

Indonesia – High risk

Following the 17 April 2019 elections, a raft of new laws were proposed under the re-elected Joko Widodo government, including changes to Indonesia’s penal code. In Jakarta, as many as 5,000 students and trade unionists protested against these laws in front of Jakarta’s main parliament building. This led to clashes between police and protestors, and these turned violent on a number of occasions. Similar protests spread across the nation to other cities including Bandung, Makassar and Solo.ⁱ Estimates suggest these protests the biggest since similar mass protests ousted then-President Suharto in 1988, and recent gatherings have included over 10,000 participants nationally.

The protests were in opposition to a number of issues spread across legal, constitutional, civil and environment concerns. These included a raft of new laws such as illegalising cohabitation and sex outside of marriage, restricting sales of contraceptives, criminalising abortion other than in the case of medical emergency or rape, outlawing homosexuality, and making it illegal to insult the president.ⁱⁱ Human Rights Watch describes these laws as a disaster for women, and religious and gender minorities.ⁱⁱⁱ Similarly, a weakening of anti-corruption laws, the ongoing violence in West Papua (including recent killings), a delay to agrarian and mining laws, and a lack of response to ongoing forest fires in Kalimantan and Sumatra were also key concerns.

The violence to date has led to the deaths of three protestors, and numerous injuries inflicted on protestors and police alike.^{iv} Protestors issued seven demands including the banning of military and police personnel from holding civil service roles, ending “militarism” in West Papua, not prosecuting Indonesian activists, and arresting and putting on trial human right violators, including those at the highest levels.^v

In addition to escalating and ongoing riots leading up the inauguration of President Joko Widodo, an assassination attempt on the Indonesian Security Minister on the 10 October has fuelled numerous political rumours. Wiranto was stabbed by a husband and wife who had converted to radical Islam and were supposed members of the Jamaah Ansharut Daulah (JAD) network, which is linked to IS.^{vi} Terrorism experts have warned that this attack might inspire others, and at least eight other JAD members have been arrested by Indonesian security forces since.^{vii}

In May 2019 and prior to the elections, campaign protests in Indonesian capital cities saw racial and anti-Chinese sentiment once again become a key campaign ingredient. Some social media sites including those hosted on Instagram, Whatsapp, and Facebook were subsequently shut down by the Indonesian government for fear of inciting violence against Indonesia’s minority Chinese population.^{viii} Hate speech and hoax speech escalated across a range of social media sites, used as a political ploy by some parties that were hoping to accentuate ethnic and religious divides.

There are particular concerns with respect to the situation in West Papua, where the risk of atrocities is considered **Very high**.

Violence in West Papua erupted in August 2019 and again in September, raising concerns about growing potential for atrocity crimes. Protests by West Papuans were initially triggered by social media footage of racist slurs directed at students, who were accused of disrespecting the Indonesian flag.^{ix} The Indonesian Government implemented an internet blackout with the justification of stopping ‘fake news’ and restoring order;^x this prevented the treatment of protesters by Indonesian authorities reaching the rest of the world.

Demonstrations spread, with some protesters torching buildings and cutting off roads with burnt tyres. Indonesia sent thousands of extra forces into West Papua^{xi} and accounts subsequently emerged of human rights abuses and excessive force, including mass arrests and an incident where protesters were fired at and six people reportedly killed.^{xii} In late September, over 30 people were killed and several injured in violent clashes in Wamena and Jayapura.^{xiii} Papua military spokespersons said civilians had been trapped in burning kiosks and others were hacked to death.^{xiv}

A number of risk factors for continued conflict and potential atrocity crimes are present.^{xv} For example, the widespread use of dehumanising language can sometimes be a precursor to violence against a particular group; in this case the targeting of West Papuans with language such as ‘monkey’ and ‘pig’ is cause for alarm. In addition, disproportionate use of force by Indonesian security forces could indicate a growing intolerance for the right to protest and for freedom of expression. UN High Commissioner for Human Rights Michelle Bachelet expressed concerns about the violence and internet shutdown, and noted the “aspirations” of the people of West Papua.^{xvi}

Underpinning the recent outbreaks of violence is the longstanding West Papuan campaign for independence, simmering since the contested referendum of 1969 which granted West Papua to Indonesia. Unrest is likely to persist if the issue of independence is not addressed.

Recommendations

The Indonesian Government should:

1. Appoint a senior official as National R2P Focal Point to coordinate national and international efforts to implement R2P.
2. Ensure freedom of speech and freedom of protest.
3. Take steps to ensure the maintenance of the rule of law and order in areas afflicted by violence.
4. Conduct a thorough assessment of risks of racial violence and develop an action plan to address it.
5. Accelerate efforts to reform the governance of West Papua, to make it more inclusive, accountable and responsive and stimulate economic development.
6. Ensure that security operations against non-state armed groups, including those in West Papua, are conducted in a manner consistent with Indonesia’s international legal obligations.

The international community should:

1. Encourage Indonesia to take active steps to fulfil its responsibility to protect.
2. Actively explore avenues for cooperation with the Indonesian government and society in the areas of combatting violent extremism and terrorism, preventing sectarian conflict, and reducing incitement and hate speech.
3. Provide assistance when requested to help the government and civil society tackle their remaining challenges.

With respect to the situation in West Papua, the Indonesian Government should:

1. Fulfil its responsibility to protect its populations from atrocity crimes.
2. Issue orders to security forces to refrain from excessive force.
3. Address hate speech and incitement against West Papuans.
4. Consider the aspirations of West Papuans and the underlying issues fueling the protests.

West Papuan leaders should:

1. Discourage the use of violence by protesters and call for peaceful protests.

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- ⁱⁱ “Indonesia braces for more violence after law-change protests” Channel News Asia, 26 September 2019, <https://www.channelnewsasia.com/news/asia/indonesia-violent-law-change-protests-11945346>
- ⁱⁱⁱ “Indonesia: Draft Criminal Code Disastrous for Rights,” Human Rights Watch, 18 September 2019, <https://www.hrw.org/news/2019/09/18/indonesia-draft-criminal-code-disastrous-rights>
- ^{iv} “Indonesian students clash with police in protests over new law,” The Guardian, 1 October 2019, <https://www.theguardian.com/world/2019/sep/30/indonesian-students-resume-anti-corruption-protests>
- ^v Max Walden, “Students dead, activists arrested amid protests to stop legal changes in Indonesia,” 2 October 2019, <https://www.abc.net.au/news/2019-10-02/students-dead-activists-arrested-amid-protests-in-indonesia/11561714>
- ^{vi} “Wiranto: Indonesia security minister stabbed by ‘IS radical’,” BBC News, 10 October 2019, <https://www.bbc.com/news/world-asia-49997210>
- ^{vii} “Indonesian police ramp up suspect search after stabbing attack on security minister,” Channel News Asia, 11 October 2019, <https://www.channelnewsasia.com/news/asia/indonesia-security-minister-wiranto-knife-attack-terrorism-11991774>
- ^{viii} “Chinese Indonesians brace for worst after racist social media posts trigger deadly riots,” New Strait Times, 25 May 2019, <https://www.nst.com.my/world/2019/05/491194/chinese-indonesians-brace-worst-after-racist-social-media-posts-trigger-deadly>
- ^{ix} “Indonesia Papua: Local parliament torched in Manokwari unrest,” BBC News, 19 August 2019, <https://www.bbc.com/news/world-asia-49394035>
- ^x Jennifer Robinson, “The escalating human rights crisis on our doorstep that no one is watching,” Sydney Morning Herald, 3 September 2019, <https://www.smh.com.au/national/the-escalating-human-rights-crisis-on-ourdoorstep-that-no-one-is-watching-20190903-p52ndj.html>
- ^{xi} Anne Barker, “Papuan race riots lay bare long-running tensions, fuelling push for independence from Indonesia”, ABC News, 6 September 2019, <https://www.abc.net.au/news/2019-09-06/west-papua-fight-for-independence-fuelledby-race-riots/11480524>
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- ^{xiii} James Massola and Karuni Rompies, “Papua protests ‘the bloodiest in 20 years’,” Sydney Morning Herald, 25 September 2019, <https://www.smh.com.au/world/asia/papua-protests-the-bloodiest-in-20-years-20190925-p52uvk.html>
- ^{xiv} “West Papua: Day of violence sees at least 27 dead,” BBC News, 27 September 2019, <https://www.bbc.com/news/world-asia-49806182>
- ^{xv} APR2P Statement on West Papua, <https://r2pasiapacific.org/article/2019/09/apr2p-statement-west-papua>
- ^{xvi} Comment by UN High Commissioner for Human Rights Michelle Bachelet on Indonesia (Papua and West Papua), 4 September 2019, <https://reliefweb.int/report/indonesia/comment-un-high-commissioner-human-rightsmichelle-bachelet-indonesia-papua-and>