



PERMANENT MISSION  
OF THE REPUBLIC OF INDONESIA  
TO THE UNITED NATIONS, WTO AND  
INTERNATIONAL ORGANIZATIONS IN GENEVA

Geneva, 20 January 2021

No. 12/POL-II/I/2021

**Dear Madam and Sir,**

I wish to acknowledge receipt of your Joint Communication, Ref. No. AL IDN 5/2020 of 29 December 2020. I appreciate the continuing efforts of mandate holders in communicating and highlighting issues of common concern to the Indonesian Government. As a member of the Human Rights Council, please rest assured of Indonesia's continued commitment to support the work of the mandate holders in advancing the promotion and protection of human rights, especially during these challenging times.

I have transmitted the Joint Communication to the relevant authorities in Indonesia. At this juncture, I would like to provide you with the following information on some of the issues presented in the Joint Communication.

#### **The death of Mr. Yerima Zanambani**

After the death of Mr. Yerima Zanambani on 19 September 2020, on 2 October 2020, the Coordinating Minister for Political, Legal, and Security Affairs, Mr. Mohammad Mahfud MD, established a Joint Fact-Finding Team ("*Tim Gabungan Pencara Fakta*" (TGPF)), consisting of independent experts and academics and members of the Indonesian Military and Police. The team was tasked to gather information on the ground, to then report their findings within 2 (two) weeks after their establishment.

On 9 October 2020, as the TGPF was conducting their mission in the Hitadipa District, Province of Papua, the team was attacked by armed separatist criminals. The attack injured 2 (two) members of the TGPF, namely [REDACTED] an academic, and [REDACTED]. Previously, on 17 and 19 September 2020, respectively, armed separatist criminals also murdered 2 Indonesian Military personnel, [REDACTED] and [REDACTED] and one civilian, [REDACTED]. Despite the immense terror that they faced, the TGPF was able to resume its task to gather information, including by interviewing potential eyewitnesses and members of Mr. Zanambani's family.

- Ms. Agnes Callamard**, Special Rapporteur on extrajudicial, summary or arbitrary executions
- Ms. Koumbou Boly Bary**, Special Rapporteur on the right to education
- Ms. Cecilia Jimenez-Damary**, Special Rapporteur on the human rights of internally displaced persons
- Ms. E. Tendayi Achiume**, Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance
- Mr. Ahmed Shaheed**, Special Rapporteur on freedom of religion or belief
- Mr. Nils Melzer**, Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

On 21 October 2020, the TGPF submitted their report, which indicated the possible involvement of a member of the security forces as well as the possible involvement of a third party. Upon receiving the TGPF's findings, the Coordinating Minister for Political, Legal, and Security Affairs reiterated the Government's commitment to continue the legal process pertaining to this case. In his statement, the Coordinating Minister has also requested the Indonesian Police and Attorney General's Office to resolve the case, and for the National Police Commission to closely monitor the process.

After these findings, and in line with the findings of *Komnas HAM* -Indonesia's National Human Rights Institution, on 12 November 2020, the Indonesian Army also established a joint investigation team, to follow-up investigations on the alleged involvement of a member of the Indonesian Army in the death of Mr. Zambani. On 23 December 2020, the Commander of the Indonesian Army Military Police ("Danpuspomad"), Lt. General Dodik Widjanarko, stated that the investigation team is still in the process of gathering data in order to determine possible suspects.

### **The death of Mr. Rufinus Tigau**

On 26 October 2020, Mr. Rufinus Tigau was killed during a shoot-out between security forces and armed separatist criminals. According to the Indonesian Army and as further verified by the Indonesian Police, Mr. Tigau has been confirmed as a member of the armed separatist criminal group that was involved in the armed attacks against security forces. Mr. Tigau's involvement in the group's illicit activities has also been confirmed by members of his family.

Irrespective of Mr. Tigau's track record and involvement in the violent activities of the armed separatist criminal group, including in the unfortunate shoot-out that led to his demise, any grievances regarding the circumstances of his death can still be addressed through Indonesia's robust grievances mechanisms, including, but not limited to, *Komnas HAM* and the National Police Commission.

However, with regard to your comments on how the investigation and prosecution on the abovementioned issues should be conducted, I must strongly appeal to all Mandate Holders to respect Indonesia's legal system, and to refrain from making unwarranted assumptions on, or worse, prejudging the outcome of the on-going legal process.


The Indonesian justice system is equipped with robust domestic remedies, providing more avenues for victims to seek justice and compensation. The creation of the aforesaid Joint Fact-Finding Team is part of the Indonesian Government's genuine intention to address the case. The wider involvement of relevant human rights stakeholders, including from law enforcement and representatives of the central and provincial governments, is indeed an inclusive approach to further guarantee the safety of citizens in the Intan Jaya Regency, while investigating the murder case and bringing perpetrators to justice.

With regard to your question on the efforts that the Government of Indonesia has undertaken to ensure the full respect and protections of persons belonging to an "indigenous group", specifically in relation to the Papuan community, please refer to our letter addressed to Special Procedures Mandate Holders No. 102/POL-II/VII/2020 of 1 July 2020.

As per the usual practice, I will bring the other questions contained in the Joint Communication to the attention of the relevant stakeholders, and will revert back to you in due course. Please be mindful that the pandemic has made multi-stakeholder coordination in preparing a comprehensive response to your joint communication very difficult. Nevertheless, we remain committed to do our best to constructively engage with you on all issues of mutual concern.

Please accept, Madam and Sir, the assurances of my highest consideration

Yours sincerely,



Grata E. Werdaningtyas  
Ambassador/Chargé d'Affaires