



His Excellency President
Susilo Bambang Yudhoyono
Istana Merdeka
Jakarta 10110
Indonesia

Open letter to the Indonesian President on the third anniversary of arrest of Johan Teterissa

29 June 2010

Your Excellency,

Today on National Family Day, a day to remember and celebrate the family across Indonesia, we would like to bring to your attention all the prisoners of conscience arrested for peacefully exercising their right to freedom of expression. Many fathers, some of whom faced torture and other ill-treatment during their arrest and interrogation, are in prison and cannot celebrate this day with their wives and children.

Today also marks the third anniversary of the arrest of Johan Teterissa and 21 other political activists arrested on 29 June 2007 in Ambon for unfurling the 'Benang Raja flag', a symbol of the Maluku independence movement and for performing a traditional 'Cakalele' dance in your presence. On behalf of 14 national sections of Amnesty International, we would like to express our concerns about the torture and other ill-treatment, and imprisonment of Johan Teterissa and the other Cakalele dancers.

After their performance, the police, particularly the anti-terrorist unit Detachment-88, detained all 22 of the dancers. They were beaten, forced to crawl on their stomachs over hot asphalt, whipped with an electric cable and had billiard balls forced into their mouths. The police also beat them on the side of the head with rifle butts until their ears bled and fired shots close to their ears. The police threatened them continually with further torture, sometimes at gunpoint, in an attempt to force them to confess. Twenty-two of them, including Johan Teterissa, are serving sentences of between seven and 20 years' imprisonment for 'rebellion' under Articles 106 and 110 of the Indonesia Criminal Code. Amnesty International is concerned that the courts sentenced them to long terms of imprisonment after unfair trials and being subjected to torture and other ill-treatment during arrest and detention. A twenty-third dancer was arrested in June 2008 and was sentenced to four years imprisonment in March 2009.

We welcome the fact that in the past few years Indonesia has made important advances in respecting free expression. But these cases show that when the sensitive issues of regional independence are at stake, the Indonesian government has made no distinction between armed separatist groups and peaceful political activists. As a consequence scores of people have been detained simply for the peaceful act of raising a flag.

While Amnesty International takes no position whatsoever on the political status of any province of Indonesia, Amnesty International believes that the right to freedom of expression includes the right to peacefully advocate referenda, independence or other political solutions and that these rights must be upheld.

Therefore Amnesty International makes the following recommendations to the Indonesian government:

- Ensure prompt, thorough and effective investigations by independent and impartial bodies into all reports of torture and other ill-treatment by the police. Those found responsible should be brought to justice in proceedings which meet international standards of fairness, and the victims should be granted reparations;
- Immediately and unconditionally release Johan Teterissa, the 22 Cakale dancers and all other prisoners of conscience in Indonesia detained solely for peacefully expressing their views;
- Establish a working group to review policies and legislation in place to ensure that the peaceful exercise of the right to freedom of expression is no longer criminalized;
- Make public commitments that there will be no further arrests of individuals purely for the peaceful exercise of the right to freedom of expression, peaceful assembly, and association.

We express our sincere hope and confidence that you will consider and express support for these recommendations.

Yours Sincerely,

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