

BEBASKAN

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INTERNATIONAL JOINT STATEMENT

**NO LABOR SHOULD BE PUNISHED
FOR DEMANDING THEIR RIGHTS,
THE CENTRAL JAKARTA
DISTRICT COURT MUST ACQUIT
SEPTIA!**

#BEBASKANSEPTIA



International Joint Statement
No Labor Should Be Punished for Demanding Their Rights
The Central Jakarta District Court Must Acquit Septia!

We, the undersigned human rights organizations, collectives, defenders, and advocates, jointly call on the Central Jakarta District Court in Indonesia to acquit Septia Dwi Pertiwi, a courageous laborer, of all charges brought against her.

Septia Dwi Pertiwi was a former female employee at Lima Sekawan Hive Five Ltd, a business licensing consultancy firm– who had endured multiple labor rights violations during her nearly two years of employment. Septia was charged under Article 27(3) of Law No. 19/2016 on Electronic Information and Transactions (ITE), compounded with Article 36, which penalizes acts causing harm to others. If convicted, she faces up to 12 years in prison. During the latest hearing on 11 December 2024, the public prosecutor demanded a sentence of 1 year and a fine of 50 million rupiah.

Court testimonies revealed that all employees at Hive Five were required to remain on standby 24/7, regardless of weekends or holidays, under the constant threat of salary deductions or termination. Additionally, laborers were denied access to social security (BPJS), overtime pay, minimum wage compliance, and clear employment contracts or regulations.

Jhon LBF, the Chief Commissioner of Hive Five, filed a lawsuit against Septia after she exposed the mentioned labor rights violations on her X (formerly Twitter) account. During police investigations, Septia substantiated nearly all her posts, except for the phrase “working 24 hours,” which she clarified as hyperbole to illustrate the extreme pressure workers faced. This claim was later corroborated in court when a witness confirmed Jhon LBF had contacted employees late at night.

We strongly denounce the baseless charges against Septia Dwi Pertiwi. Her prosecution highlights the plight of labor rights defenders in Indonesia, who face criminalization simply for exercising their freedom of expression in pursuit of justice. The relentless legal action against Septia flagrantly violates Indonesia’s obligations under international law, including Article 19 of the International Covenant on Civil and Political Rights (ICCPR).

Article 19 of the ICCPR guarantees the right to freedom of expression, which can only be restricted under strict conditions of legality, necessity, and proportionality. The Siracusa Principles further stipulate that such restrictions must aim to protect rights or national interests—conditions clearly unmet in Septia’s case, as her statements are justified and supported by strong evidence.

Instead of safeguarding citizens’ freedom of expression, the Indonesian government has facilitated defamation charges against Septia, undermining its commitments as a re-elected member of the United Nations Human Rights Council (2024–2026) to uphold civil and political rights. During the 2024 ICCPR Review, the UN Human Rights Committee urged Indonesia, as a state party, to adopt effective measures to protect individuals exercising their freedom of expression and to revise the defamation provisions in the ITE Law in accordance with the principles of legal certainty, necessity, and proportionality.

The criminalization of human and labor rights defenders remains pervasive in Indonesia. While the Environmental Protection and Management Act contains anti-SLAPP (Strategic Litigation Against Public Participation) provisions to protect environmental defenders, there are no similar safeguards for broader human rights defenders. The absence of anti-SLAPP provisions in Indonesia’s legal framework leaves human rights defenders, including labor activists like Septia, vulnerable to legal harassment and retaliation.

As the verdict approaches soon, we urge all stakeholders, including the international community and the public, to demand Septia’s acquittal. We must not remain silent in the face of this injustice. We stand in solidarity with Septia and recognize the critical role of labor rights defenders in safeguarding workers’ rights and freedoms.

Based on these concerns, we call for:

To the Central Jakarta District Court:

1. Acquit Septia Dwi Pertiwi from all charges.
2. Restore her reputation, unjustly tarnished by criminal accusations.
3. Compensate her for the material and immaterial losses incurred during this criminalization process.

To the Government of Indonesia:

1. Establish comprehensive anti-SLAPP mechanisms to protect freedom of expression in public interest cases.
2. Repeal problematic and vague provisions in the ITE Law.
3. Investigate and address all labor rights violations at PT Lima Sekawan (Hive Five).

To the International Community:

1. Participate in monitoring Septia's trial.
2. Urge the Indonesian government and the Central Jakarta District Court, to drop all charges against Septia.
3. Encourage the Indonesian government to comply with international standards, particularly Article 19 of the ICCPR on freedom of expression.
4. Urge the Indonesian government to act in accordance with its role as a UN Human Rights Council member, embodying the vision of "No One Left Behind," including laborers.

Signatories:

1. Aliansi Gerakan Reforma Agraria (AGRA), Indonesia
2. Aliansi Jurnalis Independen (AJI), Indonesia
3. Aliansi Perempuan Indonesia, Indonesia
4. ALTSEAN-Burma, Southeast Asia
5. Asia Floor Wage Alliance (AFWA), Asia-Pacific
6. Asia Monitor Resource Centre (AMRC), Asia-Pacific
7. Asian Forum for Human Rights and Development (FORUM-ASIA), Asia-Pacific
8. Asian Solidarity Economy Council (ASEC), Asia-Pacific
9. Asosiasaun Journalista Timor Lorosa'e (AJTL), Timor Leste
10. Association of Women for Awareness and Motivation (AWAM), Pakistan
11. BALAOD Mindanaw, The Philippines
12. Bara Puan, Semarang
13. Bir Duino-Kyrgyzstan, Kyrgyzstan
14. Cambodian Alliance of Trade Unions (CATU), Cambodia
15. Cambodian Food and Service Workers' Federation (CFSWF), Cambodia
16. Cambodian League for the Promotion & Defense of Human Rights (LICADHO), Cambodia
17. Cambodian Tourism Workers Union Federation (CTWUF), Cambodia
18. Center for Alliance of Labor and Human Rights (CENTRAL), Cambodia

19. Centre for Human Rights and Development, Mongolia
20. CIVICUS: World Alliance for Citizen Participation, International
21. Clean Clothes Campaign Indonesia Coalition, Indonesia
22. Daniel Frits Maurits Tangkilisan, Indonesia
23. Defence of Human Rights Pakistan (DHR), Pakistan
24. Digital Democracy Resilience Network (DDRN), Indonesia
25. Emancipate Indonesia, Indonesia
26. Federasi Serikat Buruh Persatuan Indonesia (FSBPI), Indonesia, Indonesia
27. Forum Petani Plasma Buol, Indonesia
28. Free Independent Trade Union Federation (FUFU), Cambodia
29. Free Trade Union Development Center, Sri Lanka
30. Gabungan Serikat Buruh Indonesia (GSBI), Indonesia
31. Gerakan Mahasiswa Nasional Indonesia (GMNI), Indonesia
32. Haburas Foundation, Timor Leste
33. Human Rights Measurement Initiative (HRMI), Indonesia
34. Human Rights Online Philippines (HRonlinePH), The Philippines
35. Human Rights Working Group, Indonesia
36. Independent Democratic of Informal Economic Association IDEA, Cambodia
37. Independent Trade Union Federation (INTFUE), Cambodia
38. Indian Network on ethics and climate change (INECC), India
39. Indonesia Legal Aid Association for Women/Asosiasi LBH APIK Indonesia, Indonesia
40. Indonesian Media and Creative Industry Workers' Union for Democracy (SINDIKASI), Indonesia
41. Institut Sarinah, Indonesia
42. JALA PRT, Indonesia
43. Jaringan JAGA DECA, Indonesia
44. Joint Committee of Democratic Trade Unions, Sri Lanka
45. Karapatan Alliance Philippines, The Philippines
46. Keluarga Besar Buruh Migran Indonesia (KABAR BUMI), Indonesia
47. Koalisi Buruh Sawit (KBS), Indonesia
48. Kolektif Semai, Indonesia
49. Konfederasi Buruh Merdeka Indonesia (KBMI), Indonesia
50. Konfederasi Persatuan Buruh Indonesia (KPBI), Indonesia
51. Korean House for International Solidarity (KHIS), Asia-Pacific
52. KRuHA - People's Coalition for the Right to Water, Indonesia
53. Land Network Timor Leste/Rede ba Rai Timor-Leste, Timor Leste
54. La'ó Hamutuk, Timor Leste

55. Legal Aid Foundation Indonesian Women's Association for Justice Jakarta (LBH APIK Jakarta), Indonesia
56. Lembaga Bantuan Hukum Semarang, Indonesia
57. Lembaga Informasi Perburuhan Sedane (LIPS), Indonesia
58. Lembaga Pers Mahasiswa Berdikari (LPMB), Indonesia
59. Liga Mahasiswa Indonesia untuk Demokrasi (LMID), Indonesia
60. Lingkar Juang Karimunjawa, Indonesia
61. Lingkar Keadilan Ruang, Indonesia
62. Local Initiative for Occupational Safety and Health Network (LION), Indonesia
63. MADPET (Malaysians Against Death Penalty and Torture), Malaysia
64. Maldivian Democracy Network (MDN), Maldives
65. Manushya Foundation, Southeast Asia
66. MAP Foundation, Thailand
67. Marsinah.id, Indonesia
68. Matuundju Kavaka Namibia Transport and Allied Workers Union (NATAU), Namibia
69. Media Progresip, Indonesia
70. Partai Buruh/Indonesia Labour Party (PB)
71. Partai Hijau Indonesia/Indonesian Green Party (PHI), Indonesia
72. Partai Pembebasan Rakyat (PPR), Indonesia
73. Parti Sosialis Malaysia (PSM), Malaysia
74. Partido Manggagawa (Labor Party-Philippines), The Philippines
75. Perempuan Mahardika, Indonesia
76. Perhimpunan Bantuan Hukum dan HAM Indonesia (PBHI), Indonesia
77. Persaudaraan Pekerja Muslim Indonesia (PPMI), Indonesia
78. PPM Research and Consulting, Austria
79. Protection International, International
80. Public Association "Dignity", Kazakhstan
81. Public Virtue Research Institute (PVRI), Indonesia
82. Refugee and Migratory Movements Research Unit (RMMRU), Bangladesh
83. Reint van Dijk, Netherlands
84. Scholarium LP3ES, Indonesia
85. Sembada Bersama, Indonesia
86. Serikat Buruh Gerakan Buruh Katering (SB GEBUK), Indonesia
87. Social Justice Indonesia, Indonesia
88. South East Asia Collaborative Policy Network (SEA CPN), Southeast Asia
89. Southeast Asia Freedom of Expression Network (SAFEnet), Southeast Asia

90. Suara Muda Kelas Pekerja - Partai Buruh, Indonesia
91. Suara Rakyat Malaysia (SUARAM), Malaysia
92. Taiwan Occupational Safety and Health Link, Taiwan
93. Textile Garments Workers Federation, Bangladesh
94. The Commission for the Disappeared and Victims of Violence (KontraS), Indonesia
95. Think Centre, Singapore
96. Tibet Action Institute, Tibet
97. Trade Union Rights Centre (TURC), Indonesia
98. Visayas Human Development Agency, Inc. (VIHDA CEBU), The Philippines
99. WH4C (Workers Hub For Change), Malaysia
100. WITNESS, International
101. Workers Make Possible, Singapore
102. Workers' Initiative, India
103. YAPPIKA-ActionAid, Indonesia
104. Yayasan Kalyanamitra, Indonesia
105. Yayasan Lembaga Bantuan Hukum Indonesia (YLBHI)/Indonesia Legal Aid Foundation, Indonesia