



**“FREEPORT’S WORKERS IN LIMBO”:  
REPORT ON THE CONDITION OF THE STRIKE WORKERS OF  
PT. FREEPORT INDONESIA**

February 2018



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## CONTENTS

### Summary

- I. Background
  - A. The Rise of the Union and The 2011 Strike
  - B. Negotiation of Contract of Works and Divestment of PTFI's Stake
- II. Furlough
  - A. Furlough Implementation
  - B. Aksi spontan tanggal 12th April Spontaneous Demonstration and the 20th April Crackdown
  - C. Refusal of Negotiation Request from SPKEP PUK SPSI in relation to Furlough
- III. Strike
  - A. Reason, Participants and process
  - B. PTFI' Respond to the strike
  - C. Kemanakertran's Respond
- IV. 19 August 2017 Crackdown
  - A. the Occupation and Crackdown at Check Point 28
  - B. Arbitrary Arrest
- V. 20 August 2017, Incidents After the Demonstration
  - A. Police Brutality
  - B. Destruction of the Union's Posts
  - C. Arbitrary Arrest and Detention
  - D. Torture, Cruel and Inhuman Degrading Treatment
- VI. Internal Conflict of the Union
  - A. Background
  - B. Caretaker and the Respond of PC SPSI Timika
  - C. PP SPSI's repond to the conflict
  - D. Discriminative Decision of Suku Dinas Kemenakertrans on the registration of PUK SPKEP SPSI
  - E. Legal Action of PC SPSI to PP SPSI
- VII. Kemenakertrans' Role and the Aggreement between PUK SPKEP SPSI and PTFI
  - A. Minsitry of Manpower in Timika and Special Labour Inspection
  - B. Establishment and Poor Performance of Monitoring and Prevention Team on Manpower Issues
  - C. Non-functioning of Labour Inspector (Pengawas Ketenagakerjaan)
  - D. Mediation and the Illegal Mutual Agreement
  - E. Workers' Response on Mutual Agreement

- VIII. Current Condition of Workers
  - A. Other Strategies to Survive
  - B. Rendering BPJS Health Membership inactive
  - C. Blocking of Bank Account by Bank Papua, BNI, BRI, BTN dan Bank Niaga
  - D. Impact on Housing Right
  - E. Impact on the right of Education
  - F. Persuaded to accept the Mutual Agreement
  - G. The Offer and Voluntary Resignation Agreement (PPHKS) of Workers Impacted by Furlough policy
  - H. The Violation of the right to get Annual Religious Event Allowance (THR) and other Normative Rights
  
- IX. Conclusions and Recommendations
  - A. Conclusions
  - B. Recommendations

## **SUMMARY:**

### **Freeport's Workers in Limbo**

'When elephants collide, the mouse-deer dies between them'. These are the words I'd use to describe the current situation of Freeport's workers. On 16 February 2017, PT Freeport Indonesia, through its spokesperson Riza Pratama, threatened the Indonesian government to layoff many of its workers. "If we cannot export, it is possible that reductions of our workforce may continue," said Riza. Freeport's CEO Richard C. Adkerson, confirmed Riza's statement by stating that the company was forced to lay off 12,000 of its 30,000 workers. Nevertheless, the Government has ignored this threat. "If it is part of pressure, just ignore it," said Coordinating Economic Minister Darmin Nasution to the Jakarta Post. Other high ranking government officials like Luhut Panjaitan raised doubts by saying the threats were not elegant and 'Kampungan'

Today, the threat is ongoing. Approximately 8000 Freeport workers are still suffering whilst the Indonesian government continues to negotiate the divestment of Freeport's stake. The company claimed that the workers' strikes were illegal and thus the strikers were considered to have 'voluntarily resigned.' Freeport continues to deny the legality of the strikes, by firing all the strikers, inducing them to resign, and ending their wages and benefits. The company refused to negotiate with the workers' union in order to seek a negotiated solution for the dispute. Despite this however, the workers insist that the strikes are fully lawful. To date, the workers are continuing to remain on strike until the company agrees to negotiate the furlough dispute and Union rights are fulfilled by the company.

The impact of the layoffs is devastating, as many of the workers' livelihoods were contingent on the terms of employment. Being laid off meant losing access to healthcare and housing, amongst other things. The company is not the sole culprit in this matter however, several banks have blocked access to worker's accounts without adequate customer liaison. Additionally as a result of terminated employment, workers have had their national health insurance memberships (BPJS Kesehatan) taken away, and this has led to the deaths of approximately 16 workers as they were unable to access intensive and sustainable medical services. The company's actions have also caused the expulsions of workers' children from schools as many are unable to pay education fees. Similarly many workers have also experienced forced evictions from failing to pay rent.

However the list of violations does not end there. There are many other shocking cases of police brutality such as the crackdown on 19 August 2017 in Check Point.

Following the riot, 19 workers were arrested. Many workers were tortured whilst being arrested and detained. For example, Steven Edward Yawan was reportedly subject to an isolated room with little access to air, lighting and was tortured with snakes and beatings. Today 9 workers, -including Steven—are still being detained, and are now facing trials at the Timika District Court. On 20 August 2017, the police and the military cleared the city of Timika from the Trade Union’s public activities, posts and other gathering spots. Police repression has certainly perpetuated a climate of fear around the city of Timika.

The list of abuses goes on and on, and this calls into question the relationship between the police and PT Freeport Indonesia, particularly given that the government relies heavily on the company to provide logistical, infrastructure and financial support in West Papua. Furthermore, other complexities are present in a conflict area such as West Papua, as the company frequently hires the police and military for security and protection of mining operations. These security measures may lead to more abuses of human rights. These abuses have received little to no media attention and this only reduces the incentive for the company and state to be accountable and implement thorough internal investigations.

The violations stated above demonstrate Freeport’s failure to comply with not only national laws but also its commitments as published in the company’s human rights policy. The company has failed to remediate any proven adverse impacts on individuals, workers and communities that are caused or contributed to by company operations. In addition, the company has also failed to adequately ensure fair treatment and work conditions for its employees, including rights to freedom of association and collective bargaining.

#### *Government’s failure to protect*

Despite the numerous violations, the government has given little attention to the conditions of Freeport’s workers. The labour inspector under the Ministry of Manpower has remained silent and has not followed up on a request of inquiry submitted by the Union. According to the Indonesian labour law, union busting and any interference to crush a lawful strike is categorised as criminal conduct. It is clear that the labour inspector is responsible for investigating and prosecuting the management of Freeport for the allegations. However, instead of going after the management of PT. Freeport Indonesia, the Ministry of Manpower through Directorate of Industrial Relations decided to facilitate unlawful mediation that has resulted in significant losses for the workers.

Similarly, The Health and Social Insurance Administration Organization (BPJS kesehatan) have refused to re-activate the memberships of workers involved in the strike. BPJS Kesehatan continues to ignore the proven findings on the deaths of 16

workers who were unable to access sustainable and intensive medical care as a result of their discontinued memberships. This decision breaches Indonesian law on National health System which mandates for provision of health services for a minimum of up to 6 months even after termination of employment.

Concurrently, Jokowi's administration have made no comments in regards to the Freeport workers' situation at hand, and neither have other high-profiles such as Darmin Nasution, Luhut Pandjaitan or Ignasius Jonan. They have chosen to ignore Freeport's appalling conduct towards its workers. Similarly, the Indonesian government has done nothing to help the workers and more recently the Indonesian government continues to give export permits to Freeport.

It has been nine months since the strikes in mayday last year. Most strikers have taken casual work, including becoming ojek drivers, street vendors, infrastructure workers and many other jobs in order to survive. Their situation remains in limbo, and immediate action must be done to enforce labour law and ensure rights are being met. Somehow, workers rights cannot be subordinate for the conflicting interests between the Indonesian government and the company.

**“FREEPORT’S WORKERS IN LIMBO”:  
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**I. BACKGROUND**

**A. The Raise of the Union and the 2011 Strike**

After 59 years of operation, Freeport workers went on a strike for the first time on 15<sup>th</sup> September 2011. The three-month strike led by Serikat Pekerja Seluruh Indonesia (SPSI) started in July 2011. The workers demanded an increase of salary between US \$ 17.5 and US \$ 43 per hour since they worked on a system of 10 working days with 2 days off or 14 working days with 3 days off and being paid only for US \$ 3.8 per hour.

Thousands of Freeport workers took part in the strike which initially only involves the workers of PT. Freeport Indonesia. However, the massive scale influenced workers of Freeport contractors (PT. Redpath, Kuala Pelabuhan Indonesia, and Pangan Sari) to participate. Not only that the participation extended to Freeport contractors, the local tribes such as the Amungme and Kamoro, also supported the action as form of solidarity to the workers. The workers blocked the main roads to mining sites, paralyzing the production process and other vital activities. Prior to this blockade, peaceful acts carried out by the workers met violent reaction and intervention from the police and armed forces. The crowd of the workers gathered in *gorong-gorong* received shots multiple times, resulted in the deaths of Peter Ayamiseba and Leo Wandagau and three wounded workers.

The strike left Freeport McMoran Company’s shares dropped with a 22.7% decline in production. The impact worsen as similar actions were carried out by the workers in Peru. On the other hand, the strike has led to a better condition for the workers which unfortunately did not last long. The management took various attempts to tame the unions such as offering some amount of money and position to the former chairman of PUK SPSI, Sudiro, as long as he was willing to work under the management’s control. Failing to persuade Sudiro, the subsequent management successfully criminalized him with alleged embezzlement of the union members’ dues and managed to disunite the board of the union.



## **B. Negotiation of Contract of Works and Divestment of PTFFI's Stake**

In January 2015, the Indonesian Government enacted a new mining act which cancels and replaces Freeport's legal basis to use Contract of Work as the form of contract with the Government. Although Freeport insisted to still use the scheme under Contract of Work which will end in 2021, the Government of Indonesia forces Freeport to comply with the law. Under the newly enacted Mining Act, Freeport must change its operational permit to a Special Mining Business License (IUPK) with greater taxes and royalties than those applied in Contract of Work. Furthermore, Freeport must also build a smelter in Indonesia and divest 51% of its shares.

The Government pressures Freeport even further by prohibiting concentrate export and enacting Government Regulation No. 1 of 2017 which obliges the company to change its form of contract from Kontrak Karya (Contract of Work) to Izin Usaha Pertambangan Khusus (IUPK ). Freeport's concentrate export halted for approximately 4 months from January to April 2017 as Freeport has not changed its status to IUPK. Despite having received the export recommendation since February 17th, 2017, the activity only continued in April 2017. Since then, the company claims that Freeport's production capacity only accounts for 40% of its total production. The significant decline in production and an increase in corporate expenses became the basis for the company to undertake efficiency policy by reducing the number of employees.

## **C. Efficiency Policy**

Long negotiation between the Government and Freeport McMoran on the extension of contract of work and investment left the workers in the midst of uncertainties, though their fate were highly at stake. As a respond to the Government's pressure to only grant Freeport's export permit per six months, on the basis of company's efficiency, Freeport threatened to layoff many of its workers.

Despite the fact that the company did not provide a tangible proof of its financial condition to justify the above efficiency measure, Freeport introduced the Furlough program where the company lays off approximately 12,000 permanent workers and 20,000 contract workers reducing 10% of its total employee number. However, the program targeted several notable vocal Union board of commissioners, indicating the company's effort to use the momentum to undermine the union's position. A number of critics were given as the layoffs were suspected and seen as a tool of Freeport to push its interests against the Government.

## **II. FURLOUGH**

### **A. Implementation of Furlough**

PT Freeport Indonesia implemented Furlough on 26 February 2017 by reducing the number of contractors and PTFI workers without prior notification or negotiation between both parties. PTFI claimed that furlough is not part of industrial relation issue under the Indonesian Labour Law. Workers were only given 2 days to pack and will return back to their place of origin. In addition, PT Freeport Management sends hundreds of envelopes to workers every day at random, through the Department or Barracks of Workers. These letters offer the furlough program to workers with no avenues for appeal. Furthermore, PT management forcibly remove goods from employee barracks with the aid of camp office and security.

### **B. 12<sup>th</sup> April Spontaneous Demonstration and 20<sup>th</sup> April Crackdown**

Worried of getting affected by Furlough and other company's actions towards the workers, since 9<sup>th</sup> April 2017 the workers stopped working and went on a strike. During Sudiro's first trial hearing, they spontaneously gathered and demonstrated in front of Timika District Court reflecting their solidarity to Sudiro and rejection to Furlough. Although there were some arguments between the police and several women, the overall demonstration went peacefully as there was no clash between the workers and the police who oversaw the demonstration.

During the second hearing of Sudiro's trial on 20<sup>th</sup> April 2017, the masses gathered again in front of the court in solidarity for Sudiro. However, in the second demonstration the workers and police pushed against each other resulting in a small clash. The police then fired warning shots to disperse the crowd and the demonstration ended as the workers were directed to a particular building. The incident caused four casualties; 1) Muhammad Faidsal (25), shot in the butt; 2) Zaenal Arifin (44), shot in the right thigh; 3) Puguh Prihandoni (39), shot in the right foot; and 4) Andrian W. Santoso (38), shot in the right leg. All of them were treated in RSUD Timika, 3 of whom were hospitalized.

Image attachment 1.1 20<sup>th</sup> April Crackdown



Image Attachment 1.2 20<sup>th</sup> April Crackdown










Evidence the bullet sleeve



The list of the victims and photographs taken afterwards are as follows;

<p>Name : Muhammad Faizal Chronology : Shootings in front of Timika District court, hit by bullet on buttocks</p>	
<p>Name : Pukuh Prihantono Chronology : shootings in front of gate timika district court. Hit by bullet on the right feet.</p>	
<p>Name : Andri Wibowo Santoso Chronology : Projectile bullet in taken at the time surgery. Hit by bullet on buttocks.</p>	

<p>Name : Zakarias  Chronology : starting fight with corps members during the incident and hit by rubber bullet in the left feet.</p>	
<p>Name : Zainal Arifin  Chronology : starting fight with corps members and hit by rubber bullet in the right thigh</p>	

**C. Refusal of Negotiation Request from SPKEP PUK SPSI in relation to Furlough**

Workers have requested to negotiate with PT Freeport three times on February 20, March 11 and March 21 2017. PT Freeport has refused to negotiate on the pretext that, ‘the decision to release workers in the form of taking leave to their place of origin, is part of the efforts to reduce operational activities undertaken as the next stage of efficiency.’ Thus based on this pretext, PT Freeport argues that there is no need for further negotiation.

**III. STRIKE**

**A. Reason and Process**

As the company did not give any respond to the workers’ negotiation request, the workers took a further step by sending a notification of strike to the company on 20th April 2017 to inform the company regarding the strike which would be held on 1-22 May 2017.

Afterwards, the workers also had a meeting with the Papua Police Chief in Jayapura on 19th May 2017 where PUK requested the police to assist and settle the allegation faced by PUK’s Chairman (Sudiro) as well as to inform them about the strike. The strike was held but the company still refused to fulfill the demand of the workers. Therefore, on 22nd May 2017, the PUK sent a notification of strike informing that the strike would be extended from 31 May to 30 June 2017 and subsequently extended again through the third notification of strike issued on

June 22, 2017 extending the strike from 1-30 July, 2017 because no agreement was concluded between PUK SPKEP SPSI PTFI with PTFI Management.

## **B. PTFI's Respond to the Strike**

The management of PTFI issued an Interoffice Memorandum to address the first notification of strike sent by the workers. The company expressed its concerns regarding the company's operation that faced uncertainties as a result of the long negotiation with the government. The company also stated that it was very unfortunate for the company to take necessary steps that determines the continuity of the company in the long run, which includes the fate of the employees. In relation to the strike, the company considered the strike as illegal since they claimed that there has never been any negotiation between the companies and workers.

## **C. The Company's Call to Work and Police Involvement**

The management's first call for the workers to return to work was announced on 4<sup>th</sup> May 2017 where they also threatened the workers who left work for 5 consecutive days without any clear reason would be considered to have resigned.

On May 10, 2017 the company made a second calling to workers on strike by sending mails to the workers' homes and barracks. However, this time the PTFI management involved several police officers during the visit to the workers' homes and other place of residence. The company also set up a number of posts to receive workers who intend to return to work which were guarded by the police 24 hours a day.

Another Inter Office Memorandum was issued by the company on 18<sup>th</sup> May 2017 where the company warned the workers that their decision to go on a strike would bring huge financial impacts if the workers do not return to the company. Considering the abovementioned points, the company assumed the workers to leave work without valid reasons for 5 consecutive days and declared them to be voluntarily resigned from the company.

## **IV. 19<sup>th</sup> AUGUST 2017 CRACKDOWN**

### **A. Occupation and Crackdown at Check Point 28**

Approximately 2000 employees who were on strike including family members, continued to act spontaneously at Check Point (CP) 28, Gorong gorong bus terminal and lastly at PT. Petrosea. Their action started from around 2 to 5 pm at CP 28, at 6.30 in Gorong gorong bus terminal and at 8pm at PT Petrosea. The employees urged the company to discuss the issue of employee layoffs.

At CP 28 there were police barracks, watercanons, police with rattan and tear gas in bottle wrap. The troops consisted of Brimob Polri and TNI troops numbering in the hundreds. Additionally, there were many intels mingling with the demonstrators.

Employees were conducting acts of worship such as prayer isya, dhikr, and Christian prayer at CP 28. During dzikir, employees were asked to disperse by combined forces. Whilst worshipping, they were attacked, beaten, and prayer priests were also assaulted by security forces. The acts of assault and brutality were led directly by the police chief of Mimika, Viktor Machboen, and also present was the commander of the 1710 Lieutenant, Colonel Infantry Indarto.

The use of water cannon, tear gas as well as rattan, dead skin, and empty handed apparatus were used to assault employees during worship. The masses were also scattered about. One of the victims commonly called Pak Haji was hit by tear gas, hit by a rubber bullet in his hand, and bullets in the palm of his left hand, resulting in an inability to move his finger in his left hand and muscle defects. While Mrs. Ansye at the time of disbandment, pursued to the location of the substation which is approximately 200 M from CP 28. Ansye's mother when he was on the motor was pushed to the fall, when he was standing he was hit again from behind in the head.

Many witnesses saw Merino, one of the employees who took part in action at CP 28, arrested, beaten, and his hair was cut off.

The above brutal events lasted almost an hour, in addition to the chaotic crowds. Many of them moved to the Gorong-gorong terminal - a terminal built and owned by PT Freeport Indonesia as an employee departure site to the Tembagapura / mine site. No information was found on who had ordered or invited the masses to move their activities to Gorong-gorong. At that location there was a burning of cars and facilities in Gorong-gorong (read: Milik Perusahaan). Based on the testimonies of the mass and victims, the mass express high levels of anger and disappointment towards the Company and the Police who are perceived to lack sensitivity towards the condition of the employee. From Gorong-gorong, the mob moved to Petrosea. At the Petrosea site, there were facilities that were burned, but before this, there was throwing between the mass and Petrosea employees, for approximately 5 minutes. Security forces then came to disperse the crowd and arrested approximately 14 people. From the above incident, a number of people were arrested, and 19 people were taken to Mimika police station (old office located in the middle of Timika town). There are 2 police stations in Mimika, the old offices inside the Mimika parliament building, and the new office located 20-30 minutes from the city of Timika. Nuryadin was arrested at home on August



20, 2017 on the Kartini Line Line 3, at around 00.30 by police who arrived with two cars containing about 10 people. The arrests were quite dramatic, four policemen, including Dion's Criminal Census and were done without an arrest warrant. Nur had refused to follow the police due to his heavily pregnant wife who was waiting to give birth. However the police forced Nur to follow. Arriving at the Police Mimika, Nur saw 3 other people, including Fari that Nur knew beforehand. All three were placed in a room, locked from the outside and were forbidden from going to the bathroom. It was only at around 2am that a policeman came and took the third picture, and moved them to another room.

Winarno and San Basri, did not participate in the actions from the start, only at 8:30 pm, departing on a motorbike from Sudiro's house, the head of the criminalized PPS SPSI PT FI. Both stopped approximately 300 meters before the CP 28, because the mass was already scattered. Both of them were then arrested by a member of the Police, and another policeman pointed at Win declaring he was the one who led the prayer (in CP 28). Win's bag was searched, and the police took the helmet and hit San's head up to 3 times (from what San can remember, but it is believed to be over 3 times), while Win was beaten by the Police with their bare hands, about 3-4 people, while one of the policemen shouts "if you dare don't you mess". When both are beaten, the motor condition had also deteriorated.

Win was later dragged by one of the Police, and another policeman told San to go home. Nonetheless San did not want to go home, and was asked to catch a car (not a police car). After walking a few meters, San was asked to move to the police pickup truck twice. Lastly they moved near Gardu PLN where in the car there are already many employees who were arrested by the Police, and according to Win there were 7 people in the car. One of them was bleeding from a wound on the forehead. They were all taken to the Mimika Police Station and placed there. When they arrived they were greeted by Mimika Police Chief. They gave their data, name, phone number and address. Inside the Hall were estimated to be as many as 13 people. Inside the Hall they were told to squat sitting down. One of the employees suffered a wound on the forehead, but did not receive any treatment from the Police. One by one 13 of these people were summoned outside the Hall to be interviewed up until the next day at night.

While in the Hall, the Kapolres came to them and asked "who told them to take action on CP 28?". Because no one answered, the Police Chief continued his "own responsibility". At that time, the Police Chief showed a photograph of two men, Steven and Jhon, both close to Aser Gobai, asking if they were arrested and whether anyone in the Hall knew the two men.

Jekson was arrested at Petrosea. Previously Jekson left home with a motorcycle. He arrived at Petrosea when there was a clash. Shortly arriving and stopping the bike, Jekson gained a kick from an invisible direction, causing him to enter the water trench. He was then helped by one of the Police and invited to get into the car. He later found out that he was arrested and taken to the police station. While in the car there was already another arrested person. Both were taken immediately to Mimika police station. The police took their cellphones, and returned them the next day when both men were released home.

Matthew Patinggi, was arrested in CP 28, while washing his eyes due to a tear gas attack from the Police. Matthew was captured and beaten by other members of the Police. He was sent down, kicked on the ground and allegedly trampled by a Policewoman. Matthew was then brought in the same car as Win et al., who were all taken to the Mimika police station.

Willem R Yoku, 35, was a member of the security team during the action at CP 28 on August 19, 2017. It is estimated that there were 100 security team members. The security team has the task of preventing participants from behaving anarchically and activities that interfere with the community.

According to Willem, the 19 August incident was the violence that was fired by the Police who were about to disband the participants. Initial shots were heard from the "upper" area on the road to Tembagapura, approximately 1 km away. We are still uncertain whether the incidents did occur.

During the action, Willem is near the post at the corner of CP 28 at the Airport. Willem said the Police asked the masses to disperse but the mothers who took part in the action refused. From that place, when it was dispersed as a result of violence from the police, Arnon Merino was dragged by 3 Police and Arnold refused to come. Arnon said "we are told to go home, but why was this withdrawn?" Willem told the police to let Anon return home. Then Willem was dragged by the Police, and they asked Willem, "You are also an employee yes ?!" answered he answered "yes". The Police then said "you also come", until Yoku was finally taken to the police car along with Arnold. On the way with the Police car, had stopped several times to transport other employees who were arrested by the Police. Some of them are in bloody state, such as Abdul Kadir who suffered a broken nose and swollen eyes due to the violence from the police. Fortunately Willem could sit in front of the vehicle for knowing the members of the Donal Mala Police. There were 11 employees in the car and they were taken to the Mimika Police Hall.

That night, two people wounded by police violence, Kadir and Arnon, did not get treatment. Instead they were told to sit squat and tiptoe. Kadir had even fallen due to dizziness and was kicked by the Police.

The police chief came to Willem, and the others were also approached, then asked if they knew the two people on the cell phone held by the Chief of Police. The Chief slapped the cell phone in the face and mouth of Willem. Willem was told to stand on just one foot by the Kapolres, and was asked "who told you to participate in this turmoil and disruption?" Answered by Willem, he only wanted to be a member. Kapolres said, "All of you do not appreciate the management [PT FI], told to work, paid. Yoku remained silent. Then there was a conversation between Willem and the Police Chief, in which the police chief asked Willem to hit Sudiro, and if he did Willem and others would be released.

**Image attachment 1.1**



**Image attachment 1.2**



**Image attachment 1.3**



**Image attachment 1.4**



**Image attachment 1.5 Participants of the action are preparing for worship**



Image attachment 1.6 participants of the action were conducting for worship



The list of the victims and photographs taken afterwards are as follows;

<p>Name : Sapsuha Sahadil Chronology : Shootings at Check Point 28, hit by rubber bullet on buttocks</p>	A photograph of a person lying on a blue stretcher, appearing to be a victim of an injury. The person is wearing a black shirt and grey shorts. A red object, possibly a shoe or a piece of clothing, is visible near the person's feet.
--	--

Name : John Yawang  
(Pangkorlap KPI)  
Chronology : Shoot int the lef feet  
thumb, 3 stiches



Name : Yudas  
Chronology : Shot with hot tin/  
lead



Name : Bunda Ansye Lumenta  
Chronology : Hit by mobile  
Brigade Coprs members during  
the incident and fell



## B. Arbitrary arrest

The same night on 19<sup>th</sup> 2017, the police under the direct command of Mimika Chief of Police, Victor Dean Mackbon, arrested 19 people accused of participating in the action and involving in the riots. They were arrested in different locations, such as in Check Point 28, *Gorong-Gorong*, or their homes. The information collected from the victims and families proved that the police did not show any arrest warrant during the process. They were questioned and forced to provide information on the role of Sudiro (chairman of PUK SPSI) and Aser Gobai (Chairman of the SPSI PC) who were at that time accused of organizing the strike.

On 20th August 2017, Nuryadin was arrested at his house in Kartini Street, Lajur 3. Around 00.30 AM, approximately 10 police officers, including Kasat Reskrim Dion, came to his house in two cars. They arrested him without an arrest warrant. Nuryadin strongly refused the unlawful arrest taking into consideration that his wife was in late pregnancy showing symptoms of labour. However, the police forced him to go with them to Polisi Resor Mimika. There were other three people arrested in Polisi Resor Mimika, one of them Nuryadin could identify as Fari. Nuryadin and others were locked in a room without any procedures. They were prohibited to go outside, not even going to the restrooms. Around 02.00 AM, a police officer came, took their pictures, and transferred them to another room.

Another arbitrary arrest happened to Sanbasri and Winarno. They were not involved in the crackdown from the beginning, they came to the area around 20.30 with a motorcycle from Sudiro's house, a highly respected union activist criminalized by Freeport Indonesia. Approximately 300 meters from Check Point 28, Winarno and Sanbasri fell from their motorcycle when the police forcefully arrested them. The police pointed at Winarno and said: "This was the one who led the prayer (at the check point)". The police searched Winarno's bag, took Winarno's helmet and used it to hit Sanbasri three times (Sanbasri only remembered that he was hit three times, however it was believed to be more). Meanwhile, Winarno were repeatedly hit by 3-4 police officers with bare hands. "If you are brave enough, fight against me one by one," said the police while hitting Sanbasri brutally. When they were beaten the motorcycle were no longer in their control.

Afterwards, the police dragged Win to a car (not the police car) and told Sanbasri to go home. However, San did not want to leave Winarno behind so the police escorted him to the car. After a while, they transferred Sanbasri to the police's pick-up car twice. According to Win, the last transfer was near Gardu PLN (Electricity ...) where there were already 7 workers arrested in that car. They were taken to Polisi Resor Mimika and placed in the Hall. Around 13 workers were

arrested, one of them was bleeding in his head and later on received some medication from the police. They were greeted by the Chief of Kepolisian Resor Mimika and afterwards they collected their data (name, address, and telephone numbers). The police ordered them to squat for hours, and called them outside the Hall one by one to be interrogated until the following night.

Inside the hall, the Chief of Kepolisian Resor Mimika approached them and asked: "Who instructed you (all) to demonstrate at Check Point 28?". As he received no answer from the arrested workers, hereplied: "You (all) bear your own risk!". At that time, he showed a photograph of Steven and John (Aser Gobai (union activist) closest men) and asked the workers whetehr they knew them or not. They were each questioned by the police as witnesses, however without accompanied by lawyer. At 10 pm on 20th August 2017 they were released and their handphones were returned.

Jakson was arrested in front of PT. Petrosea. Previously, he departed from his house with a motorcycle and was only there when the crackdown has occurred. Jakson was beaten out of nowhere and kicked to a ditch. He thought that a police officer helped him to get up, but soon he found out that he was arrested, and escorted to the police car. Another person was already arrested inside the car. They were taken to Kepolisian Resor Mimika and all of their phones were confiscated and returned the following day when they were released.

Matus Matinggi were arrested at Check Point 28 when he was cleaning off the tear gas from his face. He was beaten by the police officers and immediately arrested. He was still arrested and afterwards was ordered to lay down, kicked and trampled multiple times by the police (suspected to be a policewoman) before he was taken to the police station along with Winarmo, Sanbasri and the others.

Willem R Yoku (35 years old) was one of the security members during the 19th August 2017 action at Check Point 28. There were approximately 100 security forces on duty at that time. Willem's duty was to keep the workers from being anarchist and refraining from conducting actions that disturb the public order. According to him, the crackdown at Check Point 28 was provoked by the police who wanted to disband the mass. At first, a gunshot was heard from the upper side towards Tembagapura Street, approximately 1 km away from Check Point 28. No one knew exactly what happened at that location until now.

During the action, Willem was near the security post at the bend of Check Point 28 to the Airport. Willem witness the police asked the crowd to disband but the women (Ibu-Ibu) involved refused to do so. From his place, when the crackdown occurred he saw Arnon Merino dragged and taken by the police. He saw Arnon refused to go with them saying that "We were told (by the police) to go home,



why (the police) pulled us?”. Willem approached them and said to the officers “Just let him go home”. However, the police snapped and asked him whether he was also an employee of Freeport Indonesia or not. When Willem confirmed, he was also arrested with Arnon and the other workers. They were put inside a car which stop by every now and then to arrest several other workers. Among them had broken nose and swollen eyes as a result of the police brutality. Fortunately for Willem, he knew one of the police officer named Donal Mala so he was able to sit in front. Eventually, there were eleven people arrested in that car.

That night, Kadir and Arnon who suffered injuries from the police brutality did not receive any medication. Instead, the police tortured them further by ordering them to tip-toe squats. Kadir fell down because he had a headache and the police kicked him instead.

The Chief of Kepolisian Resor Mimika approached Willem just like he approached the others. Willem was also asked about whether he knew two men on his phone screen, the Chief slapped Willem’s face with the phone. He ordered Willem to stand on one leg and asked him “Who told you (all) to riot and block the roads?”. Willem answered that it was the idea of the workers, no one instructed them to do so. The Chief responded “You (all) did not appreciate the kindness of Freeport Management who has given you jobs and money!” Willem just kept quiet. Afterwards, the Chief talked to Willem personally and told him if he was willing to hit Sudiro (labor union activist) Willem and the other workers will be released.

#### Case 1

Nuryadin (42) was arrested at home around 1 am on 20<sup>th</sup> August 2017 by approximately 4 police under the command of Mimika Police Criminal Unit, Dion. At the time of arrest the police did not show an arrest warrant nor give any reason as to why Nuryadin was arrested. Despite Nuryadin’s strong refusal, he was forced by the police who insisted him to "just go to the police station" and was immediately handcuffed. In the police station, Nuryadin’s wife who witnessed the arrest was placed in a room until 10 am without any chance to get out or even going to the restroom. 4 people who were also arrested in the police office. He was offered a lawyer from the police but refused because he was only willing to be accompanied by a lawyer from the union.

#### Case 2.

Winarno (46) and Sanbasri (51) at 8.30 AM departed from SPSI headquarters. The crowd of demonstrators were already dispersed due to warning shots fired by the police when Winarno and Sanbasri approached the area. Approximately 300 meters from Check Point 28, Winarno and Sanbasri fell from their motorcycle when the police forcefully arrested them. The police pointed at Winarno and

said: "This was the one who led the prayer (at the check point)", about 3-4 policemen took Winarno's helmet and used it to hit Sanbasri eight times. Meanwhile, Winarno repeatedly hit by the police with helmets and bare hands.

"If you are brave enough, fight against me one by one," said them while hitting.

After they were beaten for about 10 minutes, they were escorted to the police car where there were already 7 people arrested and one of them was bleeding in the forehead. They were taken to the police station and gathered in the hall with 13 other people. They were instructed to squat while the police collected their data, took their photos, and asked them one by one until 11 pm. All of their handphones were confiscated by the police. The Chief of the Police asked "Who ordered (action)?" when they did not answer his question he replied: "You bear your own risk". They were each questioned by the police as witnesses, however without accompanied by lawyer. At 10 pm on 20th August 2017 they were released and their handphones were returned.

Case 3.

Jakson Sibarani (45) arrested in front of PT. Petrosea while trying to escape from the area of the clash with the police. Jakson was kicked to a ditch, picked up, arrested, and escorted to the police car. Not long after, one other person was arrested and put into the police car. One of the police said: "why hate the police", Jakson answered "(I) do not hate"

Case 4.

The incident occurred around Check Point 28 at night when the crowd has dissolved when Matius Matinggi (45) were cleaning off the tear gas from his face. When he got up he was arrested by the police and asked to hold his hands up. One of the police then hit him. On their way to the police station, a police officer asked another officer as to why he was arrested and the officer answered "He hit the police". Matthew denied saying "I did not hit the police". Nevertheless, he was still arrested and afterwards instructed to lay down, kicked and trampled multiple times by the police before he was taken to the police station.

## **V. AUGUST 20<sup>th</sup>, AND INCIDENTS AFTER THE DEMONSTRATION**

### **A. Police brutality**

Case 1. Police brutality

Pilipus (47) was arrested at 12.00 PM on 20<sup>th</sup> August 2017 at Sudiro's (chairman of PUK SPSI) home. At that time, Philipus and 5 other people were sitting around when suddenly around two police cars (trucks and patrol), one armed forces vehicle and one Satpol PP car came with the police yelling "BUBAR".

Three out of five people left the scene, but Pilipus and Bahrudin (50) stayed on the site. 2 policemen kicked them at the waist and buttocks, then one policeman tried to hit them again but they successfully avoided. After being kicked again at the ribs, Pilipus ran away. He had time to ask "What is our fault" to the police but responded with police swearing "Anjing, babi!" while still trying to hit them. In Yosua kindergarten (next to Sudiro's house) he was kicked again by the police but successfully avoided. Outraged, Pilipus challenged the police to fight. The police mugged him with long-barelled weapon and said "You resist!" to which Pilipus answered: "If you want to fight take your weapons off and fight me". Baharudin was stepped on his face by Satpol PP in front of Sudiro's house gate.

## **B. Destruction of the Union Posts**

On 20<sup>th</sup> August 2017, one day after the action, the police, armed forces and Satpol PP held sweeping in several locations. They started by going to the office of PUK SPKEP SPSI in Pendidikan Street, which is where Sudiro's house is located. Upon arrival, they dispersed several union members sitting in front of the office. The police, army and satpol pp destroyed the tents around the site. Subsequently, a group of police, soldiers and Satpol PP moved to Kartini Street which is the location of DPI SPSI Timika Office. Again, they also forcefully demolished the tents that workers established around the office.

Afterwards, the group of officers moved to Budi Utomo Street where SPSI PUK office located and carried out similar actions. During the destruction of tents, several witnesses stated that the perpetrators of the demolition were mostly the police and Satpol PP, while the army only supervised and watched after them. The witnesses' statement also mentioned that some of the police tried to chase the workers in the office but they all managed to escape.

### **Image attachment 1.1 Destruction of the Union Posts**



Image attachment 1.2 Destruction of the Union Posts



Image attachment 1.3 Destruction of the Union Posts



Image attachment 1.4 Destruction of the Union Posts



Image attachment 1.5 Destruction of the Union Posts



Image attachment 1.6 Destruction of the Union Posts



Image attachment 1.7 Destruction of the Union Posts



Image attachment 1.8 Destruction of the Union Posts



Image attachment 1.9 Destruction of the Union Posts



Image attachment 1.10 Destruction of the Union Posts



Image attachment 1.11 Destruction of the Union Posts



Image attachment 1.12 Destruction of the Union Posts



### C. Arbitrary Arrest and Detention

After the incident, at least 9 people were detained by the police. Their files continued to the prosecution and they are now currently detained in Timika Class II Detention. 2 people have started their trial with the witness examination agenda, while the first trial hearing of the remaining 7 people will be held on Monday, 22<sup>nd</sup> January 2017. The information gathered from the victims' families indicate that none of them received any detention warrant.

1. Name : John Yawang  
Place and Date of Birth : Jayapura, 24-11-1980  
Employee ID Number : F901811  
Department : PT. KPI Rood Maintenance HI/LI  
Chronology : Shot in left leg thumb, received 3 stitches

Status : Detained in Polsek Kuala Kencana and isolated

- Investigated in Polisi Resor Mimika on 23/08/2017 from 110.00 WIT until the evening
- Declared as a suspect on 24/08/2017 midnight, at 02.30 John Yawang was transferred to Polisi Sektor Mimika Baru. At 09.00 AM transferred to POLISI Kuala Kencana and detained for 20 days from 24/08/2017 to 12/09/2017
- Detainment extended for 40 days from 13/09/2017 until 22/10/2017
- Extended for another 30 days from 23/10/2017 until 21/11/2017
- Extended again for 30 days from 22/11/2017 to 21/12/2017
- Before 21/12/2017, on 12/12/2017 Jhon Yawang was brought to Prosecutor Office and transferred to Polisi Sektor Mimika Baru. The following morning, on 13/12/2017 he was brought to Lapas to be detained until 30/12/2017.
- Detainment is extended from 31/12/2017 to 30/01/2018

2. Name : Steven Edward Yawan  
Place and Date of Birth : Jayapura, 24-02-1987  
Occupation : Employee PT. Freeport Indonesia  
Department : Hauling Grs Maintenance  
Status : Suspect (Detained in Polsek Kuala Kencana, scared off with snakes)

- Investigated in Polisi Resor Mimika on 23/08/2017 from evening until midnight
- Declared as a suspect on 24/08/2017 midnight, at 02.30 Stefen was transferred to Polisi Sektor Mimika Baru. At 09.00 AM transferred to POLISI Kuala Kencana and detained for 20 days from 24/08/2017 to 12/09/2017
- Detainment extended for 40 days from 13/09/2017 until 22/10/2017
- Extended for another 30 days from 23/10/2017 until 21/11/2017
- Extended again for 30 days from 22/11/2017 to 21/12/2017
- Before 21/12/2017, on 12/12/2017 Jhon Yawang was brought to Prosecutor Office and transferred to Polisi Sektor Mimika Baru. The following morning, on 13/12/2017 he was brought to Lapas to be detained until 30/12/2017.
- Detainment is extended from 31/12/2017 to 30/01/2018



3. Name : Lukman  
Place and Date of Birth : Merauke, 29-02-1980  
Department : PT Freeport Indonesia  
Status : Suspect, 5<sup>th</sup> Desember 2017 witness examination trial hearing in Timika District Court

- Detained in Polisi Sektor Mimika Baru from 20/08/2017 to 08/09/2017
- Extended for 40 days from 09/09/2017 to 17/10/2017
- On 17/20/2017 he was brought to the Office of Prosecutor and declared as the Prosecutor's Detainee and transferred to Lapas until 06/11/2017.
- Extended for 30 days from 17/11/2017 to 07/12/2017
- Extended again for another 60 days, however the extension warrant only issued on 13/12/2017 to 13/2/2018

4. Nama : Patriot Wona  
Place and Date of Birth : Jayapura, 14-08-1983  
Company : PT. Kuala Pelabuhan indonesia  
Status : Suspect, detained in Polres Mimika Baru

- Picked up on 20/08/2017 around 17.00 WIT, investigated until 02.00 AM the following day (21/08/2017) and declared as a suspect
- Detained in Polisi Sektor Mimika Baru 21/08/2017 to 09/09/2017
- Extended for 40 days from 10/09/2017 tto 19/10/2017
- Extended for another 30 days 20/10/2017 until 11/11/2017
- Extended again for another 30 days from 12/11/2017 until 11/12/2017
- On 12/12/2017, Patriot was brought to the Office of Prosecutor and declared as the Prosecutor's Detainee. Afterwards, he stayed in Polisi Sektor Mimika Baru before transferred to Lapas from 13/12/2017 to 30/12/2017

5. Nama : Deny Baker Purba  
Place and Date of Birth : Medan, 02-04-1974  
Company : PT. Mahaka Plant  
Status : Suspect

- Declared as a suspect on 29/08/2017 and directly detained in Polisi Sektor Mimika Baru until 18/09/2017.
- Detainment extended from 19/09/2017 until 27/10/2017
- Extended from 28/10/2017 until 26/11/2017
- Extended again from 27/11/2017 to 26/12/2017

- Before 26/12/2017, on 12/12/2017 Deni was brought to Prosecutor Office, declared as a suspect and transferred to Polisi Sektor Mimika Baru. The following morning, on 13/12/2017 he was brought to Lapas to be detained until 30/12/2017.
- Detainment is extended from 31/12/2017 to 30/01/2018

6. Nama : Arnon Mirino  
 Place and Date of Birth : Timika, 02 Agustus 1990  
 Company : PT.Freeport Indonesia  
 Status : Suspect, Article 160 Indonesian Criminal Code

Detention place : Polisi Resor Mimika Baru

- Detained in Polisi Sektor Mimika Baru from 20/08/2017 to 09/09/2017
- Extended for 40 days from 10/09/2017 to 19/10/2017
- Extended for another 30 days from 20 /10/2017 to 18/11/2017
- Extended again for another 30 days from 19/11/2017 to 20/12/2017
- On 12/12/2017 he was brought to the Office of Prosecutor and declared as the Prosecutor's Detainee and transferred to Lapas to be detained until 30/12/2017.
- Detainment under the Prosecutor's office extended from 31/12/2017 to 30/01/2018

7. Name : Napoleon Korwa  
 Place and Date of Birth : Biak-30-11-1979  
 Company : PT.Freeport Indonesia/Grasberg Operation  
 Status : Accused, 7<sup>th</sup> December 2017 indictment trial hearing

- Detained in Polisi Sektor Mimika Baru from 20/08/2017 to 09/09/2017
- Extended from 10/09/2017 to 09/10/2017
- Extended again from 10/10/2017 to 09/11/2017
- On 1/11/2017 he was brought to the Office of Prosecutor and declared as the Prosecutor's Detainee and transferred to Lapas to be detained until 20/11/2017.
- Detainment under the Prosecutor's Office extended from 21/11/2017 to 27/02/2018

8. Name : Labai alias. Zaki  
Place and Date of Birth : Ambon, 28 Januari 1974  
Company : PT.Freeport Indonesia  
Status : Suspect in Polres Mimika Baru
- Detained in Polisi Sektor Mimika Baru from 22/08/2017 to 11/09/2017
  - Extended for 40 days from 12/09/2017 to 21/10/2017
  - Extended again for 30 days from 22/10/2017 to 20/11/2017
  - Extended for another 30 days from 21/11/2017 to 20/12/2017
  - On 12/12/2017 he was brought to the Office of Prosecutor and declared as the Prosecutor's Detainee and transferred to Lapas to be detained from 13/12/2017 to 30/12/2017.
  - Detainment under the Prosecutor's Office extended from 31/12/2017 to 30/01/2018

9. Name : George Suebu  
Company : PT.Freeport Indonesia/ Ore Flow  
Status : Suspect  
Chronology of Arrest : Arrested at his house in 22<sup>nd</sup> August 2017
- Detained in Polisi Sektor Mimika Baru for 20 days from 22/08/2017 to 11/09/2017
  - Extended for 40 days from 12/09/2017 to 21/10/2017
  - Extended again for 30 days from 22/10/2017 to 20/11/2017
  - Extended for another 30 days from 21/11/2017 to 20/12/2017
  - On 12/12/2017 he was brought to the Office of Prosecutor and declared as the Prosecutor's Detainee and transferred to Lapas to be detained from 13/12/2017 to 30/12/2017.
  - Detainment under the Prosecutor's Office extended from 31/12/2017 to 30/01/2018

#### **D. Torture, Cruel, and Inhuman Degrading Treatment**

Several workers who were arrested and detained experienced acts of violence, both physical and psychological form. Intimidation, beatings, kicks and humiliating words degrading their dignity are frequently addressed by the police. Most of them were forced to confess the crimes that they did not commit, such as participating in the destruction, arson, sedition and were detained for only carrying sharp weapons.

Below are some examples of the torture experienced by the victims.

**Case 1. Steven Edward Yawan**

Stevan was detained at Kuala Kencana police station in an isolation room with little access to lighting and air. Steven was tortured in the form of beatings and being scared by using snakes.

**Case 2. Arnon Mirino,**

Mirino was arrested for allegedly conducted penghasutan under Article 160 of the Indonesian Criminal Code. He was tortured, beaten, and degrading acts of cutting his hair which has been tied for 7-year.

**Case 3 Sanbasri**

At the time of his arrest on 19th August 2017, Sanbasri became the victim of police brutality and he experienced intense beating on his head with a helmet.

## **VI. INTERNAL CONFLICT OF THE UNION**

### **A. Background**

Starting from the end of 2014-2017 PUK SP KEP SPSI PTFI term of office on 30th April 2017, in accordance with the agreement concluded in the meetings of PUK SP KEP SPSI PTFI decided to extend the term of office for one year after coordinating with PC CP KEP SPSI Kab Mimika and PP SP KEP SPSI in Jakarta. This was done in relation to the growing concern among workers regarding Freeport Indonesia's efficiency policy as a result of investment uncertainties and extension of Contract of Work with the Indonesian Government. As a for of moral obligation and responsibility of the union, the union tried to fight for the workers right who are affected by the policy by requesting negotiation with Freeport Management. The union demanded that any policy that relates to employment of the worker, such as the Furlough policy where the company release the workers from their work and send them homes, should be negotiated with the workers/ union before takes into effect. Additionally, one of the most important agenda is the Renewal of the 20th Collective Working Agreement which will be discussed together with the management.

On 3rd April 2017, PP SEP KEP SPSI decided to extend their term of office until 30th April 2018 after coordinating and consolidating with PP SP KEP SPSI and PC SP KEP SPSI Kab Mimika. Therefore, PUK SP KEP SPSI PTFI by de facto and de jure is led by Sudiro as the Chairman.

However, in the middle of their extended term of office several inactive members of the union provoked and stirred up the members of SP KEP SPI to hold the 8th Musyawarah Unit Kerja because the term of office has ended on 30th April 2017. This idea was supported by the group of members who dislike and were against Sudiro. In order to gain more support, they forced the members to sign a petition to held MUSNIK but were then misused to conduct MUSNIKLUB. They were also allegedly forged the members signature to fulfill 2/3 members support in order for MUSNIKLUB to be held.

Despite being problematic and violated the Articles of Association of the union, PP SPKEP SPSI still attended the MUSNIKLUB and issued a new SK (Letter of Appointment) acknowledging the new PUK SPKEP SPSI. The emergence of this new board of union was used as a momentum by Freeport management to get rid of the old boards and caretaker of PUK PSKEP SPSI who were critical to the company's policies that harm the interest of the workers.

#### **B. Discriminative Decision of Suku Dinas Kemenakertrans on the Registration of PUK SPKEP SPSI**

By saying that they have corresponded with PP SPKEP SPSI, Timika Labor Agency (Suku Dinas Ketenagakerjaan) discriminately refused to record the registration request from Caretaker of PUK SPKEP SPSI and instead acknowledged and record the new PUK SPKEP SPSI Board. They did not verify with PCS SPKEP SPSI which according to AD / ART is most entitled to decide the validity of the management in PUK level.

With Caretaker of PUK SPKEP SPSI being not acknowledged and recorded, serious repercussions resulted in the loss of their right to become the main representatives of workers in Collective Working Agreement negotiation process with PTFI Management. Furthermore, it also resulted in the management not acknowledging the existence of Caretaker of PUK SPKEP SPSI.

#### **C. Legal Action of Branch Committee of SPKEP SPSI to CEMWU SPKEP SPSI (Central Committee)**

On 12/10/2017, the Executive Board of the Branch of Energy Chemical and Mines Laboratory of Mimika Regency (PC SPKEP SPSI) sued the Central Executive and Head of Unit of PT. Freeport Indonesia at the Central Jakarta District Court. The lawsuit has been registered with the Civil Registry of Central Jakarta District Court number 531 / PDT.GBTH.PLW / 2017 / PN.

The lawsuit was filed because two defendants had committed illegal acts related to the work unit (Musnik) PUK PT. Freeport Indonesia held on the initiative of several persons on 28-29 August 2017 and the inauguration of PUK Freeport officials conducted by representatives of PP FSPKEP SPSI on Monday (25/9)

which is inconsistent with AR ART SPKEP SPSI Results MUNAS VII dijakarta 16 -17 May 2017.

According to the results of Musnik VII SPKEP SPSI PT Freeport on 27/1 - 4/2/2014 PUK Freeport was led by Sudiro of PUK Freeport during 2014 to 2017. Furthermore, due to the end of the service period- and there are some considerations between other issues of PT Freeport shares divestment Indonesia, the incident of Furlough or the laying down of PT Freeport Indonesia workers, and the work strike of PT Freeport Indonesia workers, Sudiro submitted an application for extension of term of service as stipulated by AD / ART. Apparently there are a handful of groups from the PUK Freeport who do not approve of the the Extension Decree and want an Extraordinary Working Unit (Musniklub) meeting, and held on 28-30 August 2017 closed to members who are not part or contradict with members who want Musniklub, as testified by the presence of several members.

The inauguration carried out by PP SPKEP SPSI is clearly contradictory to Article 42 AD, which states that the authority for the inauguration PUK SPKEP SPSI is only by the PC. There is not a single article in the AR ART stating that the PP is authorized to inaugurate PUK SPKEP SPSI PTFI. It clearly states that the PP disrespects and refuses to acknowledge the PC's decision letters in terms of internal dispute settlement of the organization, in which it also declares the invalidity of the implementation of Musnik VIII.

## **VII. KEMENAKERTRANS' ROLE AND THE MAKING OF MUTUAL AGREEMENT BETWEEN PUK SPKEP SPSI AND PTFI.**

### **A. Ministry of Manpower in Timika and Special Labor Inspection**

Union of workers in Timika filed a complaint on the furlough policy on July 21 2017. On 28 August 2017, The Manpower Department replied stipulating (1) furlough was not found in the Indonesian Manpower Act, (2) Dinas will assign Kapada Supervisory Officers to conduct a special inspection of labour, and (3) THR, BPJS and other normative rights are awaiting the results special labour inspection.

Union welcomes letter by emphasising the existence of violations of normative rights, criminal acts of legitimate strikes and anti-union criminal acts. However, this report has not materialised, and none of the findings have any relation to the Naketrans Office initiative in conducting the examination.

### **B. Establishment and Poor Performance of Monitoring and Prevention Team on Manpower Issues**

The Minister of Manpower and Transmigration established the Monitoring and Prevention Team on Manpower Problems (Team P3K) following pressure from workers (for example Letter No ADV.019 / PUK SPKEP SPSI PTFI / II / 2017, sent on Feb 26 2017 detailing concerns and Assistance of the Minister of Manpower of the Republic of Indonesia) and the desire to anticipate future employment problems during the negotiation progress between the contract of work to IUPK. The team's duties include coordinating tasks, identifying, formulating settlement measures, guidance, technical assistance and providing input to the Minister in order to resolve the issues concerning employment at PT. Freeport Indonesia. The team also consisted of a cross department in transmigration environment and a union represented by PP SPSI SPKEP management.

On April 11 2017, a meeting was held which consisted of Team P3K (Freedom Monitoring and Prevention Team), a privatisation company and a contractor in PT Freeport Indonesia's work area. Subsequently on April 12 2017, several representatives of Team P3K conducted a meeting with members of the Workers Union, PT FI Company and director of Mimika Disnaker to discuss the issue of furlough however no agreement was reached between the employers and union. The workers wanted an end to the program however the company refused. The company then declared that there was mutual agreement during a follow-up meeting on 20 April 2017.

In subsequent developments, the Team failed to perform the required duties and stipulated that the process should be solved through bipartite, mediation and/or through industrial relations. The Team has remained functional, however due to various violations of workers' normative rights, its existence is no longer relevant.

### **C. Non-Functioning of Labour Inspector (*Pengawas Ketenagakerjaan*)**

On March 20, 2017, PUK SPEP SPSI PTFI has sent letters to Disnaker Kab Mimika Up. Pengawas Ketenagakerjaan Kab Mimika on Surat Pengaduan Atas Tindakan Pelanggaran Ketenagakerjaan Di PT Freeport Indonesia Merumahkan Pekerja, (Complaints Of Employment Violations In Pt Freeport Indonesia Publishing Workers) which essentially contains the workers' complaints on violations committed by the company. In regards to furlough and the negotiation requests, the workers reported that there was an indication of union busting through the program. Furthermore, they also reported the company's refusal to negotiate despite the negotiation requests that were sent twice by the workers.

Additionally, the workers asked the Labor Inspector (Pengawas Ketenagakerjaan) to take the necessary steps to halt the implementation of furlough

However, up until this report was made no initiatives were made by Dinas Nakertrans to follow up the workers' letters and requests. Lokataru has accompanied the union to held a meeting at the office of Dinas Nakertrans in January 2018. In the meeting, the Head of Office refused to carry out the labor inspection function by stating that the authority has transferred to the provincial office albeit previously he himself had committed to examine the company's violation.

#### **D. Mediation and Illegal Mutual Agreement**

Kemnakertrans' refusal to settle the dispute under the Indonesian labor law turned the dispute to fell under the sphere of private law and eventually led to the facilitation of 'mediation' meeting involving SPSI's PP, PTFI, Timika Nakertrans Service, and expert staff of DPR on 21 December 2017. A memorandum of understanding was concluded in which PTFI declared its willingness to provide compensation in the form of 'humanitarian money' (uang kemanusiaan) for the striking workers where this fee is significantly smaller than the calculation of layoffs.

#### **E. Workers' Response on the Mutual Agreement**

In response to the above Memorandum of Understanding, PUK SPKEP SPSI and Lokataru, as the legal counsel for the striking workers, strongly reject the conclusion of memorandum of understanding and summon all the parties involved in the agreement, particularly the Ministry of Manpower, Director General of PHI and SPSI PP.

### **VIII. CURRENT CONDITION OF WORKERS**

#### **A. Other Strategies Utilised to Survive**

As many were as a result of striking, many survived by taking on odd and temporary jobs. These include working in prison on infrastructure projects, working as motorcycle taxi drivers, small traders and other informal careers. These days, Freeport workers who went on strike can almost be found in nearly all motorcycle taxi base within Timika



## **B. Rendering BPJS Health Membership Inactive**

On May 24 2017, BPJS Health memberships were taken away by the company through the application of E-Dabu as workers were considered to have voluntarily defaulted and resigned. This action is in contrary to Article 21 (1) of Act No. 40 of 2004 on National Social Security System which provides that “The membership of health insurance shall remain valid at the latest 6 (six) months after the termination of work”.

The financial impact on the workers are severe as many are unable to sustain their payments. As a result, approximately 15 people have died due to illness and inability to access medical services. The National Social Security Council (DJSN) has issued a letter to BPJS condemning the violations of several provisions and principles in BPJS on August 31 2017. However, the report is yet to be made, and the memberships have yet to be re-issued.

The following are a number of cases compiled by Lokataru during our investigation in Timika regarding the BPJS issues:

Jabir Bugis from MILL Maintenance (Pump House) Division currently selling homemade cakes to make a living. His wife, Isti Erianti suffered from nerve clamp (saraf kejepit), could not walk and was taken to Makassar Siloam Hospital whose cost still bear by Freeport Indonesia. On 18th May 2017, his wife went to Timika Kasih Herlina Hospital to be hospitalized and was accepted by the hospital. On the fourth day, the hospital administration staff told Jabir that the company no longer covers the cost of his wife’s medication because Jabir was one of the workers who participated in the strike. Having insufficient resource and money, he decided to leave the hospital. As an evidence, Jabir still hold his BPJS Card, Medical Record, and receipt from the hospital.

Budi (Employee ID: 904203) was a worker in Main Maintenance Division. On 18th October 2017, Budi’s wife Yustiwati Hasan, was hospitalized to deliver their twins. At that time, Budi and his family hold BPJS Health membership, However, the doctor told him that his daughters (twins) needed to be registered for BPJS Membership. AT 07.00 WIT, their first daughter was born safely and healthy, not long after that his second daughter was born. Yustiwati Wassar and her first daughter gone home and their health care during their stay in the hospital were covered by BPJS. However, due to medical conditions their second daughter needed to stay and receive intensive medical treatment in the hospital for about 3 weeks. Unfortunately, their second daughter passed away. The hospital demanded Budi to guarantee give the hospital 18 million rupiah as a guarantee in order for him to bring his daughter’s body. Budi was able to bring home his late daughter after the case was filed in Ombudsman Jakarta. Previously

on July 2017, Budi tried to use BPJS Membership for his wife but was also unable as his status has deactivated by Freeport Indonesia.

Ama Hobrouw's (Employee ID: 881401 TRMP Division) wife, Evi, was in her late pregnancy when Ama participated in the strike. On 24th May 2017 around 10.30 PM, her membrane ruptures (water breaks). It was necessary for the child to be delivered soon as he/she might get poisoned from the amniotic fluid even though the child was only 7 months. Ama immediately brought Evi to Caritas Hospital, but due to the cesarean surgery she was referred and transferred to Kasih Herlina Hospital. Around 11.30 PM, they arrived at the hospital and were treated after Ama showed and gave the ID Card. Ama asked the hospital for immediate cesarean section of Evi. The hospital told him that no doctor was ready to treat her, therefore she had to be hospitalized for a while.

The following morning, the hospital showed him an email from SOS Hospital stating that he was no longer considered as an employee of Freeport since his strike began. At 09.30 AM, Ama took Evi to RSUD (Regional Government's Hospital). In RSUD, his BPJS membership was inactive. At the end, he needed to register for Kartu Papua Sehat (Papuan Health Card) including having to pay 9 million rupiah for her wife caesarian surgery. After the surgery, their baby needed to be treated in an incubator for 5 days. The baby was poisoned by the water breaks, and suffered from infection from drinking and inhaling the water. The baby needed to detoxified.

Muhammad Nur Palahidu (Employee ID: 895715) was a worker (operator) in Haul Truck Division, Grasberg Operation. On 14th September 2017, he was sent to Makassar to be treated. He was diagnosed with a tumor after the CT Scan. On 15th October, he was told by Siloam Hospital administration staff that his medication cost is not covered and should be paid immediately by him. Despite his condition, he decided to leave the hospital as he did not have enough money. Nur stayed in his parents in-law's house in Panakukang, Makassar for about 1 month and 10 days, taking traditional medicine to cure his illness. He visited BPJS office in Makassar and was told that his BPJS Membership has been blocked by Freeport Indonesia. On 16th October 2017, Nur went to Stella Maris Hospital Makassar to have a CT Scan with personal expenses. However, up until this report is made he is still unable to consult with the doctor regarding his CT Scan result.

On the other hand, BPJS was could not give any information regarding the above situation. On 18th January 2018, our investigation team visited BPJS Health Office Mimika, in Timika. The team asked several matter such as requesting the data of the workers whose BPJS membership has deactivated. There were two

main questions asked by the team; i) the workers' BPJS membership status and ii) the explanation from the authority who rendered the BPJS Health membership. However, the Head of the Office, Susan Gaspers, could not give any explanation aside from suggesting the team to file a written letter requesting the related information to Head of BPJS Papua (Provincial), Matias Krey with official letter head from the inquiring instances.

Similar with the above situation, during the visit to Komisi IX DPR RI in Jayapura, the meeting in the office of Governor of Papua, BPJS could not give any statement or explanation regarding the case. Both BPJS Office in Regional and Provincial level remained silent about the situation.

#### **C. Blocking of Bank Accounts by Bank Papua, PNI, BRI, BTN and Bank Niaga**

Several banks blocked access to Freeport workers, including Bank Papua, Bank Niaga, BRI BNI and Bank Mandiri. PUK SPSI have conducted visits to these banks to seek out explanations. PT Freeport Indonesia have requested banks located in Timika to block accounts of all workers involved in the strike and the banks have all agreed to this.

Lokataru has found out that the Bank of Papua blocked the accounts in order to mitigate the risks of default. The bank expects for the severance pay to be deducted for the remaining instalment of credit when a worker receives final severance payment from PTFI. Many workers have loans with the bank. According to a number of workers, the bank has been offering bids for credit application.

The head of branch relies solely on information provided by PTFI when stopping payments. They have also they do not liaise with customers or perform in a due diligence manner in relation to the conditions and abilities of workers to pay the remaining credit.

Also indicative of the Bank's inadequacy and arbitrary behaviour is the decision to limit access to private accounts not linked to PTFI employee accounts. Thus, customers are unable to withdraw money received from other sources (such as through family and friends) and subsequently suffer losses.

#### **D. Impact on the Housing Right**

Lokataru has received approximately 32 reports detailing the inability of workers in acquiring adequate housing. Prior to the strike, many Freeport workers were homeless or had rented simple houses and/or boarding houses. The cost of rent in Timika is 1.5 million per month on average. Some employees have been

evicted for not being able to make payments, others are accommodated by family or friends, and a small portion are able to pay rent and move to cheaper accommodation.

**E. Impact on the Right of Education**

Termination of salary payments and other normative rights will impact negatively on the right to education for many workers' families. Lokataru has received 33 reports describing expulsions and threats of expulsion from schools and universities as a result of anti-social behaviour, poor adherence to uniform standards and failure to continue education. Max Ronal Orisu, a worker, had 3 of his children stop schooling as they could not afford to pay for tuition.

**F. Persuaded to accept the Mutual Agreement**

After the agreement was made, PTFI management sent a stamped letter, called and sent a short message to all workers following the strike to inform them of the agreement. The letter also contained an offer to accept the outcome of the agreement. However, the offer was rejected by the majority of workers on strike. A worker who was compelled to accept the agreement reportedly only received a small amount of compensation as opposed to the supposedly correct amount of compensation if properly terminated by employment law.

**G. 'The Offer' and Voluntary Resignation Agreement (PPHKS) of Workers Impacted by Furlough policy**

Following Furlough, PTFI introduced yet another unnegotiated program named Voluntary Resign (Program Pengakhiran Hubungan Kerja Sukarela PPHKS) in an InterOffice memorandu dated 13<sup>th</sup> March 2017 for Workers Levels 1-6 or can also be called Primary Employees who are currently affected by Furlough. The Company stated that this program provides the best option for the workers in the near future and ensured their welfare in the midst of uncertainties faced by the company.

In contrary to the voluntary principles which ideally implemented in this program, the company frequently and persistently urged the workers to take PPHKS. Consequently, the workers did not take this program on the basis of their own willingness as they were forced and threatened to do so.

The abovementioned company's action is reflected in the Interoffice Memorandum of PTFI Management, dated April 23, 2017 which states that:

"The company has no plans to recall employees undergoing the furlough program, we continue to encourage employees affected by the furlough program to consider carefully and participate in PPHKS".

The decision of PTFI not to employ the workers affected by furlough shows PTFI's reluctance to minimize the number of termination or workers as contained in article 45 of PTFI's XIX PKB (Collective Employment Agreement) on Termination of Employment which states that:

"The Company and PUK SPKEP SPSI PTFI agree that Termination of Employment should be prevented if the layoffs are inevitable, then for the peace and work certainty for the workers both parties agree that the layoff procedure is regulated in the following articles ..."

#### **H. Unacceptance of THR and Normative Rights**

Most of the workers participating in the strike were Christian, and did not receive holiday allowances before and during Christmas 2017. Management of PTFI did not pay on the basis that the workers have resigned. The Ministry of Manpower and labour inspectors have also refused to acknowledge workers' entitlement to THR payment and other normative rights.

### **IX. CONCLUSION AND RECOMMENDATION**

#### **A. Conclusion**

1. Human and labor rights of the workers have been violated:
  - a. Violation to freedom of association;
  - b. Violation to rights to strike;
  - c. Violation of rights to peaceful assembly, association, and expression of opinion;
  - d. Violation of the rights to health, education, and housing;
  - e. Violation of the rights from being arbitrarily arrested and detained;
  - f. Violation to the rights to be free from torture
  - g. Violations of the rights to a fair trial.
  
2. Freeport Indonesia's management has violated several national laws as follow:
  - a. Article 143 in conjunction with Article 185 Act No. 13 of 2003 on Manpower  
**Article 143**  
(1) Nobody is allowed to prevent workers/ labourers and trade/ labour unions from using their right to strike legally, orderly and peacefully.

(2) It is prohibited to arrest and/or detain workers/ labourers and union officials who are striking legally, orderly and peacefully in observance of valid legislation.

**Article 185 (1)**

(1) Whosoever violates what is stipulated under subsection (1) and subsection (2) of Article 42, Article 68, subsection (2) of article 69, Article 80, Article 82, subsection (1) of Article 90, Article 139, Article 143, and subsection (4) and subsection (7) of Article 160 shall be subjected to a criminal sanction in jail for a minimum of 1 (one) year and a maximum of 4 (four) years and/or a fine of a minimum of Rp100,000,000 (one hundred million rupiah) and a maximum of Rp400,000,000 (four hundred million rupiah).

(2) The crime referred to under subsection (1) is [shall be legally categorized as] a felony.

- b. Article 28 in conjunction with Article 43 of Act No. 21 of 2000 on Trade Union

**Article 28**

Everyone is prohibited from preventing or forcing a worker/ laborer from forming or not forming a trade union/ labor union, becoming union official or not becoming union official, becoming union member or not becoming union member and or carrying out or not carrying out trade/ labor union activities by:

1. Terminating his employment, temporarily suspending his employment, demoting him, or transferring him to another post, another division or another place in order to discourage or prevent him from carrying out union activities or make such activities virtually impossible;
2. Not paying or reducing the amount of the worker/laborer's wage;
3. Intimidating him or subjecting him to any other forms of intimidation;
4. Campaigning against the establishment of trade union/ labor union.

**Article 43**

(1) Whosoever bars or forces workers/laborers as referred to under Article 28 is subjected to a sentence of no less than 1 (one) year and no longer than 5 (five) years in jail and or a fine of no less than Rp100,000,000 (one hundred million rupiahs) and no more than Rp500,000,000 (five hundred million rupiahs).

(2) The criminal act as referred to under subsection (1) is a grave criminal offense.

c. Violation of Article 21 of Law no. 40 of 2004 on SJSN Article 21:

(1) The membership of health insurance shall remain in force for a maximum of 6 (six) months from the date a participant is terminated from employment.

(2) In the event that the participant as referred to in paragraph (1) after 6 (six) months has not obtained and is unable to get a job, the Government will subsidise a fee to aid the participant

(3) For participants with permanent disabilities, the Government will subsidise a fee to aid the participant

(4) The provisions referred to in paragraph (1), paragraph (2), and paragraph (3) shall be dealt with by a Presidential Regulation.

3. The Timika Employment Agency has committed discriminatory acts to deal with conflicts in the union's PUK SPKEP SPSI management, particularly during the union recording process. Dinas' decision to sign a memorandum of understanding between SPSI and PTFI's Management is legally problematic because it ignores the numerous normative violations committed by the company.
4. The Ministry of Manpower has failed to perform its duties and functions in relation to the labor inspection. The Ministries have encouraged and addressed the issue of strike into a mere industrial dispute, which ended with the creation of a memorandum of understanding. This contradicts the duties and functions of the Manpower as mandated by the Manpower Law.
5. Health BPJS has violated Article 21 of Law no. 40 of 2004 on SJSN by failing to protect Freeport workers through discontinuing their benefits to health insurance services following the strikes.
6. A number of Banks in Timika have violated the customer's rights through blocking their accounts and not ensuring adequate due diligence in relation to the condition of their clients, ie workers who participated in the strikes

## **B. Recommendation**

1. The Government of Indonesia, in particular the Ministry of Manpower to promptly investigate allegations of violations of normative rights, right to strike and the right to association experienced by PT.FI workers;
2. The House of Representatives, in particular Commission IX, to establish a special committee to investigate and assist the settlement and fulfillment of PTFI's worker rights;

3. The House of Representative of Papua Province to establish a special committee to investigate and assist the settlement and fulfillment of PTFI's worker rights;
4. BPJS Health to immediately reactivate membership of BPJS service for Freeport workers who participated in the strikes.
5. The Financial Services Authority to investigate alleged violations committed by a number of banks connected with the unlawful blocking of worker's accounts;
6. Police of the Republic of Indonesia to conduct an internal investigation into allegations of ethical and criminal violations committed by Timika Police Chief and his staff during the process of arresting, detaining and torturing several Freeport workers suspected of involvement in the destruction of company facilities;
7. The Ombudsman of the Republic of Indonesia to investigate the alleged violations of law and administration conducted by Sudinakertrasn Timika, Indonesian Police, BPJS Health and Banks involved in this case;
8. Komnas HAM to investigate all human rights violations experienced by PTFI workers.

## Attachment

### 1. Housing rights issues affected by company's abuse decision

Name	No	Note
Rokim Sudaryatmoko	908160	<ul style="list-style-type: none"> <li>- Evicted from his kos and currently staying with a friend.</li> <li>- Repayment of credit card mortgage rejected and is in need of repayment (Bank BTN).</li> </ul>
Frangklin Monim	888423	BTN Kamoro Indah Housing Block H7-No. 6 Under suspension from BTN until April 2018.
Alex Wona	891381	<ul style="list-style-type: none"> <li>- Evicted from lease</li> <li>- Contract adjacent to waiver</li> <li>- Motor withdrawn credit</li> </ul>
Reinhard Sokoy	905734	Left rented house as was unable to pay. Currently living at a friend's house (RSUD Timika).



Yan Kurni	895100	- Evicted - Currently living with family
Petrus Mamani	900415	Evicted/unable to pay rent
Dolfinur Rumabar	884008	
Albert Pekey	876937	Evicted for not being able to pay
Oktopianus Bunai	878184	Evicted for not being able to pay
Yarius Inggibal	844307	Evicted for not being able to pay the cost of embroidery. Currently living with family
Robert Dimpau	892315	Evicted for not being able to pay
Matius Kurni	259388	Evicted/ in debt
Silas Rumayoni	906447	Evicted/ in debt
Markus Edowai	881583	Evicted/ in debt
Anjel B. Gebze	877593	Evicted/ in debt
Israel V. Wenas	901777	In debt since May
Marthimis Runaweri	894462	Evicted/staying with family
Irwanzah J. D.	893481	Cannot afford to pay, currently living with family
Billmar Yarisetou	904870	Evicted twice
Piet Dimara	905516	Evicted from a kos, currently living with family
Achmad K.	882369	
Puji Setiono	503060	Unable to make home audit payment
ABD Rahim	846327	Unable to make home repayments due to the strike
Boy T.	849875	No payments made in the last 10 months
Pekey Selpius	885494	Owing 10 months of kos payments, currently living with family
Pien Hein Waromi	892711	Left kos due to inability to make kos payments for the last 8 months
Dedi Ramli	906146	Owing 7 months of kos payments due to lack of wages by PT. Freeport Indonesia
Salomo Raysumbre	882516	Owing 7 months of kos payments due to lack of wages by PT. Freeport Indonesia
Boby Rumbewas	894159	Owing 7 months of kos payments due to lack of wages by PT. Freeport Indonesia
Carl Numberi	905716	Evicted for not paying rent in the last 5 months
Derek Ronsubibre	8974911	Owing 9 months of kos payments
Moses Amsamsyum (081248232876)	887809	Owing 6 months of kos payments
Pitur Kawer (081334520671)	904803	Owing 8 months of kos payments

## 2. Education right issuess

No.	name	ID	Note
1.	Puji Setiono	503060	Could not pay college tuition fee from May to January
2.	Musa Pigai	879637	Drop out of school because could not pay tuition fee from March 2017 until now
3.	Abdul Rahim	846327	Could not pay school tuition fee
4.	Pekey Selpius	885494	Drop out of school because he could not pay the tuition fee since May 2017 because of the strike
5.	Agusthinus Yamko	891301	Could not send his two children to school from May 2017 to January 2018 because his basic salary was not paid during the strike
6.	Albert Pekey	876937	As a result of not being able to pay my children's school fee, two of them has dropped out of school for 7 months (high school and middle school)
7.	Sentiorus Runrewas	887816	Wife's graduation canceled
8.	Max Ronal Orisu	820834	Three children dropped out of school because could not pay school fees
9.	Albertus Kuwai	892451	Semester and monthly tuition fee for 6 months have not been paid
10.	I Ongep Palimay	902203	Has not paid school registration fee
11.	J. Duwiri	819734	Could not take home the report card as development and tuition fee has not paid
12.	Salomo Ransumme	882516	Could not pay tuition fee for two children in elementary school and one child in middle school
13.	Daneiel Aruan	853074	My children is schooled in Kalam Kudus, 2 of which are in elementary and 1 in pre-school, their report card cannot be taken home as 5 moths tuition fee has not paid yet
14.	Agustinus Pakage	901028	Could not pay tuition fee and children cannot go to school, three children (High school, elementary and pre-school)
15.	Sahat Simanjuntak	845001	A child studies university in Bandung, constrains on living expenses and tuition fee, is in the verge of not being able to continue the study
16.	Frangklin Monim	8333423	Could not afford to pay tuition dee,

			therefore cannot go to school
17.	Boy Takasihacug	849875	The first child cannot do his thesis defense as they could not pay the fee
18.	Denny Dimara E.	909112	The first child cannot continue his study in university
19.	Marselus Pakage	876607	Could not pay school fee of the three children (Elementary, Middle and High School). If in near future is not paid yet, they are forced to drop out of school.
20.	Martinus Iyai	885515	Since June 2017 could not pay tuition fee, in danger of dropping out of school.
21.	Oktopianus Bunai	878184	Since August 2017 could not afford the tuition fee in SMAN 1 Timika, child is going to be dropped out the fees are not paid.
22.	Billmar Yari - Setoo	904870	Since Oktober 2017 could not afford the tuition fee of his two children in Yosua Elementary School and are going to be dropped out soon
23.	Andreas Mote	892518	Since September 2017 could not pay tuition fee of 1 child di SMK Pertanian Kab. Dogiyai, 1 child in Yosua Elementary school. The sanction from the school is that they cannot attend the school final test.
24.	Yari Nonggent	884774	Can not afford to pay tuition fees / high school exams so are not allowed to take exams and be temporarily suspended.
25.	Andarias Rahawanarin	894310	The child takes a Law degree at Pattimura University in Ambon. Can not afford to pay semester and family take solution for the child to take a semester leave.
26.	Yulianus Adil	883863	His child is in final year of high school in Purworejo. Since June 2017 until now, he was unable to pay tuition and dormitory fee and is eventually dropped out of school.
27.	Agustinus Wakum	818906	<ul style="list-style-type: none"> <li>- Vocational school in Timika (SMK Hermon)</li> <li>- SMP 7 di Timika</li> <li>- Unable to pay tuition fees so that the children can not go to school and there is a break waiting for certainty of strike</li> <li>-</li> </ul>
28.	Petrus Mamani	900415	- Since June 2017 have not paid

			<p>tuition fee and can not afford to buy school uniforms</p> <ul style="list-style-type: none"> <li>- Child in preschool has dropped out.</li> </ul>
29.	Vensky Kailola	8787858	<ul style="list-style-type: none"> <li>- Second child studies in Ma Chung Malang University</li> <li>- Unable to pay tuition fee for the 4<sup>th</sup> semester, the daughter is at home taking semester breaks (Daughter = Irene J. Kailola).</li> </ul>
30.	Manpres Katouki	897474	<ul style="list-style-type: none"> <li>- Child studies in SMPN 7;</li> <li>- Unable to pay tuition fees from August 2017 until now;</li> <li>- Child in SDN 9, unable to buy stationery and uniforms</li> </ul>
31.	Zakarias B. Hay	833464	<ul style="list-style-type: none"> <li>- 4 children are in school;</li> <li>- One in Manokwari Highschool, could not pay tuition and boarding house since June 2017;</li> <li>- 2 children are in middle school (Sda);</li> <li>- 1 child in elementary school (Sda).</li> </ul> <p>The school asked for payment completion</p>
32.	Merpan Douw	884870	<ul style="list-style-type: none"> <li>- Tuition and uniform fee in Yosua Elementary;</li> <li>- Yosua Preschool</li> </ul> <p>The family has not paid the tuition fee and the school asks to immediately pay because otherwise it will be issued.</p>
33.	Honi Edowai	893670	School payments have not been paid from May until now