



BIDANG
KEADILAN, PERDAMAIAN DAN KEUTUHAN CIPTAAN (KPKC)
Justice, Peace and Integrity of Creation (JPIC)

SINODE GEREJA KRISTEN INJILI DI TANAH PAPUA (GKI)

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United Nations Office at Geneva
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Jayapura, 29 October 2008

No. : 384/D – 63/x/08

Subject: Cases of Torture and Ill-treatment in Papua Province, Indonesia

Dear Prof. Dr. Manfred Nowak,

Following your visit to Indonesia in 2007, we would like to bring to your attention recent cases of torture and ill-treatment by the security forces in the Province of Papua and ask that you take action.

In the communication with the Indonesian Government we ask you:

- to urge the Indonesian Government to ensure that alleged cases of torture and ill-treatment by its security forces are investigated by an independent authority and to ensure the perpetrators will be charged in accordance with Indonesian law;
- to remind the Indonesian Government of its international obligations to respect and fulfill the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, , the International Covenant on Civil and Political Rights and the International Convention on Violence against Women;
- to follow-up on the implementation of recommendations following your visit to the country in November 2007, with specific reference to the Government's efforts to define and criminalize torture.

Please find in the appendix several cases of torture and ill-treatment which occurred in the Province of Papua in recent months.

Thank you for your attention.

Yours sincerely,

Rev. Jemima J. Mirino-Krey, STh

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Mr. James Anaya, Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people

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The International Committee of the Red Cross, Papua

Amnesty International, International Secretariat London

Delegation of European Commission to Indonesia

Embassies in Jakarta

Asian Human Rights Commission, Hong Kong

Asian Forum for Human Rights and Development (FORUM-ASIA), Bangkok

Asian Indigenous & Tribal Peoples Network, New Delhi

World Council of Churches (WCC), Geneva

Mennonite Central Committee at the United Nations Office, New York

Human Rights Watch, Brussels

I. JAYAPURA DISTRICT, PAPUA PROVINCE

On **18 May 2008**, eight members of the Indonesian Navy forced **Alex Wanda (26)** and **Helen Walli (25)** to have sexual intercourse at Hamadi Beach, City of Jayapura, Papua Province. The Papuan couple was spending the evening at Hamadi Beach next to the boat house of the Navy Forces (Angkatan Laut) when at 23.30pm an alleged navy officer approached them and four other navy officers jumped a wall of the navy barracks. The marine officers brought the couple behind the boats house and one of the officers beat Alex Wanda with a sandal on his head. Alex Wanda and Helen Walli were separated and Helen Walli brought to a nearby coconut tree. One of the officers threatened Alex Wanda with a badge necklace saying: „*Don't you know that this necklace is sharp enough to cut your throat with it?* “. The navy officers gave Alex Wanda and Helen Walli the option to either walk to the marine post naked or to have sexual intercourse in front of the marine officers. The couple decided to walk naked to the navy station. As they were not willing to have sexual intercourse on the spot, Alex Wanda was beaten on his head with a wooden board and Helen Walli was kicked on her legs.

The marine officers then called their commander telling him that Alex Wanda and Helen Walli were not following their orders. The marine commander beat Alex Wanda with a wooden board on his head and threatened him by saying “*Don't you know that I am a Dayak, I can also eat people as you do. So don't behave like this, otherwise I might kill you tonight*”. Alex Wanda begged pardon again, but the commander kept beating him with a coconut tree stem saying “*You talk too much, hurry up, and open your trousers*”. Feeling afraid, Alex Wanda took off his clothes and the commander ordered the couple to go back next to the boat house. There the commander also ordered Helen Walli to open her trousers, but as she felt embarrassed and hesitated the commander pulled down her trousers. The commander then requested the couple to have sexual intercourse in front of the marine officers. Alex Wanda refused to do so, but the commander lashed Helen Walli with hard wild grass (*rumpul liar*) and the two victims were forced to have sexual intercourse. Afterwards three other marine officers came and by then eight marine officers were at the location. They forced Alex Wanda and Helen Walli to have sexual intercourse again, but the couple refused. The commander kept striking Helen Walli and

forced her to lick her fiancé's genitals; she did not want to do this but was continuously lashed until she complied. Afterwards the couple was ordered to have sexual intercourse again but they did not want to and the commander opened Helen Wallis legs and forced her to pull her shirt over the chest. The commander then gripped her breasts saying: "*That is how you do it while touching her genitals*". The commander then lashed Alex Wanda and forced him to lick Helen Wallis genitals. Alex Wanda was afraid and did what he was asked to do. The two victims were ordered to have sexual intercourse again but were not able to do so.

One of the marine officers then ordered Alex Wanda and Helen Walli to go into the ocean. While they were walking into the sea, Alex Wanda turned around several times and saw some of the mariner officers jumping back over the wall into the marine barracks. Another officer went towards some houses at the edge of the beach approaching the last house. Finally, one of the officers called Alex Wanda and Helen Walli to come out of the water, take their clothes and go home. The two victims however did not go home but reported the incident to the Navy Post around 3am. The guard reacted angrily towards their report saying: "*You also did something wrong, why did you have to do this in our surroundings?*" Alex Wanda apologized but also questioned the behavior of the navy officers.

On **19 May 2008**, 8am, Alex Wanda reported the incident to the Navy's Police (POMAL). POMAL called all the navy officers together and Alex Wanda was asked to point out the perpetrators. Alex Wanda was not able to recognize the perpetrators as it had been dark at the time of the incident and the responsible navy officers had put some clothing around their faces. The victims however are convinced that the perpetrators are from the Navy as the incident happened close to the Navy premises, the perpetrators had jumped over the wall from inside the barracks and some of them had worn shirts from the first class naval base (Lantamal X). Helen Walli recognized the face of the Commander who had identified himself as a Dayak and who had not disguised his face during the incident.

On **16 June 2008**, Alex Wanda also reported in the Interrogation Statement of the Military Police (POM LANTAMAL X Jayapura) that according to some people in the *Hamadi Gunung* housing complex **John Silahoi**, a Civil Servant at the Navy, was guarding the navy barracks on the evening of 18 May 2008. A navy officer who passed the post allegedly said to John Silahoi: “*You can watch a film live behind the barracks*”. John Silahoi followed behind the barracks but when he heard a woman crying he immediately returned to his guarding post.

II. KEEROM DISTRICT, PAPUA PROVINCE

On **28 May 2008**, two police officers from Keerom District and four civilians used violent force against **Fredrik Baransano (26)**, a constructor of Biak origin, in Arso II, Keerom District. As a result of the aggression, the victims’ face was bruised and swollen on the left side and the left eye was bloodshot.

Chronology of Events

In the evening of **27 May 2008**, **Bertho**, a drunken police officer of the District Police of Keerom (*Polres Kabupaten Keerom*) threatened to hit a woman named **Tanti** who had passed by on her motorbike while the police officer was urinating at the side of the road. Fredrik Baransano had watched the incident and addressed the police officer about his behavior towards the woman. The police officer wanted to punch Fredrik Baransano. Before being able to do so Fredrik Baransano already hit the police officer in the face. The police officer, at the time of the incident in plain clothing, left the location saying” *I will shoot you with a weapon*”.

On **28 May 2008**, at 4pm, the police officer Bertho together with another police man and four young civilians attacked Fredrik Baransano with heavy beatings. Fredrik Baransano fell head over and Berto kicked him repeatedly in the face with his boots on.

On **29 May 2008**, Fredrik Baransano reported the incident towards the Military Police of District Keerom (*POM Polres Kabupaten Keerom*). The police officer receiving his

complaint however recommended settling the case on a family basis, meaning the victim would receive money for medical treatment. Additionally, Fredrik Baransano was asked to sign a statement saying that he will not request the case further be investigated.

III. SARMI DISTRICT, PAPUA PROVINCE

On **29 June 2008**, six members of the non-organic military unit Kostrad (*Komando Strategis Angkatan Darat*, Army Strategic Reserve Command) 413 from Solo (Central Java) used violent force against **Christian Adolof Aipassa** (38), civil servant of Sarmi District, Papua Province. The army members beat Christian A. Aipassa repeatedly with rifle butts, resulting in a broken nose and broken right hand of the victim and additional serious wounds and bleedings on the head and at the right nape of the neck.

Chronology of Events

On **29 June 2008**, **Hengky Tonjau**, Treasurer of the Sarmi District Parliament DPRD (*Dewan Perwakilan Rakyat Daerah*), was at the old market in Sarmi when he got into an argument with a Kostrad officer who started beating Hengky Tonjau until the victim fell into a ditch. Local people watching the incident tried to stop the fighting and started hitting the military officer who then left the location.

The soldier immediately went to the Kostrad post 314 in Mararena approximately two kilometers from the incident's location. With five additional armed Kostrad officers the soldiers went back to the site and immediately started punching **Rita Nubiap** a woman who at this moment was at the location. Rita Nubiap ran into a nearby shop for protection but the six soldiers followed and pulled her out of the shop. Watching the incident, **Christian Adolof Aipassa** addressed the Kostrad officers and tried to separate them from the woman but became the victim of their violence himself.

IV. ABEPURA PRISON, DISTRICT JAYAPURA, PAPUA PROVINCE

FILEP KARMA

Filep Jacob Samuel Karma (49), a well-known political prisoner, was repeatedly beaten by the prison guard **Eli Awie** (Sersan I) on **29 April 2008**. In the prison's office Eli Awie boxed the detainee in his right side and on his forehead next to the right eyebrow. Filep Karma said towards Eli Awie that he was going to report this treatment to the National Ministry of Law and Human Rights. Eli Awie reacted angrily saying *"I am not afraid. Just report to the Ministry, if I get discharged I will kill you. I am from Nafri, I will kill you."* Filep Karma got emotional and threw himself against the body of Eli Awie screaming *"Come on, kill me, just kill me, don't just talk... Do it, kill me!"* Eli Awie hit Filep Karma several times in his face, once on his forehead, twice over the left ear and once in the nape of the neck. Eli Awie also kicked the detainee on the left calf and the right thigh.

JASON DOSAI

Jason Dosai (42), from Depapre and still awaiting trial, had been out of prison with permission for already three weeks when he was beaten up by prison guards outside the prison during the fourth week of May. **Nikson Raroserai** (Sertan II, Kuning Dua) and **Viktor Apono** (Sersan Kepala, Kuning Tiga) together with Ombri Suebu, a prison detainee, came to Jason Dosai's home in Sentani to bring him back to prison. Jason Dosai was put handcuffed on a motorcycle and was both beaten up both on the way to the prison as well as later inside the prison. Nikson Raroserai kicked Jason Dosai on his back, hit him on the back of the head and punched him in the face, near his left eye.

RONALD RUMPAIDUS

On **29 May 2008**, **Ronald Rumpaidus (39)**, a detainee of Biak origin still awaiting trial, was beaten up by **John Hamadi** (Sersan Kepala, Kuning III) inside the Abepura prison office. With his hands cuffed on the back, the prison guard beat Ronald Rumpaidus back

with a sharp fish tail (*ekor pare*) and an iron bar. He kicked Ronald Rumpaidus repeatedly when he already lied on the floor and beat his chest. After the ill-treatment Ronald Rumpaidus was brought to a dirty cell with human waste and without any water.

YOHANES WARING AND MAURITZ PRAWER

In the evening of **7 June 2008**, **Yohanes Waring (16)** and **Mauritz Prawar (16)**, at the time of the incident both still awaiting trial, tried to escape from Abepura together with five other prisoners. Yohanes Waring was caught by the guards when climbing up the prison wall and immediately brought to the guard post. There he was beaten and kicked several times in his face, his head and legs by a prison guard named **Peky Wanda**.

In the meantime, other prison guards caught Mauritz Prawar in Kamkey, Abepura. Mauritz Prawar was beaten up at the indicated location and during the transport back to prison. According to a prison witness, Mauritz Prawar's face was covered in blood when he was brought back to prison. The prison guards threw Mauritz Prawar into the prison office and repeatedly hit him with a beam of wood. Shortly afterwards two other guards, **Eli Awie** (Sergeant 1) and **Art Samai** came and beat Mauritz Prawar from head to feet with a big bamboo stick until the bamboo broke. Eli Awi then took the iron stick of a bell and hit Mauritz Prawar again. He then lifted a television and wanted to throw it at the victim but another guard was able to stop him. Eli Awi said: "*I do not mind if I get discharged. It is only important that I beat him up until he is dead*". Afterwards he lifted a chair and wanted to smash it on Mauritz Prawar but was prevented from doing so by another guard. Mauritz Prawar was lying wounded on the floor when Eli Awi pulled him on his hands around the room and threw him back on the floor. Eli Awi then took some wood and beat the victim's legs. Yohanes Waring and Mauritz Prawar were both brought to hospital for one night.

HENGKY SADIA

Hengky Sadia (46), criminal prisoner in Abepura Prison, was repeatedly beaten by prison guards on **13 June 2008**. With permission Hengky Sadia had been out of prison for several months to undergo an eye operation. On 13 June, the prison guards **Lukas Pono** (Sergeant First Class), **Samson Patipilohi** (Sergeant Major) and **Nyagasogo Aso** went to Hengky Sadias house in order to bring him back to prison. **Lukas Pono** and **Samson Patipilohi** beat Hengky Sadia at his house, during the transport to prison and in the prison office. Hengky Sadia was beaten with a sharp fish tail (*ekor pare*) and a cable on his forehead, shoulders and back until he bled. Afterwards he was brought into quarantine for 24 hours and then locked in a cell which is not to be opened for 42 days.

FERDINAND PAKAGE

On **22 September 2008**, around 7am, **Ferdinand Pakage (23)**, a political prisoner of the Abepura Riots 2006 serving a 15 years prison term, was severely ill-treated in Abepura Prison. At the guards post **Hebert Toam**, a prison guard, hit Ferdinand Pakage's right eye with a bunch of keys. Ferdinand Pakage was then brought to the office of **Gustav Rumaikewi** (Letnan I) who hit Ferdinand Pakage twice with a rubber stick on the head and twice on his spine. Gustav Rumaikewi kicked Ferdinand Pakage with his boots on the right calf of the leg and beat him with his right fist into the face. Ferdinand Pakage was brought to Jayapura Hospital the same day and according to the diagnose Ferdinand Pakage has lost the eye light of his right eye due to the beatings with the bunch of keys.

FERDINUS MANUFANDU AND YOHANES WARING

In the evening of **9 October 2008**, **Didimus Manufandu (20)**, from Biak, charged for rape with six years of imprisonment, and **Yohanes Waring (16)**, from District Keerom, charged for stealing with one year imprisonment, were beaten by the prison guards **Gustav Rumaikewi** (Letnan I), **Irianto Pakombong** (Letnan II) and **Marthen Bisai** (Sersan II, Kuning 1) with fists and rubber sticks. The prison guards also requested three other detainees (**Chosmos Yual**, **Laurens Infandin** and **Semuel Wandik**) to help beating Ferdinus Manufandu and Yohanes Waring. As a result of the beatings the victims experienced bruises on their head and body and blood came out of their mouths.

APPENDIX I

Victims

No.	Name	Age	Address	Sex
1	Helen Walli	25	Jalan PLN Belakang Bandara Trigana Sentani	female
2	Alex Wanda	26	Hamadi Gunung Jayapura	male

Alleged Perpetrators (Pangkalan Angkatan Laut 10)

No.	Name	Rank	Address	Sex
1	Nur Irfansyah	Praka	Pangkalan Angkatan Laut 10 (Navy Barracks) Hamadi Jayapura	male
2	Edi Susilo	KLK	Pangkalan Angkatan Laut 10 (Navy Barracks) Hamadi Jayapura	male
3	Khoirul	Kopral	Pangkalan Angkatan Laut 10 (Navy Barracks) Hamadi Jayapura	male

APPENDIX II

Victims

No.	Name	Age	Address	Sex
1	Fredrik Baransano	26	Arso 2, Keerom	male

Alleged Perpetrator

No.	Name	Rank	Address	Sex
1	Bertho		Polres Keerom, Arso Kota	male



Fredrik Baransano (26)

APPENDIX III

Victims

No.	Name	Age	Address	Sex
1	Christian Adolof Aipassa	38	Sarmi	male
2	Rita Nubiap		Sarmi	female

Alleged Perpetrators (Kostrad 413)

No.	Name	Rank	Address	Sex
1	Bakri	Kopral		male
2	Rico Laupassy	Kopral		male
3	Mustaqim	Prada		male
4	Sutiono	Prada		male
5	Sugeng	Pratu		male
6	Lifteu	Kopral		male

APPENDIX IV

Victims (Abepura Prison, District Jayapura, Papua Province)

No.	Name	Age	Address	Sex
1	Filep Karma	49	Abepura Prison	male
2	Jason Dosai	42	Abepura Prison	male
3	Yohanes Waring	16	Abepura Prison	male
4	Mauritz Prawar	16	Abepura Prison	male
5	Hengky Sadia	46	Abepura Prison	male
6	Ronald Rumpaidus	39	Abepura Prison	male
7	Ferdinand Pakage	23	Abepura Prison	male
8	Ferdinus Manufandu	20	Abepura Prison	male

Alleged Perpetrators (Abepura Prison, District Jayapura, Papua Province)

No.	Name	Rank	Address	Sex
1	Eli Awie	Sergeant I	Abepura Prison	male
2	Nikson Raroserai	Sertan II, Kuning 2	Abepura Prison	male
3	Viktor Apono	Sertan Kepala, Kuning 3	Abepura Prison	male
4	John Hamadi	Sersan Kepala, Kuning 3	Abepura Prison	male
5	Peky Wanda		Abepura Prison	male
6	Art Samai		Abepura Prison	male
7	Lukas Pono	Sergeant First Class	Abepura Prison	male
8	Samson Patipilohi	Sergeant Major	Abepura Prison	male
9	Herbert Toam	Applicant Civil Servant	Abepura Prison	male
10	Gustav Rumaikewi	Letnan I	Abepura Prison	male
11	Irianto Pakombong	Letnan II	Abepura Prison	male
12	Marthen Bisai	Sersan II, Kuning 1	Abepura Prison	male



Figure 1: Jason Dosai, Abepura Prison, 28.05.08



Figure 2: Ronald Rumpaidus, Abepura Prison



Figure 3: Ronald Rumpaidus, 28 May 2008



Figure 4: Ferdinand Pakage (23)



Figure 5: Pakage in Jayapura Hospital, 23.10.08



Figure 6: Pakage lost his eye-light of right eye