

Indonesia Country-wide Risk: Low / West Papua: Moderate

Indonesia has seen an increase in the reporting of sexual violence against women as a result of the nation's new legislation aimed at curbing sexual and gender-based violence. As noted in the *Jakarta Post* in March 2023, the number of sexual violence incidents reported has nearly doubled since 2021, and this reflects societal changes amongst Indonesian women who feel they can report incidents given progressive governmental reforms.¹

This sits alongside the recent acknowledgement and expression of regret from President Joko Widodo who publicly admitted to past governments committing 12 serious human rights violations across many decades, including the 1965-66 killings of anti-Communists, or those killed under the accusation that they were Communist. The statement issued by the President has been met with a positive response by the UN High Commissioner for Human Rights, Liz Throssell, who also compelled the government and the President to continue to work towards the non-reoccurrence of these types of violations and atrocities.²

Indonesia's next step to help reform legislation associated with human rights abuse, is to bring to law a Bill that protects domestic workers, including migrant workers working for Indonesian households. Under instruction from the President, the new legislation sets out punishments for those who act violently against their domestic help and sets the legal age of these workers at eighteen. According to Channel News Asia, there are approximately four million domestic workers that this reform in law seeks to protect. The law also looks to help Indonesian workers who live and work elsewhere across the globe.³

While new laws and other progressive measures do not speak to the prevention of atrocity crime directly, they show the current government's move towards ensuring the country has a strong human rights record, and also the need of the current President to leave a positive human rights legacy. While these examples show progressive governmental reform in regard to the commission of atrocity crimes and human rights violations, reports from areas such as Papua and West Papua show that violations are still a problem for the government and its military. "Hoax news" and "fake news" was recently blamed for the killing of 12 people by Indonesian authorities in the town of Wamena in the Papuan highlands. Indonesian officials in the region blamed Indigenous Papuans for thinking the fake news real and then reacting to the news that, in turn, led to Indonesian military intervention and the subsequent deaths. As Jenny Munro states, "recent incidents in West Papua show how the rhetoric of the 'hoax' or 'fake news' may be used by those in power to justify violence, perpetuate discrimination, and deny people's capacity to analyse their own social contexts."⁴

Recommendations

The government of Indonesia should:

- Ensure legislative decisions do not compromise Indonesia's democracy and will not lead to human rights abuse across all regions.
- Swiftly proceed stalled legislation criminalizing the abuse of human rights.
- Implement legislation to stop hate speech and discrimination and hoax news, and to effectively eliminate sexual and gender-based violence.

UN Member States should:

- Encourage Indonesia to take active steps to fulfil its responsibility to protect.
- Explore avenues for cooperation with the Indonesian government and society in the areas of combatting disinformation and misinformation related to the pandemic.
- Discourage the use of hoax news as justification for military and police intervention.

West Papua

Tensions between the Indonesia government and West Papuan independence activists remains high. This is no better highlighted than in the conflict that has ensued due to the abduction by the West Papuan National Liberation Army of New Zealand pilot Philip Mehrtens. This abduction has also been used by media outlets to highlight the Australian and New Zealand government's silence or "hands off" approach to this ongoing conflict, writing that "The silence suggests the limits of Australian and New Zealand 'values-based' diplomacy and outlines the real constraints that geography and trade relationships have for middle powers with a commitment to human rights and values."⁵

The abduction of the pilot recently led to several Indonesian soldiers being killed or wounded in rescue attempts, with exact figures unknown but with at least six dead and others missing.⁶ This has since led to indiscriminate bombing by the Indonesian military in the region they believe the pilot is being held, and in a recent video by the abducted pilot, he asked the Indonesian forces to stop the bombing as it was putting his life at risk alongside the rebels who held him hostage.⁷

Recent killings have also occurred in Central/West Papua due to civil unrest that spread due to a false rumour that a Papuan child had been kidnapped by migrant populations. Papuans supposedly attacked migrant groups and police officials. It led to the Indonesian government suggesting that indigenous populations had become violent, hence justifying military intervention.⁸ While the deaths appear to be correct, suggesting that Papuans are violently affected by disinformation and hoax news appears a tactic used by Indonesian forces to forcefully intervene and to further justify their need to be in the country to act as peacekeepers and a policing force.

Recommendations

The government of Indonesia should:

1. Prevent the expression of racial discrimination, hate speech, fake news and incitement against West Papuans, and provide clear advice to security forces to abide by international law and refrain from the use of violence and torture.
2. Ensure human rights are protected in all Indonesian territories, including freedom to protest and gather and freedom of speech.
3. Consider the aspirations of West Papuans and the underlying issues fuelling the protests, and endeavour to take into account these aspirations in future dealings with the province.

¹ Nur Janti, "More Gender-based Violence Reported Amid More Progressive Regulations," *Jakarta Post*, March 9, 2023, <https://www.thejakartapost.com/indonesia/2023/03/08/more-gender-based-violence-reported-amid-more-progressive-regulations.html>

² Liz Throssell, "Indonesia- Historical Violations," Office of the High Commissioner for Human Rights, January 13, 2023, <https://www.ohchr.org/en/press-releases/2023/01/indonesia-historical-violations>

³ Saifulbahri Ismail, “Indonesia Speeds Up Deliberations on Proposed Law to Protect Domestic Workers from Abuse,” *Channel News Asia*, February 15, 2023, https://www.youtube.com/watch?v=mgAA4_ii010

⁴ Jenny Munro, “‘Tricked by a Hoax’,” *Inside Indonesia*, March 22, 2023, <https://www.insideindonesia.org/tricked-by-a-hoax>

⁵ Xiang Gao and Guy C. Charlton, “Australia and New Zealand in the West Papua Conflict,” *Diplomat*, April 19, 2023, <https://thediplomat.com/2023/04/australia-and-new-zealand-in-the-west-papua-conflict/>

⁶ Anon., “Six soldiers Killed, 30 Missing in Attempt to Rescue Kidnapped Pilot in West Papua,” *Guardian*, April 17, 2023, <https://www.theguardian.com/world/2023/apr/17/six-soldiers-killed-30-missing-in-attempt-to-rescue-kidnapped-pilot-in-west-papua>

⁷ Anon., “New Video Shows NZ Pilot Phillip Mehrstens Alive and Well Nearly Three Months After Being Kidnapped by West Papua Separatists,” *ABC News*, April 26, 2023, <https://www.abc.net.au/news/2023-04-26/kidnapped-nz-pilot-phillip-mehrtens-shown-alive-well-in-video/102267718>

⁸ Jenny Munro, “‘Tricked by a Hoax’,” *Inside Indonesia*, March 22, 2023, <https://www.insideindonesia.org/tricked-by-a-hoax>