

URGENT ACTION

THREE MOLUCCANS ARBITRARILY ARRESTED AND DETAINED

Pieter, Alexander and Benjamin, pro-independence political activists from Molucca, have been arbitrarily arrested and charged with treason for their role in keeping a Republic of South Maluku (RMS) flag “*Benang Raja*” in a private house. Charged with treason “*makar*”, they face up to 20 years of imprisonment. The Indonesian authorities have used the criminal code provisions, mainly Articles 106 and 110 KUHP, to prosecute tens of peaceful pro-independence political activists in Maluku and Papua simply for peacefully exercising their rights to freedom of expression, association and peaceful assembly.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

General (Pol). Drs. Listyo Sigit Prabowo, M.Si.
Chief of Indonesian National Police
Jalan Trunojoyo No. 3 South Jakarta
Indonesia 12110

Dear General (Pol). Prabowo,

*I am writing to express my deep concern regarding the case of three pro-independence activists named **Pieter Likumahua, Alexander Workala** and **Benjamin Naene** who have been arrested and accused of treason (*makar*) allegedly due to their affiliation with the Republic of South Maluku (RMS).*

*It is alarming that on 7 April 2021, as many as twenty fully armed soldiers (TNI) entered Alexander Workala's house without a warrant. Seemingly based solely on alleged evidence of a flag and a book, Alexander was then taken by the troops to the West Seram (SBB) Police. The next day, 8 April, police arrived at Pieter's house and took him to be a witness. After the investigation, he was arrested based on the accusation that he gave the *Benang Raja* flag to Alexander. Benjamin, who accompanied Pieter at the time, was also arrested and detained after confessing to the police that he is a member of the RMS.*

I find it deeply distressing that the three Mollucans have been accused of violating Article 106 of the Indonesian Criminal Code (KUHP) simply for peacefully exercising their human rights to freedom of expression, association, and peaceful assembly.

Therefore, I urge you to:

- ***Immediately release Pieter Likumahua, Alexander Workala and Benjamin Naene and drop the charges against them;***
- ***Ensure that they have regular, unrestricted access to their family and a lawyer of their choice in line with international standards of fair trial, and***
- ***Ensure that they are protected from torture and other ill-treatment and have access to adequate medical care on request or as necessary.***

Yours sincerely,

ADDITIONAL INFORMATION

On 7 April 2021 as many as twenty fully armed soldiers raided Alexander Workala's house. Upon finding a book and the "*Benang Raja*", a flag of the Republic of South Maluku (RMS), Alexander was taken by the troops to the West Seram (SBB) Police. At the police station, Alexander was beaten on the head. That same night he was questioned, and he confessed to be an activist of the Republic of South Maluku (RMS), and got the flag from Pieter Likumahua. The police accused him of treason. He denied the accusation and stated that he had only ever campaigned for the independence of the Republic of South Maluku (RMS) from Indonesia by peaceful means.

The next day, 8 April 2021, the police came to Pieter's house to question him related to Alexander's case. However, after one night of investigation, Pieter was named a suspect and detained at the SBB police prison. Benjamin Naene, who accompanied Pieter, was also arrested, and detained after confessing to the police that he is an activist of the Republic of South Maluku (RMS). Both were charged with treason.

On 30 June, the police informed the lawyer that Pieter detention time will be prolonged until 6 August for the sake of investigation. This is outrageous in the middle of Covid-19 pandemic. The police should have released Pieter, Alexander, and Benjamin immediately.

The "treason" (*makar*) articles in the Criminal Code are still often applied with a definition that is so vague it no longer concerns the original purpose of the article. In June 2007, Johan Teterissa and 22 Mollucans were arrested and subsequently jailed for taking part in a peaceful demonstration during a government-organized National Family Day event in Ambon, Maluku province of Indonesia. They were charged with "treason" (*makar*) under articles 106 and 110 of the Indonesian Criminal Code (KUHP) after performing a traditional war dance and unfurling the "*Benang Raja*" flag in front of then President Susilo Bambang Yudhoyono. They were then transferred to prisons on Java Island, over 2,500km away from Maluku. They were reportedly being tortured in detention, and they did not receive proper health care from the injuries they suffered. One prisoner, Yusuf Sapakoly, died of kidney failure in a hospital in Ambon after being refused access to adequate medical assistance by prison authorities. In April 2014, Simon Saiya, another activist who was reportedly as the President of RMS, arrested after leading a convoy to commemorate the anniversary of RMS while waving the "*Benang Raja*" flag in the Wainitu region, Maluku. He was sentenced to 3 years in prison, but he passed away in a hospital in Ambon in 2016.

The Indonesian authorities have used the criminal code provisions, mainly Articles 106 and 110 KUHP, to prosecute tens of peaceful pro-independence political activists in Maluku and Papua simply for peacefully exercising their rights to freedom of expression, association and peaceful assembly.

Amnesty International does not take any position on the political status of any province or region in Indonesia, or any other state, including calls for independence. However, the organization believes that the right to freedom of expression also includes expression of political nature.

PREFERRED LANGUAGE TO ADDRESS TARGET: [Bahasa Indonesia, English]

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 19 September 2021

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PRONOUN: Pieter Likumahua [He/Him], Alexander Workala [He/Him] and Benjamin Neine [He/Him].