



World Council of Churches



**52nd Session of the Human Rights Council
Item 6: UPR Adoption – Indonesia**

27 March 2023

Thank you Mr President,

Franciscans International, Amnesty International, World Council of Churches, CIVICUS, Human Rights Monitoring and TAPOL appreciate the Government of Indonesia's support for five recommendations on the human rights situation in West Papua.¹ We regret that five other recommendations on West Papua including on the visit of the High Commissioner for Human Rights are only noted,² despite an invitation to the previous High Commissioner.³

Despite commitments made internationally, Indonesia fails to ensure the full enjoyment of human rights for Indigenous West Papuans. Security forces' blatant disrespect for rights continue with impunity, including extrajudicial killings, intimidation of human rights defenders; and attacks on freedoms of expression, association, peaceful assembly. The humanitarian crisis in the context of the armed conflict, with an estimated 60,000 indigenous Papuans internally displaced in regions such as Maybrat and Nduga, has not been properly addressed.

We call for swift implementation of the recommendations about the protection of human rights defenders.⁴ The latest example of intimidation was on 23 January 2023, when unknown perpetrators detonated a bomb in front of the house of Papuan journalist Victor Mambor, an act that may be a warning to him to cease his reporting on human rights issues in West Papua.⁵ Fatia Maulidiyanti and Haris Azhar, who publicly discussed a report about the alleged connections between military

¹ UN Human Rights Council, Report of the Working Group on the Universal Periodic Review: Indonesia, A/HRC/52/8, 21 December 2022, Recommendations 140.262 (Slovenia); 140.264 (Vanuatu); 140.265 (Marshall Islands); 140.269 (Australia) are noted, according to A/HRC/52/8/Add.1, 17 March 2023

² UN Human Rights Council, Report of the Working Group on the Universal Periodic Review: Indonesia, Addendum, UN Doc. A/HRC/52/8/Add.1, 17 March 2023, para 9.

³ The intention to visit was firstly conveyed during a meeting in Palais Wilson, Nov 14, 2018, between Indonesian Permanent Representative to the United Nations and other international organizations in Geneva Hasan Kleib and UN High Commissioner for Human Rights Michelle Bachelet. Kleib later restated it in 2019 when responding to the circulating news stating that UNHCHR was still awaiting an invitation and seeking access to visit and monitor the humanitarian situation in Papua. Please see this for further reference: <https://en.antaranews.com/news/122076/indonesian-government-remains-committed-to-invite-unhchr-to-papua> .

⁴ UN Human Rights Council, Report of the Working Group on the Universal Periodic Review: Indonesia, Recommendations 140.53-55 (Costa Rica, Switzerland, Romania), 140.95-99 (Greece, Uruguay, Belgium, Norway, the Netherlands), 140.101 (Estonia), 140.104 (Luxembourg) and 140.121 (Latvia)

⁵ Please see this for further reference: <https://www.abc.net.au/pacific/programs/pacificbeat/papuan-journalist-victor-mambor-bomb-attack/101890116>

operations and mining activities in Papua, have faced criminal charges for defamation by Coordinating Minister of Investment and Maritime Affairs, despite a public outcry.⁶

With regard to recommendations on ending impunity,⁷ we regret that the Human Rights Court on the Paniai case⁸ failed to deliver justice for the victims. As predicted, the court acquitted the defendant Major Infantry (Ret.) Isak Sattu. As seen in other similar cases, the Human Rights Court process poses several challenges, which include the lack of independence of the judiciary, procedural limitations, and minimal domestic and international civil society engagement.

Mr President, the human rights crisis in West Papua urgently needs a sustainable solution. This can only be achieved by a peaceful, fully inclusive dialogue and ensuring accountability of all perpetrators and for all human rights violations.

Thank you.

⁶ The criminal lawsuit is based on this YouTube video: <https://www.youtube.com/watch?v=1xMlnuOtBAs> . The conversation was all run in Indonesian.

⁷ UN Human Rights Council, Report of the Working Group on the Universal Periodic Review: Indonesia, Recommendations 140.261-2 (Netherlands, Slovenia, United States of America) and 140.268-269 (Canada, Australia)

⁸ The Paniai case is about the incidents of shooting allegedly committed by the members of the Indonesian National Army (TNI) from Koramil 1705-02/Enarotali in the Paniai Regency in 8 December 2014, directed into a crowd of Papuan demonstrators, killing four high school students and injuring 21 others. The Human Rights Court on Paniai case was established in September 2022, held at the Makassar District Court. The Court was tasked with evaluating the culpability of Major Inf (Ret.) Isak Sattu (IS) in the Paniai incident. The Court found the defendant not guilty on 8 December 2022.