

URGENT ACTION

PAPUAN WORKER DISAPPEARED SINCE 7 NOVEMBER

Martinus Beanal, a Papuan worker has disappeared since 7 November in the midst of alleged escalated armed clashes in Utikini village, Tembagapura District, Mimika Regency, Papua Province. The Police have announced that he was dead and buried by his family, a claim that has been refuted by his family. His whereabouts are still unknown.

Martinus Beanal, a worker in Pangan Sari Utama company, a food supplier firm of Freeport McMoran company was missing on his way home in the morning of 7 November. He departed from the company's compound in Tembagapura district to his village in Opitawak village in Mimika Regency, Papua Province at 5am. According to his family, Martinus said that he was stopped by armed forces that forbid him to pass because the military and police operations in the area. Because of the blockade, Martinus went through an alternative route to his village that should take him around 2 to 3 hours walking. Around 6.30am he called his family members informing that he was resting near a telecommunication tower. He told his family members that he was unsure about which route to take because the road had intersections and they had some tracks of military shoes along the way. The call was cut off when one of his family heard a series of gunshot in the telephone.

Subsequently, Martinus' wife called some villagers from Opitawak village to find and bring Martinus back to the village. However, the villagers decided to run back to their village after hearing gunshots around 7am in the area near Martinus' last known location. After contacting Martinus' wife and family, at 8am the villagers decided to go to the area near the telecommunication tower, but were stopped by the armed forces and told to turn around.

According to the police and military force, there has been ongoing armed conflict in Tembagapura district, Mimika around Freeport Indonesia company compound since August 2017. The police and military forces operated in the area claimed that they were fighting an armed pro-Papuan independence group (Free Papua Movement or OPM). One police officer was killed and several civilians were injured on 21 October. However, Papuan human rights groups could not confirm that there were armed clashes between the security forces and the armed pro-independence group in Tembagapura area. On 10 November, a police spokesperson announced to the media that Martinus was found dead on 9 November in an area that had been occupied by armed pro-independence group and subsequently buried by his family, a claim that had been refuted by his family.

Please write immediately in English, Bahasa Indonesia or your own language urging the authorities to:

- Call on the authorities to reveal Martinus Beanal's fate and whereabouts and ensure his safety;
- Call on the authorities to independently investigate the circumstances of Martinus' disappearance and ensure that his family are provided with accurate information about the outcome of this investigation.

PLEASE SEND APPEALS BEFORE 16 JANUARY 2018 TO:

Head of National Police
General Pol. H.M. Tito Karnavian
National Police Headquarters
Jl. Trunojoyo No.3, Kebayoran Baru
Jakarta Selatan 12110 Indonesia
Twitter: @DivHumasPolri
Fax: +62 (0)21 7200 669/ 721 8741
Email: mabes@polri.go.id
Salutation: Dear General

Head of Papua Police Force
Inspector General Boy Rafli Amar, M.H
Papua Police Headquarter
Jl. Dr. Sam Ratulangi No. 8
Jayapura 9912, Indonesia
Twitter: @hmspoldapapua
Fax: +62 (0)967 531014
Salutation: Dear General

And copies to:
Chairperson of the National Human Rights Commission (Komnas HAM)
Mr. Ahmad Taufan Damanik
Jl. Latuharhary No. 4B Menteng,
Jakarta Pusat 10310
Indonesia
Twitter: @komnasham
Fax: +62 (0) 21 3925227
Email: pengaduan@komnasham.go.id

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY DR RIZAL SUKMA, Embassy of the Republic of Indonesia, 30 Great Peter Street, SW1P 2BU, 02074997661, Fax 02074914993, kbri@btconnect.com, www.indonesianembassy.org.uk, Salutation: Your Excellency **Please check with your section office if sending appeals after the above date.**

**AMNESTY
INTERNATIONAL**



URGENT ACTION

PAPUAN WORKER DISAPPEARED SINCE 7 NOVEMBER

ADDITIONAL INFORMATION

Enforced disappearance is a serious human rights violation and a crime under international law which violates the rights of the persons who were disappeared and of their loved ones. The Declaration on the Protection of All Persons from Enforced Disappearances, adopted by the United Nations General Assembly in 1992, provides that an investigation “should be conducted for as long as the fate of the victim of enforced disappearance remains unclarified” (Article 13(6)). It also states that “enforced disappearance shall be considered a continuing offence as long as the perpetrators continue to conceal the fate and the whereabouts of persons who have disappeared and these facts remain unclarified” (Article 17(1)).

The Indonesian military has a long history of perpetrating enforced disappearances. Yet the Indonesian government has done little to establish the fate and whereabouts of those who were disappeared or went “missing” during the rule of Suharto or the subsequent political reform period (from 1998), including during the conflicts in Timor-Leste and Aceh. According to its 2012 Annual report, the United Nations Working Group on Enforced or Involuntary Disappearances (WGEID) holds information on 162 outstanding cases of disappearances in Indonesia, while there are a further 428 outstanding cases in Timor-Leste which mostly occurred during the period of Indonesian occupation (1975-1999). Further, the Indonesian government has yet to accept a request from the WGEID, pending since 2006, to visit the country.

Families of the disappeared and missing have for years called on the Indonesian authorities to establish the fate and whereabouts of their loved ones; however, to date, little progress has been made, prolonging their suffering. A national truth commission could undertake such a role but there has been a lack of political will by the central government to enact a new national truth commission law after it was struck down by the Constitutional Court in 2006.

Following an inquiry by the Indonesian Human Rights Commission (Komnas HAM) in 2009, the Indonesian House of Representatives recommended that President Susilo Bambang Yudhoyono ratify the International Convention for the Protection of All Persons from Enforced Disappearance. In September 2010, the Indonesian government signed the Convention; and, currently, Commission I of the Indonesian House of Representatives is discussing a bill to ratify it.

In October 2014, six military personnel were convicted by a military court in Medan, North Sumatra Province of the abduction and ill-treatment of Dedek Khairudin and sentenced to between 14 and 17 months' imprisonment. Dedek Khairudin was subjected to enforced disappearance in November 2013 after being detained by a military intelligence officer from the Army Resort Military Command (Korem 011/LW) and at least eight marines from Pangkalan Brandan region in North Sumatra Province. His whereabouts is remained unclarified up to date.

UA: 262/17 Index: ASA 21/7544/2017 Issue Date: 5 December 2017