



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

Geneva, 26 July 2024

No: 125/POL-II/VII/2024

Dear Sir and Madames,

I have the honor to transmit herewith my Government's response to your Joint Communication Ref.: AL IDN 3/2024, dated 27 May 2024, concerning the allegation of acts of intimidation, censorship and coercion at the People's Water Forum (PWF), in the context of the 10th World Water Forum (WWF) which took place in Denpasar, Bali, from 21-23 May 2024.

I appreciate your efforts, in your capacities as mandate holders, in communicating your concerns on human rights issues to the Government of Indonesia. As a member of the Human Rights Council 2024-2026, rest assured that it is Indonesia's continued commitment to work together with mandate holders in advancing the promotion and protection of human rights at the national and global levels.

The response enclosed informs that the 10th WWF was convened by the Government as an open platform where everyone, including member of civil society, could attend and express their views without fear of threat or reprisals. The participation of numerous CSOs representatives in various sessions of the Forum testified its inclusiveness to different stakeholders and debates around the issue of water in the global agenda.

With regard to the organization of the PWF, it is important to note that the Government had never received any permit application for the PWF, and thereby, no police deployment had been undertaken to ensure the event's safety as required by law. Nevertheless, it is deeply regrettable that during the PWF, some members of community-based organizations might have acted against the request and appeal made by the local government of Bali Province to maintain a safe and orderly environment around the 10th WWF.

The investigation against such acts has been initiated by the Indonesian National Police (INP) in response to the police report filed by the PWF organizing committee and the Bali Legal Assistance Coalition. On that note, all parties, including civil society, are welcomed to follow the legal process to ensure that it is fairly conducted under the law.

In light of the above, I wish to underscore that the Government will continue its utmost to protect and fulfill the human rights of our people, including their rights to freedom of expression and peaceful assembly. It is also our firm commitment to upholding the rule of law and ensuring that any violations of our national law will always be held accountable.

Please accept, Sir and Madames, the assurances of my highest consideration.

Yours sincerely,

Aehsanul Habib
Ambassador/Chargé d'affaires a.i./
Deputy Permanent Representative I

Pedro Arrojo-Agudo, Special Rapporteur on the human rights to safe drinking water and sanitation

Gina Romero, Special Rapporteur on the rights to freedom of peaceful assembly and of association

Mary Lawlor, Special Rapporteur on the situation of human rights defenders

Reply of the Government of Indonesia to the Joint Communication of the Special Procedures Mandate Holders Ref. AL IDN 3/2024 of 27 May 2024

Concerning your letter No. AL IDN 3/2024 dated 27 May 2024, below is information, explanation, and clarification on points raised regarding the allegations of human rights violations committed in relation to the People's Water Forum (PWF) in Bali, 21-23 May 2024, that was held in parallel to the 10th World Water Forum.

I. Freedom of Expression at the 10th World Water Forum

In light of the allegations of intimidation towards activists involved in the 2024 PWF, we would like to firstly highlight that the 10th World Water Forum – held in Bali, Indonesia, on 18-25 May 2024 – has provided a safe platform for everyone who participated in the Forum to express their views without fear of threat or reprisals.

The Forum attracted 20.000 registered delegates and participants from 160 countries, featured 269 sessions, 254 expo and fair booths, and welcomed 64.000 visitors. The delegates and participants consist of all stakeholders related to water issues, including representatives from governments, international organizations, civil society organizations (CSOs), private sector, as well as youth.

Representatives of CSOs could freely participate in the event and conveyed their views in the Forum's various sessions, including views that may be critical of government policies. Several CSOs that have attended and/or spoken at the Forum are: International Association for Water Law, Water Integrity Network, Water.org, End Water Poverty, the Nature Conservancy, Humanity First, African Civil Society Network on Water, CIRAT - *Centro Internacional de Água e Transdisciplinaridade*, Indonesia Global Compact Network, Mangrove Ranger, *Komunitas Peduli Sungai*, *Yayasan Bambu Lingkungan Lestari*, etc. Moreover, the Forum also organized a series of talk shows (the 'Water Talk' sessions, held over seven days) which were not only open and free for the public, but also invited environmental activists as resource persons to speak, spread knowledge, and raise awareness on the importance of water issues in the global agenda.

II. Allegations on Acts of Intimidation at the People's Water Forum

Concerning allegations that the Ministry of Education, Culture, Research and Technology (MoECRT) had requested an academic institution to cancel the PWF, we would like to clarify that the MoECRT had never given any directives to any academic institutions regarding the PWF event. The MoECRT always supports the promotion and protection of human rights in all academic institutions to ensure conducive, inclusive, and safe learning environments.

In this regard, the MoECRT has sought further information from the academic institution reported to be involved with the PWF event, namely the Indonesian Art Institute (*Institut Seni Indonesia / ISI*) Denpasar. ISI Denpasar had conveyed the following points of clarification:

- On 16 April 2024, ISI Denpasar received a letter from Bintang Gana Bali Foundation (letter reference no. 03.001/BG-BALI/IV/2024) requesting cooperation to hold an event called 'Cultural Week and Public Consultation on Water' (it is important to note that the organizer did not mention 'People's Water Forum 2024'). The event was to be held on 20-24 May 2024. The Foundation requested to use ISI Denpasar's premises for the said event.
- In response to the request, ISI Denpasar required further coordination with its faculties and offices to check the availability of their premises for non-academic activities.

- On 15 May 2024, ISI Denpasar sent a letter of reply to the Foundation (letter reference no. 4780/1T.5.4/LP.OO.01/2024), conveying regret that the Cultural Week and Public Consultation on Water could not be held at ISI Denpasar as the campus premises was optimised to support academic activities.

Police deployment to supervise the safety of public events is managed in accordance with event permit applications that are submitted by the event organizers to the police. Procedures for public event permit applications are set out in two regulations: (1) Government Regulation No. 60 Year 2017 on the Procedure for Permit and Supervision of Public Events, Other Community Events, and Notice of Political Events;¹ and (2) Head of Indonesian National Police Regulation No. 7 Year 2023 on Technicalities of Permit, Supervision, and Policing at Public Events and Other Community Events.²

Pursuant to these regulations, organizers of public events of an international scale (i.e. events with international participants) shall apply for event permit within 30 days prior to the beginning of the event at the latest. Such application shall specify the event venue, schedule, organizers, participants, and other relevant details to assist the police in preparing a proper deployment plan to supervise the safety of the event. The Indonesian National Police (INP) had never received any event permit application for the People's Water Forum or the Cultural Week and Public Consultation on Water, therefore the INP could not prepare a deployment plan for the event.

With regard to the Special Rapporteur on the Human Rights to Safe Drinking Water and Sanitation's encounter on 21 May 2024 with presumably 20 officers, as seen in news media coverage, such officers were seen to be wearing the uniform of 'Satpol PP' (*Satuan Polisi Pamong Praja* / Municipal Public Order Agency). The Municipal Public Order Agency is within the purview of local / municipal governments, comprised of civil servants tasked to maintain municipal regulations and safeguard the community. The Municipal Public Order Agency has limited authority in comparison to the INP, and their appearance on 21 May 2024 in response to the ensuing commotion was intended to prevent further chaos in the surrounding roads and areas.³

It is also important to note that the local government of Bali Province had sent out a circular letter to all community-based organizations in Bali, requesting and appealing for their cooperation to maintain a safe and orderly environment during the 10th World Water Forum (circular letter reference no. B.34.200.1.4.4/2910/Bid.IV/BKBP dated 15 May 2024). The circular letter also specifically asks the members of such organizations to give a sense of safety for domestic and international visitors in Bali. We deeply regret that a subset of such community-based organizations might have transgressed against the local government's appeal. In the future, establishing open communication and coordination in good faith among all stakeholders – including between activists, security apparatus, government officials, national human rights institutions (NHRIs), and community-based organizations – is very crucial and much needed to better facilitate a safe space for the freedom of assembly and the freedom of expression for everyone in Indonesia.

On 21 May 2024, the Indonesian National Human Rights Commission (KOMNAS HAM) sent a letter to the INP and the Bali Police (letter reference no. 027/PM.00/0.1.0/V/2024), urging them to protect the freedom of assembly and freedom of expression in Indonesia, as well as to properly investigate the alleged intimidation experienced by the PWF participants.⁴ On 28 May 2024, the PWF organizing committee, together with the Bali Legal Assistance

¹ <https://peraturan.go.id/id/pp-no-60-tahun-2017>

² <https://sisdivkum.id/library/peraturan-kepolisian>

³ <https://baliexpress.jawapos.com/bali/674680373/satpol-pp-tegaskan-hanya-memantau-penghentian-diskusi-pwf-di-denpasar>

⁴ [https://www.komnasham.go.id/files/20240522-keeterangan-pers-nomor-25-hm-00-\\$QJDJ4.pdf](https://www.komnasham.go.id/files/20240522-keeterangan-pers-nomor-25-hm-00-$QJDJ4.pdf)

Coalition, had filed a report to the Bali Police.⁵ The police report was based on the alleged violation of Law No. 9 Year 1998 on the Freedom of Expression in Public Space, which protects freedom of expression carried out in accordance with the applicable laws and regulations.⁶ The Bali Police has commenced the initial investigation, and will continue the process in a prompt, thorough, and impartial manner; and further welcomes the support of civil society as well as NHRIs to follow to ensure a fair legal process.

III. Concluding Note

The 10th World Water Forum was celebrated by the World Water Council (WWC) and many participating countries as one of the most successful editions in its 30-year history. It was the first time for the event to be hosted in Southeast Asia and establish the High-level Meeting within the Forum. Furthermore, the 10th World Water Forum generated four significant outcome documents, namely the Ministerial Declaration on “Water for Shared Prosperity”, the Nusa Dua Communiqué: Mobilizing Parliamentary Action on Water for Shared Prosperity; the Local and Regional Authorities’ Declaration on “Water for Shared Prosperity”; and the Bali Basin Champions Agenda.

During the drafting process of the Ministerial Declaration, the Government of Indonesia and WWC invited all UNESCO member states and 30 relevant international and non-governmental organizations to take part in the Preparatory Meetings in Paris. The Declaration served as a reference for water stakeholders to progress the global water agenda towards achieving water, climate resilience and addressing water injustices and inequalities.

Under Indonesia’s adept leadership, the 10th World Water Forum Ministerial Declaration also included a compendium of concrete deliverables and actions, encompassing 113 concrete water and sanitation projects, with an estimated total value of USD 9.4 billion, set to be implemented both in Indonesia and globally. All UNESCO member states as well as international and non-governmental organizations were provided the opportunity to highlight on a voluntary basis water-related projects that address current issues and challenges, underscoring a significant commitment to advancing water and sanitation infrastructure worldwide.

Taking into account the strategic importance of the 10th World Water Forum to Indonesia and all global water stakeholders, including the non-governmental organizations and wider civil society, it has been the Government of Indonesia’s serious commitment as a responsible host to ensure that the Forum was delivered with successful outcomes and concrete benefits for all.

With a view to maintaining the safety and security during the organization of the Forum in Bali, the Government of Indonesia had invariably adopted preventive and non-discriminatory approach and refrained from taking repressive measures, in line with national laws. The Government also consistently upholds the principle of non-discrimination in implementing its policies and regulations.

In conclusion, we would like to reiterate the Government of Indonesia’s commitment to constructively work together with all relevant stakeholders in the protection and promotion of human rights, including the rights to freedom of expression and peaceful assembly. We also appreciate your commitment to maintaining dialogue with the Government of Indonesia.

⁵ <https://www.cnnindonesia.com/nasional/20240529143343-12-1103366/panitia-forum-air-rakyat-laporkan-ormas-pgn-ke-polda-bali>

⁶ <https://bphn.go.id/data/documents/98uu009.pdf>