



# ASIAN LEGAL RESOURCE CENTRE

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HRC section: item 6 - UPR review Indonesia

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**An Oral Statement to the 8th Session of the UN Human Rights Council from the Asian Legal Resource Centre (ALRC), a non-governmental organization in general consultative status**

## **INDONESIA: UPR outcome - Most serious concerns unaddressed**

The Asian Legal Resource Centre welcomes the acknowledgement of many of the serious human rights concerns in Indonesia as part of the UPR process, including the need for the criminalization of torture. However, we regret the lack of any clear agreement on the part of the government to take decisive, timely action concerning this issue and further regret the lack of commitments by the government to address the problems of impunity and the ongoing violations in Papua.

We welcome Indonesia's offer to include criminal investigation units from the national police in future Council and Treaty Body sessions.<sup>1</sup> Accountability by the Attorney General's office, which at present is playing an obstructing role concerning human rights, is also required, however.

We are concerned by the lack of serious commitment by the government concerning the ratification of the Optional Protocol of the Convention against Torture (OPCAT) by 2009.<sup>2</sup> Furthermore we call for the effective implementation of CAT itself, which remains elusive years after ratification. Indonesia has not expressively agreed to criminalize torture as part of the UPR, despite its obligations under CAT, only giving it support in the outcomes, which does not signal enough intent to take action concerning this.<sup>3</sup>

We are also concerned about claims by the government that Komnas HAM is an independent body.<sup>4</sup>

Concerning Papua, the government has claimed an improvement in the situation of its indigenous people.<sup>5</sup> Civil society reports from Papua starkly contradict this view. The ALRC remains seriously concerned for the security of human rights defenders and civil society organizers in the region. Human rights remain a taboo in Papua and Poso.<sup>6</sup>

Impunity remains Indonesia's main human rights problem. The Wamena or Wasior case in Papua or the Talangsari case exemplify this. The Attorney General's office role in ensuring impunity remains a key obstacle in the country. We regret that the UPR has failed to identify this problem and make recommendations in this regard.

<sup>1</sup> Art. 13 of the WG report

<sup>2</sup> Art. 19 WG report

<sup>3</sup> Art. 77.6 WG report

<sup>4</sup> Art. 33 WG report

<sup>5</sup> Art. 49 WG report

<sup>6</sup> ALRC submission to the UPR. URL: <http://www.alrc.net/PDF/ALRC-UPR-1-001-2008-Indonesia.pdf>

