the right to due process and a fair trial. As the United Nations Working Group on Arbitrary Detention (WGAD) has found, the detention of West Papuans for raising their flag and expressing their political opinions, is arbitrary and unlawful. On this basis, the seven political prisoners should be immediately released.



In April 2020, an urgent appeal was filed by the seven prisoners – along with 56 other political prisoners in Indonesia from West Papua and Maluku – calling for their immediate and unconditional release. We need urgent international intervention to free West Papuan political prisoners and call upon the UN to raise this matter with Indonesia.

Fair treatment of political prisoners and activist leaders will help deescalate conflict and tension in the region.

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International Lawyers for West Papua

ILWP's mission is to help the indigenous peoples of West Papua to exercise their right to self-determination under international law. ILWP coordinates a broad network of legal professionals and academics to secure and promote the fundamental rights and freedoms of the people of West Papua.

Further Notes

Detainees are entitled to the rights and standards enshrined in international law. At the universal level, the main protections are contained in:

- International Covenant on Civil and Political Rights (Indonesian accession 2006)
- UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Indonesian accession 1998)
- UN Convention for the Protection of All Persons from Enforced Disappearance (Indonesia signed 2010)

In addition to the international law which they have actively agreed to follow, ILWP calls upon the Indonesian authorities to follow the UN Body of Principles for the Protection of All Persons under any Form of Detention or Imprisonment and the UN Standard Minimum Rules for the Treatment of Prisoners, as adopted by the UN General Assembly.