

Mandates of the Special Rapporteur on the situation of human rights defenders and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Ref.: AL IDN 1/2023
(Please use this reference in your reply)

10 March 2023

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the situation of human rights defenders and Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, pursuant to Human Rights Council resolutions 43/16 and 43/4.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning a bomb attack perpetrated outside the home of journalist and human rights defender Mr. Victor Mambor.

Mr. **Victor Mambor** is an award-winning journalist and indigenous Papuan human rights defender. He is the founder of independent news website Jubi and has extensively reported on the human rights situation in Papua and West Papua provinces, in particular the rights of indigenous Papuans. In connection with his journalistic work, he has been subjected to threats, digital attacks and intimidation attempts in the past. Special Procedures mandate holders have previously raised their concerns with your Excellency's Government concerning acts of harassment and threats against Mr. Mambor in a communication (IDN 7/2019). We thank your Excellency's Government for the response received to this communication, but remain concerned about his situation given the new information received.

According to the information received:

On 23 January 2023, at around 4 a.m., an explosive device detonated outside of Mr. Victor Mambor's house in Jayapura, Papua province. The human rights defender was in his home when he heard the sound of a motorcycle stopping, followed by an explosion that made the walls of his house shake. No one was injured and his home did not sustain any damage, but the blast left some marks on the asphalt road. A CCTV camera recording confirmed that a motorcycle passed by Mr. Mambor's house right before the explosion.

On 24 January 2023, Mr. Victor Mambor reported the incident to the police in Jayapura, who subsequently opened an investigation, examined the crime scene and questioned witnesses. However, it did not lead to the identification of any perpetrator or any arrest for the committed offense.

Mr. Mambor believes this incident to be the latest act of intimidation against his commitment to report on human rights issues in the Papua and West Papua provinces.

On 21 May 2021, Mr. Victor Mambor's car was smashed and spray-painted by unknown assailants while the vehicle was parked outside his house. The police investigation into the incident did not lead to any arrest or prosecution.

In 2022, Mr. Mambor's Twitter account was hacked and deleted, allegedly after he shared a video depicting violent acts by the Indonesian security forces.

The Indonesian provinces of Papua and West Papua remain inaccessible to foreign journalists and independent monitors. Between 2019 and 2021, several UN Special Procedures' mandate holders sent communications raising concerns regarding the alleged targeting of human rights defenders in Papua and West Papua provinces, including alleged violations of freedom of opinion and expression, and freedom of assembly and association ([IDN 3/2019](#), [IDN 7/2019](#), [IDN 8/2019](#), [IDN 2/2020](#), [IDN 6/2021](#), [IDN 8/2021](#), [IDN 10/2021](#)).

In March 2022, several UN Special Procedures expressed serious concerns about the deteriorating human rights situation in both provinces, citing shocking abuses against indigenous Papuans, including child killings, disappearances, torture and mass displacement of people.

Without prejudging the accuracy of the information, we wish to express our concern for the safety of human rights defender Mr. Victor Mambor after what appears to be a new act of intimidation in retaliation of his human rights work. We are concerned that Mr. Mambor's prominent and public work covering the human rights situation in Papua and West Papua may put him at an elevated risk of attack from entities opposed to his peaceful activities.

We are particularly concerned that this is the second such incident in recent years. We are further concerned that the police investigation into the vandalising of his car in 2021 failed to identify any perpetrator and did not proceed to any arrest for the committed offense.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide information on the investigation carried by your Excellency's Government to identify and prosecute the authors of the bomb that detonated outside Mr. Victor Mambor's house on 23 January 2023. Please also provide information on what measures have been

taken to protect the life and physical integrity of Mr. Mambor.

3. Please provide information on steps taken by your Excellency's Government to ensure that human rights defenders, including those working on Papua and West Papua provinces, are able to carry out their work without fear of any intimidation, threats or reprisals in a safe and enabling environment.

We would appreciate receiving a response within 60 days. Past this delay, this communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#). They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

Please accept, Excellency, the assurances of our highest consideration.

Mary Lawlor

Special Rapporteur on the situation of human rights defenders

Irene Khan

Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Annex

Reference to international human rights law

In connection with above alleged facts and concerns, we would like to draw your attention to the following human rights standards:

Article 19 of the International Covenant on Civil and Political Rights (ICCPR), acceded to by Indonesia on 26 February 2006, provides the right to freedom of opinion and expression. As per article 19(2), the freedom of expression includes the “freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice”. Intimidation or retaliation of any kind against a person for holding or expressing an opinion is a violation of article 19(1).

We would like to underline that according to general comment no. 34 of the Human Rights Committee, “The obligation to respect freedoms of opinion and expression is binding on every State party as a whole [...] The obligation also requires States parties to ensure that persons are protected from any acts by private persons or entities that would impair the enjoyment of the freedoms of opinion and expression to the extent that these Covenant rights are amenable to application between private persons or entities.” (CCPR/C/GC/34, paragraph 7).

We also wish to refer your Excellency’s Government to the fundamental principles set forth in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, also known as the UN Declaration on Human Rights Defenders. In particular, we would like to bring to the attention of your Excellency’s Government article 12, paragraphs 2 and 3, which provides that the State shall take all necessary measures to ensure the protection of everyone against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the Declaration.