

URGENT ACTION

ACTIVIST ARRESTED, FAMILY SUFFERS ECONOMIC HARDSHIP
Environmental activist Heri Budiawan, known as Budi Pego, was sentenced to 10 months in prison on 24 January 2018 for “crimes against state security.” The case is currently under appeal in East Java High Court. The arrest of Heri Budiawan has led his family into financial distress, forcing his wife and two daughters to depend on their small farm and support from relatives. Heri Budiawan is a prisoner of conscience and must be immediately and unconditionally released.

Heri Budiawan who has been very vocal in protesting a gold mining activity in Tumpang Pitu and Salakan mountains, East Java, Indonesia, was sentenced to ten months imprisonment for openly promoting pro-communism ideology by displaying hammer and sickle symbol during the protest. This is the first time anti-communist sentiment has been used to restrain peaceful protest. In addition, three others have also been accused of involvement, however no charges have been placed against them.

Both prosecutors and lawyers in Heri Budiawan's case make an appeal to the Higher Court of East Java, Indonesia. Whilst Heri Budiawan is still under arrest until the court decision is final and binding, his wife and 2 daughters who are 14 and 2 years old must struggle without the breadwinner of the family. They depend their livelihoods on their small farm and irregular supports from relatives.

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

- Release Heri Budiawan immediately.
- Ensure that pending his release, Heri Budiawan is protected from torture and other ill treatment while in detention, and has regular access to his family, and lawyers of his choice.
- Ensure that activists, human rights defenders, journalists, academics, members of the political opposition and others can peacefully exercise their human rights without fear of punishment, reprisal or intimidation.

PLEASE SEND APPEALS BEFORE 17 APRIL 2018 TO:

President of Indonesia
 President Joko Widodo
 c/o Presidential Staff Office
 Gedung Bina Graha
 Jalan Veteran No. 16
 Jakarta Pusat, 10110
 Indonesia
 Fax: +62 21 345 0009
 Email: webmaster@ksp.go.id
 Salutation: Your Excellency

Minister of Law and Human Rights
 Yasonna Hamonangan Laoly, SH, MSc,
 Ph.D
 Jl. Rasuna Said Kav. 6-7 Kuningan
 Jakarta, Indonesia 12940
 Twitter: @Kemenkumham_RI
 Fax: (+62)25253004
 Email: rohumas@kemenkumham.go.id
 Salutation: Your Highness

And copies to:
Chairperson of the National Human Rights Commission (Komnas HAM)
 Ahmad Taufan Damanik
 Komnas HAM Office
 Jl. Latuharhary No. 4B, Menteng
 Jakarta Pusat, 10310 Indonesia
 Twitter: @KomnasHAM
 Fax: (+62) 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. This is the first update of UA 34/18. Further information: <https://www.amnesty.org/en/documents/asa21/7884/2018/en/>

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ADDITIONAL INFORMATION

Tumpang Pitu and Salakan Mountains are one of the few mountains in Indonesia where gold extraction takes place and it is under the control of Merdeka Copper Gold through its two subsidiaries PT Bumi Sukses Indo (BSI) and PT Damai Sukses Indo (DSI). Both companies were given licences to open and manage an area of 4,998 hectares and 6,623 hectares respectively since 2012. In addition to being responsible for ecological destruction, the villagers believe that the companies are endangering the safety of five villages; namely Sumberagung, Pesanggaran, Sumbermulyo, Kandangan, and Sarongan villages.

Initially, Tumpang Pitu and its surrounding mountains was designated as protected forests. However, on 19 November 2013, Zulkifli Hasan, then Forestry Minister and currently Speaker of the People's Consultative Assembly (Majelis Permusyawaratan Rakyat) has issued a decree changing the status of 1,942 hectares of protected forests to "industrial forest", which opens the door to massive mining operations in that area. The struggle of villagers and communities against the gold mine companies has been escalated and culminated in large clashes between the villagers and security personnel of BSI and DSI in 27 November 2015. Finally, four peasants were criminalised under "the crime against state security" laws in 2017.

The legal provisions criminalising the spreading communist ideology originally date back to a period of severe repression of human rights under then President Soeharto's New Order regime between 1965 and 1998. The anti-communism campaign headed by Soeharto resulted in the death of hundreds of thousands and violations of a large array of other human rights, including to freedom of expression, opinion, and peaceful assembly.

Further information on UA: 34/18 Index: ASA 21/7989/2018 Issue Date: 6 March 2018