

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. Southeast Asia Freedom of Expression Network (SAFE-net), Southeast Asia
2. Trade Union Rights Centre (TURC), Indonesia
3. Human Rights Online Philippines (HROnlinePH), The Philippines
4. Local Initiative for Occupational Safety and Health Network (LION), Indonesia
5. Lembaga Informasi Perburuhan Sedane (LIPS), Indonesia
6. Koalisi Buruh Sawit (KBS), Indonesia
7. Lembaga Pers Mahasiswa Berdikari (LPMB), Indonesia
8. Marsinah.id, Indonesia

9. Partido Manggagawa (Labor Party-Philippines), The Philippines
10. Parti Sosialis Malaysia (PSM), Malaysia
11. Partai Pembebasan Rakyat (PPR), Indonesia
12. Korean House for International Solidarity (KHIS), Asia-Pacific
13. Textile Garments Workers Federation, Bangladesh
14. Workers' Initiative, India
15. Center for Alliance of Labor and Human Rights (CENTRAL), Cambodia
16. Sembada Bersama, Indonesia
17. Tibet Action Institute, Tibet
18. Asian Forum for Human Rights and Development (FORUM-ASIA), Asia-Pacific
19. CIVICUS: World Alliance for Citizen Participation, International
20. Asia Floor Wage Alliance (AFWA), Asia-Pacific
21. Indian Network on ethics and climate change (INECC), India
22. Lingkar Keadilan Ruang, Indonesia
23. The Commission for the Disappeared and Victims of Violence (KontraS), Indonesia
24. Visayas Human Development Agency, Inc. (VIHDA CEBU), The Philippines
25. Matuundju Kavaka Namibia Transport and Allied Workers Union (NATAU), Namibia
26. Cambodian Alliance of Trade Unions (CATU), Cambodia
27. Partai Hijau Indonesia/Indonesian Green Party (PHI), Indonesia
28. Legal Aid Foundation Indonesian Women's Association for Justice Jakarta (LBH APIK Jakarta), Indonesia
29. MADPET (Malaysians Against Death Penalty and Torture), Malaysia
30. WH4C (Workers Hub For Change), Malaysia
31. Public Association "Dignity", Kazakhstan
32. Perhimpunan Bantuan Hukum dan HAM Indonesia (PBHI), Indonesia
33. KRuHA - People's Coalition for the Right to Water, Indonesia
34. Centre for Human Rights and Development, Mongolia
35. Indonesian Media and Creative Industry Workers' Union for Democracy (SINDIKASI), Indonesia
36. Suara Rakyat Malaysia (SUARAM), Malaysia
37. YAPPIKA-ActionAid, Indonesia
38. Gabungan Serikat Buruh Indonesia (GSBI), Indonesia
39. Human Rights Measurement Initiative (HRMI), Indonesia
40. Persaudaraan Pekerja Muslim Indonesia (PPMI), Indonesia
41. Konfederasi Buruh Merdeka Indonesia (KBMI), Indonesia
42. Think Centre, Singapore
43. Aliansi Jurnalis Independen (AJI), Indonesia
44. Bir Duino-Kyrgyzstan, Kyrgyzstan
45. Free Trade Union Development Center, Sri Lanka
46. Joint Committee of Democratic Trade Unions, Sri Lanka
47. Public Virtue Research Institute (PVRI), Indonesia
48. Workers Make Possible, Singapore
49. South East Asia Collaborative Policy Network (SEA CPN), Southeast Asia
50. Association of Women for Awareness and Motivation (AWAM), Pakistan
51. Yayasan Lembaga Bantuan Hukum Indonesia (YLBHI)/Indonesia Legal Aid Foundation, Indonesia
52. Manushya Foundation, Southeast Asia
53. Asian Solidarity Economy Council (ASEC), Asia-Pacific

54. BALAOD Mindanaw, The Philippines
55. ALTSEAN-Burma, Southeast Asia
56. Serikat Buruh Gerakan Buruh Katering (SB GEBUK), Indonesia
57. Lingkar Juang Karimunjawa, Indonesia
58. Daniel Frits Maurits Tangkilisan, Indonesia
59. Refugee and Migratory Movements Research Unit (RMMRU), Bangladesh
60. Cambodian League for the Promotion & Defense of Human Rights (LICADHO), Cambodia
61. Reint van Dijk, Netherlands
62. Konfederasi Persatuan Buruh Indonesia (KPBI), Indonesia
63. Suara Muda Kelas Pekerja - Partai Buruh, Indonesia
64. Liga Mahasiswa Indonesia untuk Demokrasi (LMID), Indonesia
65. PPM Research and Consulting, Austria
66. Protection International, International
67. Taiwan Occupational Safety and Health Link, Taiwan
68. Clean Clothes Campaign Indonesia Coalition, Indonesia
69. MAP Foundation, Thailand
70. Cambodian Food and Service Workers' Federation(CFSWF), Cambodia
71. Independent Democratic of Informal Economic Association IDEA, Cambodia
72. Cambodian Tourism Workers Union Federation (CTWUF), Cambodia
73. Free Independent Trade Union Federation (FUF), Cambodia
74. Independent Trade Union Federation (INTFUE), Cambodia
75. Partai Buruh/Indonesia Labour Party (PB)
76. Asia Monitor Resource Centre (AMRC), Asia-Pacific
77. WITNESS, International
78. Aliansi Gerakan Reforma Agraria (AGRA), Indonesia
79. Maldivian Democracy Network (MDN), Maldives
80. Defence of Human Rights Pakistan (DHR), Pakistan
81. Jaringan JAGA DECA, Indonesia
82. Forum Petani Plasma Buol, Indonesia
83. Digital Democracy Resilience Network (DDRN), Indonesia
84. Social Justice Indonesia, Indonesia
85. Aliansi Perempuan Indonesia, Indonesia
86. Keluarga Besar Buruh Migran Indonesia (KABAR BUMI), Indonesia
87. Perempuan Mahardhika, Indonesia
88. Federasi Serikat Buruh Persatuan Indonesia (FSBPI), Indonesia, Indonesia
89. Kolektif Semai, Indonesia
90. Yayasan Kalyanamitra, Indonesia
91. Scholarium LP3ES, Indonesia
92. Asosiasi LBH APIK Indonesia / Indonesia Legal Aid Association for Women, Indonesia
93. Karapatan Alliance Philippines, The Philippines
94. JALA PRT, Indonesia
95. Lembaga Bantuan Hukum (LBH), Semarang
96. Bara Puan Semarang
97. Asosiasaun Jornalista Timor Lorosa'e (AJTL), Timor Leste
98. Haburas Foundation, Timor Leste
99. Land Network Timor Leste/Rede ba Rai Timor-Leste, Timor Leste

100. La'o Hamutuk, Timor-Leste
101. Institut Sarinah
102. Media Progresip
103. GMNI
104. Emancipate Indonesia, Indonesia