



INCLO members express their solidarity with Indonesian human rights defenders Fatia Maulidiyanti and Haris Azar and urge authorities to end threats of prosecution

September 15, 2021

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

Both defenders have been 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 recent research compiled by KontraS and other local human rights and environmental organizations, the video claims Mr. Pandjaitan is 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 to publicly apologize to the Minister and to refrain from repeating the offense or legal action would be taken. In the subpoena, the retired general evokes 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 concerned that these actions by the Coordinating Minister for Maritime and Investment Affairs Luhut Binsar Pandjaitan are a form of judicial harassment and abuse of power. Both human rights defenders have a right to express their opinion as provided in Indonesia’s Constitution and the International Covenant on Civil and Political Rights (ICCPR), ratified by Indonesia in 2005.

INCLO members therefore 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. Ensure the National Commission on Human Rights identifies Fatia Maulidiyanti and Haris Azhar as human rights defenders whose work should be protected;
3. Prevent the criminalization of human rights defenders and combat the abuse of authority of officials who intimidate human rights defenders;
4. Revise or repeal every discriminative and repressive regulation, including the articles about defamation, which tend to repress human rights defenders' freedom of opinion.

Signatories:

Agora

American Civil Liberties Union (ACLU)

Association for Civil Rights in Israel (ACRI)

Canadian Civil Liberties Association (CCLA)

Centro de Estudios Legales y Sociales (CELS)

Dejusticia

Egyptian Initiative for Personal Rights (EIPR)

Hungarian Civil Liberties Union (HCLU)

Human Rights Law Centre (HRLC)

Irish Council for Civil Liberties (ICCL)

Kenya Human Rights Commission (KHRC)

Legal Resources Centre (LRC)

Liberty