



International Lawyers for West Papua (ILWP)



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STATEMENT: INTERNATIONAL LAWYERS FOR WEST PAPUA

The International Lawyers for West Papua are deeply concerned at the arrests, detention and apparent torture of West Papuans by the Indonesian Government.

By its actions the Indonesian Government is once more violating international law, specifically the fundamental human rights guaranteed by international law.

Article 19 of the International Covenant on Civil and Political Rights states that:

- 1. Everyone shall have the right to hold opinions without interference.**
- 2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.**
- 3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:**
 - (a) For respect of the rights or reputations of others;**
 - (b) For the protection of national security or of public order (order public), or of public health or morals.**

Freedom of expression covers the right to voice support for organisations such as the

restriction on the exercise of freedom of expression must be provided by law, must be “necessary,” and must not put the right itself in jeopardy.

Indonesia acceded to the Covenant on Civil and Political Rights in February 2006 and is therefore legally bound to allow West Papuans to express their views peacefully.

Article 21 of the Covenant on Civil and Political Rights guarantees the right to peaceful assembly and therefore protects the right of West Papuans to demonstrate peacefully in support of their views. Indonesia is in breach of this obligation by arresting and detaining demonstrators.

Freedom of expression and freedom of assembly are the basic freedoms of a democratic country. We are very concerned about the fifteen people on trial in Nabire and the three-year sentence imposed on Buchtar Tabuni for peaceful demonstrations.

We are also deeply concerned about the reports of torture of political prisoners. Torture is a crime against humanity and is prohibited by international law in all circumstances.

We therefore respectfully request the Indonesian Government to

- Release immediately all political prisoners;
- Take immediate steps to ensure that all West Papuans are able to exercise their fundamental human rights under international law without reprisals, fear or threats;
- Permit a credible international organisation to conduct an independent enquiry into the allegations of torture.

There can be no peace in the world unless all states, including Indonesia, respect the inherent dignity of mankind and actively protect the fundamental human rights and freedoms guaranteed by international law.

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