



## Human Rights Watch Statement

### Item 6 - Adoption of the Outcome of the UPR of Indonesia

19 September 2012

We welcome the adoption of the outcome of the Universal Periodic Review of Indonesia, which reflects a number of important recommendations that the Indonesian government supports. These include ratifying important human rights treaties, including the two protocols to the Convention on the Rights of the Child, the Rome Statute of the International Criminal Court, and the International Convention for the Protection of All Persons from Enforced Disappearance. Indonesia also agreed to invite the three special rapporteurs on the rights to health, adequate housing and freedom of expression in 2012 and 2013. Indonesia reaffirmed its commitment to ensuring religious freedom and is still considering inviting the special rapporteur on religious freedom.

We regret that the Indonesian government does not accept the recommendation made at the United Nations Human Rights Council to release from prison, political detainees in Papua and the Moluccas Islands. Continuing to detain these non-violent activists, who Indonesia prosecuted under its treason articles, is contrary to international law.

In November 2011, the UN Working Group on Arbitrary Detention issued an opinion that the Indonesian government was in violation of international law by detaining Papuan civil servant Filep Karma. The Working Group called on the Indonesian government to immediately and unconditionally release Karma.

The Indonesian government had pledged to keep “voices of reason and moderation” to prevail over rising religious intolerance and sectarian violence. Foreign Minister Marty Natalegawa expressed “absolute and total commitment” in protecting religious minorities. But these positive statements were contrasted by reactions in Jakarta just after the UPR review. Minister of Religious Affairs Suryadharma Ali rejected the recommendations made by other states at the UPR, declaring that Indonesia is “the most tolerant country” in the world. He challenged if anyone could show “any other country more tolerant than Indonesia.”

Violence against religious minorities has remained a serious problem in Indonesia. On August 26, hundreds of Sunni militants attacked a Shia hamlet in Sampang regency, Madura island. The militants burned down around 50 Shia houses, killing one Shia man and seriously injuring another. Several police officers on the scene stood by during the attack. Now around 500 Shia villagers have been staying in a Sampang indoor stadium. Rather than helping the Shia population rebuild their houses, Minister of Religious Affairs Ali put more pressure on the minorities by offering “relocation.”

The Indonesian police have consistently failed to conduct adequate investigations into attacks by Islamist groups against religious minorities. Even when provided evidence such as eyewitness accounts and video or photographic evidence, police only rarely arrest those implicated.

Regulations against blasphemy and proselytizing are routinely used to prosecute atheists, Bahais, Christians, Shiites, Sufis and members of the Ahmadiyah faith—a Muslim sect declared to be deviant in many Islamic countries. By 2010, Indonesia had over 150 religiously motivated regulations,

including the blasphemy law, restricting minority rights. Several minority figures are also in prison for alleged blasphemy.

While the Indonesian government vowed to fight against impunity in Papua and West Papua provinces, it needs to back up its pledge with genuine progress in these areas.

There were at least 47 cases of alleged rights abuses in Papua between May and August 2012 during which 41 people were killed and 47 were seriously wounded. One case involved an Indonesian army battalion that went on a rampage in Wamena, burning down 87 houses, injuring 13 native Papuans and killing one. Their attacks came after villagers had beaten two soldiers whose motorcycle had run over a Papuan child. One soldier died in the attack. Police arrested three Papuan suspects. On June 15, the Indonesian military “solved” the incident with a traditional ceremony in which the Papuan populace was asked to close the case. Witnesses told us that none of them were questioned by the Indonesian military police over the rampage.

The increase in rights abuses and impunity in Papua and West Papua only underlines the failing of successive Indonesian governments to conduct credible and impartial inquiries regarding alleged extrajudicial killings in the areas.

The Indonesian government should allow international media, civil society groups and aid agencies, access to the provinces to report on violence and rights abuses by all sides. By keeping Papua closed off to the rest of the world, the Indonesian government is fostering impunity among military forces and resentment among Papuans. We urge Indonesia to accept calls to permit access to Papua and West Papua provinces and to issue standing invitations to UN human rights experts into the areas.

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