

Indonesia Country-wide Risk: Medium / West Papua Risk: High

Indonesia remains at medium risk of violence and atrocity crimes due to COVID-19.

As reported in the June 2020 regional outlook on Indonesia, COVID-19 has put particular stress on Indonesia's poorest citizens and minority groups, including the Chinese-Indonesia diaspora. Since June, this tension has also been aimed at the government due to both the government's limited response to halting the virus, and a number self-serving changes the government has made to legislation under the guise of the pandemic.

One of the fallouts of the virus has been the stalling of large government economic projects, including the relocation of the nation's capital, one of Joko Widodo's 'legacy projects',¹ suggesting the pandemic is affecting companies and individuals alike due to economic downturn. To counter some of this downturn, the Indonesian government has introduced a raft of opportunities that have been criticised by student activists, government opposition and the press, as they appear to benefit the President and his associates, to the detriment of the environment and labour rights.

Similarly, and more pointedly as Melissa Crouch writes, these decisions are seen to undermine Indonesia's democracy. They include amending the rules around Indonesia's Constitutional Court and simultaneously "reduc[ing] the powers and compromis[ing] the independence of another key trusted institution—the Anti-Corruption Commission."² These decisions also include the forging of the "omnibus" jobs creation bill, aimed at "relaxing Indonesia's complex web of business, labour and environmental laws" in the hope of stimulating the economy.³ Protests have since broken out in major Indonesian cities, including Bandung and Jakarta, over the proposed bill, protesters suggesting the bill compromises human rights and could end up damaging the environment.⁴

The pandemic has also significantly exasperated sexual and gender-based violence, leading to a doubling of domestic violence due to male partners either being out of work, or losing income due economic downturn. According to The Legal Aid Foundation of the Indonesian Women's Association for Justice, Indonesian women from all levels of social hierarchy are the targets of this sexual and gender-based violence, as rich and poor alike are finding themselves victims of male partner abuse.⁵ Further, *The Jakarta Post* has reported that women with disabilities are even more prone to greater risk of SGBV violence due to the pandemic, with a survey showing that 70 per cent of women with disabilities have been sexually violated during the pandemic, and 15 per cent raped, and 10 per cent sexually exploited.⁶

¹ Donald Greenlees, 'Flying Blind: Indonesia Grapples to Respond to COVID-19,' *Asialink*, 11 June. Available at <https://asialink.unimelb.edu.au/insights/flying-blind-indonesia-grapples-to-respond-to-covid-19>

² Melissa Crouch, 2020, 'Under cover of COVID, Indonesia's most respected public institution is under attack,' *Sydney Morning Herald*, 14 September. Available at <https://www.smh.com.au/world/asia/under-cover-of-covid-indonesia-s-most-respected-public-institution-is-under-attack-20200913-p55v32.html>

³ Callistasia Wijaya, 2020, "Indonesia: Thousands protest against 'omnibus law' on jobs," *BBC*, 8 October. Available at <https://www.bbc.com/news/world-asia-54460090>

⁴ *Ibid.*

⁵ Ayesha Nadya Muna, Diva Tasya Belinda Rauf, Ika Krismantari, 2020, 'Indonesia's Rise in Domestic Violence During the COVID-19 Pandemic: Why it Happens and How to Seek Help,' *The Conversation*, 6 August. Available at: <https://theconversation.com/indonesias-rise-in-domestic-violence-during-the-covid-19-pandemic-why-it-happens-and-how-to-seek-help-142032>

⁶ Gemma Holliani Cahya, 2020, 'Women with disabilities at great risk of violence during COVID-19 crisis: survey' *Jakarta Post*, 21 October. Available at <https://www.thejakartapost.com/news/2020/10/21/women-with-disabilities-at-greater-risk-of-violence-during-covid-19-crisis-survey.html>

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 restricting the spread of COVID-19 remains a priority.
3. Ensure legislative decisions do not compromise Indonesia's democracy and will not lead to human rights abuse.
4. Work to implement legislation to stop sexual and gender-based violence that has escalated due to COVID-19.

Other concerned governments should:

1. Encourage Indonesia to take active steps to fulfil its responsibility to protect.
2. Continue to 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. Continue to provide COVID-19 assistance when requested to help the government and civil society tackle challenges that stem from the pandemic.

West Papua: High Risk

The province of West Papua in Indonesia remains at high risk of continued violence and atrocity crimes. The sentencing of a group of political prisoners from West Papua was carried out by an Indonesian court in June, after they were moved from Papua for 'security reasons', and tried for treason after participating in anti-racism riots against the Indonesian government last August. Known as the "Balikpapan Seven", one of the first three tried was given 11 months in prison, while the other two were given 10 months.⁷ These sentences are a long way from the maximum 17-year sentences proposed by Indonesian prosecutors. Yet, they show an increasing reliance of the Indonesian government to utilise harsh laws to suppress peaceful dissent and freedom of expression and association, along with widespread accusations of racial abuse amongst judicial systems.⁸ In the wake of the Black Lives Matter movement, human rights activists in Indonesia have adopted 'Papuan Lives Matter' when calling for the release of West Papuan political prisoners, and the accusations of intrinsic racism in Indonesian courts has prompted severe criticism from human rights advocates globally and within Indonesia.⁹

Foreign journalists and media reporting, along with internet access in West Papua, continues to be restricted by the Indonesian government in the wake of violence between government security forces and West Papuan separatist organisations. While government spokespersons deem the blackout necessary to prevent trolls and 'fake news' from instilling unrest in the population, advocates of media freedom suggest it enables the Indonesian security forces to continue to operate unmolested in

⁷ Al Jazeera, 2020. 'Indonesian court issues guilty verdicts in West Papua trial'. *Al Jazeera*, 17 June. Available at: <https://www.aljazeera.com/news/2020/6/17/indonesian-court-issues-guilty-verdicts-in-west-papua-trial>.

⁸ Suara Papua, 2020. *Int'l Groups Demand Release of West Papua Political Prisoners, Address Racist Indonesian Laws*, <https://suarapapua.com/2020/06/16/intl-groups-demand-release-of-west-papua-political-prisoners-address-racist-indonesian-laws/>.

⁹ Ibid., Human Rights Watch, 2020. *Indonesia: Drop Case Against Papuan Protest Organizers*, <https://www.hrw.org/news/2020/06/10/indonesia-drop-case-against-papuan-protest-organizers>. See also: Veronica Koman and Ronny Kareni, 2020. 'How Black Lives Matter reached to Indonesia and inspired solidarity with Papuans'. *The Sydney Morning Herald*, 18 June. Available at: <https://www.smh.com.au/world/asia/how-black-lives-matter-reached-to-indonesia-and-inspired-solidarity-with-papuans-20200618-p553r4.html>.

carrying out violent abuses against West Papuans, in conjunction with denials of visits by UN human rights representatives.¹⁰ In a recent ruling, the Indonesian Supreme Court deemed the media blackout in the province unlawful. While certainly a positive first step towards allowing transparency and potential restitution for human rights abuses within the province, the Indonesian government has yet to finalise its response to the ruling¹¹ and, as such, any perpetrators of abuses continue to not be held to account. There is also evidence of continued censorship on social media of articles about press freedom and human rights abuses in West Papua.¹² Following the riots in 2019, there is evidence that Jihadist organisations are attempting to rally support and fighters to travel to West Papua and defend the predominantly Muslim population from Christian Papuans.¹³ While the level of involvement of these organisations in the conflict is disputed, it does exacerbate the already high risks of atrocity crimes within the region.

The spread of COVID-19 in West Papua is also a concern for its potential to fuel further violence and facilitate the commission of atrocity crimes. The pandemic, and the Indonesian government's response to it, has taken on a political dimension that is seeming to provide impetus for both sides of the conflict to further unrest and distrust in each other, including increased attacks on security personnel and migrant populations and the spreading of disinformation campaigns.¹⁴ In such an environment, the pandemic is likely to provide a context for increased militarisation and chances of further unrest and conflict.¹⁵

Recommendations

The Indonesian Government should:

1. Address entrenched racial discrimination, hate speech 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. As a member of the UN Human Rights Council, ensure human rights are protected in all Indonesian territories, including freedom to protest and gather and freedom of speech.
3. Ensure a fair and impartial judicial process for political prisoners.
4. Respect and abide by the Court's decision that the media blackout is unlawful, and in turn make the province accessible to foreign and Indonesian media reporting.

¹⁰ Camellia Webb-Gannon et al., 2020. *Fight for Freedom: new research to map violence in the forgotten conflict in West Papua*, <https://theconversation.com/fight-for-freedom-new-research-to-map-violence-in-the-forgotten-conflict-in-west-papua-128058>. See also: Joshua McDonald, 2020. *Pacific Islands Forum Presses for Human Rights Mission to West Papua*, <https://thediplomat.com/2020/10/pacific-islands-forum-presses-for-human-rights-mission-to-west-papua/>.

¹¹ Moch. Fiqih Prawira Adjie, 2020. 'Internet ban during Papua antiracist unrest ruled unlawful'. *The Jakarta Post*, 3 June. Available at: <https://www.thejakartapost.com/news/2020/06/03/internet-ban-during-antiracism-unrest-in-papua-deemed-illegal.html>; International Federation of Journalists, 2020. *Indonesia: Court finds internet ban in Papua and West Papua violates the law*, <https://www.ifj.org/media-centre/news/detail/category/asia-pacific/article/indonesia-court-finds-internet-ban-in-papua-and-west-papua-violates-the-law.html>.

¹² RSF, 2020. *Melanesia: Facebook algorithms censor article about press freedom in West Papua*, <https://rsf.org/en/news/melanesia-facebook-algorithms-censor-article-about-press-freedom-west-papua>.

¹³ Johnny Blades, 2019. 'Call for Jihadis to go to West Papua following unrest'. *Radio NZ*, 7 October. Available at: <https://www.rnz.co.nz/international/pacific-news/400470/call-for-jihadis-to-go-to-west-papua-following-unrest>. See also: Telly Nathalia, 2019. 'Islamic State-Affiliated Group Calls for Jihad in Papua: Defense Minister'. *Jakarta Globe*, 6 September. Available at: <https://jakartaglobe.id/news/islamic-state-affiliated-group-calls-for-jihad-in-papua-defense-minister/>.

¹⁴ Institute for Policy Analysis of Conflict, 2020. *IPAC Short Briefing No. 2: COVID-19 and Conflict in Papua*, http://file.understandingconflict.org/file/2020/04/Covid_in_Papua_2.pdf.

¹⁵ Morning Star, 2020. *Coronavirus: Indonesia Militarises WP*, <https://unpo.org/article/21889>; Umair Jamal, 2020. 'Will dynamics of conflict in West Papua, Indonesia change with COVID-19?' *ASEAN Today*, 19 June. Available at: <https://www.aseantoday.com/2020/06/will-dynamics-of-conflict-in-west-papua-indonesia-change-with-covid-19/>; Queenie Pearl Tomaro, 2020. *Virus or Bullets: A glimpse of COVID-19 in Rakhine, West Papua and Bangsamoro*, <https://aasyp.org/2020/09/04/virus-or-bullets-a-glimpse-of-covid-19-in-rakhine-west-papua-and-bangsamoro/>.

5. Allow UN officials access into West Papua, such as the UN High Commissioner for Human Rights, and consider an independent UN investigation into the conflict in Nduga.
6. 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.