



samenwerkende organisaties
voor west papua

Report for 4th UPR Cycle on Indonesia - the Dutch Cooperating Organizations for West Papua

1. Introduction

The umbrella organization Dutch Cooperating Organizations for West Papua¹ (hereinafter: 'SOWP') was founded in 2004 with the aim to collectively support humanitarian and sustainable development for the Papuan population on the Western part of the island of New Guinea, the current Indonesian provinces of West Papua and Papua, hereinafter jointly referred to as: 'West Papua'. SOWP have great concerns about the current humanitarian crisis in West Papua. State Party Indonesia supported 81 recommendations in the UPR Session of May 2017, stating that Indonesia will continue efforts to put an end to violence against women and children, to promote and protect the rights and wellbeing of women and children.² Unfortunately, as demonstrated in this submission, Indonesia failed to realize any meaningful progress with respect to the enjoyment of fundamental human rights by the indigenous Papua population. In specific, the situation of Papua women and children has worsened significantly.

SOWP is working closely with a number of counterpart organizations based in West Papua. This submission is based on information and data concerning the current humanitarian crises supplied directly by the grassroots organizations operating in West Papua. See in particular paragraph 4.

SOWP submits that, in addition to the applicable human rights law instruments, the disproportional large number of deployed military personnel currently present in West Papua in relation to the conflict with armed pro-independence resistance groups also implies the applicability of international humanitarian law.

2. Increasing military violence

Since the 2017 report addressing the human rights situation in Indonesia, multiple military operations have been conducted in West Papua with severe consequences for the civilian Papua population. Papua women and children are in a particularly vulnerable position. SOWP received numerous pleas from the grassroots partner organizations to stop the violence, marginalization and

¹ Partners are: The Sustainable Society Papua Barat Foundation SDSP, see www.sdsp.nl, Papua Support Foundation (HAPIN), see www.hapin.nl, Foundation Papua Solidarity, see www.papoeasolidariteit.nl, Foundation Hati Bersatu, see www.hatibersatu.nl, Foundation Rajori, see www.rajori.nl, Foundation Self-determination for Moluccans and Papuans, Foundation Information Melanesia, The Young Papua Collective, Foundation Copan, Foundation West Papua, www.stichtingwestpapua.nl

² https://www.upr-info.org/sites/default/files/document/indonesia/session_27_-_may_2017/response_to_recommendations_indonesia_2017.pdf



Report for 4th UPR Cycle on Indonesia - the Dutch Cooperating Organizations for West Papua

discrimination of the indigenous Papua people in West Papua.³ Additionally, women and children have been victim of increasing violence due to an escalation of landgrabbing and rapid expansion of industrial plantations to produce export-driven crops. It has led to social conflicts with military “securing” land and Papuan women and their families in particular are directly impacted by the loss of their traditional lands and the forests that sustain them.⁴

In the period 2017-2021, the number of armed clashes increased significantly from 24 in 2017 to a total of 92 in the year 2021.⁵ On the cumulative, these armed clashes led to approximately 60,000 internally displaced indigenous Papua people, mostly women and children, with no access to proper housing, food, healthcare and education. According to witnesses, military operations have been conducted with little or no precautionary measures to ensure that attacks are not being conducted against civilians.⁶ A clear violation of international humanitarian law.

3. Stop racial discrimination and marginalization

SOWP are greatly concerned about the continuous blatant and structural racial discrimination against indigenous Papua people. Following the incident on August 17, 2019 in the student dormitory in Surabaya, tensions rose between Papua students and the Indonesian authorities as well as Indonesian national militias. Footage of Papua civilians, human rights defenders and Papua journalists showed that radical militia groups and military personnel attacking indigenous Papua people. Various special units and Muslim militias are currently called by Front Membela Islam in Jakarta (supported by the Indonesian police and army) to enter the Papua provinces. The aim is to “go to war” (jihad) against any Papua person that threatens the unity of the Indonesian state – a particularly disturbing development leading to grave concerns about an imminent ethnic cleansing targeting the Papua population. In 2019 UN experts have condemned racism and police violence against Papuans.⁷ Ms. Michelle Bachelet, High Commissioner for Human Rights, has previously requested access to the area. The High Commissioner for Human Rights observed a trend of violence since December 2018 and expressed concerns. SOWP are informed that the racism is felt strongly by the indigenous Papua people in West Papua and affects daily life.

³ West Papua Council of Churches, 8 December 2021, “Moral Call from The West Papuan Council of Churches. The people living in darkness have seen a great light; on those living in the land of the shadow of death a light has dawned . Mathew 4:16”, see <https://www.oikoumene.org/sites/default/files/2021-12/Statement-for-International-Meeting-WP-Dec21.pdf> and

West Papua Council of Churches, 23 March 2022, “Moral Call West Papua Council of Churches. Blessed are the pure in the heart: for they shall see God. Mathew 5:8”, see <https://humanrightsmonitor.org/news/west-papua-council-of-churches-indonesian-gov-is-denying-its-responsibility-for-the-deteriorating-situation-in-papua/>

⁴ Ajar et al, 30 March 2021 “All the Birds Are Gone: Indigenous Women”, p. 113, See <https://asia-ajar.org/2021/03/30/all-the-birds-are-gone-indigenous-women-speak-out-against-forest-loss-in-papua/>

⁵ Human Rights News/ Indonesia, West Papua, 10 January 2022, *The Armed Conflict in West Papua throughout 2021 – Trends, developments and Future Indications*, Human Rights Monitor, <https://humanrightsmonitor.org/news/wp-armed-conflict-2021/>

⁶ Mandates of the Special Rapporteur on the rights of indigenous peoples, the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on the human rights of internally displaced persons, Ref: AL IDN 11/2021, 27 December 2021, p. 4, See <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=26909>

⁷ Press release 21 February 2019, see <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24187&LangID=E>



Report for 4th UPR Cycle on Indonesia - the Dutch Cooperating Organizations for West Papua

4. Humanitarian crisis

SOWP maintain direct contact with the Port Numbay medical team, consisting of 15 young and involved care providers: doctors, nurses, pharmacists and teachers. The team visits refugee shelters regularly and found many cases of respiratory infection, gout or rheumatic diseases, toothache, diarrhea with acute anemia, pneumonia, ear nose and throat problems and even cases of dysentery. The latter is caused by food shortages and polluted water. Also there is a lack of means for assistance during childbirth. The team provides medical aid, education and trauma therapy for (especially) children. Further away from Wamena, there are more shelters that the team members have not been able to visit so far. Foundation Rajori and Papua Support Foundation, SOWP partner organizations, have crowdfunded financial support for the program of the Port Numbay team.⁸ Unfortunately, crowdfunding has not led to sufficient financial means to solve the problems of the IDPs. The Covid-19 pandemic also disproportionately affects IDPs and the Papua people in general.⁹

Due to the internal displacement indigenous Papua children have restricted or no access to education. The armed conflict in different regions in West Papua has been ongoing for a very long period, preventing indigenous IDPs from returning to their villages. Schools, healthcare centres (Puskesmas), and churches are deserted as health workers and teachers have not returned to their assigned workplaces.¹⁰

The humanitarian crisis lacks monitoring by independent humanitarian organizations or international press. Even local church workers are at times prevented from visiting villages where IDPs are seeking shelter.¹¹

5. Involvement and impunity offenders

As reported by Human Rights Monitor: 'joint security forces arrested and tortured six internally displaced Papuan villagers on 28 September 2021 in the Kokas Village, Maybrat regency. Four of the arrested villagers are below the age of 18 years and still join junior high school. Security force members beat them during arrest and detention. Some reportedly vomited blood as a result of the torture. Their hands were tied behind the back and their eyes blindfolded with duct tape. Armed clashes between Indonesian security forces and the TPN PB in Intan Jaya's largest town Sugapa on 26 October 2021, resulted in the death of a two-year-old infant, Melpianus Sondegau. Six-year-old Yoakim Majau sustained a bullet injury during the incident. Both victims were inside their houses during the armed clash but were hit as the bullets pierced the roof and wooden walls. Witnesses

⁸ Papua Support Foundation, Year 2019-2020, "Twenty Thousand Papuans on the run in their own country – HAPIN and Rajori join Forces", see <https://eng.hapin.nl/projects-papua/twenty-thousand-papuans-on-the-run-in-their-own-country-hapin-and-rajori-join-forces/>

⁹ Papua Support Foundation, "Refugee Camps Seek Protection against Covid-19", see <https://eng.hapin.nl/projects-papua/refugee-camps-look-for-protection-against-covid-19/>

¹⁰ International Coalition for Papua and the Westpapua-Netzwerk, "Human Rights in West Papua. The seventh report of the International coalition for Papua (ICP provides an analysis of violations from January 2019 until December 2020 ", p.66-73, See <https://humanrightspapua.org/wp-content/uploads/2021/12/HumanRightsPapua2021-ICP.pdf>

¹¹ Mandates of the Special Rapporteur on the rights of indigenous peoples, the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on the human rights of internally displaced persons, Ref: AL IDN 11/2021, 27 December 2021, p. 3, See <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?glid=26909>



Report for 4th UPR Cycle on Indonesia - the Dutch Cooperating Organizations for West Papua

testified that the shots came from the direction of the military command (Koramil) in Sugapa.¹²

Of great concern is the impunity and lack of prosecution of the offenders of these severe human rights violations. The impunity leads to continuing human rights violations. Human rights observers argue that the national mechanism to settle gross human rights violations of the past and present is not functioning. Generally, the Attorney General is unwilling to initiate the trial process. Since 2002, nine case files have been passed back and forth between Komnas HAM and the Office of the Attorney General (OAG) without any progress. Moreover, as recalled by the West Papua Council of Churches (WPCC) in their moral call of December 8, 2021, racism plays an important role in military action against indigenous Papuan people.¹³

6. Recommendations

This submission shows that State Party Indonesia neglects the rights of the indigenous Papuan people in West Papua. Therefore the SOWP respectfully recommends the following:

- I. *State Party Indonesia should uphold articles 2 and 24 ICCPR, article 2 Rights of the Child and article 1 CEDAW and fight racial discrimination of the indigenous Papuan people within the state apparatus.*
- II. *State Party Indonesia should take further effective measures to promote and protect the rights and wellbeing of children, protect women and children from violence, including ensuring their access to health care and education as set out in articles 11, 12 and 13 ECOSOC, articles 3, 19, 24, 27 and 28 Rights of the Child and articles 3, 10 and 11 CEDAW.*
- III. *State Party Indonesia should support, promote and most importantly take concrete measures to implement the UN Guiding Principles on Internal Displacement.*
- IV. *State Party Indonesia should uphold international humanitarian law and provide access to international humanitarian organizations and international press.*
- V. *State Party Indonesia should uphold article 8 of the Universal Declaration of Human Rights and ensure that indigenous Papuan victims of human rights violations have an effective remedy by the competent national tribunals for acts violating the fundamental rights granted to them by the constitution or by law.*

Contact SOWP:

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¹² Human Rights Monitor, 'Security force members torture five minors in Puncak Regency – One victim dies two days later', Human Rights News / Indonesia, West Papua / 1 March 2022, see <https://humanrightsmonitor.org/case/military-members-torture-seven-minors-in-puncak-regency-one-victim-dies-two-days-later/>

¹³ ICP, 15 December 2021, <https://humanrightspapua.org/news/the-west-papuan-council-of-churches-issues-moral-call-on-human-rights-situation-in-west-papua/>.



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