



Permanent Mission
of the Republic of Indonesia to the UN, WTO,
and Other International Organizations
in Geneva

Statement
by the Delegation of the Republic of Indonesia
at the 1 th Session of the Expert Mechanism on the Rights
of Indigenous Peoples
13 July 2021

Thank you Chair,

I would like to thank the EMRIP secretariat for accomodating Indonesia's request to speak in this important meeting.

In Indonesia's context, the entire population of Indonesia has remained unchanged since the time of its colonization and subsequent independence, and we are proud with the fact that Indonesia is a multicultural and multi-ethnic nation.

Furthermore, in line with the democratic principles that is guaranteed by our Constitution, Indonesia continues to promote and protect the traditional collective rights of the sub-ethnic communities that we call *Masyarakat Adat*, as well as their contributive role to the nation.

Although the concept of indigenous peoples does not apply in Indonesia due to our pluralistic and historical background, Indonesia has been supporting the promotion and protection of indigenous people and the application of the UNDRIP in jurisdictions where it is applicable.

I wish to take this opportunity to convey Indonesia's comments on EMRIP's draft report on indigenous peoples and the right to self-determination, in particular, on **para 37**, where a reference is made about Indonesia and the Papuan People's Assembly.

We respectfully request the independent experts **to delete** this reference, on the basis that:

- **First**, the reference is very outdated, taken from June 2010, more than 11 years ago, and does not at all reflect the present views of the Papuan People's Assembly.

I wish to inform the Independent Experts that the Papuan People's Assembly has met with our Coordinating Minister for Political, Legal, and Security affairs on 12 June of this year (2021), to submit inputs on the Draft Special Autonomy Law, which was **welcomed** by the Coordinating Minister.

Therefore, the reference in the draft report is **neither current nor factual**.

- **Second**, recalling paragraph 9 of HRC resolution 6/36 establishing EMRIP, and paragraph 6 of GA resolution 1514 of 1960 which very clearly states that any attempt to disrupt the national unity and territorial integrity of the State is incompatible with the purposes of the UN Charter, we believe that EMRIP does not have the mandate to comment on the so-called "aspirations for independence" in paragraph 37 of the draft report, as this a clear encroachment to Indonesia's territorial integrity.

The reference made in the draft report is incompatible with EMRIP's mandate, GA resolution 1514, and the principles of the UN Charter. It implies that EMRIP supports the dismemberment of a sovereign Member State of the United Nations, something that has never been supported by Member States when they agreed to establish the mechanism.

As a a state party to the ICCPR and ICESCR, we trust that the reference also goes beyond what is stipulated in both Covenants - the Covenants that served as bases for the UNDRIP.

We therefore ask for the reference's removal from the draft report.

We have submitted these comments in writing to the Secretariat for EMRIP's perusal.

Furthermore, based on the aforementioned resolutions, Indonesia supports UN's efforts to have more meaningful discussions in advancing the rights of indigenous peoples.

Such meaningful discussions require the involvement of real experts and wider stakeholders, including representatives from indigenous communities.

We underline the call made by representatives of States as well as the indigenous communities themselves in supporting the work of EMRIP, including the call to prevent participants from misusing this very

important forum to undermine the national unity and territorial integrity of States, in contravention with GA resolution 1514.

Promotion of separatism and expressions of support for secession from a sovereign State, as has been previously made by the “West Papua Interest Association”, definitely falls within this scope.

As a mechanism established by the UN, EMRIP has the duty to prevent such actions and to uphold the principles of the UN Charter.

Finally, we wish to welcome the new distinguished members of EMRIP, and reiterate our continued support to the mechanism and the role of the indigenous peoples organizations, including in building harmonious and cooperative relations between the State and indigenous peoples as enshrined in the UNDRIP.

I thank you.