

“They are sympathisers of the Free Papua Movement”

Makassar, 24 May 2004. During the proceedings of the permanent human rights court for the Abepura case in Makassar today, the judges chaired by Justice Jalaluddin heard the defence of the defendants and their legal team. Denny Kailimang acted on behalf of his clients argued, “Ori Ndonggi, Johnny Karunggu and Elkius Suhuniap are sympathisers of the Free Papua Movement”. Furthermore, he questioned the jurisdiction of the court to hear the case since what the defendants had done was under the framework of law enforcement and thus it was under the competence of the Civil Court.

Commissioner Daud Sihombing, former chief of police of Jayapura, presented his defence entitled “Don’t be misled with the deception of the traitors of the state in such a way that an innocent patriot was trapped with a scarf of his motherland to whom he has put his life” He strongly argued that it was inappropriate to bring him to trial as a suspect of gross human rights abuses. Instead, he should be honoured and be granted with a status of a national hero since he did not commit any offences but even he had put his life for his job.

Meanwhile outside the court, the Democratic Forum of Papuan Students in Makassar organised a rally to express their concerns. In their speeches and banners, the students demanded that (1) the trial had to be fair and impartial, (2) the defendants immediately had to step down from their office, (3) the rights of the victims, including restitution, rehabilitation and compensation, had to be fulfilled, (4) the deployment of both non-organic and organic troops to Papua had to be terminated, (5) the generals who were responsible for human rights abuses in Papua had to be brought to the permanent human rights court in Makassar.

The case of gross human rights abuses in Abepura had been delayed for more than three years before the office of Attorney General filed this case to the Permanent Human Rights Court as it was stipulated by Law No. 26/2000 on Human Rights Court. The Coalition of Civil Society for the Abepura Case, consisting of the community of the victims and their legal team, keeps fighting for justice. This case is the first case in the history of upholding human rights in Indonesia.

However, the state does not provide sufficient funds for the witness to deliver their testimonies. The coordinator of prosecutors, Mailon Syaref SH, expressed his deep concern, “No sufficient funds available to fly out 98 witnesses who live in Jayapura to Makassar. This is still a big problem”.

“The Coalition urged the Provincial Government to seriously deal with this case, including to cover the accommodation for the victims during the proceedings of this case. During the meeting with the Provincial Parliament, the Head of the Office Prosecutors, the High Court and the Head of the Regional Department of Justice and Human Rights (18/5/2004), we achieved an agreement that the Governor of Papua would be the main address for this. So, we asked him to have time to seriously talk about this with us”, explained Br Rudolf Kambayong OFM, a member of the Coalition.

The judges adjourned the proceedings until 31 May 2004 with an agenda to hear the argument of the prosecutors against the defence of the defendants and their legal team.