

12 August 2016

Indonesia – Police investigation of human rights defender Haris Azhar

On 10 August 2016, the National Police of Indonesia announced that they have decided not to pursue their investigation into a complaint of defamation against human rights defender Mr **Haris Azhar** for now and instead will focus their work on the independent team set up to defend the statements made in an article published by Haris Azhar.

[Haris Azhar](#) is a human rights defender and coordinator of **KontraS (Commission for the Disappeared Victims of Violence)**, a non governmental organisation that promotes political awareness of State accountability, and seeks justice and truth for human rights abuses. KontraS also protects minorities and human rights defenders, carries out judicial accountability of civil liberties, and advocacy in post conflict areas in Indonesia. On 28 July 2016, Haris Azhar published an article on *Facebook* which detailed corrupt activities of Indonesian police officials, including the acceptance of bribes from an international drug trafficking network. Haris Azhar initially sent the information to the President's Office in an attempt to get a swift response from the Government to carry out measures in relation to the allegations. However, he claimed there was none.

On 2 August 2016, three government agencies, the National Narcotics Agency (BNN), the National Armed Forces (TNI) and the National Police, filed a defamation complaint against Haris Azhar under the 2008 Electronic Information and Transactions Law. The law prohibits any person from distributing, transmitting, or making any electronic information accessible which includes "contents of affronts and/or defamation". If convicted, the human rights defender could face up to six years in prison and a one billion Rupiah fine (€68,700)

On 5 August, KontraS established an independent team called the Independent Emergency Post for Dismantling Apparatus Involvement on Drug Smuggling in order to collect statements which would verify the accusations made in the article written by the human rights defender. To date, KontraS has received 27 statements from the general public confirming police corruption.

Front Line Defenders is concerned by the judicial harassment of human rights defender Haris Azhar, which it believes to be directly linked to his peaceful and legitimate work to hold police officials accountable

Front Line Defenders urges the authorities in Indonesia to:

1. Immediately withdraw all legal action and charges against **Haris Azhar** as it is believed these are solely motivated by his legitimate and peaceful work in defence of human rights;
2. Guarantee in all circumstances that all human rights defenders in **Indonesia** are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions.

Front Line Defenders respectfully reminds you that the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted by consensus by the UN General Assembly on 9 December 1998, recognises the legitimacy of the activities of human rights defenders, their right to freedom of association and to carry out their activities without fear of reprisals. We would particularly draw attention to Article 6 (b and c): "*Everyone has the right, individually and in association with others: (b) As provided for in human rights and other applicable international instruments, freely to publish, impart or disseminate to others views, information and*

knowledge on all human rights and fundamental freedoms; (c) To study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, through these and other appropriate means, to draw public attention to those matters”, and to Article 12 (2): “The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present declaration.”

Please inform us of any actions that may be taken with regard to the above case.

Yours sincerely,

Mary Lawlor

Mary Lawlor
Executive Director