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## **Indonesia: Subpoena issued against human rights defender Hariz Azhar and woman human rights defender Fatia Maulidyanti**

On August 26, 2021, human rights defender [Haris Azhar](#) and woman human rights defender [Fatia Maulidyanti](#) were issued one subpoena by the Coordinating Minister for Maritime Affairs and Investment concerning the posting of a [talk show](#) on Haris Azhar's YouTube channel. In the subpoena, Haris Azhar and Fatia Maulidyanti were asked to explain the motive for posting the video to the Coordinating Minister. In addition, the two defenders were asked to apologize in five days to the Minister through Haris Azhar's YouTube channel, mass media, and online media and promise not to repeat the act. The subpoena mentions that if an apology is not made, legal actions will be taken against the human rights defenders.

Haris Azhar is a human rights defender in Indonesia. He previously served as the Coordinator of Commission for the Disappeared and Victim of Violence (KontraS) a nation wide group and community of NGOs operating in Indonesia since 2010. Haris Azhar has contributed to human rights and public interest litigation cases, events, campaigns and publications for promoting and defending human rights in Indonesia and South East Asia. The human rights defender had also served as a member of the Executive Committee of FORUM-ASIA and has been the Deputy Chair of INFID-Indonesia, which are both prominent human rights organizations.

Fatia Maulidyanti is a woman human rights defender and the Coordinator of the Commission for the Disappeared and Victims of Violence (KontraS), a prominent human rights organization in Indonesia established in 1998. She has been involved in various civil society movements since she was in the university, namely student press, working on various human rights issues such as death penalty, business and human rights, unfair trial, human rights defenders and human rights in conflict. She is also the founder of a book donation community for death-row inmates called Books For Tomorrow.

In the online video for which the human rights defenders are facing legal action, Haris Azhar and Fatia Maulidyanti discussed the research results of several human rights organizations, such as KontraS, Walhi, Jatam, YLBHI, and Pusaka, about the business of Indonesian Army officials and retirees behind the gold mining business and their plan to exploit the Blok Wabu area in Intan Jaya, Papua.

The subpoena issued by the Coordinating Minister for Maritime Affairs and Investment has mentioned that Haris Azhar and Fatia Maulidyanti will face charges under Article 27 paragraph (3) of the Electronic Information and Transactions Law concerning defamation, and Articles 310 and 311 of the Criminal Code concerning attacking someone's honor and reputation with accusations and defamation respectively. However, the Criminal Code also contains relevant justifications for the posting of the talk show under Article 310 paragraph (3), which states, "it does not constitute defamation if the act is carried out in the public interest".

Human rights defender Haris Azhar has been a target of similar reprisals in the past. On 28 July 2016, the human rights defender published an article on Facebook alleging the involvement of Indonesian police officials in corrupt activities, including the acceptance of bribes from an international drug trafficking network. On 2 August 2016, three government agencies, the BNN, the

TNI, and the National Police, filed a joint defamation complaint against Haris Azhar under the 2008 Electronic Information and Transactions Law. Following public pressure, on 10 August 2016, the National Police announced that they have set up an independent team to investigate the alleged involvement of security officials in drug trafficking.

It has been observed by human rights defenders in Indonesia that government officials are abusing their power by using the Electronic, Information, and Transactions Law to silence activists or human rights defenders in the country.

Front Line Defenders is deeply concerned about the subpoena issued against Fatia Maulidiyanti and Haris Azhar as it believes that they are being targeted for their peaceful and legitimate work in defence of human rights.

**Front Line Defenders urges the relevant authorities in Indonesia to:**

1. Immediately and unconditionally withdraw the threats of legal action against Haris Azhar and Fatia Maulidyanti;
2. Immediately and unconditionally cease all further forms of surveillance or harassment against Hariz Azhar and Fatia Maulidyanti, as it is believed that these measures are not only solely related to their legitimate human rights activities but, furthermore, constitute a direct transgression of their rights;
3. Take measures to ensure that government officials or other public figures refrain from making statements or declarations stigmatising the legitimate work of human rights defenders;
4. Guarantee in all circumstances that all human rights defenders in Indonesia are able to carry out their human rights activities without fear of reprisals and free of all restrictions, in line with Indonesia's international human rights obligations and commitments;
5. Initiate a comprehensive legal reform process, in genuine consultation with independent civil society and human rights defenders, to review existing laws, regulations, policies and practices, especially provisions related to offences criminalising peaceful expression used to target human rights defenders, with a view to aligning them with Indonesia's obligations under international human rights law and standards.