

Franciscans International, Commission of the Churches on International Affairs of the World Council of Churches (WCC), CORDAID, Dominicans for Justice and Peace (OP), ICCO & Kerk in Actie & Pax Romana (NGOs with ECOSOC Status)

Justitia et Pax Netherlands, Office for Justice and Peace of the Catholic Diocese of Jayapura (SKP Jayapura), CMC- Mensen met een Missie, Mission 21, Pax Christi Australia, Missionaries of the Sacred Heart Justice and Peace Centre (NGOs without ECOSOC Status)

Item 6: UPR: Indonesia

Joint Statement to the 8th Session of the UN Human Rights Council

09 June 2008

Thank you Mr. President.

I am speaking on behalf of the above organizations, on the adoption of the UPR report of Indonesia.

Mr. President,

We wish to acknowledge the questions raised by various member States to the delegation of Indonesia on the situation of human rights in West Papua¹, Indonesia, which are reflected in the adopted report, after changes to the original report. We regret however that these questions remain unanswered, and the sole recommendation which could have an impact on human rights defenders in West Papua, was framed in the context of regions with Special Autonomy, thus avoiding any specific mention of West Papua in the final recommendations.

Taking into consideration the concerns expressed by several member States, we would therefore encourage the government of Indonesia:

1. To follow up on the recommendation to issue a standing invitation to all UN Special Procedures, including by lifting any limitations and constraints, particularly those on security grounds, on Special Procedures to visit West Papua, following the examples of the two first Special Procedures to be allowed in to West Papua in 2007.
2. To not delay any further the adoption of a definition of torture in the Criminal Code, in accordance with the Convention Against Torture (CAT), through special regulations if necessary, and to proceed with the reform of this code, which has now been delayed for decades.
3. To urgently ratify the Optional Protocol to the Convention Against Torture (OPCAT), as an effective prevention method, and monitor the conditions of detainees — an urgent priority for Indonesia.
4. The government must proceed without delay, in accordance with its international obligations, to prosecute those responsible for gross violations of human rights in Timor Leste, in particular those who currently operate in Aceh and West Papua. As the Committee Against Torture recently highlighted during Indonesia's second periodic review, Indonesia has been urged to promptly carry out the investigation and prosecution of Colonel Burhanuddin Siagian, who has an Interpol "Red Notice" for crimes against humanity. His current activities as Regional Commander in Jayapura are a constant source of concern for human rights defenders working in West Papua.

The above organizations believe that Indonesia will only be able to proceed with the democratization process and full compliance with international obligations, unless it addresses the

¹ West Papua refers collectively to the provinces of West Papua and Papua, the easternmost provinces of Indonesia.

widespread issue of impunity within its territory, in particular West Papua. The effective prosecution of those responsible for torture and gross violations of human rights would provide a clear indication that Indonesia is ready to fully adhere to its international obligations. On this matter, Indonesia must ensure, through training and adequate monitoring, that its courts and judiciary strictly adhere to the rule of law and to international standards of due process.

Mr. President, it is our hope that the UPR of Indonesia has highlighted important areas of work for Indonesia if it desires to reach the highest standard of compliance with human rights treaties. The questions that remained unanswered should not be ignored; we invite the government of Indonesia to provide answers to these very important questions. It is our view that the way forward is to address all outstanding human rights concerns in a frank and open dialogue concerning the human rights situation in West Papua.

Thank you, Mr. President.