

**PAPUANS
BEHIND BARS**



Papuans Behind Bars

QUARTERLY

UPDATE

April–June 2024

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April–June 2024

Summary

During April to June 2024, we saw a spike of 112 arbitrary arrests (from 114 arrest incidents) compared with only 22 arbitrary arrests during the previous quarter (January and March 2024). At least three people in this period were later found to have been prosecuted further. We also recorded 15 cases of arbitrary detention, three cases of torture or ill-treatment, and four cases of extrajudicial killings.

During the period, at least four people (three arrested in 2023 and one arrested in February 2024) were convicted by the courts. Their arrests were related to the armed conflict in West Papua, with sentences ranging from three years to life imprisonment.

Background

This period still showed an ongoing trend of armed conflict in West Papua. On 11 April, a local military commander (*Danramil*) in Paniai Regency was shot dead, assumed to be by the *Tentara Nasional Pembebasan Papua Barat* (National Liberation Army for West Papua, TPNPB).¹

In mid-April, President Joko Widodo issued a presidential decree (Keppres No. 15/2024) on the Establishment of the Task Force to Accelerate Sugar and Bioethanol Self-Sufficiency in Merauke Regency, Papua Selatan Province. Through this policy, the central government plans to establish integrated sugarcane plantations and bioethanol and biomass power plant industries in Merauke. This project has been declared as a national strategic project (*Proyek Strategis Nasional*, PSN) that will require around two million hectares of land (more than half the size of the Netherlands) with an investment value of around US\$8 billion.² The project has not secured the free prior, informed consent: there were no meaningful

¹ Detik.com, 'Danramil 1703-04/Aradide Gugur Ditembak OPM di Paniai', 12 April 2024, available at <https://www.detik.com/sulsei/hukum-dan-kriminal/d-7289263/danramil-1703-04-aradide-gugur-ditembak-opm-di-paniai>.

² Mongabay, 'Jutaan Hektar jadi Kebun Tebu, Was-was Nasib Orang Papua', 23 May 2024, available at <https://www.mongabay.co.id/2024/05/23/jutaan-hektar-jadi-kebud-tebu-was-was-nasib-orang-papua/>.

consultations with the local indigenous Papuan peoples.³ Human rights groups were also worried that the project would jeopardize indigenous Papuan peoples' rights to land, livelihoods and trigger deforestation and environmental degradation.



A banner welcoming President Jokowi by PT Global Papua Abadi, a sugarcane plantation company operating in Merauke, circa July 2024.

Source: PUSAKA

In mid-June, the head of Sorong Selatan regency issued an official recognition of customary forest (*hutan adat*) with a territory of 97,000 hectares (about 1.5 times the size of Jakarta) with more than 50 tribes.⁴ It was a result of joint work among local, national and international NGOs and was likely affected by the “All Eyes on Papua” campaign.⁵

A public court known as Permanent Peoples Tribunal (PPT) on West Papua was held in London, UK on 27-29 June.⁶ This alternative trial focused on the allegation of systematic human rights violations, state repression, marginalization and discrimination against Papuan indigenous peoples, land grabbing, exploitation of natural resources and environmental destruction. The PPT heard testimonies from Papuan activists and former political prisoners,

³ This follows a pattern seen in other similar mega development projects in Merauke such as the national food estate project in 2020 on the pretext of establishing food security to respond to the COVID-19 pandemic or the Merauke Integrated Food and Energy Estate (MIFEE) launched in 2010. See TAPOL and awasMIFEE!, ‘The Military’s Role in Food Estate Plans, September 2022, available at <https://tapol.org/publications/militarys-role-food-estate-plans> and TAPOL & awasMIFEE!, ‘Pandemic Power-Grabs: Who benefits from Food Estates in West Papua?’, April 2022, available at <https://tapol.org/publications/pandemic-power-grabs-who-benefits-food-estates-west-papua>.

⁴ BBC, Kisah “Keberhasilan’ masyarakat adat Knasaimos di Papua, apa konsekuensinya dan bisakah ditiru masyarakat adat lain?’, 13 June 2024, available at <https://www.bbc.com/indonesia/articles/cp998d0ymmxo>.

⁵ “All Eyes on Papua” became viral on Instagram. The campaign was launched to resonate with the ‘All Eyes on Rafah’ campaign, referring to the Palestinian territory under attack by Israel. It aimed to raise public awareness of Papuan Indigenous Peoples’ land rights using the litigation case of the Awyu tribe from Boven Digoel. See also BBC, ‘All Eyes on Papua - ‘Mengapa baru sekarang ramai-ramai bicarakan persoalan di Papua’?’, 6 June 2024, available at <https://www.bbc.com/indonesia/articles/cxee799052xo>.

⁶ See <https://permanentpeopletribunal.org/london-27th-29th-june-2024-ppt-session-on-state-and-environmental-violence-in-west-papua/?lang=en>.

national and international human rights NGOs activists. Theme on Papua political prisoners was raised in a submission filed by TAPOL, a UK-based NGO.⁷

New Cases

During the period, we saw a series of arbitrary arrests in West Papua. First, on 1 and 2 April, the local police and military arrested 77 protesters who identified themselves as the **Papuan Student and Peoples Front Against Militarism (FMRPAM)**. FMRPAM was a loose coalition of various Papuan university student organisations. On 1 April, the local Heram Police Force arrested 15 Papuan activists (all male) in Sentani, Jayapura Regency for distributing leaflets to the public inviting them to join a peaceful protest the following day. Human rights organisations have documented several cases where the police prevented Papuan activists from organising peaceful assemblies although a national law (Law No. 9/1998 on Freedom to Express Opinion in Public) provides strong guarantees of free peaceful assembly and does not require permits for protests.⁸ All of the protesters who were arrested were released without charge on the same day by the Heram Police Forces.



Demonstrators from FMRPAM preparing to hold a 'Papua Darurat Militerisme' demonstration in Sentani, Jayapura Regency, Tuesday, 4 April 2024.

Source: FMRPAM

On 2 April, police officers and military personnel arrested 62 protesters (male and female) in the Sentani area. The protesters wanted to march to the Papua Province House of Representatives building in Jayapura city but the police prevented them from doing so and

⁷ TAPOL, 'Submission to the Permanent Peoples' Tribunal on West Papua (27-29 June 2024 in London, UK)', June 2022, available at <https://tapol.org/media/73>.

⁸ TAPOL, Asia Justice and Rights (AJAR); Alliance of Democracy for Papua (AIDP); Justice Peace and Integrity of Creation GKI Tanah Papua, AVAA, and Yayasan Pusaka Bentala Rakyat (Pusaka), 'Joint Submission for the 2nd periodic report of Indonesia in the 140th Session of the ICCPR - International Covenant on Civil and Political Rights', available at https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCCPR%2FCSS%2FIDN%2F57371&Lang=en.

only allowed a few protesters representatives to pass by the building. This triggered an immediate clash, with some protesters throwing rocks at the security forces and injuring at least three police personnel.⁹ The police also reportedly beat the protesters during arrests.¹⁰ Again, all of those arrested were released without charge by the police on the same day.

The protest was organised by FMRPAM to protest a case of torture in Puncak Regency in February that went viral after a video of the torture acts was posted to social media.¹¹ FMRPAM called for full accountability for the perpetrators and demilitarisation in West Papua and a guarantee of non-repetition of similar human rights violations.

Second, the Nabire Police Forces arrested **14 high school and one university student** on 6 May after they painted the Morning Star motif on their uniforms, which is associated with West Papuan independence, and held a celebratory convoy for their graduation in Nabire city, Papua Tengah Province. The police also used excessive force shooting tear gas and live bullets to disband the convoy.¹² All of the arrested students were released without charge on 7 May.



The graduation march of high school students in Nabire who painted their uniforms with the Morning Star motif.
Source: Fheshipphoto via Wagadei.id

⁹ Ceposonline, 'Diduga Ada Penyusup, Tiga Anggota Polisi Jadi Korban dari Aksi FMRPAM', 3 April 2024, available at <https://www.ceposonline.com/kota-jayapura/1994511008/diduga-ada-penyusup-tiga-anggota-polisi-jadi-korban-dari-aksi-fmrpam>.

¹⁰ Human Rights Monitor, 'Police prevent peaceful protests against torture in Sentani and Jayapura City – 77 activists arrested in Sentani on 1 and 2 April, 3 April 2024', available at <https://humanrightsmonitor.org/case/police-prevent-peaceful-protests-against-torture-in-sentani-and-jayapura-city-77-activists-arrested-in-sentani-on-1-and-2-april/>.

¹¹ The Guardian, 'Indonesian military apologises after West Papuan man filmed being tortured in water-filled barrel', 25 March 2024, available at <https://www.theguardian.com/australia-news/2024/mar/25/west-papuan-man-footage-torture-water-allegedly-indonesia>.

¹² LBH Papua, Press Release, 'Penangkapan Terhadap Pelajar dan Introgasi Terhadap Guru Akibat Tindakan Mencoret Pakaian Seragam Bermotif Bintang Kejora Adalah Tindakan Ilegal', 9 May 2024, available at <https://ylbhi.or.id/informasi/siaran-pers/penangkapan-terhadap-pelajar-dan-introgasi-terhadap-guru-akibat-tindakan-mencoret-pakaian-seragam-bermotif-bintang-kejora-adalah-tindakan-ilegal/>.

In Yahukimo District, police also reportedly arrested and arbitrarily detained three residents, **Elai Matuan, Herako Labie and his wife**, near the official residence of Yahukimo DPRD members, on 4 April 2024. They were allegedly involved with an armed group. A number of their tools were confiscated, such as axes, shovels, clothes, kitchen utensils, and two motorbikes. Their involvement however was not proven, and the police released them three days later without returning the confiscated items.

In Denpasar, Bali, 10 June 2024, police arrested **four Papuan students and a human rights lawyer** for demonstrating against the PSN in Merauke and expressing solidarity with the Awyu and Moi tribes. The police released them on the same day.



Police personnel disperse a demonstration by Papuan students in solidarity with the Awyu and Moi tribes whose customary lands were seized by plantation companies, 10 June 2024. Source: LBH Bali

Papuans Behind Bars have become aware of the claim by local police in Yahukimo Regency, Papua Pegunungan Province that they had detained **six Papuans**, but Papuans Behind Bars have been unable to identify them. A police press release stated that the Operation Peace Cartenz Task Force launched an operation against the TPNPB in Yahukimo region on 11 April. During the operation, police claimed to have shot dead two wanted TPNPB members (Afrika Heluka and Toni Wetapo) who were alleged to have been involved in the killings of police personnel and civilians, and arrested six other unidentified people.¹³

¹³ Suara.com, 'Satgas Damai Cartenz Tembak Mati Dua Anggota OPM di Yahukimo', 12 April 2024, available at <https://www.suara.com/news/2024/04/12/233500/satgas-damai-cartenz-tembak-mati-dua-anggota-opm-di-yahukimo> and Antara, 'Operation Peace Cartenz apprehend eight suspected Papuan rebels', 12 April 2024, available at <https://en.antaranews.com/news/310608/operation-peace-cartenz-apprehend-eight-suspected-papuan-rebels>

Despite some 112 arbitrary arrests between April and June, we have only identified three cases of a prosecution. The security forces, acting under the Operation Peace Cartenz Task Force, arrested **Junius Waker** or Lupa Waker in Mimika Regency, Papua Tengah Province on 21 May for his alleged involvement as a member of an armed pro-independence group and for attacks against civilian and military personnel in the Mimika area. The security forces claimed that Waker had been involved as a member of TPNPB under the command of Goliath Tabuni since 2015. Waker was charged with Article 187 of the Criminal Code for crimes that endanger public safety for people or property and was already on a police list of wanted people.¹⁴

The other two cases brought to court were **Anan Nawipa**, charged with assaulting a military officer and **Petrus Pekei**, charged with theft of firearms. Both were tried at the Nabire District Court, Papua Tengah Province.

Ongoing Case Updates

On 24 April, the Sorong District Court convicted **Fatem Gelek** alias Gelek of murder of a member of the military, Miskel Rumbiak, on 20 January 2022 in East Aifat, Maybrat Regency and sentenced him to life in prison. Fatem had already been convicted and sentenced to life in prison for attacks against a military post (*Pos Koramil*) resulting in four army personnel dead in Kisor, South Aifat, Maybrat Regency on 2 September 2021.¹⁵ On 4 June, the provincial-level Papua Barat High Court upheld the Sorong District Court's sentence of life in prison.

On 2 May, the Jayapura High Court sentenced **Arnius Kogoya**, alias Arpin Kogoya, alias Artis, to three years' imprisonment for committing arson against houses and property belonging to a company in Ilaga, Puncak Regency, Papua Tengah Province.¹⁶ The first court (Nabire District Court) sentenced Arnius Kogoya to two years' imprisonment. On 28 May in relation to another decision by a Court of Appeal, the Papua Barat High Court also increased a sentence against **Antonius Frabuku** alias Anton from 15 years' imprisonment to life imprisonment. Antonius Frabuku was charged with murder of a member of the military.¹⁷

On 12 June 2024, the Serui District Court judges convicted four Papuans (**Phillips L Wanggai**, **Soleman Fonataba**, **Yuflius Frans Kareni**, and **Gad Sendiairora Fonataba**) of treason, under Article 106 of the Criminal Code. They were arrested on 22 January. Phillips and Soleman

¹⁴ Detik.com, 'Jejak Kejahatan Anggota OPM Lupa Waker Pembakar Camp-Alat Berat di Puncak', 21 May 2024, available at <https://www.detik.com/sulsel/hukum-dan-kriminal/d-7351767/jejak-kejahatan-anggota-opm-lupa-waker-pembakar-camp-alat-berat-di-puncak>, Viva, 'Ditangkap di Tembagapura, Anggota KKB Lupa Waker Ternyata Terlibat Penembakan WNA di Kuala Kencana', available at <https://www.viva.co.id/berita/nasional/1716223-ditangkap-di-tembagapura-anggota-kkb-lupa-waker-ternyata-terlibat-penembakan-wna-di-kuala-kencana>.

¹⁵ See Papuans Behind Bars Quarterly 'Overview January – March 2024'.

¹⁶ For more information about Arnius Kogoya's case, see Papuans Behind Bars (PBB) 'Annual Overview 2023', p. 12, available at <https://papuansbehindbars.org/annual-overview-2023/>. See also Papuans Behind Bars 'Quarterly Overview January – March 2024'.

¹⁷ See Papuans Behind Bars 'Quarterly Overview January – March 2024'.

were sentenced to 3 years in prison, while Yuflius and Gad were sentenced to 1 year and 6 months respectively.

On 28 June, the Nabire District Court convicted **Alenus Tabuni** alias Komputer or Kobuter, an alleged TPNPB member, of committing arson and other violent acts, sentencing him to six years' imprisonment. A Satgas Damai Cartenz joint operation arrested Alenus Tabuni, in Puncak Regency, Papua Tengah Province on 18 February 2024. The police claimed that Alenus Tabuni was a former member of the Goliath Tabuni group and has now joined the Numbuk Telenggen group. Alenus Tabuni is allegedly involved in a number of cases of violence, murder, assault, shooting and arson, all of which occurred in 2021.

Issues of Concern

During this period, we also documented other serious human rights violations against Papuan political prisoners, including extrajudicial execution, torture or other ill-treatment.

Satgas Damai Cartenz arrested and shot dead two suspected TPNPB members, **Afrika Heluka** and **Toni Wetapo**, on 11 April 2024. They were both alleged to have been members of an armed group which was allegedly involved in attacks and killings of security force personnel. In its media statements, the police did not mention any reason for the execution of the two men, for example whether they had resisted or not.¹⁸ The police only outlined the acts that Afrika and Toni had allegedly committed, saying that this was a strong message to the armed groups that their actions would be met with strict enforcement of the law. During this operation, security forces also reportedly arrested six people who they alleged were members of TPNPB. By the end of June 2024, there was no further news about the fate of the six people.

Indonesian military personnel are also alleged to have arrested, detained and executed a TPNPB member, **Atinus Kum**, who was arrested on 30 June 2024, and detained and interrogated under torture for the next five days. Soldiers reportedly interrogated him to find the group leader, Aibon Kogoya. Atinus was executed when soldiers failed to find Aibon at the place Atinus had told them about. Soldiers reportedly set fire to several traditional houses in Kampung Mamba, Sugapa District, Intan Jaya Regency, Papua Tengah Province and threw Atinus into the burning house, and then shot him. A report also found that some informants saw that Atinus' body had been mutilated by the soldiers before burning it inside the post.¹⁹

¹⁸ Tempo.co, 'Satgas Operasi Damai Cartenz Tangkap Anggota OPM Afrika Heluka, DPO Kasus Penembakan Anggota Polres Yahukimo', 12 April 2024, available at <https://www.tempo.co/hukum/satgas-operasi-damai-cartenz-tangkap-anggota-opm-afrika-heluka-dpo-kasus-penembakan-anggota-polres-yahukimo--68658>.

¹⁹ Human Rights Monitor, 'Military members accused of executing Papuan rebel and disappearing body in Intan Jaya', 5 July 2024, available at <https://humanrightsmonitor.org/case/military-members-alleged-executing-papuan-rebel-in-intan-jaya-and-disappearing-the-body/>.

Papuans Behind Bars aims to provide accurate and transparent data, published in English and Indonesian, to facilitate direct support for prisoners and promote wider debate and campaigning in support of free expression in West Papua.

Papuans Behind Bars is a collective effort initiated by Papuan civil society groups working together as the Civil Society Coalition to Uphold Law and Human Rights in Papua. It is a grassroots initiative and represents a broad collaboration between lawyers, human rights groups, adat groups, activists, journalists and individuals in West Papua, as well as Jakarta-based NGOs and international solidarity groups.

Questions, comments and corrections are welcomed, and you can write to us at info@papuansbehindbars.org

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