



PERMANENT MISSION OF THE REPUBLIC OF
INDONESIA TO THE UNITED NATIONS, THE
WORLD TRADE ORGANIZATION AND
OTHER INTERNATIONAL ORGANIZATIONS
IN GENEVA

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The Permanent Mission of the Republic of Indonesia to the United Nations, the World Trade Organization, and other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and has the honor to convey the response of the Government of the Republic of Indonesia to the Joint Communication (Ref.: AL IDN 5/2026 of 1 June 2026) concerning several demonstrations in Indonesia from 2024 to 2026.

The response outlines the legal framework applicable in Indonesia for safeguarding the rights to freedom of expression, association, and peaceful assembly, consistent with its constitutional obligations and its international obligations under the ICCPR to protect the rights and freedoms of others. This framework applies to the events referred to in the Joint Communication as well as any other relevant violation.

The Permanent Mission also wishes to caution against an approach that conflates isolated incidents into broader conclusions about the situation in Indonesia. In 2025, for instance, 98.8% of public demonstrations or around 9,869 events proceeded safely, without violence or incident — a testament to Indonesia's general approach to upholding the exercise of freedom of expression, association, and peaceful assembly.

The Permanent Mission of the Republic of Indonesia to the United Nations, the World Trade Organization and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 7 September 2026



Office of the United Nations High Commissioner of Human Rights
Geneva

**Reply of the Government of Indonesia
to the Joint Communication of the Special Procedures Mandate Holders
Ref.: AL IDN 5/2026 of 1 June 2026**

1. The Government of the Republic of Indonesia takes note of the Joint Communication of the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Working Group on Arbitrary Detention; the Working Group on Enforced or Involuntary Disappearances; the Special Rapporteur on the right to education; the Special Rapporteur on extrajudicial, summary or arbitrary executions; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Independent Expert on human rights and international solidarity; the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.
2. Indonesia remains committed to constructive engagement with the Human Rights Council and its Special Procedures, as this constitutes an important component of its broader commitment of promotion and protection of human rights at the national, regional and international levels.
3. The Government takes all credible allegations seriously and affirms that such allegations must be assessed objectively on the basis of verified facts. The Government observes that the four events cited in the Joint Communication: the May Day protest on 1 May 2025, the protests in the Papua region on 27 August 2025, a series of protests from 25 August – 1 September 2025, and student protests in East Kalimantan in April 2026 arose in **distinct circumstances and involved different actors, conduct and levels of risk**. Each event must be assessed on its own facts and context, therefore providing the basis for response and productive dialogue with the mandate holders.
4. Some assemblies referred to in the Joint Communication were peaceful throughout. In others, the peaceful assemblies were marred by serious acts of violence committed by individuals, including arson, destruction of public facilities, looting, attacks against law-enforcement facilities and violence against members of the public.
5. According to data of Indonesia's National Police, in 2025, 9,869 out of 9,989 recorded public demonstrations, or approximately **98.80 per cent**, were classified as having proceeded safely. A total of 120 events, or approximately **1.20 per cent**, were classified as unsafe, including events involving disorder or violence.
6. The **overwhelming majority** of public assemblies in Indonesia therefore had taken place **without any serious security incidents**. The authorities had fully facilitated these events.
7. The Government therefore cautions against using the incidents cited in the Joint Communication to generalize or draw conclusions about the treatment of public assemblies across Indonesia.
8. Indonesia's approach rests on three complementary principles: peaceful expression and assembly are protected by law and must be respected and facilitated; the State must protect all

persons from actual violence and serious threats to safety; and any law-enforcement action must remain lawful, necessary, proportionate, and accountable.

APPLICABLE LEGAL FRAMEWORK FOR PUBLIC ASSEMBLIES

Protection of Peaceful Assembly and Expression

9. Freedom of expression, association and peaceful assembly is guaranteed by the 1945 Constitution, including Article 28E (3), and further regulated by Law No. 9 of 1998 on Freedom to Express Opinions in Public.
10. Consistent with Article 21 of the ICCPR, Indonesian law protects the exercise of these rights while recognizing the need to respect the rights and freedoms of others, public safety and public order. The National Police therefore has a dual responsibility: to facilitate and protect peaceful public expression, and to maintain public safety and order.
11. This responsibility is further governed by Regulation of the Chief of the National Police No. 7 of 2012, which requires police action to observe, among others, legality, human rights, accountability, transparency and proportionality. The framework is intended to enable public expression to take place lawfully, safely and peacefully, while maintaining an appropriate balance between rights and public order.

Facilitation, Negotiation and Differentiated Crowd Management

12. Regulation of the Chief of the National Police No. 16 of 2006 on Guidelines for Crowd Control requires police responses to be tailored to the situation on the ground. Peaceful and orderly assemblies are managed through an initial crowd-control formation without special police equipment, while any escalation in police response must be gradual and proportionate to the conduct and level of threat encountered.
13. Within this framework, communication and negotiation remain central to preventing escalation. Police negotiators engage with organizers to clarify and convey their demands, address potential misunderstandings and facilitate dialogue with the relevant institutions.
14. The regulation also sets clear limits on police conduct. Crowd-control personnel are prohibited from acting arrogantly or provocatively, using unauthorized force, carrying sharp weapons or live ammunition within ordinary crowd-control formations, acting outside the chain of command, or individually pursuing participants beyond the established formation.

Planning, Command and Conduct of Law-Enforcement Operations

15. Public-assembly operations are planned under the authority of the relevant police command and tailored to the circumstances of each event. Planning considers the expected number of participants, location and route, nature and duration of the assembly, traffic and public-service requirements, the presence of vulnerable persons, potential risks of violence or escalation, and the personnel and equipment required. It also provides for the protection of participants, bystanders, journalists, medical personnel and surrounding property.

16. During operations, priority is given to communication, prevention and de-escalation. Police negotiators engage with organizers to facilitate the communication of their demands, address emerging concerns and help prevent escalation.
17. Any transition to a higher level of crowd-control response must follow the applicable chain of command and be justified by the actual conduct and level of threat encountered.

Use of Force

18. Regulation of the Chief of the National Police No. 1 of 2009 on the Use of Force in Police Action requires any use of force to comply with the principles of legality, necessity, proportionality, prevention, reasonableness and accountability.
19. Consistent with these principles, the regulation establishes a graduated approach to the use of force. Police presence and verbal commands constitute the initial response, with stronger measures permitted only where necessary and proportionate to the conduct and level of threat encountered. Chemical agents and other less-lethal means are permitted at higher levels of response, while firearms or other potentially lethal force are reserved for situations involving an immediate threat of serious injury or death.
20. Accordingly, Indonesian law does not permit indiscriminate force against an assembly as a whole. Force must respond to the specific threat presented and cease once that threat has been brought under control.

Human Rights Standards Applicable to Police Conduct

21. These requirements are reinforced by Regulation of the Chief of the National Police No. 8 of 2009 on the Implementation of Human Rights Principles and Standards in the Performance of Police Duties, which requires police officers to respect and protect human dignity and to act in accordance with the principles of legality, necessity and proportionality.
22. The regulation expressly prohibits arbitrary arrest or detention, torture, unlawful physical punishment, unlawful searches or seizures, obstruction of justice, and excessive use of force or firearms. Violations may result in professional ethics, disciplinary and, where applicable, criminal proceedings.
23. Persons deprived of liberty must be informed of the allegations against them, permitted to give statements freely, afforded access to legal counsel and allowed to notify or communicate with family members in accordance with applicable law. Police commanders are responsible for supervising compliance, taking corrective measures and ensuring accountability for established violations.

Role of the National Armed Forces

24. The National Police bear primary responsibility for maintaining security and managing public assemblies. The National Armed Forces may provide assistance only within the applicable legal framework and pursuant to a formal request for support.

25. Where circumstances exceed or risk exceeding ordinary police crowd-management capacity, the role of military personnel remains precautionary and supportive of the National Police.

Accountability

26. The Government recognizes that the existence of a legal and operational framework does not, by itself, establish that every action taken in the field complied with that framework.
27. Credible allegations that police personnel exceeded their authority, breached operational procedures or committed criminal offences may be addressed through internal investigation, disciplinary proceedings, proceedings before the Police Professional Code of Ethics Commission, criminal investigation and prosecution, judicial review and oversight by relevant external institutions.
28. The Government does not regard internal disciplinary measures as a substitute for criminal investigation when the available evidence indicates the possible commission of a criminal offence.

GENERAL OBSERVATIONS ON THE EVENTS REFERRED TO IN THE COMMUNICATION

A. Events in 2024

29. Issues raised in the Joint Communication regarding the 2024 events, including the incident in the [REDACTED] were addressed by the Government in letter No. 91/POL-II/VI/2025 dated 16 June 2025. The Government remains prepared to provide supplementary information where new, specific and verifiable material becomes available.

B. May Day demonstration in Jakarta on 1 May 2025

30. The Government recognizes May Day as an important occasion for workers, students and other members of the public to express concerns regarding labour rights and broader social and economic policies.
31. Over the years, May Day demonstration in Jakarta involved a large number of participants. In 2025, the demonstration was managed under the framework applicable to public assemblies, however it grew overwhelmingly unruly. The Government is reviewing the circumstances surrounding its dispersal, including the sequence of warnings, operational instructions, conduct relied upon in ordering dispersal and the use of water cannon.
32. Regarding the apprehension of 14 persons, the Government confirms that criminal proceedings were initiated on the basis of alleged offences connected with the event, irrespective of professional status, which does not in itself determine criminal liability. None of the 14 persons has been placed in police custody to date.
33. The Government will refer allegations concerning [REDACTED] including alleged physical violence during apprehension, improper pressure concerning an interrogation record and subsequent intimidation—to the competent authorities for verification.

34. Interrogation records must accurately reflect the statement given by the person concerned. Physical or psychological coercion to obtain a statement is prohibited under the applicable police human rights standards.
35. The Communication further alleges intimidation, digital interference, surveillance, and the abduction and assault of a volunteer paramedic by unidentified persons. As regards the alleged official chain of command inferred from the use of the term “Ndan”, the Government considers that the context of the communication must be examined comprehensively; the use of a particular term, standing alone, is insufficient to establish an official chain of command. The allegations will nevertheless be examined against available witness testimony, medical documentation, digital evidence, telephone records, surveillance footage and other relevant evidence.

C. Demonstrations in Sorong and Manokwari

36. The events in Sorong arose from the protests against the planned transfer of four detainees – [REDACTED], to Makassar – for judicial proceedings.
37. The protests included road blockades, obstruction of access to police premises and alleged damage to the offices of the Governor of Southwest Papua and the Mayor of Sorong. Police intervened to restore access and public order and deployed crowd-control equipment. The four detainees were subsequently transferred to Makassar for continuation of the judicial process.
38. The Government is verifying the precise chronology, units involved, respective roles of police and military personnel, warnings issued, legal and operational basis for dispersal, and the type and manner of crowd-control equipment used.
39. Regarding the injury sustained by a motorcycle taxi driver, the Government noted the conflicting accounts indicate either live ammunition or a tear-gas projectile as the cause. A reliable conclusion requires an examination of medical and forensic evidence, the recovered projectile or fragment where available, witness testimony and operational ammunition records.
40. Similarly, the reported death in Manokwari following alleged tear-gas exposure requires assessment of medical records, autopsy or post-mortem findings where available, witness testimony, and information on the timing, location and concentration of the agent used.

D. Reports between 31 August and 11 September 2025

41. Following the August-September 2025 events, 44 persons were reported missing through a public reporting channel.
42. The Jakarta Metropolitan Police confirmed the whereabouts of 40 of those persons between 2 and 10 September 2025.

43. Two others, [REDACTED], were found alive on 17 September 2025. At a press conference on 18 September 2025, the police stated that their absence resulted from personal decisions and was unrelated to police action or participation in the demonstrations.
44. The remaining two persons, [REDACTED], were found deceased on 30 October 2025 in the ACC building in Kwitang. Their identities were confirmed through DNA testing by the National Police Hospital in Kramat Jati on 7 November 2025. The available post-mortem information identified burn injuries as the cause of death.
45. A criminal investigation into the circumstances and chronology of their deaths remains ongoing. The Government is committed to ensuring that their families receive appropriate information and can participate in accordance with applicable law.
46. These cases must therefore be distinguished: persons whose whereabouts were established in custody, persons who were voluntarily absent, and persons subsequently found deceased involve materially different factual and legal circumstances.

E. Nationwide demonstrations from 25 August to 1 September 2025

47. The demonstrations that began in Jakarta and subsequently occurred in a number of other cities initially reflected public concerns relating, among others, allowances for members of the House of Representatives and broader social and economic issues.
48. The Government recognizes that a significant number of participants exercised their rights peacefully. The President publicly reaffirmed that genuine public aspirations and the right to peaceful assembly must be respected and protected.
49. At the same time, the overall situation cannot accurately be characterized as involving violence by only one actor. In several locations, individuals committed serious violence, including burning government buildings, attacking police facilities, damaging public infrastructure, looting private residences and attacking members of the public.
50. The burning of the Makassar regional legislature building caused multiple deaths, including public personnel trapped inside. In a separate incident, a motorcycle taxi driver was killed by members of a crowd who allegedly suspected him of being a police intelligence officer. The State was therefore required to protect life, public safety and essential facilities while distinguishing peaceful participants from individuals engaged in violence.
51. Official operational data record that thousands of persons were temporarily secured or brought to police facilities during the disturbances, while a substantially smaller number were subsequently designated as suspects.

The case of a motorcycle taxi driver

52. The Government deeply regrets the death of [REDACTED], a motorcycle taxi driver, on 28 August 2025.

53. The President ordered a transparent investigation shortly after the incident. The Chief of the National Police publicly apologized, and seven Mobile Brigade personnel present in the vehicle were placed under investigation for examination.
54. Proceedings before the Police Professional Code of Ethics Commission resulted in a decision imposing dishonorable discharge on [REDACTED], the commanding officer present in the tactical vehicle, and a seven-year demotion for [REDACTED], who drove the vehicle. The criminal aspect of the case was also referred to the Criminal Investigation Agency of the National Police.
55. Appeals were filed against the ethics decisions. The Government therefore does not characterize those decisions as final pending official confirmation of the appeals. Accountability mechanisms have been activated, and criminal and other relevant proceedings must continue in accordance with the evidence and applicable law.

Allegations involving journalists, medical personnel and universities

56. The Government affirms that journalists performing their professional duties, medical personnel assisting injured persons and legal representatives providing assistance must be allowed to perform their functions.
57. Allegations that police personnel assaulted journalists, unlawfully seized equipment, compelled deletion of recordings, obstructed ambulances or used force against clearly identified medical personnel require investigation.
58. The Government is also reviewing the circumstances that tear gas reportedly entered the premises of the [REDACTED] and [REDACTED]. The review will examine the points and directions of discharge, prevailing conditions, operational objective, warnings given and measures taken to prevent effects on persons within the campuses.

Proceedings against activists

59. The Government notes the concern expressed regarding proceedings against [REDACTED] and [REDACTED].
60. On 6 February 2026, the Central Jakarta District Court acquitted all four defendants, finding that the required causal connection between their social-media content and violence during the demonstrations had not been established.
61. The Government respects the decision of the independent judiciary. The acquittals also demonstrate that allegations brought by police and prosecutorial remain subject to independent judicial scrutiny and determination in accordance with law.
62. The President has expressly affirmed that peaceful demonstrators must be protected. The Government will continue strengthening operational guidance, training, oversight and coordination to ensure that peaceful participants are consistently distinguished from persons engaged in violence.

F. Demonstration in Samarinda on 21 April 2026

63. The Government understands that the demonstration in Samarinda concerned local budget allocations and policies of the East Kalimantan Provincial Government and involved primarily students and civil-society representatives.
64. The Government is verifying the circumstances leading to the dispersal, reported injuries and allegations that journalists were intimidated, obstructed or compelled to delete material from their devices.

Conclusion

65. The Government of Indonesia reiterates that freedom of expression, association and peaceful assembly is constitutionally protected and constitute essential elements of Indonesia's democratic life.
66. At the same time, the Government also has a duty to protect the lives and safety of demonstrators, bystanders, journalists, medical personnel, public officials and law-enforcement personnel, as well as public and private property, against violence and serious criminal conduct.
67. Any police action must comply with the principles of legality, necessity, proportionality, precaution and accountability. Credible allegations of conduct inconsistent with these principles must be investigated and, where substantiated, followed by appropriate disciplinary, ethics or criminal proceedings.
68. Indonesia does not regard accountability ends with a single internal proceeding or policy decision. The events addressed in the Joint Communication provide an opportunity to further strengthen operational procedures, training, supervision, complaint mechanisms, detention safeguards and the protection for journalists, medical personnel, lawyers and others performing public-interest functions.
69. The Government remains committed to constructive engagement with special procedure mandate holders and respectfully requests that this response and observations be fully reflected in any public communication or report concerning these matters.
