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INDONESIA HUMAN RIGHTS DEFENDERS FACE UNJUST TRIAL

Two human rights defenders, Fatia Maulidiyanti and Haris Azhar are facing an unjust trial that could land them in prison. The two were accused of violating the defamation provision of the Electronic Information and Transactions Law (ITE).

They now face prosecution after the police submitted the findings of their investigations to the Attorney General's Office on March 6, 2023. If found guilty, Fatia Maulidiyanti and Haris Azhar could be sentenced to four years in prison.

The criminal proceedings against the two activists add to a long list of cases against human rights defenders in Indonesia involving the unjustified suppression of freedom of expression.

Write to Chief of DKI Jakarta Attorney General's Office urging him to:

- Drop the charges and close the investigation against Fatia Maulidiyanti and Haris Azhar.
- Ensure that all human rights defenders can carry out their peaceful activities without harassment, intimidation, arbitrary detention, or fear of reprisals, in line with the UN Declaration on Human Rights Defenders.
- Amend the ITE Law to decriminalize defamation and ensure that defamation is only treated as a civil matter.

Write to:

Reda Manthovani
Jl. H. R. Rasuna Said No.2, Jakarta Selatan,
DKI Jakarta 12950
Phone: +62 21 5254128
Email: ktdkijakarta@kejaksaan.go.id
Twitter: @KejatiDki
Salutation: Dear Mr. Manthovani,

And copy:

His Excellency Daniel Tumpal Sumurung SIMANJUNTAK
Ambassador
Embassy of the Republic of Indonesia
55 Parkdale Avenue
Ottawa, ON K1Y 1E5
Tel: (613) 724-1100
Email: publicaffairs@indonesia-ottawa.org

ADDITIONAL INFORMATION

Fatia Maulidiyanti and Haris Azhar are Indonesian human rights defenders. Fatia Maulidiyanti is the coordinator of the Commission for the Disappeared and Victims of Violence (KontraS), an organization well-known for exposing human rights violations and advocating victims' rights. Haris Azhar is a lawyer, lecturer, and founder of Lokataru Foundation, an up-and-coming human rights organization.

On August 20, 2021, Haris Azhar uploaded a video on his YouTube channel containing a conversation between himself and Fatia about a report that mentioned that some companies allegedly were involved in exploring the Wabu Block gold mine in Intan Jaya, Papua. The report titled "A Political Economy Study of Military Placement in Papua: The Case of Intan Jaya", was completed by nine organizations, including KontraS, and was launched on August 12, 2021.

The report suggests a relationship between concessions granted by the Indonesian government to some companies and the irregular military deployment in Papua. Luhut Binsar Pandjaitan, former military general and incumbent Coordinating Minister of Maritime and Investment Affairs, was allegedly a minority shareholder in one of the companies mentioned in the report.

Following the video's release, Luhut Binsar Pandjaitan sent two subpoenas against Fatia Maulidiyanti and Haris Azhar on August 26 and September 2, 2021. According to his spokesperson, the subpoenas invited Fatia Maulidiyanti and Haris to explain the motive, intention, and purpose behind the video's content. Luhut Binsar Pandjaitan felt that the footage disseminates untrue opinions, character assassinations, and fake news.

On October 21, 2021, the Greater Jakarta Metropolitan Regional Police (Jakarta's Police) summoned Fatia Maulidiyanti, Haris Azhar, and Luhut Binsar Pandjaitan for mediation. Fatia Maulidiyanti and Haris Azhar fulfilled the summons, while Luhut Binsar Pandjaitan did not. As a result, the mediation was postponed indefinitely.

On March 17, 2022, Fatia Maulidiyanti and Haris Azhar were accused of defamation and charged under Article 27 paragraph (3) of the ITE Law. On March 21, 2022, both were summoned by Jakarta's Police for the investigation process.

On the morning of March 06, 2023, Jakarta's Police summoned Fatia Maulidiyanti and Haris Azhar to inform them about the case file's completion and to perform a medical check-up before handing the case file over to the East Jakarta District Court, a municipality-level prosecution unit that works under the auspices of Jakarta's Attorney General Office, on the same day.

Amnesty International Indonesia has recorded at least 1,021 human rights defenders were prosecuted, arrested, attacked, and intimidated by various actors from January 2019 to December 2022. Meanwhile, there are at least 332 people that have been charged under the ITE Law, most of them accused of defamation, between January 2019 and May 2022.

Please take action at your earliest convenience!