

46th Session of the Human Right Council
Item 4: General Debate
15 March 2021

Joint oral statement delivered by Ms Sandra Epal-Ratjen

Mr. President,

Franciscans International, Geneva for Human Rights, VIVAT International, Commission of the Churches on International Affairs of the World Council of Churches, CIVICUS and Asian Forum for Human Rights and Development with the support of the International Coalition for Papua, Westpapua Netzwerk, TAPOL, the Commission for Justice, Peace and Integrity of Creation of the Franciscans in Papua and the Commission for Missing Persons and Victims of Violence (KontraS), would like to express our ongoing concerns about the human rights situation in West Papua,¹ Indonesia. In January 2021, the Office of the Attorney General announced the establishment of a “Special Team” to deal with 13 cases of alleged gross human rights violations, including the three cases in West Papua.²

While the decision and efforts of the Government of Indonesia are to be acknowledged, its effectiveness remains to be seen, as this Special Team has no time frame. The West Papuan cases had already been qualified and listed for attention by the Attorney General’s office in the last few years by the Indonesian National Commission for Human Rights (KOMNAS HAM).³ However, those cases are yet to be translated into court actions.

We are also concerned about the escalating violence and shrinking space for civil society in West Papua as highlighted by the OHCHR.⁴ We continue to receive information on new cases of human rights violations.⁵ In Nduga, Intan Jaya, Puncak and Timika, hundreds of indigenous Papuans have been displaced due to the armed conflict between the Indonesian security forces and members of the West

¹ West Papua is divided into two Indonesian provinces, Papua and Papua Barat.

² The three cases are Wasior (2001), Wamena (2003) and Paniai (2014).

³ See also the statement of Indonesian National Commission on Human Rights (KOMNAS HAM) regarding the gross human rights violation in Papua at <https://www.komnasham.go.id/index.php/news/2020/6/20/1446/polemik-penyelesaian-pelanggaran-ham-yang-berat-di-tanah-papua.html>

⁴ See the media statement of OHCHR at <https://bangkok.ohchr.org/papua-statement/>

⁵ Following the death of a member of the Indonesian Army (TNI) on 15 February 2021 by the member of the West Papua National Liberation Army (TPN PB) in Intan Jaya region, the Indonesia Army conducted a raid in the region which resulted to the shooting and tortured which lead to the death of three indigenous Papuans, namely Mr Janius Bagau (27), Yustinus Bagau (24), and Soni Bagau (19), allegedly by the members of TNI. See <https://www.humanrightspapua.org/news/33-2021/744-three-papuans-tortured-and-killed-by-security-forces-in-intan-jaya>

Papua National Liberation Army.⁶ Church workers were targeted and killed.⁷ Other Church workers, health personnel, and human rights defenders working with the IDPs fear for their safety. Between October 2020 and January 2021, at least 41 politically motivated arrests against indigenous Papuans were documented as well as convictions for peaceful protests. A proposed extension of the provisions in the Special Autonomy Law for Papua and the creation of new provinces and regencies, which West Papuan people and civil society believe would further militarize West Papua and marginalize the indigenous Papuans, have triggered widespread protests,⁸ which have consistently been responded by arbitrary arrests.⁹ Further, human rights defenders have been targeted.

As a member of the Council, Indonesia should uphold the highest standards of human rights. Therefore, Indonesia should guarantee respect and protection of human rights, and a prompt and effective investigation, prosecution, and remedy the cases of gross human rights violations in West Papua, in conformity with its obligations under international human rights law. We also urge the Council to continue to give due attention to the general human rights situation in West Papua.

Thank you.

⁶ We received information that until the second week of February 2021, around 650 persons left Nduga region due to the escalation of the tension between the members of Indonesian security forces and the West Papua National Liberation Army . Some went to the nearby town of Nabire, while some others are hosted in the Catholic institution compounds in Bilogai. See also <https://suarapapua.com/2021/02/10/650-warga-dari-tiga-kampung-mengungsi-ke-pastoran-dan-susteran-bilogai/>.

⁷ Rev. Zanambani, an indigenous Papuan Pastor and Mr Tigau, an indigenous Papuan catechist were allegedly victims of extrajudicial and arbitrary executions by the members of Indonesian security forces at the end of 2020. See also the concerned expressed by indigenous and non-indigenous Catholic priests in Papua on this killing at At the occasion of Human Rights Day, 147 indigenous and non-indigenous Catholic priests in West Papua issued an open letter regarding the human rights and humanitarian situation in West Papua. See https://www.humanrightspapua.org/images/docs/PRESS_CONFERENCE_MORAL_CALL_FOR_JUSTICE_CATHOLIC_PRIESTS_WP_Nov2020.pdf

⁸ See <https://www.thejakartapost.com/news/2020/09/30/tni-police-disperse-papuan-student-protest-against-special-autonomy-plan.html>.

⁹ See also the arbitrary arrests of participants against the creation of new provinces in Papua <https://www.cnnindonesia.com/nasional/20210127123234-20-598992/polisi-tangkap-peserta-demo-tolak-otsus-papua-di-depan-dpr>