

URGENT ACTION

HUMAN RIGHTS DEFENDERS ACCUSED OF DEFAMATION

Haris Azhar and Fatia Maulidiyanti face a criminal investigation following allegations of defamation by the Coordinating Minister for Maritime and Investment Affairs. The police report follows the upload of a YouTube video containing a dialogue between the two defenders about findings from a recent report outlining the alleged involvement of several military figures in the mining industry. If the police decide to proceed with the report, Azhar and Maulidiyanti could face up to six years in prison under the Electronic Information and Transactions Law simply for exercising their human right to freedom of expression.

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

General Listyo Sigit Prabowo

Chief of Indonesian National Police

Indonesian National Police Headquarter

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Dear Mr. Prabowo,

I am writing to express my concern about two human rights defenders, **Haris Azhar** and **Fatia Maulidiyanti**, who were reported to the police by the Coordinating Minister for Maritime and Investment Affairs on allegations of defamation under the Electronic Information and Transactions (ITE) Law. I have learnt that this law has been misused to criminalize hundreds of people since 2016 simply for exercising their right to freedom of expression.

It is distressing that Azhar and Maulidiyanti may face criminal charges for simply exercising their right to freedom of expression, a human right that is guaranteed under both international and national law. From what I have learnt, the allegations relate to Azhar's YouTube channel video, in which Azhar and Maulidiyanti discuss a report about alleged connections between military operations and mining activities in Intan Jaya Regency, in Papua.

Indonesia has shown an alarming trend in criminalizing human rights defenders and repressing the right to freedom of expression. Apart from the case against Azhar and Maulidiyanti, I am aware that Amnesty International Indonesia has found that between January and October 2021, at least 282 human rights defenders have been prosecuted, arrested, attacked, and intimidated by various state and non-state actors. Approximately 81 people have also been charged under the ITE Law in which most of them related to defamation. I am alarmed that this is happening while the country holds a seat in the UN Human Rights Council.

Therefore, I urge you to:

- **Immediately close the examination process against Haris Azhar and Fatia Maulidiyanti**
- **Ensure that all human rights defenders can carry out their peaceful activities without fear of hindrance, intimidation, arbitrary detention or other reprisal, in line with the UN Declaration on Human Rights Defenders**
- **Stop using the Electronic Information and Transactions Law to silence human rights defenders, and ensure that defamation is treated as a civil matter**

Yours sincerely,

ADDITIONAL INFORMATION

Haris Azhar and Fatia Maulidiyanti are well-known Indonesian human rights defenders. Azhar is also a lecturer, an advocate, and the executive director of Lokataru Foundation, a civil society organization defending human rights. Maulidiyanti is the coordinator of KontraS, an organization well-known for exposing human rights violations and advocating on behalf of victims since Indonesia's Soeharto era.

On 20 August 2021, Haris Azhar uploaded a video on his YouTube channel containing a conversation between himself and Fatia Maulidiyanti. Azhar and Maulidiyanti discussed that some companies allegedly involved in the exploration of Wabu Block gold mine, Intan Jaya, Papua.

Following the release of the video, the Coordinating Minister for Maritime and Investment Affairs sent two subpoenas on 26 August and 2 September. According to his spokesperson, the summons were aimed at asking Azhar and Maulidiyanti to explain the motive, intention, and purpose behind the video's dialogue. The Minister felt that the video reflects untrue opinions, character assassinations, and fake news.

On 29 August, Azhar explained that the data mentioned in the dialogue came from a report titled "Political Economy Study of Military Placement in Papua: The Case of Intan Jaya," which outlined the alleged involvement of several military figures in the mining industry. The report was launched on 12 August 2021 by several civil society organizations, including Legal Aid Institute, WALHI National Executive, Pusaka Bentala Rakyat, WALHI Papua, LBH Papua, KontraS, JATAM, Greenpeace Indonesia, and Trend Asia.

On 22 September, the Coordinating Minister reported Azhar and Maulidiyanti to the police using the Electronic Information and Transactions Law (ITE Law). He further demanded that each pay him 100 billion rupiahs (approximately USD 7 million) as compensation.

On 21 October, Haris Azhar and Fatia Maulidiyanti were summoned by Jakarta's Police for mediation. Haris Azhar and Fatia Maulidiyanti were present, but the Coordinating Minister Pandjaitan was not. The mediation was postponed indefinitely.

Amnesty International Indonesia has recorded at least 282 cases of prosecution, arrest, attack and intimidation of human rights defenders by various actors from January to October 2021. Meanwhile, approximately 81 people have been charged under the ITE Law, most of them accused of defamation.

PREFERRED LANGUAGE TO ADDRESS TARGET: [English or Indonesian]

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 17 March 2022

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

NAME AND PRONOUN: Haris Azhar (he/him) and Fatia Maulidiyanti (she/her)