JOINT SOLIDARITY STATEMENT

Dear Indonesia: Wadas Villagers have the right to protest and to access the internet!

#StopDigitalDictatorship

KEEP IT ON
Joint Solidarity Statement

Dear Indonesia: Wadas Villagers have the right to protest and to access the internet!

14 February 2022,

We, Manushya Foundation, ALTSEAN-Burma, Cambodian Center for Human Rights (CCHR), the Institute of Policy Research and Advocacy (ELSAM), Southeast Asia Freedom of Expression Network (SAFEnet), and Women’s Peace Network (Myanmar) as the ASEAN Regional Coalition to #StopDigitalDictatorship stand in solidarity with the andesite mine protesters of Wadas Village, Central Java, Indonesia. The protests are a legitimate exercise of the rights to freedom of expression and assembly by the local residents, and should therefore be protected by the law. We condemn the Indonesian authorities’ violent response which took place on 8-9 February 2022, and the arbitrary arrests of Wadas Village residents and citizen journalists. The authorities must stop investigation of three residents on allegations of spreading hoaxes which disrupt public order, given that they were merely reporting real events which took place during the unrest. We also call for an immediate investigation into the indication of an internet shutdown in Wadas Village, and denounce any attempt to limit internet access and restrict the free flow of and access to information online within the area.

We call on the Government of Indonesia, as a member of the UN Human Rights Council and state party to 8 human rights treaties including the International Covenant on Civil and Political Rights (ICCPR), to fulfill its obligations to uphold and protect the right to freedom of expression and information under Article 19 of the Universal Declaration of Human Rights (UDHR) and under Article 19 of the ICCPR, both of which protect the right to freedom of expression of individuals, as well as their right to seek, receive and impart information, including online. Since the internet is a medium through which people can exercise their right to freedom of expression, any arbitrary or unjustified limitation constitutes a violation of such right.

The Indonesian national law recognizes the right to freedom of expression under Article 28E of the Constitution, which stipulates that “every person shall be free to express his or her opinions in public”. This provision is echoed in Articles 23(2) and 25 of Law No. 39/1999. Article 28E(3) of the Constitution further guarantees the rights to “seek, receive and impart information and ideas, orally and in writing, through printed and electronic media”.

We received reports of internet shutdown and power blackout in Wadas Village, which started in the hours leading up to the deployment of 250 fully-armed military, police, and Public Order agency personnel into the area on Tuesday, 8 February. Nearly 400 families are not able to access their cell phones, go online, or otherwise

communicate. Local civil society organizations on the ground are prevented from sharing latest updates on the situation, and residents cannot exchange information amongst themselves.

**Shutting down internet access to stifle the free flow of information and expression, especially in critical situations, is deplorable.** Measures of this kind have an adverse impact on individuals’ well-being and access to vital services. We note that the incident in Wadas Village follows the pattern of previous shutdowns conducted in response to similar protests in Papua and Wamena from 2019 through 2021. The Government continues to fuel paranoia around free expression, in stark contrast to its human rights obligations under international law.

**We urge the Government to take swift, decisive action to end this repression.** Freedom of expression and opinion, as well as the right to receive and impart information and ideas, is paramount in a democratic society. All necessary means must be taken to safeguard them, including by maintaining internet accessibility. Human rights online are just as important as human rights offline.

We further underscore that civil society reporting is not only an essential source of public information, it is also an important transparency and accountability mechanism in cases like this. **Arbitrary interference with these activities is impermissible on any grounds.**

**In addition, we call on the Government of Indonesia to fulfil its international human rights obligations on the right to freedom of peaceful assembly** as enshrined in Article 21 of the ICCPR and Article 20 of the UDHR. The deployment of security forces of such scale is a fundamentally disproportionate response to the peaceful protests and, as evidenced by the ensuing clash, does nothing but escalate tension. Within twenty-four hours of the clash, at least 67 individuals were arrested and taken to the Purworejo Police Station in Bener sub-district; 13 were women and children. While the arrestees have since been released, sources reveal that they had received inhumane treatment during detention, including by being forced to sleep on the police station floor in close quarters, despite COVID-19 risks. Requests from members of the Yogyakarta Legal Aid Institute to provide legal assistance to those in custody were also denied.

Moreover, three individuals are currently being investigated for an alleged violation of Article 28 of the draconian Electronic Information and Transactions (ITE) Law on the infliction of hatred or dissension, and Articles 14 /o. 15 Amendment of Penal Code 1946 on creating public disorder. Their cell phones were reportedly confiscated with their social media accounts logged in, raising alarm of potential illegal access by the police. **We strongly denounce the criminalization of the three Wadas Village residents.** The people’s resistance against the Bener Dam andesite mining project, which goes back to 2017, is rooted in their justified fear that the project would fundamentally disrupt their subsistence farming activities. **Both their freedom of speech and right to a livelihood are constitutionally guaranteed,** and must therefore be upheld.

---

In light of these concerns, the ASEAN Regional Coalition to #StopDigitalDictatorship calls on Indonesia to:

1. Explain publicly and transparently the alleged internet shutdown and power blackout in Wadas Village since Monday, 7 February, and take steps to prevent similar situations from occurring in the future;
2. Bring its response to the Wadas Village situation in line with the residents’ right to assembly and cease all disproportionate security measures against them, particularly by refraining from arresting those taking part in the protests and criminalizing them;
3. Stop the investigation against the three Wadas Village residents initiated on the basis of Article 28 point 2 of the ITE Law, and Articles 14 jo. 15 Amendment of Penal Code 1946, and enable their immediate and unconditional release from custody;
4. Rectify repressive provisions within the ITE Law, including Article 28(2), as to prevent their further misuse by authorities to penalize peaceful protesters;
5. Repeal any other laws and regulations which limit the exercise of fundamental freedoms in ways which are incompatible with international standards;
6. Ensure that future laws which prescribe any such limitation are formulated with sufficient precision to allow the foreseeability of their application.

For media enquiries, please contact:
● Emilie Pradichit, Founder & Executive Director, Manushya Foundation: emilie@manushyafoundation.org
● Damar Juniarto, Executive Director, Southeast Asia Freedom of Expression Network (SAFEnet): damar@safenet.or.id
● Wahyudi Djafar, Executive Director, Institute for Policy Research and Advocacy (ELSAM): wahyudi@elsam.or.id

-----------------------------