



Solidarity with Fatia Maulidiyanti and Haris Azhar: INCLO members urge Indonesian authorities to end harassment of human rights defenders

January 25, 2022

The undersigned members of the International Network of Civil Liberties Organizations (INCLO) are deeply concerned about the continued harassment and threats of prosecution faced by Fatia Maulidiyanti, Coordinator of the Commission for the Disappeared and Victims of Violence (KontraS) and Haris Azhar, Executive Director of Lokataru Law and Human Rights Office.

On the morning of January 18, 2022 at 7:45 AM local time, Fatia Maulidiyanti and Haris Azhar were visited by 4 and 5 police officers at their respective homes. Both refused to be taken under custody to the Greater Jakarta Metropolitan Police Station for interrogation and chose to voluntarily go to the police station in person. This event is yet another episode of intimidation which amounts to persecution faced by human rights defenders in Indonesia.

Last September, both defenders were subpoenaed by Indonesia's Coordinating Minister for Maritime and Investment Affairs, Luhut Binsar Pandjaitan – also a retired army general – over their participation in an online talk show in which they discussed the ties between active and retired members of the army and gold mining concessions in Papua. Based on credible research compiled by KontraS and other local human rights and environmental organizations, the video claimed Mr. Pandjaitan was a shareholder of PT Toba Sejahtera Group (TS), a company that controls some of the mining operations in the increasingly militarized Blok Wabu area.

Maulidiyanti and Azhar were asked on August 26, 2021, to publicly apologize to the Minister and to refrain from repeating the alleged offense or legal action would be taken. In the subpoena, the retired general evoked Article 27 Paragraph (3) of the Electronic, Information and Transactions Law (UU ITE) for online defamation punishable by up to six years imprisonment and two other articles of the Criminal Code which establish a

prison term of up to nine months for “intentionally harming someone’s honor or reputation” and up to four years for defamation.

INCLO members are deeply concerned that the sum of all of these events amount to a form of judicial harassment and blatant abuse of power and the legal system. Both human rights defenders have a right to express their opinion as provided in Indonesia’s Constitution and guaranteed under the International Covenant on Civil and Political Rights (ICCPR), ratified by Indonesia in 2005.

INCLO members therefore reiterate their call on the Indonesian authorities to:

1. Drop the threat of prosecution against the two human rights defenders, Fatia Maulidiyanti and Haris Azhar, immediately;
2. Prevent the criminalization of human rights defenders and combat the abuse of authority of officials who intimidate human rights defenders;
3. Revise or repeal any discriminatory and repressive law or regulation, including Criminal Code provisions related to defamation criminalizing lawful speech, which tend to repress human rights defenders’ freedom of opinion in violation of Indonesia’s international human rights obligations.

Signatories:

Agora
American Civil Liberties Union (ACLU)
Association for Civil Rights in Israel (ACRI)
Centro de Estudios Legales y Sociales (CELS)
Dejusticia
Egyptian Initiative for Personal Rights (EIPR)
Hungarian Civil Liberties Union (HCLU)
Human Rights Law Centre (HRLC)
Human Rights Law Network (HRLN)
Irish Council for Civil Liberties (ICCL)
Kenya Human Rights Commission (KHRC)
Legal Resources Centre (LRC)
Liberty
Canadian Civil Liberties Association (CCLA)