

## AMNESTY INTERNATIONAL PUBLIC STATEMENT

17 June 2020 Index: ASA 21/2536/2020

# INDONESIA: END WAVE OF DIGITAL ATTACKS ON STUDENTS, JOURNALISTS, ACTIVISTS

The right to freedom of expression has already been on a decline in Indonesia in recent years, which is exemplified by the increasing number of people convicted of defamation, blasphemy and *makar* (treason) simply for expressing their opinions online or organizing peaceful protests between 2014 and 2019. Amnesty International is concerned about a wave of harassment, intimidation and digital attacks against students, academics, journalists and activists, carried out by unidentified parties pushing to spread fears and silence critical voices.

Within less than two months, Amnesty International has recorded 29 incidents in which students, academics, journalists and activists have been harassed and intimidated simply for criticizing the government or discussing politically sensitive issues such as human rights violations and abuses in Papua. The intimidation takes many forms, including credential theft of their WhatsApp accounts, spam calls from unidentified international numbers, digital harassment such as intrusions during online discussions, particularly on the issue of Papua, and even direct, offline threats of physical violence. While the arbitrary use of the 2008 Electronic Information and Transaction Law, the 1965 Blasphemy Law and the treason (*makar*) charges under article 106 and 110 of the Criminal Code (KUHP) remains one of the biggest threats to the right to freedom of expression in Indonesia, the growing climate of fear created by the series of digital attacks, harassment and intimidation against critics is a new low for the country.

Amnesty International calls on the Indonesian authorities to respect, protect, promote and fulfill their international human rights obligations, including the people's right to freedom of expression and right to privacy under the International Covenant on Civil and Political Rights (ICCPR) and right to academic freedom under the International Covenant on Economic, Social and Cultural Rights (ICESCR). Indonesia has ratified both human rights treaties. Below is a brief description of the current state of freedom of expression in Indonesia. The data is collected from previous outputs of Amnesty International Indonesia, media reports, interviews, reports from human rights defenders and lawyers, as well as desk-based research.

### Digital intimidation and threats against activists, academics and journalists

From 22 April to 11 June 2020, Amnesty International Indonesia recorded 29 cases of intimidation, mostly through digital tools, against 35 students, academics, activists and journalists (**Annex I**). Three civil society groups and two media organizations have also fallen victim to the digital attacks. There have been at least 14 credential theft incidents involving social media platforms WhatsApp, Twitter, YouTube, and Instagram and five credential theft attempts mostly on WhatsApp, targeting government critics. Other forms of intimidation include robocalls/spam calls from unidentified foreign numbers, intrusion into online discussions or webinars, terror or threats of physical violence via text messages and, in the case of students holding discussions on politically sensitive topics, intervention and reprimands from the university leadership.

While they have experienced similar forms of digital attacks and intimidation, we found that the attacks target three groups of people: students, journalists and activists raising the issue of systemic racism against Papuan people; activists, academics and journalists criticizing the government's policies; and alternative media companies leading the campaign for the rights of women and minority groups.

## *Intimidation against those speaking up against racism in Papua*

The attempt to silence government critics intensified in June after public prosecutors seeking up to 17 years for Papuan anti-racism protesters accused of treason in the Balikpapan District Court, East Kalimantan. At the same time, the global protest against racism triggered by the killing of George Floyd sparked online discussions in Indonesia about systemic racism against Papuan people. While the forms of intimidation were similar, we found that the recent attacks and intimidation targeted four groups of people who spoke up about injustice in Papua: students, activists, academics, and journalists. On 3 June 2020, online hearing hosted by the Jakarta Administrative Court on the internet shutdown in Papua and West Papua was disrupted by several unidentified people using the sharing platform to project pornographic content to unwitting then court participants and switching between different user accounts.

On 5 June 2020, a webinar held by Amnesty International Indonesia to discuss racism in Papua was disrupted by spam calls and intrusions. Three of the speakers in the webinar—Usman Hamid of AII, Tigor Hutapea of Pusaka Foundation and Yuliana Yasbansabra from Elsam Papua—were bombarded by robocalls from unidentified foreign numbers during the discussion, which was also repeatedly disrupted by Zoombombing incidents.<sup>1</sup> “I am suddenly receiving phone calls from foreign numbers. They keep bothering me,” Yuliana told the other speakers. Usman then revealed that he was experiencing the same thing, saying that he was receiving calls from unknown numbers with the United States country code of 1. “This has not stopped. I think Uli [Yuliana] and I are being harassed by calls from the US. The numbers are different, but they are constant,” he said. The intimidation did not stop after the discussion was over. Two days later, Yuliana was attacked by a masked motorcyclist at a petrol station in Jayapura.<sup>2</sup>

The University of Indonesia (UI) student executive body also faced intimidation when it decided to hold an online discussion on racism against Papuans on 8 June 2020. The webinar, held in light of the prosecution against seven Papuan political activists in Balikpapan, East Kalimantan, featured human rights lawyer Veronica Koman, Papuan human rights lawyer Gustaf Kawer and a former Papuan political prisoner who declined to be identified. The WhatsApp account of the contact person of the virtual discussion was also taken over two hours before the event.<sup>3</sup> The university disavowed the public discussion in a written statement, saying the discussion did not “reflect the views of attitudes of UI as an institution.” It doubled down on its criticism by saying that the discussion featured “inappropriate speakers” and lacked scientific foundation.<sup>4</sup>

Another incident of intimidation occurred in Lampung on 10 June 2020. The organizers and speakers of a virtual discussion on racial discrimination in Papua held by Teknokra, an independent news portal run by the students of Lampung University, fell victims to another credential theft attack and intimidation by unidentified parties. The discussion was scheduled for 11 June 2020 and was supposed to feature John Gobai, Chairman of Papuan Students Alliance (*Aliansi Mahasiswa Papua*, AMP), Surya Anta Ginting, a spokesperson of the Indonesian People’s Front for West Papua (FRI-WP), and Tantowi Anwari of the Alliance of Journalist for Diversity (Sejuk) as speakers. On 10 June 2020, Chairul Rahman Arif, a member of the organizing committee, was summoned by one of the university’s deputy rectors and told to cancel the discussion. The vice rector argued that the public discussion would be “one-sided” and considered “anti-government”. He suggested that it be postponed so that the students could invite government representatives to speak in the event. Shortly after that, Chairul received threats through his WhatsApp from an unknown

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<sup>1</sup> Amnesty International’s internal information.

<sup>2</sup> Amnesty International’s internal information.

<sup>3</sup> Amnesty International’s internal information.

<sup>4</sup> Jakarta Post, *UI disavows #PapuanLivesMatter discussion organized by student body*, <<https://www.thejakartapost.com/news/2020/06/08/ui-disavows-papuanlivesmatter-discussion-organized-by-student-body.html>> accessed on 11 June 2020.

number. The messages showed a picture of his identity cards and mentioned his parents' names. Later that night, the GoFood account of Mitha Setiani, who was supposed to moderate the discussion, was taken over. The hackers ordered food orders from Mitha's account and utilized the chat box feature to tell the drivers and Mitha's friends to contact her WhatsApp number. Her Facebook and Instagram accounts were then also taken over. Not only the students, Tantowi Anwari, one of the speakers, was also harassed. His Grab Food account was taken over by hackers who then ordered continuous food orders. He also stated that his bank account was taken over, and someone allegedly turned off the electricity in his house.<sup>5</sup> Hendry Shaloho, the head of the Lampung chapter of the Alliance of Independent Journalists (AJI) who assisted the students in holding the Papua discussion, was unable to log in into his Facebook account. Despite the digital intimidation and harassment, the discussion went ahead as planned on 11 June.

### ***Digital Attacks and Intimidation against Government Critics***

The first government critic to have fallen victim to the recent wave of a credential theft attack in Indonesia is Ravio Patra. His WhatsApp account was taken over on 22 April 2020 by unidentified parties who then used his account to broadcast calls for national riots. Hours after the incident, he was arrested by the police and interrogated without a lawyer for the provocative WhatsApp messages that he never sent. Despite his pleas that his account had been hijacked, Ravio was forced to sign two investigation reports during the interrogation in the Jakarta Police Headquarters, one of which stated that Ravio was an incitement "suspect". While in police custody, he was not able to contact anyone, even lawyers for more than 12 hours. Ravio was then released the following day with a status as a "witness" in the case. It was later revealed that he was reported to the police by North Tapanuli Police Chief Sr. Adj. Comr. Horas Marisi Silaen.<sup>6</sup> We believe that the attack on his account was related to Ravio's activism. Prior to the hacking incident, Ravio, a public policy analyst, posted tweets criticizing the way the government handled the COVID-19 outbreak and alleged conflict of interests involving a presidential staffer and the project run by his private company operating in Papua. As of now the police failed to investigate the allegation and bring those suspected to be responsible to justice for taking over Ravio's WhatsApp account, and have yet to return Ravio's belongings—a laptop, smartphones and books—that were confiscated during his arrest. Ravio has filed a pre-trial motion at the South Jakarta District Court to challenge his arbitrary arrest, arguing that it violates the Criminal Code Procedures (KUHAP) and that he felt like he was "abducted" when the police brought him for questioning. He has also filed complaints with the Indonesian Ombudsman, the Indonesian National Human Rights Commission (Komnas HAM), and the police's internal affairs division.<sup>7</sup>

Other than Ravio, Amnesty International recorded at least ten other credential theft incidents targeting students, activists and journalists. On 29 May 2020, an online seminar initiated by the Constitutional Law Society (CLS) of the Law Faculty of the University of Gadjah Mada (UGM) was canceled after its organizers and speakers received death threats and other forms of intimidation. The webinar, which poses the question of whether the President could be impeached during a pandemic, had drawn public controversy, particularly among ardent supporters of President Widodo, himself an UGM alumnus. On the day the webinar was supposed to be held, the WhatsApp account of the event's contact person was taken over by hackers. The hacker used that WhatsApp account to inform participants of the planned discussion had been canceled and removed all of them from a WhatsApp group that was created for the event. Ni'matul Huda, a constitutional law professor of the Indonesian Islamic University (UII), received threats one day before the event. According to Abdul Jamil, the dean of UII's Law Faculty, several people came to her house at 11pm on 28 May 2020, knocked on her door and rang the bell repeatedly until 6am, in addition to death threats

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<sup>5</sup> Amnesty International's internal information from Lampung Legal Aid Institute (LBH Lampung) and AJI Lampung, 11 June 2020

<sup>6</sup> Detik, *Kasus Ravio Patra, Aduan Info ke Polda Metro Berasal dari Kapolres Tapanuli Utara*, <<https://news.detik.com/berita/d-4994081/kasus-ravio-patra-aduan-info-ke-polda-metro-berasal-dari-kapolres-tapanuli-utara>> accessed on 10 June 2020

<sup>7</sup> Jakarta Post, *'I was kidnapped': Govt critic Ravio Patra files pretrial motion against police*, <<https://www.thejakartapost.com/news/2020/06/04/i-was-kidnapped-govt-critic-ravio-patra-files-pretrial-motion-against-police.html>> accessed on 11 June 2020.

through text messages.<sup>8</sup> Two CLS members and their parents also received threats through text messages and phone calls from individuals claiming to be members of Muhammadiyah, the nation's second largest Islamic organization. One of the messages says, "Tell your child they will be charged with treason," and "I will kill your whole family if you can't teach your child." Muhammadiyah condemns and denies involvement in the incident.<sup>9</sup>

On 31 May 2020, Budi Setyarso, the editor in chief of *Koran Tempo* daily, found that his Instagram account had been taken over by hackers while hosting a webinar on the state of freedom of expression in Indonesia in the wake of Rasio's case and reports of intimidation on UGM students the UII lecturer. He managed to reclaim his Instagram account hours after reporting the case to Facebook.

### ***Alternative media voicing minority, women's rights***

Digital attacks also targeted independent media groups *magdalene.co* and *konde.com*. Both media outlets are among the leading online news portals promoting minority and women's rights and have been aggressively posting articles on misogyny and the controversy surrounding prostitution. *Magdalene* announced on its social media accounts that it has been a victim of Ddos attack, which prevented its readers from accessing its website. The attacks have been ongoing since 15 May 2020. One of its journalists was doxed and was harassed by unidentified people who sent her pornographic pictures and demeaning statements about women. In its appeal to its readers, the publication says, "This kind of attack, regardless of its motives, will hurt freedom of the press and freedom of opinion, narrow the space for discussions and dialogues and eventually kill the opportunity for alternative media to grow."<sup>10</sup>

According to the Alliance of Independent Journalists (AJI), *konde.com* could no longer access its official Twitter account since 15 May 2020. It said that there had been attempts to take over the Twitter account from Yogyakarta and the Netherland. On the day the online publication lost control of its Twitter account, it was holding a discussion about sexual abuse allegations involving a Universitas of Islam Indonesia student identified as IM. *Konde.com* had intensively covered the case, triggering online support for his victims in their quest for justice.<sup>11</sup>

Amnesty International calls on the Indonesian government to respect, protect, promote and fulfil:

### ***The right to freedom of opinion and expression***

The right to freedom of opinion and expression is enshrined in Article 19 of the International Covenant on Civil and Political Rights (ICCPR) and elaborated further in the General Comment No. 34 on the right to freedom of opinion and expression. Paragraph 11 of the General Comment provides the duty of State Parties to guarantee the protection of any form of opinion and expression in both verbal and non-verbal forms, including political discourse and commentary conveyed on public affairs and discussion of human rights, among others.

All the intimidations targeting activists, human rights defenders, academics and students constitute as a violation of the right to freedom of opinion and expression, and inconsistent with Paragraph 9 of the General Comment No. 34. It provides that "harassment, intimidation or stigmatization of a person, including arrest, detention, trial or imprisonment for reasons of the opinions they may hold constitutes a violation of Article 19, paragraph 1." States Parties also have

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<sup>8</sup> Jakarta Post, *UGM students receive death threats over discussion on removing presidents from office*, <<https://www.thejakartapost.com/news/2020/05/31/ugm-students-receive-death-threats-over-discussion-on-removing-presidents-from-office.html>> accessed on 11 June 2020.

<sup>9</sup> *Ibid.*

<sup>10</sup> Magdalene Facebook Statement, <<https://www.facebook.com/MagdaleneIndonesia/>> accessed on 12 June 2020.

<sup>11</sup> Alinea, *AJI kecam serangan kepada Magdalene.co dan Konde.co*, <<https://www.alinea.id/media/aji-kecam-serangan-kepada-magdalene-co-dan-konde-co-b1ZO9uXn>> accessed on 12 June 2020.

the duty to “put in place effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression”, as stated in Paragraph 23 of General Comment No. 34. Failures of States to protect individuals from such attacks constitute a violation of international human rights obligation to guarantee the enjoyment of the right to freedom of opinion and expression.

### *The right to digital privacy*

The right to privacy is also guaranteed in Article 17 paragraph (1) and (2) of the ICCPR, stating that “No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation” and that “Everyone has the right to the protection of the law against such interference or attacks.” It is further elaborated in the General Comment No. 16 concerning the right to privacy.

Paragraph 1 of the General Comment No. 16 highlights that the right to privacy shall be guaranteed by States Parties against “all such interferences and attacks whether they emanate from State authorities or from natural or legal persons.” Digital intimidation and threats can be classified as attacks and unlawful interferences which violate the right to privacy under international law. That being said, States are bound by the duty to put in place adequate measures to protect everyone from such attack, and to bring to justice those suspected to be responsible. Failure of States to take measures to protect the right to privacy constitutes a violation of their international human rights obligations.

### *The right to academic freedom*

The right to academic freedom is specifically embedded under the right to education as regulated in Article 13 of the International Covenant for Economic, Social, and Cultural Rights (ICESCR) and further elaborated in the General Comment No. 13 on the right to education.

Paragraph 38 of the General Comment acknowledges that “staff and students in higher education are especially vulnerable to political and other pressures which undermine academic freedom”, and further affirms that all staff and students are entitled to academic freedom. Paragraph 39 of the General Comment provides that academic freedom entails the freedom to “pursue, develop, and transmit knowledge and ideas through research, teaching, discussion, study, documentation, production, creation or writing.” Further, the General Comment also asserts that all academics and students are entitled to the liberty to “express freely opinions about the institution or system in which they work, to fulfil their functions without discrimination or fear of repression by the State or any other actor, to participate in professional or representative academic bodies, and to enjoy all the internationally recognized human rights applicable to other individuals in the same jurisdiction.”

Based on the explanation, any attacks, intimidation and threat against any platform to facilitate discussion among academics and students, conducted by either State or non-State actors undermines the enjoyment of academic freedom guaranteed under international law. This also constitutes a retrogressive step and inconsistent with the obligations to fulfil the right to education. States are bound by the duty to protect and fulfill, where States should take measures that prevent third parties from interfering with the right to education and enable and assist individuals and communities to enjoy the right to education, including academic freedom. Denial and failure of States to ensure academic freedom is considered a violation of the right to education.

## ANNEX I

## THREATS AND INTIMIDATION TO ACTIVISTS, HUMAN RIGHTS DEFENDERS, ACADEMICS, STUDENTS

Date	Name	Case	Medium
22 April 2020	Ravio Patra	Ravio is a public policy analyst. He criticized the government's response to COVID-19, pre-employment card program and alleged conflict of interest involving President's special staffers). His WhatsApp account was taken over by hackers and used to spread provocative messages.	WhatsApp
22 April 2020	Azhar Jusadi Putra	Azhar is an activist of <i>Gejayan Memanggil</i> and <i>Aliansi Rakyat Bergerak</i> . He criticized the omnibus bill on job creation, a key piece of legislation of President Joko Widodo's economic program. Hackers attempted to take over his WhatsApp account	WhatsApp
23 April 2020	Syahdan Hussein	Syahdan is also a member of <i>Gejayan Memanggil</i> . Hackers took over his WhatsApp account and sent sexually explicit messages to his friend.	WhatsApp
24 April 2020	Evan Putro	Evan is human rights activist. Hackers attempted to take over his WhatsApp but to no avail.	WhatsApp
26 April 2020	Merah Johansyah	Merah is a Coordinator of Mining Advocacy Network ( <i>Jaringan Advokasi Tambang, JATAM</i> ). Hackers attempted to take over his Facebook but to no avail.	Facebook
28 April 2020	R Sumakto	R Sumakto is an environmental activist and a Coordinator of Our Village Network ( <i>Jaringan Desa Kita</i> ). Hackers attempted to take over his Twitter account but to no avail.	Twitter
28 April 2020	Mawa Kresna	Mawa Kresna is a journalist. Hackers attempted to take over his Facebook but to no avail.	Facebook
10 May 2020	Said Didu	Said Didu is an activist and former Secretary of a State-Owned Enterprise (SOE). Hackers took over his old Twitter account.	Twitter
15 May 2020	Ahmad Fanani, Muhammad Busyrol Fuad, ELSAM	ELSAM organized a webinar on Conditions of Papuan Freedom of Expression Amid the Pandemic. Some comments were threatening the speakers in the webinar. Besides, Ahmad Fanani and Muhammad Busyrol Fuad also received several calls from unknown numbers.	Phone call
15 May 2020	Konde.co	Lost access to its official Twitter account. Konde.co organized a discussion on sexual harassment by a student of the Indonesian Islamic University (UII).	Twitter
28 May 2020	Ni'matul Huda	Ni'matul is professor of constitutional law at the University of Islam Indonesia. She received death threats and was visited by a group of unidentified people at around 10 pm after being listed as a speaker on a discussion about presidential impeachment.	Text message

28-29 May 2020	Fisco Mudjito; Malik Anwar; M. Anugerah Perdana	They are students of the Gadjah Mada University and organizers of the discussion on Presidential Impeachment. They received death threats via text messages.	Text Message
31 May 2020	Budi Setyarso	Budi is the chief editor of Koran Tempo newspaper. Hackers took over his Instagram account during a Zoom meeting discussing intimidation against students and speakers of Universitas Gadjah Mada's discussion on presidential impeachment.	Instagram
31 May 2020	Veronica Koman, FRI-WP	FRI-WP organized a webinar on #BlackLivesMatter and Papua, with Veronica Koman as the moderator. Someone using the name Dax Sianturi wrote in the chat that they were being monitored (" <i>Kodam XVII/Cenderawasih menyimak dan mendengar</i> ")	YouTube
May 2020	Representative of Papuan Students Alliance (AMP), I Ngurah Suryawan, John Gobay	I Ngurah Suryawan is a lecturer in Papua University (UNIPA) and John Gobay is the Chairman of Papuan Students Alliance ( <i>Aliansi Mahasiswa Papua</i> , AMP). They held a discussion and unknown numbers put in calls during the discussion.	Phonecall
3 June 2020	Press Freedom Defense Team	During the proceeding of Jakarta State's Administrative District Court on Papua Internet Blackout through Zoom, it was taken over and the hackers sent inappropriate pictures.	Zoom
5 June 2020	Usman Hamid, Tigor Hutapea, Yuliana Yabansabra	Usman Hamid (Executive Director of Amnesty International Indonesia), Tigor Hutapea (Pusaka Foundation), Yuliana Yabansabra (Elsham Papua) received several calls from unknown number during the discussion on the issue of Papua.	Phone call
6 June 2020	A Member of Student Executive Council Universitas Indonesia, Veronica Koman	Student Executive Body of Universitas Indonesia (BEM UI) held a webinar on PapuanLivesMatter. WhatsApp account of the Contact Person of the webinar was also taken over by hackers 2 hours before the webinar.	YouTube, WhatsApp
8 June 2020	Yuliana Yabansabra	Yuliana was attacked by a masked motorcyclist at a petrol station in Jayapura.	
8 June 2020	Usman Hamid;	Kelompok Belajar Anak Muda (KBAM) organized another webinar on PapuanLivesMatter on YouTube. One of the organizers' WhatsApp account was taken over by hackers beforehand, while Usman Hamid received continuous calls from unknown numbers (robocalls).	WhatsApp, phone call
9 June 2020	George Saa	George Saa participated in Amnesty International's Instagram event on racism in Papua. Shortly after, his WhatsApp account was taken over by hackers.	WhatsApp
10 June 2020	Filep Karma	Robocalls from unknown numbers.	Phone call
10-11 June 2020	Chairul Rahman Arif (Chairman of	Teknokra from Lampung University planned to conduct a virtual discussion on racial discrimination against Papuans.	WhatsApp, GoJek and

	Teknokra), Tantowi Anwari (Speaker, SEJUK), Mitha Setiani Asih (Editor-in-Chief of Teknokra), John Gobai (speaker)	Chairman of Teknokra Lampung University was summoned by the Rectorate to cancel the discussion. One of the speakers, Tantowi Anwari (Thowik) received threats from WhatsApp messages. His GrabFood and GoPay accounts were also taken over by hackers. His wife also received threats and spam calls, and her GoPay account was also taken over. Their WhatsApp accounts cannot be accessed on the following day. GoJek application of Mitha, Editor-in-Chief and moderator of discussion was also taken over. She lost access to her Facebook and Instagram accounts. During the discussion, Chairul, Mitha, Tantowi and John Gobai received robocalls/spam calls from foreign numbers.	Grab accounts, Phone Calls
11 June	Gus Roy Murtadho	He posted statements expressing solidarity for Papuans POC in his Instagram, Facebook, and Twitter accounts. Hackers attempted to take over his Facebook account. Hackers deleted his IG account, and he lost access to his Twitter account.	Facebook, Twitter, Instagram
11 June 2020	Hendry Sihaloho	Hendry is the chairman of the Lampung Branch of the Alliance of Independent Journalists (AJI). His Facebook account was taken over, his Instagram account deleted and his phone number deactivated.	Facebook, Instagram, Phone Number
11 June 2020	Magdalene.co	Magdalene.co website was bombarded by Ddos attack.	Websites
14 June 2020	Riezal Ilham Pratama	Riezal is the head of the student body at Universitas Padjajaran. During the discussion on the issues in Papua organized by the student body, Riezal received several calls from unknown numbers.	Phone Calls
14 June 2020	Rico Tude	Rico is an activist from the Indonesian People's Front for West Papua (FRI-WP). Hackers took over his Telegram account for a few minutes.	Telegram
14 June 2020	YLBHI (Indonesian Legal Aid Foundation)	Hackers took over YLBHI's Instagram account, changing the main e-mail and phone number of the account. The attack was carried out a day after the organization held a discussion on the "authoritarian signs" of the government. YLBHI has regained access to its Instagram account.	Instagram
15 June 2020	Gustaf Kawer	Gustaf is a Papuan human rights lawyer. He was attending a Zoom conference on the issue of Papua when he received several calls from unknown numbers.	Phone Calls
<b>TOTAL (Per 17 June 2020)</b>	<b>35 individuals, 6 organizations from 29 separate cases.</b>		