

STATEMENT OF PAPUAN RELIGIOUS LEADERS

Joint Secretariat: Jalan Kabupaten 1, No. 05, APO – Kota Jayapura, Provinsi Papua

No : 01/P/FPUBS/VI/2020

Jayapura, 12 June 2020

Attachments : 1 (one) document

Re : MORAL STATEMENT OF RELIGIOUS LEADERS
REGARDING LEGAL PROCESS OF 7 (SEVEN) DEFENDENTS
UNDER TRIAL IN THE STATE COURT IN BALIKPAPAN.

To the respected,

President of the Republic of Indonesia Ir. H. Joko Widodo

In –

Jakarta

Shalom

Assalamuallaikum Wr. Wb. Om Swastiastu

Namo Buddhaya

Salam Kebajikan

Mr. President of the Republic of Indonesia that we respect and love. As Religious Leaders in Papua, we express our appreciation to the President of the Republic of Indonesia for your high concern for us in Papua Province. We have seen that, President after President have never had a heart or worked as hard for Papua as Mr. President of the Republic of Indonesia Ir. H. Joko Widodo. This is not only proven through your ongoing visits but also the development of infrastructure that continues to grow to reach remote areas throughout the Land of Papua. However, unfortunately, the infrastructure development has only opened up the physical connection between regions but the hearts and lives of indigenous Papuans have not been touched.

On this occasion, we also express our thanks for the wisdom of the President of the Republic of Indonesia for OTSUS (Special Autonomy) that has been ongoing and will soon be over. OTSUS, which will soon end, still leaves various problems including legal issues. These issues have for certain left wounds and disappointment in the minds of Papuans. At this moment, there are still various human rights violations that occurred in Papua which have never been resolved, for example; the Wasior, Wamena, Paniai, Nduga and Surabaya cases which have not received any legal clarity and justice.

In court trials, various legal decisions have been taken that do not favour justice and truth. The legal facts that were proven in court were not respected and the judge's decision favoured the policies of the government and those who had money. The facts on the ground are that the cases of hate speech and racist acts that occurred outside the land of Papua were aimed at Papuan students. However, those who committed the racist speech were given light punishments while those who rejected the racist

treatment were severely punished. It is feared that this will lead to greater turmoil in the population. **Therefore, as religious leaders from all faiths we declare;**

1. We uphold human values and firmly reject all forms of injustice and racism. In our opinion, humans in their existence before God and the Constitution of the Republic of Indonesia are equal in their rights, obligations and dignity. All human beings have the same value and are created by God as equal, precious and without difference.
2. The case of racism in Surabaya which was carried out against Papuan students in Surabaya, Malang, Yogyakarta and Semarang between 15-17 August 2019 by the Islamic Defenders Front (FPI) organization, Youth Pancasila (PP), and members of the TNI and the Communication Forum of the Sons and Daughters of Retired TNI Soldiers (FKKPI) triggered anti-racism protests by Papuans and various other groups who acted in solidarity throughout the Land of Papua and throughout Indonesia from 19 August to early September 2019. Racism problems that occurred against Papuan students have hurt national and state life and therefore the State must be serious in solving this problem of racism.
3. According to our observations as religious leaders who must stand objectively, independently and also be the voice of justice and truth: the 7 (seven) defendants at the trial in the Balikpapan - East Kalimantan District Court genuinely held a demonstration because they were rejecting racist treatment. But the indictments and charges at the trial were very different from the data and facts in the field. They are victims of racism but they have been accused of treason.
4. We observe that the legal proceedings against the 7 (seven) defendants in the trial at the Balikpapan District Court - East Kalimantan have not been carried out according to procedure starting from the arbitrary arrests, the torture that has occurred since the arrests, an investigation process that did not prioritize the principle of innocence and the transfer of the defendants outside of Papua which was not appropriate due to the location of the incident and also without notifying their families and legal counsels. This transfer clearly achieved distance from the scene of the case so that the defendant's family was far away resulting in the lack of access for defendant's families and all Papuans to view the trial openly even though legally the trial must be conducted openly.
5. This legal process has also become increasingly difficult with the situation of the Covid-19 Pandemic, causing the trial to be conducted online from the beginning of April 2020. This online trial means that it is not possible for the process of establishing proof to be carried out optimally and objectively. The factors affecting the process include bad internet signal, bad timing, lack of access of the general public to an open trial – all of which certainly violate the principle of justice which is fast, simple, low cost and open to the public.

6. We see that the demands of the Public Prosecutor against the defendants are very unreasonable because they are far from the facts of the trial. Witnesses submitted by the Public Prosecutor include 6 (six) members of the Papua regional police and 1 (one) person from the Directorate General of Politics and General Administration (Kesbangpol), Papua Province. Witnesses from the police are not witnesses who can explain the facts regarding charges of treason, but rather witnesses who conducted the monitoring and security of the anti-racism demonstrations on 19 August 2019 and 29 August 2019. The witness from Kesbangpol did not know the defendants at all and did not know whether their organization was registered at the Kesbangpol or not because registration at the Kesbangpol was not an obligation but voluntary. Besides that, the three experts proposed by the Public Prosecutor, a linguist, a psychologist and a constitutional law expert, did not give any correlation regarding the alleged action of treason committed by the defendants. In addition, the Public Prosecutor did not present a criminal expert to support his proof of the indictment. During the trial, the Public Prosecutor only played a video of the anti-racism demonstration and did not show any evidence supporting his accusation that the defendants committed treason.
7. The defendants through their legal counsel in the trial have submitted 5 (five) fact witnesses and 5 (five) experts consisting of a constitutional law expert, a criminal expert, legal philosophy expert, a political and conflict resolution expert, and a Racism Expert. Our observations based on documents, other evidence and factual witness testimonies, is that the defendants Ferry Kombo, Alex Gobay, Hengky Hilapok, Irwanus Uropmabin and Agus Kossay did not commit treason but participated in anti-racism demonstrations in Jayapura on 19 August 2019 and 29 August 2019 as a reaction to the racism towards Papuan students in Surabaya that occurred on August 16, 2019. Meanwhile, Buchtar Tabuni and Steven Itlay were not involved at all in the anti-racism demonstrations or meetings related to the Free Papua movement. The expert also explained that the demonstration against racism comes under freedom of expression regulated in the Universal Declaration of Human Rights (UDHR), the Civil Convention, the 1945 Constitution, the Human Rights Law and the Freedom of Expressing Public Opinion Law.
8. Taking into account the reality of the trial process above and claims against the high level decision, religion as a forum to uphold the truth, and honour the values of justice in the country, request that the State be present and take a serious role in resolving the issue of racism and upholding the law in a just and dignified manner.
9. If religious voices are not heard, we are worried that this nation will experience turmoil in the future which is very dangerous because it will trigger the disintegration of the nation and loss of public trust in the State.

With regard to these realities and real conditions, we, **THE PAPUAN RELIGIOUS LEADERS**, put the following requests to the President of the Republic of Indonesia:

1. Request the President of the Republic of Indonesia to take seriously the resolving of the problem of racism in Papua. We convey this in order to help the government achieve long-term political stability and security, specifically in Papua and Indonesia in general. We are religious leaders who are always side by side with people hoping for long-term security, harmony and peace. Racism if left unchecked will be very dangerous.
2. Request that the legal proceedings against the 7 (seven) defendants undergoing trial at the Balikpapan - East Kalimantan District Court be carried in a more just way. The case began with racism in Surabaya and it is not treason. The state must be able to distinguish between treason and a reaction to racism.
3. In the midst of the Covid-19 Pandemic situation and the future political situation, ***we ask the President of the Republic of Indonesia to release the defendants unconditionally.*** We request that the verdict read by the Honourable Panel of Judges reflect a non-racist legal process and the judge must demonstrate to the general public that there is still justice for the people of Papua in the legal process in this country as enshrined in Indonesian Law and Indonesian Government Regulation No. 40 and 56 concerning the supervision and elimination of discrimination, race and ethnicity.
4. Our hope as religious leaders of Papua is to see the realisation of Papua as a Land of Peace. Therefore the President of the Republic of Indonesia should immediately resolve the 4 (four) main root problems of the Papua conflict that were formulated and recommended by the Indonesian Institute of Sciences (LIPI), including: firstly, the history and political status of the integration of Papua into the Republic of Indonesia; secondly, the violence and human rights violations since 1965 that have seen almost zero justice; thirdly, discrimination and marginalization of Papuans on their own land; and fourthly, the failure of development including education, health and the economic situation of local people.
5. Evaluate the 20 (twenty) years of OTSUS (Special Autonomy) based on the analysis of the Indonesian Institute of Sciences (LIPI) in point 4 above with;
 - a. Paying attention to the origins of Special Autonomy
 - b. Inclusion of religious leaders in the Land of Papua
 - c. Inclusion of civil society
 - d. As religious leaders we reject the draft of Special Autonomy that has been prepared unilaterally by BAPPENAS (National Development Planning Agency) at a national level.

Thus this statement is made as a form of struggle to voice truth, humanity and justice throughout Indonesia and specifically in Papua to safeguard Papua Land of Peace.

Copied to:

1. The Minister of Home Affairs of the Republic of Indonesia
2. The Coordinating Ministry for Political, Legal and Security Affairs
3. The Supreme Court of the Republic of Indonesia
4. Republic of Indonesia Prosecutors Commission
5. Head of the Attorney General's Office of the Republic of Indonesia
6. TNI Commander
7. Chief of Police
8. Head of The Peoples Consultative Assembly of the Republic of Indonesia
9. Head of the Peoples Representative Council Republic of Indonesia
10. Head Regional Representative Council Republic of Indonesia
11. Papua Desk in Jakarta
12. The Governor of Papua Province
13. The Governor of West Papua Province
14. Peoples Representative Council Papua Province
15. Peoples Representative Council West Papua Province
16. People's Consultative Assembly for Papua (MRP)
17. People's Consultative Assembly for West Papua (MRP)
18. Papua Chief of Police
19. West Papua Chief of Police
20. Military Area Command XVII - Papua Cenderawasih
21. Military Area Command XVIII – West Papua – Kasuari
22. Head of Papuan Attorney General Office Papua
23. Head of High Court Papua
24. Indonesian Council of Churches (PGI) in Jakarta
25. Evangelical Alliance of organisations and churches in Indonesia (PGLII) in Jakarta
26. Indonesian Alliance of Pentecostal Churches (PGPI) in Jakarta
27. Bishops Conference of Indonesia (KWI) in Jakarta
28. Chairman of the Indonesian Ulema Council (MUI) in Jakarta
29. Chairman of the Nahdlatul Ulama
30. Chairman of Muhammadiyah in Jakarta
31. Indonesia Hinduism Society (PHDI) in Jakarta
32. Representative of Indonesian Buddhists (WALUBI) in Jakarta

Lampiran: Pernyataan Para Pimpinan Umat Beragama Se-Papua

No: 01/P/FPUBS/VI/2020

Pernyataan Moral Pimpinan Lintas Agama Terhadap Proses Hukum

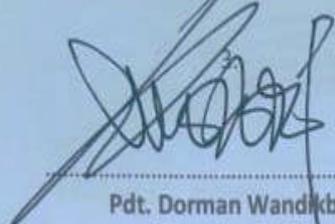
7 (Tujuh) Terdakwa Dalam Persidangan Di Pengadilan Negeri Balikpapan

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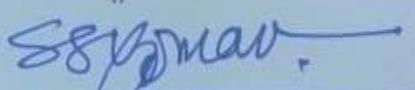

Pdt. Lipyus Biniluk, M.Th
(Ketua Umum FKUB/PGGP Provinsi Papua)

2.


Pdt. Andrikus Mofu, M.Th
(Ketua Badan Pekerja Am Sinode GKI
Di Tanah Papua)


Pdt. Dorman Wandikbo
(Presiden GIDI)

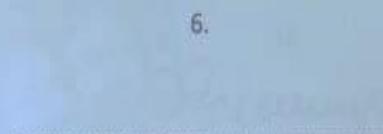
4.


Pdt. Dr. Socrates Sofyan Yoman
(Presiden Gereja Baptis Papua)

5.

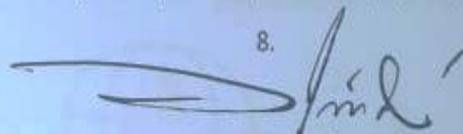

Pdt. Dr. Benny Giay
(Ketua Sinode Gereja Kingmi Papua)

6.


Mgr. Dr. Leo Laba Ladar, OFM
(Keuskupan Gereja Katolik Jayapura)

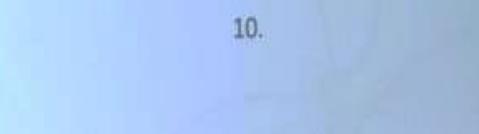

Pdt. Dr. Yan Pieth Wambrau, M.Th
(Ketua Persekutuan Gereja-gereja Se-
kota Jayapura/PGGG)

8.

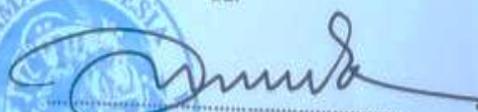

Pdt. Hiskia Rollo, S.Th., M.M
(Kordinator Tim/Ketua Persekutuan
Gereja-Gereja di Indonesia/PGI
Wilayah Papua)


Pdt. Ferry Y. Ayomi, S.Th
(Ketua I Sinode Gereja Pentakosta
Di Papua/GPDP)

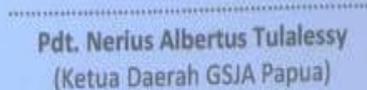
10.


Pdt. M.P.A. Maury, S.Th
(Ketua Persekutuan Gereja-gereja Pentakosta
Di Indonesia/PGPI Wilayah Papua)

11.


K.H. Saiful Islam Al Payage
(Ketua MUI Papua)

12.


Pdt. Nerius Albertus Tulalessy
(Ketua Daerah GSJA Papua)

Lampiran: Pernyataan Para Pimpinan Umat Beragama Se-Papua

No: 01/P/FPUBS/VI/2020

Pernyataan Moral Pimpinan Lintas Agama Terhadap Proses Hukum
7 (Tujuh) Terdakwa Dalam Persidangan Di Pengadilan Negeri Balikpapan

13.



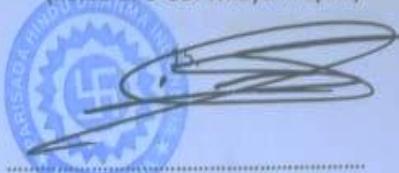
Pdt. Yohanes Sumiran, M.Th
(Ketua BPD GBI Wilayah Papua)

14.



Pdrt. Sampoerna Winata
(Wakil Ketua Persatuan Umat Buddha
Indonesia/ Provinsi Papua)

16.



I Komang A. Wardana, SE.,MM
(Ketua Parisada Hindu Dharma Indonesia/
PHDI Provinsi Papua)

17.



Pdt. Jalahan Sianturi, M.Th
(Ketua Sipece GKO Papua)

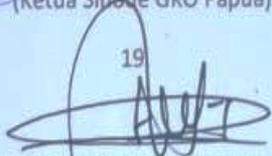
18.



Pdt. Petrus Bonyadone, M.Th
(Ketua Sinode GKII)

Pdt. Yeremia Suebu, M.Div
(Ketua Sinode GKKK Papua)

19.



Pdt. Kornelius Sutriyono, M.Th
(Sekretaris Tim/Ketua PGLII
Wilayah Papua)

20.



Pdt. Jimmy Koirewoa, S.Th
(Ketua Asosiasi Pendeta Indonesia/
API Provinsi Papua)

21.



Pdt. Jerry Rahakbauw, M.Th
(Ketua API Kota Jayapura)

22.



Pdt. George Sorontou, M.Th
(Ketua Wilayah GKN Papua)

Lampiran: Pernyataan Para Pimpinan Umat Beragama Se-Papua

No: 01/P/FPUBS/VI/2020

Pernyataan Moral Pimpinan Lintas Agama Terhadap Proses Hukum

7 (Tujuh) Terdakwa Dalam Persidangan Di Pengadilan Negeri Balikpapan

23.


.....
Pdt. Mathan Ayorbaba, M.Th
(Sekretaris Tim/Gereja GPDP)

24.


.....
Pdt. Paulus Kakisina, S.Th
(Ketua Wilayah Gereja Pentakosta
Haleluya Indonesia/GPHI)



.....
Pdt. Nones N. Arobaya, SE.,MM
(Ketua Sinode Gereja Bethel Papua
Di Tanah Papua)

26.

.....
Dr. H. Tony Wanggai
(Ketua NU Papua)

