

**PAPUANS
BEHIND BARS**



Papuans Behind Bars

QUARTERLY

UPDATE

July–September 2024

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Cover: Demonstration of KNPB Meepago Region at Karang Tumaritis Market, Nabire, Papua Tengah Province,
15 August 2024. Photo: Hengky Yeimo/Jubi.id.

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Summary

During this period Papuans Behind Bars recorded 173 cases of arbitrary arrests of West Papuans and people speaking out about West Papua. Of these cases, there were seven cases of arbitrary detention, five cases of torture, and two cases of arrest of minors. A total of 162 people arrested have been released, seven others were later found to have been brought to court, two were killed, and two remain unaccounted for.

During this period we also recorded at least 11 Papuan detainees who were sentenced by the courts. All were related to the armed conflict – nine were arrested last year, while three were arrested in the first quarter of this year. The verdicts varied, with three acquitted, the rest sentenced to between one year and two months' and 18 years' imprisonment, and one even sentenced to death.

Background

On 17 July 2024, prominent West Papua human rights lawyer Yan Christian Warinussy from legal aid group Institute for Research, Assessment, and Development of Legal Aid (LP3BH), which is a member of Papuans Behind Bars, was shot by an unidentified man from close range in Manokwari city. Mr Warinussy was then taken to hospital where a doctor said the bullet had hit his rib without deeply penetrating his chest. The Papua Barat Chief of Police promised to investigate the incident thoroughly. At the end of September, there was no further result from the police investigation.

On 23 July, President Joko Widodo planted the first sugarcane tree in Merauke, Papua Selatan Province to kick off the National Strategic Project (*Proyek Strategis Nasional*, PSN) on Food and Energy. It was estimated that the PSN in Merauke would affect more than 2 million hectares of land or primary forest, with no prior informed consent from the local indigenous Papuan peoples in the area. The central government had already assigned military forces (*Tentara Nasional Indonesia*, TNI) under the Ministry of Defence to oversee the project.

West Papua has previously seen a million-hectare Food Estate, the failed Merauke Integrated Food and Energy Estate (MIFEE), launched in 2010.¹

In mid-August, the Constitutional Court scrapped the electoral threshold for provincial and sub-provincial elections (previously requiring 25 percent of the popular vote), which was welcomed by pro-democracy groups. The decision would challenge the new President Elect Prabowo Subianto's big-tent majority coalition, which wanted to control November local elections throughout the country, including in the six provinces of West Papua.

In September, the Supreme Court upheld the East Jakarta District Court's decision in January 2024 to acquit human rights defenders Haris Azhar and Fatia Maulidyanti of criminal defamation, in a case lodged by the former Coordinating Minister of Investment and Maritime Affairs. Haris and Fatia were placed on trial in Jakarta in April 2023 for criminal defamation following a complaint by Luhut Binsar Pandjaitan under Indonesia's Electronic Information and Transactions (ITE) Law, relating to statements they made about Luhut Pandjaitan's alleged involvement in a gold mining project in West Papua.

On 21 September, the armed pro-Papuan independence group, West Papua National Liberation Army (*Tentara Pembebasan Nasional Papua Barat*, TPNPB), under the command of Egianus Kogoya, released Philip Mark Mehrtens – a New Zealand pilot – after a series of negotiations between the TPNPB and Indonesian authorities. Mr Mehrtens was taken hostage by the TPNPB's War Area Command (*Kodap*) III Ndugama-Derakma on 7 February 2023 after he landed a small commercial airplane in Nduga Regency from Timika city with five Papuan passengers.²



Susi Air pilot Philip Mark Mehrtens (blue jacket) while being held hostage by TPNPB armed group. Source: Special.

The government and parliament wanted to expedite amendments to two laws governing the police and the military before the 2019–2024 national parliament's (DPR RI) term ended in September 2024. The controversial proposed amendments, criticised by human rights

¹ TAPOL & awasMIFEE!, The Military's Role in Food Estate Plans, 2 November 2022, available at <https://www.tapol.org/publications/militarys-role-food-estate-plans>

² TAPOL statement on the hostage-taking in Nduga, West Papua, 8 March 2023, available at <https://www.tapol.org/news/tapol-statement-hostage-taking-nduga-west-papua-0>

groups, contain a provision to increase police surveillance measures and to end the ban on military business activities. However, by the end of September, the parliament decided to hand over the discussion to the new 2024-2029 parliament.

Human Rights Monitor documented that as of September 2024, around 79 thousands Papuans are still internally displaced as the result of ongoing armed conflict between Indonesia's security forces and armed pro-Papuan independence groups (TPNPB).³



Pope Francis accompanied by Minister of Religious Affairs of Indonesia Nasaruddin Umar at the Istiqlal Mosque in Jakarta, 5 September 2024.

Source: Narasi Newsroom on YouTube.

In September, Pope Francis carried out visits to several countries, including Indonesia and Timor-Leste. While the itinerary did not include visiting West Papua, security arrangements were intense in West Papua and Jakarta, to prevent any visible protest on West Papua affairs in front of the Pope's delegation. Despite these measures two arrests were reportedly carried out by Timor Leste police against Timorese activists in connection with solidarity actions for West Papua.

On 26 July, TAPOL and Alliance of Democracy for Papua (*Aliansi Demokrasi untuk Papua*, ALDP), both members of Papuans Behind Bars, launched a joint report "Treason and Political Prisoners in the Land of Papua" on Papuan political prisoners based on a study of Indonesia's legal system, court decisions and interviews with relevant people.⁴ The report highlights the pattern of criminal code articles used to criminalise Papuans and inconsistency of judges in delivering their judgments based on vague interpretations of those provisions under Indonesia's Criminal Code (KUHP).

³ Human Rights Monitor, the Papua Monitor Q3/2024 July – September 2024, available at <https://humanrightsmonitor.org/reports/papua-quarterly-report-q3-2024-civil-society-resistance-and-human-rights-advocacy/>

⁴ The report is currently only available in Bahasa Indonesia and can be accessed at <https://www.tapol.org/news/aidp-and-tapol-publish-finding-their-research-treason-articles-and-political-prisoners-west>

New Cases

There were 173 new cases between July and September 2024. Most of the new cases involved arbitrary arrests of members of the National Committee for West Papua (*Komite Nasional Papua Barat*, KNPB), the biggest pro-Papuan independence political group. During this quarter, most new cases occurred in Nabire, capital of Papua Tengah Province. KNPB members were arbitrarily arrested in several cities across West Papua for organising events commemorating the 1962 New York Agreement.⁵

On 12 August, Nabire police personnel forcibly dispersed and arrested **three Nabire KNPB activists** for distributing leaflets at a market in Nabire. They were taken and detained at the police station before being released three days later. The leaflets called for a demonstration to commemorate the 1962 New York Agreement, scheduled for 15 August 2024.⁶ At least **99 KNPB members** were further arrested by police forces in Nabire on 15 August for participating in the commemoration. Nabire police broke up five gathering points for activists in the city. The arrested activists were left unsheltered in the hot sun on Nabire Police Headquarters field.



Arrested KNPB Meepago demonstrators being sun-dried at Nabire Police Station field, 15 August 2024. Source: Jubi.id

⁵ The New York Agreement was signed on 15 August 1962 by the Indonesian and Dutch governments, hosted by the US government, concerning the hand over of the administration of West Papua to Indonesia from the UN Temporary Executive Authority (UNTEA) on 1 May 1963, pending a referendum to implement the Papuan peoples' right to self-determination in 1969. Full text of the 15 August New York Agreement is available at <https://treaties.un.org/doc/publication/unts/volume%20437/volume-437-i-6311-english.pdf>

⁶ Jubi recorded 101 KNPB members being arrested, see <https://jubi.id/meepago/2024/101-aktivisnya-dilepaskan-knpb-sebut-polres-nabire-tidak-memberikan-ruang-kebebasan/>

The police claimed to have arrested 96 people and released the majority of them, except for eight who remained in custody for further questioning.⁷ It was later found that five people were named as suspects, three of whom were charged with possession of sharp weapons (Article 2 Emergency Law) and the other two with vandalism/insulting the national flag (Article 66 of Law No. 24 of 2009).⁸

On 29 September, Nabire police forces arrested **five young Papuans** who wanted to submit a notification of demonstration letter to the police at Nabire Barat precinct. They are members of Papuan Student Solidarity, and wanted to hold a demonstration to commemorate the 1962 Rome Agreement⁹ the following day, however, the police detained and interrogated them. After being at the police station for almost three hours, the students were released at 1am.

Other mass arrests of members of the KNPB related to commemorations of the 1962 New York Agreement in Sentani, Jayapura Regency, Papua Province. On 10 August, Jayapura police personnel dispersed KNPB Sentani activists who were distributing leaflets calling for action to commemorate the 1962 New York Agreement near Sentani Old Market. As well as dispersing the activity, police also arrested **six KNPB activists** at Jayapura Police Station. The activists were released after being questioned by police. On 13 August, Jayapura police personnel again dispersed KNPB Sentani activists who were about to distribute leaflets calling for people to commemorate the New York Agreement near Sentani Old Market. In addition to dispersing the activity, police officers also arrested at least **26 KNPB activists** and took them to Jayapura Police Station. The activists were released later that day after being accompanied by Papua Legal Aid (*Lembaga Bantuan Hukum Papua*, LBH Papua) during police questioning.



KNPB Lapago demonstrators commemorate the 62nd anniversary of the New York Agreement in Wamena, Jayawijaya Regency, Papua Pegunungan Province, 15 August 2024. Source: KNPB Lapago.

⁷ Polres Nabire on Instagram, 15 August 2024, <https://www.instagram.com/p/C-t-FAsPr2Y/?igsh>

⁸ Polres Nabire on Instagram, 5 September 2024, https://www.instagram.com/reel/C_hjQPcvl_E/?igsh

⁹ The Rome Agreement signed by the Indonesian and Dutch governments on 30 September 1962 was a follow up of the New York Agreement containing provisions on the handover West Papua from UNTEA to Indonesia and preparation of the referendum or 'Act of Free Choice' in 1969, including a provision for 'one man, one vote.'

In Wamena, Jayawijaya Regency, Papua Pegunungan Province, joint military and police forces (TNI-Polri) forcibly dispersed KNPB Lapago demonstrations on 15 August also related to a commemoration of the 1962 New York Agreement. The police arrested **19 KNPB activists**, all of whom were released by the police on the same day.

Timor Leste intelligence and police personnel arrested Timorese human rights activist, **Nelson Roldão**, at Nicolau Lobato International Airport, Dili, on 2 September prior to the visit of Pope Francis to Timor Leste. Nelson was arrested for wearing a bag with a Morning Star motif. Security forces arrested Nelson as he and a friend were leaving the airport after dropping off a friend, a West Papuan activist. Nelson was interrogated for two hours at the airport immigration office and then transferred to Timor Leste police headquarters for another two-hour interrogation. A number of accusations were levelled against Nelson by the police, including being accused of smuggling goods from abroad, escaping, and planning a demonstration during the Pope's visit. Nelson was released the same day.



Timor Leste police reportedly arrested a young man with a disability, **Nelson Barros Pereira Xavier**, while Pope Francis was addressing Timorese citizens at Catedral da Imaculada Conceição, Dili on 10 September. Xavier was arrested for holding Vatican and Timor Leste flags with the words 'Free West Papua' and 'Free Palestine'. After being arrested and interrogated, Xavier was released. However, the police threatened that his case would be transferred to the prosecutor's office.

Nelson Barros Pereira Xavier and the flag he carried when Pope Francis visited Dili, Timor Leste, 10 September 2024. Source: Neon Metin.

Ongoing Case Updates

On 9 July, judges at the Wamena District Court found **Epson Nirigi** guilty and sentenced him to two years in prison for possession of firearms and ammunition. He was arrested in Mimika Regency on 20 February 2024 for alleged involvement in supplying weapons to the Egianus Kogoya branch of the TPNPB in Nduga Regency. After being detained for three months, his case was heard in May 2024. Police initially said that Epson was involved in many criminal cases, but only charged him with the supply of ammunition in court.

On 29 July, judges at Nabire District Court found **Salam Telenggen** guilty and sentenced him to 18 years in prison, in accordance with the prosecutor's demands. Salam was arrested on 7 February 2023 in Lanny Jaya Regency along with Piper Murib and Dinius Kogoya for allegedly being involved in the sale and purchase of 70 rounds of ammunition. For that case, Salam

was tried at the Wamena District Court and convicted with a sentence of three years and six months in prison. However, he was also allegedly involved in the attack on Sinak Police Station in Puncak Jaya Regency on 27 December 2015. The latter case was registered at Nabire District Court in April 2024.

On 1 and 2 August, the Fakfak District Court read out verdicts for seven Papuans charged with involvement in the murder of Kramongmongga District Chief Darson Hegemur and the burning of the District Office and a school building on 15 August 2023 in Fakfak Regency, Papua Barat Province. **Alex Kramandondo alias Tete Peh, Alexander Kramandondo, Hariyanto Iba, Vridolin Kramandondo, and Yohanes Kramandondo**, were sentenced to 15 months in prison for the criminal offence of knowing and not stopping the conspiracy to commit rebellion. **Ferdinandus Kramandondo**, on the other hand, was sentenced to 7 years' imprisonment for the offence of participating in arson and causing public danger to property.¹⁰

The prosecutor's main demand to the judges was to find the defendants guilty of premeditated murder and sentence them to life imprisonment. Only Alexander Kramandondo was prosecuted for the offence of knowing and unlawful conspiracy to commit rebellion and was recommended a sentence of 18 months' imprisonment. The public prosecutor immediately appealed these decisions because the sentences were considered too low.

On 30 September 2024, judges at the Supreme Court rejected the prosecutor's appeal in the case of **Antonius Kramandondo**. Thus, Antonius was acquitted of all charges.¹¹ As of the end of September 2024, appeals against the other six decisions were still ongoing at the West Papua High Court.

On 10 September 2024, judges at Wamena District Court ruled that the charges against **two Papuan teenagers**, both aged 15, accused of being members of the TPNPB and involved in the shooting down of a commercial aircraft in February 2024, were inadmissible and ordered the prosecutor to immediately release them.¹² Both of the Papuan teenagers were arrested by the joint military and police forces of the Peace Cartenz Operation in Dekai District, Yahukimo, Papua Pegunungan Province. According to local residents, the two teenagers had just finished bathing in the river and were planning to cross the river to the garden. They were carrying a Morning Star-patterned traditional Papuan knotted net bag (*noken*) and a cell phone.

On 19 September, Indonesia's Supreme Court sentenced **Fatem Gelek** – accused as a TPNPB member – to death for the murder of a military personnel at the border of Faankahrio Village and Kamat Village in Aifat Timur District, Maybrat Regency in January 2022. In earlier trials, Sorong District Court and Manokwari High Court sentenced Fatem in April and June

¹⁰ Papuans Behind Bars Database, 'Murder of Kramongmongga District Chief', <https://tapol.uwazi.io/en/entity/kv8vncxhj0s/relationships>

¹¹ See <https://www.detik.com/sulsel/hukum-dan-kriminal/d-7261513/ancaman-hukuman-mati-ke-pembunuh-kepala-distrik-kramamongga-fakfak> and <https://papuadalamberita.com/vonis-terdakwa-tragedi-distrik-kramongmongga-fakfak-satu-bebas/>

¹² See the Wamena District Court Decision record at https://sipp.pn-wamena.go.id/index.php/detil_perkara

2024 respectively to life imprisonment. The death sentence for Fatem Gelek is the first death sentence to be issued in many decades for political crimes in West Papua.¹³



Wamena District Court in Jayawijaya Regency, Papua Pegunungan Province. Source: TAPOL.

There is some information regarding political prisoners which we have only obtained in this period but which occurred in previous periods.

Yunus Temep

On 29 February 2024, judges at Wamena District Court found **Yunus Temep** guilty and sentenced him to 4 years in prison, one year less than the prosecutor's demand. Mimika police arrested Yunus Temep around Kali Gogi, Jaita Village, Asmat Regency, on 7 September 2023. Yunus was arrested when he was allegedly about to deliver food and money to Egianus Kogoya, the leader of a pro-independence armed group in Nduga Regency. His case was brought to the Wamena District Court on 12 December 2022, charged with being involved in the deprivation of liberty of another person, in this case Susi Air Pilot Philip Mehrtens who was held hostage by Egianus Kogoya's group.

Etanggu Doronggi

Members of the Peace Cartenz Operation (*Satgas Damai Cartenz*) have reportedly arrested an alleged member of Egianus Kogoya's TPNPB group, **Etanggu Doronggi** on 19 September 2023. Doronggi was allegedly involved in a number of cases of violence. On 8 May 2024, judges at the Wamena District Court found Etanggu guilty and sentenced him to 12 years in prison, three years less than the prosecutor's recommendation.

¹³ For more information about the Fatem Gelek case, see Q1 and Q2 2024 of the *Papuans Behind Bars* publications, available at <https://papuansbehindbars.org/publications/>

Issues of Concern

During this period, we also documented other serious human rights violations against Papuan political prisoners, including the use of excessive force when policing demonstrations, torture, ill-treatment and unlawful killings.

On 7 July 2024, the Peace Cartenz joint military and police operation team claimed to have arrested a TPNPB member, **Bazoka Lawiya**, in a village in Nabire District. Police personnel arrested him during a security check in front of Topo Police Station, then shot him dead, claiming that Bazoka resisted arrest and ran away.

Excessive use of force by police was recorded during the policing of most demonstrations related to the 1962 New York Agreement commemorations in various cities across West Papua. In the Nabire 12 August event, the dispersal was carried out immediately without negotiation. The police fired tear gas at activists, but smoke also reached vendors and people around the market. Police also beat the activists with rattan canes.



KNPB Meepago demonstration forcibly dispersed by police officers in Nabire by firing tear gas, 15 August 2024. Source: Seputarpapua.com.

Three days later, during another commemoration dispersal, Papuan activists were kicked and beaten by police using iron bars, rattan canes and rifle butts. Two activists were shot using rubber bullets and had to be rushed to hospital. In the Wamena commemoration event on 15 August, local police also reportedly used excessive force and confiscated a number of items including motorbikes, mobile phones, and money belonging to the protestors. As a result of the violent dispersal, at least 12 demonstrators were injured.

The perpetrators in this period also included the Timor Leste Police Force. During the arrest of Timorese activist Nelson Roldão at Nicolau Lobato International Airport, Dili, on 2 September, he was held at gunpoint by either Timorese intelligence or police officers. They

also kicked Nelson until immigration officers intervened. Police also confiscated t-shirts, bags, flags and banners deemed to be associated with the West Papuan independence struggle.

Military personnel reportedly arbitrarily arrested and tortured a young man named **Nopianus Nabelau** in Mamba Village, Sugapa District, Intan Jaya Regency, on the morning of 14 September 2024. Nopianus was arrested with Rudi Sani while they were on their way to Titiga Village. Both were arrested and taken to a military post because photos and videos released by the TPNPB were allegedly found in Nopianus' mobile phone. The torture of Nopianus reportedly took place inside the military post, resulting in injuries to his face and body. Rudi was released at 5pm the same day, while Nopianus was reportedly still detained as of 30 September 2024.

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

Visit papuansbehindbars.org for the latest information on West Papuan political prisoners.

