

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Indonesia: Police should reverse trend of arbitrary restrictions on human rights

Increasing attempts by the Indonesian police force to silence public discussions, stifle freedom of expression and disband events protesting human rights violations are part of a larger effort to intimidate and harass peaceful demonstrators. Amnesty International believes that such actions constitute arbitrary restrictions on the human rights to freedom of expression and peaceful assembly and must end immediately.

On 10 December local police from the Menteng Sector branch (Polsek) in central Jakarta arbitrarily arrested 12 human rights activists, all from human rights NGO KontraS (the Commission for the Disappeared and Victims of Violence), after a peaceful protest in Central Jakarta commemorating International Human Rights Day. The police initially told the protesters that they would be informed of the reason for their arrest at the Polsek Menteng's headquarters, but after the protesters argued with them, the police said that they had violated a new by-law by not providing them with prior notice of the demonstration. However according to KontraS, the organisation had faxed a notice to the Provincial Jakarta Police headquarters before the event.

The 12 activists were brought to Polsek Menteng's headquarters but soon transferred to the Central Jakarta Police's headquarters. The Central Jakarta police released all of them without charges later the same day.

The by-law that police claimed the demonstrators had violated was Governor Regulation No.232/2015 on Controlling Freedom of Expression in Public Spaces, signed into force on 9 November by Jakarta Governor Basuki Tjahaja Purnama.

Police suppression of public expression and peaceful assembly is part of a disturbing trend to limit freedom of expression in Jakarta. Jakarta police also recently banned an event at the Jakarta Theatre Festival about the spate of large-scale human rights violations in 1965-66. The event was to include a reading and a discussion and, was scheduled to take place at the Ismail Marzuki Park in Central Jakarta on the 8 December. However, police refused to issue a permit for the event, citing fears that opponents would hold a rally if it took place. The task of the police is to ensure that both the event and the protest take place peacefully, and not to ban the event and stifle free speech. The Jakarta Arts Council, an independent state institution, who manages the Jakarta Theatre Festival, protested the move by holding a press conference discussing the ban instead.

On 30 October, the Jakarta Provincial Police Force (Polda) used unnecessary force against protesters at a peaceful labour rally. Police arrested 25 protesters, beating several of them including two legal aid activists monitoring the event. These legal aid activists reported being beaten and suffering injuries to the head, face and stomach when the protesters were starting to disperse after the rally had ended. Police blamed the protesters for the violence. All detainees were released after being charged with threatening public officials and refusal to disperse. They are currently awaiting trial.

Attempts to suppress freedom of expression under the new by-law and banning or restricting events about human rights violations are in clear contravention of Indonesia's international human rights obligations. The International Covenant on Civil and Political Rights (ICCPR), to which Indonesia is a State Party, guarantees freedom of opinion and expression (Article 19). Any restrictions on this freedom must pass a rigorous three-part test: they must be provided by law; they may only be imposed for a limited number of purposes (respect of the rights or reputations of others; the protection of national security or of public order or of public health or morals); and they must be strictly necessary and proportionate.

Amnesty International calls on the Indonesian authorities, especially the chief of the national police, to instruct the police to end arbitrary restrictions on public discussions and peaceful demonstrations. They must ensure full compliance – in law, policy and practice - with Indonesia's international human rights obligations. All Indonesians have the right to freely express their opinions without threat of violence or arbitrary arrest.