



Oral Statement Komnas HAM
UNHRC 52nd session: 27 February – 04 April 2023

Honourable chairperson and distinguished delegates to the Council,

I am speaking on behalf of the National Human Rights Commission of the Republic of Indonesia (Komnas HAM). Herewith we also share the same view with our fellow human rights institutions in Indonesia, namely the National Commission on Anti Violence Against Women (Komnas Perempuan), and the National Commission on Disability.

Having engaged and monitored Indonesia's 4th cycle UPR process, Komnas HAM appreciates the commitment of the Government of Indonesia (GoI) to support 205 out of 269 recommendations.

Komnas HAM appreciates the commitments of the GoI to further consider the ratification of numbers of international human rights conventions that Komnas HAM has recommended, particularly: the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and the International Convention for the Protection of All Persons from Enforced Disappearance.

Komnas HAM appreciates and supports the commitment of the GoI to further promote and protect woman's rights, child's rights, rights of person with disability, and migrant and domestic workers' rights, through protection from gender-based violence and gender-based discrimination, access to sexual reproductive health and rights, access to education, access to economy, access to employment, and access to politics. Komnas HAM calls on the implementation of those commitments through improvement and effective implementation of the national laws, development agendas, and ratification of international human rights conventions.

On land and environmental issues, Komnas HAM urges the GoI to immediately implement its commitment to take appropriate measures to reduce the impact of mining on the environment, particularly on the pollution of land and water resources; and to continue its efforts to address the barriers to access to land by indigenous people and local communities.

On the situation in Papua, Komnas HAM particularly supports the GoI commitment to continue to investigate human rights abuses, including those in the Papua provinces, and to bring those responsible to justice in a timely and transparent manner; to uphold, respect and promote its human rights obligations in Papua, including freedom of assembly, speech, expression and the press and the rights of women and minorities; and to prioritize the protection of civilians, including women and children.

On Indonesia's new penal code, Komnas HAM continues to monitor its implementation and to engage with the GoI to ensure government's commitment that Criminal Code revisions and law reforms accord with international laws and obligations.

On Human Rights Defenders, Komnas HAM also welcome the Gol commitment to adopt legislation and implement comprehensive policies for the protection of human rights defenders/ women human rights defenders, including environmental defenders, activists and journalists; and to adopt a comprehensive policy and legal framework for the protection of human rights defenders that provides for a preventive protection mechanism.

Komnas HAM urges the Gol to immediately implement its commitment to provide resources and sufficient support to the Office of the Attorney General to investigate and conduct fair, credible, independent and transparent trials for human rights violations committed in the recent past.

We also urge the Gol to implement its commitment to Combat impunity effectively by promptly investigating past and ongoing human rights violations in a fair, credible, independent, open and transparent manner, including sexual and gender-based violence, by further supporting and strengthening the investigative role of Komnas HAM.

We take concerning note that due to the existing national law, the recommendations concerning abolishing death penalty are yet to be fully considered. However, we strongly encourage the Gol to Implement a sentence commutation mechanism for those sentenced to death, in addition to the clemency mechanism by the President.

Finally, Komnas HAM appreciates much of the effort of the Gol to continue work and implement its obligation according to the international human rights law, standard, and mechanism, including to continue its participation in Universal Periodic Review, and wish that this process will further strengthen and improve the promotion and protection of human rights in Indonesia. Thank you.