

Mandates 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 the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health and the Special Rapporteur on the situation of human rights defenders

Ref.: AL IDN 3/2025
(Please use this reference in your reply)

23 April 2025

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the rights to freedom of peaceful assembly and of association; Working Group on Arbitrary Detention; Working Group on Enforced or Involuntary Disappearances; Special Rapporteur on the right to education; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health and Special Rapporteur on the situation of human rights defenders, pursuant to Human Rights Council resolutions 50/17, 51/8, 54/14, 53/7, 52/9, 51/21 and 52/4.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **the alleged violence by police against peaceful protests that have been held by students and civil society** simultaneously across Indonesia against the ratification of the revised Indonesian National Armed Forces Law (TNI Law), that seeks to expand the role of the military in domestic affairs, including allowing high-ranking military officers to hold concurrent civilian posts, and the appointment of retired military personnel to civilian posts. The protests started on 20 March 2025 in cities such as Jakarta, Medan, Bandung, Semarang, Solo, Yogyakarta, Surabaya, and Manado, and allegedly lasted over a week. The allegations of use of police violence, especially in Jakarta, Yogyakarta, Semarang and Manado, includes the use of batons, teargas and water cannons to disperse protestors. Information received also includes reports of arbitrary arrests, disappearances and detention of students, press affiliates and journalists, and of other restrictions of peaceful assemblies held by civil society organizations and groups, including human rights defenders, as well as digital intimidation.

According to the information received:

Background

The year 2024 was particularly difficult for the exercise of the rights to freedom of assembly, association and expression in Indonesia, because of alleged heightened and widespread suppression of dissent, and systemic violations of freedom of assembly and association during the elections, particularly targeting those who criticized the elected administration.

More than 65 cases were reported to the Special Procedures mandate holders concerning undue dispersals of discussion forums and peaceful assemblies in urban and rural areas, including prosecution of peaceful protesters, that were also arbitrarily arrested and were at times held incommunicado, without access to legal advice as they experienced torture and other inhuman, cruel or degrading treatment or punishment during their detention. We also received information about intimidation of journalists.

These violations happened in many different parts of the country (including Jakarta, Bandung, Purwokerto, Semarang, Kediri, Mataram, Tarakan, Samarinda, Banjarmasin, Palu, Makassar, Aceh, Pekanbaru, Parepare, Gresik, Semarang), and they affected all types of assemblies (student's forums, movie screenings, international conferences, peaceful protests), and included allegedly unnecessary and excessive use of force by law enforcement officials and unlawful use of less lethal weapons, such as batons, water cannons and tear gas. The reports indicate that the use of tear gas affected peaceful protestors but also bystanders, including children.

One of these events, related to acts of intimidation, censorship and coercion at the People's Water Forum, in the context of the World Water Forum which took place in Denpasar, Bali, from 21-23 May 2024, was mentioned in the letter [IDN 3/2024](#), concerning which we appreciate your Excellency's Government's reply.

According to reports received, university and high school students were the most targeted by the police's use of unlawful force; scholars and academic communities raising electoral concerns were especially targeted. Workers, farmers, and journalists' rights were also heavily repressed. We also received reports related to restrictions of peaceful assemblies for Papuans and solidarity groups throughout Indonesia, particularly regarding issues of self-determination, human rights abuses, militarization and racial discrimination.

The information collected indicates that Indonesia's 2024 elections were marred by systematic intimidation and silencing of dissent, including attacks, as part of an alleged deliberate effort to shrink democratic space and suppress freedoms. As it has been emphasized by the Special Rapporteur on the rights to freedom of assembly and of association, "an electoral process, in which widespread barriers are systematically placed on the exercise of the rights to freedom of peaceful assembly and of association, cannot be said to be either free or fair, and the outcome should not be considered to be the result of 'genuine' elections, as required under international law" (A/68/299, para. 7).

Context: Amendments to the Indonesian National Armed Forces Law (TNI Law), Law No. 34 of 2004

On 19 March 2025, the House of Representatives (DPR), Defence, Foreign Politics and Security Affairs Commission I approved the Draft Law on Amendment to Law No. 34/2004 on the Indonesian National Armed Forces (TNI), following which it was sent to the Plenary Session for ratification into law.

On 20 March 2025, the Parliament adopted amendments to the TNI Law.

According to the information received, the amended TNI Law includes provisions related to the number of state agencies in which the military personnel are allowed to hold civilian posts, adding 6 agencies to the 10 included in the previous Law¹, including in the justice system as well as other ministries/institutions that require the expertise of active personnel, in accordance with the Presidential policy. Allowing military officers to occupy civilian positions risks erosion of civilian oversight and opens the door to military dominance in public administration. Of concern is the lack of clarity in the amendments regarding the accountability mechanism for alleged violations that military personnel may commit in the course of their civilian functions. Under Indonesia's 1997 Law on Military Tribunals, any military personnel, including those in civilian functions, implicated in criminal activity are to be investigated by military authorities and tried, if at all, before a military court rather than a court of general jurisdiction. The use of military tribunals raises serious concerns in terms of access to justice, impunity for past human rights abuses perpetrated by military regimes, the independence and impartiality of the judiciary and respect for fair trial guarantees for the defendant.

Concerns have also been raised by the UN Committee on Civil and Political Rights², in its review of Indonesia in February 2024 where it noted the lack of accountability and impunity for alleged human rights violations involving security forces and law enforcement officers, and the failure to investigate the violations.

The amendments to the TNI Law also provide for the expansion of the military's authority in "operations other than war" (OMSP) to address cyber threats. However, there is no guiding document that clearly defines the military's role or response in identifying and responding to cyberattacks and/or hybrid warfare. Expanding the military's role into cybersecurity, without a well-defined oversight and accountability mechanism risks undermining democratic principles and fundamental freedoms.

Activism before the adoption of the TNI Law

According to the information received, there was no substantive public consultation on the bill that was being studied in Parliament, despite the fact that civil society actors publicly requested it, and called for transparency in the deliberations. Deliberations were reportedly fast-tracked and conducted behind closed doors.

¹ Including: Coordinating Ministry for Political and Security Affairs, Ministry of Defence, Presidential Military Secretariat, State Intelligence Agency (BIN), National Cyber and Crypto Agency, National Resilience Institute, National Defence Council, National Search and Rescue Agency (Basarnas), National Narcotics Agency (BNN), Ministry of Maritime Affairs and Fisheries, National Disaster Management Agency (BNPB), Attorney General's Office, the National Counter Terrorism Agency, Maritime Security Agency (Bakamla), the Coordinating Ministry for Political, Legal, and Security Affairs, the Supreme Court, the National Border Management Agency (BNPP).

² Human Rights Committee: Concluding observations on the second periodic report of Indonesia, para 10. CCPR/C/IDN/CO/2, 28 March 2024

Besides, according to the information received, people who express their discontent with the Government and the amendment of the TNI Law in social media, or report on governmental actions, and advocate for democratic freedoms, have been subjected to cyber suppression, doxing, and intimidation by state authorities, including the military, the police and state-affiliated cyber units, that allegedly had been leading digital surveillance against activists and civil society organizations. Several individuals received direct messages in their accounts such as “Delete your comment about the discussion of the revision of the Indonesian National Army Law”. These actions have led to a chilling effect on freedom of expression and advocacy work, creating fear among the public.

On the weekend of 14-15 March 2025, the working group for the amendment of the TNI Law held a closed-door meeting to discuss the bill at the Fairmont hotel in Jakarta, instead of the Parliamentary complex. No press coverage or external participation was allowed.

A symbolic protest was held by civil society organisations on 15 March outside Fairmont Hotel. Representatives of civil society organizations entered the meeting carrying posters, and were allegedly pushed and escorted outside the meeting room by the hotel security. On 16 March, the security unit of the hotel filed a complaint to the Metro Jaya Regional Police claiming that the protestors' actions disrupted peace and public order, among others. The protestors have been issued summons to the police station to provide clarification. Since then, narratives aimed at delegitimizing participants emerged, indicating that civil society organizations opposing the TNI Law were funded by foreign countries and were working to obstruct the strengthening of the Indonesian National Armed Forces. These messages were distributed online across multiple social media platforms, including allegedly by accounts of military institutions across various regions.

Protests after the adoption of the TNI Law

On 20 March, nearly 70 peaceful protests started in different cities after the Parliament passed the TNI bill into law. According to the information received, some of the protests were met with violent repression by security forces, with reports of injuries and arbitrary arrests and/or detentions.

In Jakarta, hundreds of protestors dressed in black gathered near the Parliament, carrying banners and placards that read "New Order Strikes Back" and "Take the military back to the barracks". While the protests were mainly peaceful, tensions escalated when a group of participants attempted to breach the parliament fence, burned tires and threw firecrackers following which security forces responded with water cannons and force. Reports vary, but we received information that at least four people, including students, were injured after being hit with batons or sticks as police forcibly dispersed protesters outside the Parliament building in Jakarta. Some persons suffered injuries from blows to their head and various parts of the body.

Besides, a motorcycle taxi driver was allegedly beaten and kicked by a group of police officers after being mistaken for a protester.

According to the information received, some students were taken against their will to the police station; some were told they were being taken to the hospital, but instead they were also taken to the police station. We also received information of attacks from the police to the medical personnel and damage to medical equipment to avoid that injured university students would receive medical treatment.

Reportedly, some demonstrators' motorbikes were confiscated and taken to police stations or other places located at a long distance from the protest.

A peaceful demonstration was also held in front of the Central Java Regional House of Representatives (DPRD) Building. The information received indicates that the demonstration ended in a clash with the police, as they forcibly dispersed the demonstrators with tear gas. Reportedly, some participants, including students, were detained for several hours, and beaten during interrogations, before being released without charge. In Manado, North Sulawesi, several others were detained and allegedly intimidated and beaten during police questioning.

In Yogyakarta, hundreds of demonstrators, dressed in black, peacefully gathered at the Yogyakarta Regional House of Representatives (DPRD) to protest against the TNI Law. They came from various campuses and activist groups. The protest included speeches, large banners unfurled in the DPRD lobby, theatrical performances, flag hoisting at half-mast, and the burning of safety cones in the DPRD yard. According to the information received, hundreds of police officers were deployed to secure the demonstration, with several tactical vehicles stationed around the DPRD building. The peaceful protest continued into the night and included a free podium session where speeches were delivered by individuals calling for the repeal of the law. Tents were set up on the grass under the statue of General Sudirman, the symbol of the Yogyakarta DPRD. The protesters also built a bonfire. At around 4 a.m. on 21 March 2025, two Mobile Brigade (Brimob) tactical vehicles and dozens of riot police were deployed to disperse the protestors. Tensions escalated when protestors refused to leave. Clashes broke out, with protestors hurling water bottles, wooden branches, and firecrackers at the police. A police water cannon was eventually used to force protestors out of the DPRD complex. Even after being pushed outside the gate, protestors refused to leave and attempted to re-enter the DPRD complex. Some protestors sustained injuries and sought medical assistance, though medical teams were initially forced to retreat from the protest site.

On 21 March 2025, the social media account of protest leaders in Surabaya was allegedly hacked.

On 23 March 2025 in Malang, student journalists testified that they were subjected to beatings, beratement and were dragged by police and military officers as they were covering the protest against the TNI Law by the Regional People's Representative Council building. Members of the medical team and legal assistance support teams who were on standby at the Kertanegara Street bus stop were allegedly also subjected to beatings, verbal death threats,

including of sexual violence, and their support gears were confiscated.

The same day, student peaceful protests were carried out in front of the Malang City Council Building. The protest, which began at around 3 p.m., included speeches and satirical expressions against the TNI Law. The protestors also posted flyers on the walls of the Malang City DPRD building. At around 6.20 p.m., some demonstrators began playing football in the street. Shortly after, police forcefully pushed back the protesters, resulting in injuries to several demonstrators. At least eight student press activists from various universities in Malang were reportedly subjected to police violence while covering the protest. The press activists were reportedly shouted at, dragged, and beaten by individuals suspected to be a combined security force of the police and military.

On 24 March, thousands of student protestors set a demonstration in front of a government building in Surabaya, East Java, holding posters that said: "Reject the TNI Law", and "The Military Should Return to the Barracks". The protest was mostly peaceful. Some clashes emerged between the police, Brimob and a group of protesters dressed in black who reportedly hurled rocks, sticks, and Molotov cocktails, which was met with physical violence and water cannons as the police tried to disperse the protesters. At least 25 people were detained reportedly without access to legal assistance, and were released the following day. According to the information received, it is unclear how many, if any of the 25 peoples, have been charged. At least two journalists were beaten and dragged for covering the protests where a group of police in uniform and plain clothes were seen to be beating and arresting multiple protestors. They were also forced to delete the documentation of the events by the police.

We also received reports of university students being beaten, arbitrarily arrested and reported missing in Sukabumi.

On 27 March 2025, in Jakarta, a new demonstration against the TNI Law was met with violence by security forces who pushed back the protesters and medical personnel. Some demonstrators found their WhatsApp accounts blocked after the police dispersed the crowd, and three protesters were severely injured and taken to the hospital. Additionally, the medical team was subjected to searches without clear justification, and several paramedics were even beaten by the police.

The same day, protesters who staged a demonstration in Bogor, West Java, were arbitrarily arrested.

According to the information received, from 21 to 27 March 2025, at least 68 people were injured during the repression of the protests and 153 were arrested. Allegedly, the increase of surveillance, frequent search controls, and other types of harassment to the student movement is creating fear among young people, and a chilling effect on the civic space and particularly on the groups that have participated in the protests, which mostly include university students from various institutions that have been advocating for the protection of freedom of expression. The movement is decentralized, with no single leader, but organized collectively through student's associations and independent activist

groups, that now are facing stigmatization and harassment for their participation.

Attacks against journalists in the context of protests between August 2024 and March 2025

On 22 August 2024, 12 journalists in Jakarta were subjected to violence from security forces during the series of protests for “#EmergencyWarning” which saw the apparent misuse of less-lethal weapons, deliberate damage of equipment and enforced deletion of footage.

On 2 October 2024, Herry Kabut, chief editor of Floresa, an independent media outlet based in Flores, East Nusa Tenggara, was detained in what seems to be an arbitrary case while covering a protest by residents of Poco Leok against a land-marking activity for a government-sponsored geothermal project in Manggarai Regency, East Nusa Tenggara. It was also reported that security forces barred them from recording and allegedly used physical violence against the protesters. The case began when a police officer noticed Mr. Kabut taking pictures of the protest. A police officer started questioning him and asked for his press ID card. After Mr. Kabut explained that he forgot to bring his ID card, other police officers started assaulting him, including kicking his leg and hitting his head. The police seized his bag and took away his phone before apparently shoving Mr. Kabut into a police vehicle. Mr. Kabut sustained bruises on his body, including his head and neck, from the assault. On 11 October 2024, Mr. Kabut reported the case to the East Nusa Tenggara Police. However, as of 24 March 2025, the police have yet to announce any update or result of the investigation into the case.

On 19, 20 and 23 March 2025, at least one media outlet received threats, including post mailing with decapitated animals (a pig and several rats), and virtual harassment to journalist (messages indicating that they were committing a ‘betrayal to the nation’), seemingly as an attempt to intimidate the journal, its journalists and all those exercising independent journalism in the country. We were informed that a police investigation into the incident has been initiated.

In March 2025, around 13 several journalists including university student press were assaulted and harassed while covering protests in the cities of Sukabumi, Malang, Bandung and Surabaya, in the context of demonstrations against the TNI Law.

On 24 March 2025, Mr. Andri Somantri, a journalist from online news outlet VisiNews, was reportedly assaulted by the police whilst covering a protest in the Sukabumi City Legislative Council building in Sukabumi, West Java. He was recording police usage of water cannon jet to disperse crowds when a police officer suddenly pulled the cord of his ID card around his neck - causing tension, eventually breaking the cord and causing a bruise on the neck.

On 25 March 2025, Rama Indra, a journalist from Beritajatim.com in Surabaya, East Java, had recorded a few police officers beating up two protesters. He had recorded the incident with his phone at 6.28 p.m.. Later that same day five

officers dragged him away and hit him on the head, reportedly demanding him to delete the recording. Apparently, Mr. Indra tried to explain he was a journalist, but this resulted in a police officer threatening to smash the phone. The attack stopped once two other journalists intervened.

Without wishing to prejudge the accuracy of the above-mentioned allegations, we express our serious concerns at what appears to be an increasing restriction on the right to freedom of peaceful assembly in the country.

The International Covenant on Civil and Political Rights, ratified by Indonesia on 23 February 2006, obligates States to respect, protect, and ensure the rights outlined in the Covenant, including the right to freedom of peaceful assembly and the right to freedom of expression. While these rights can be restricted, any restriction must be justified by law, serve a legitimate aim, and be necessary and proportionate in a democratic society. States are prohibited from unjustly blocking or disrupting peaceful assemblies and must ensure any restrictions are in line with democratic values such as pluralism, tolerance, and broadmindedness.

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 regarding the management and use of force during the above-mentioned protests, and report on the numbers and types of injuries of protesters.
3. Please provide information on the measures taken to search for and establish the fate and whereabouts, in accordance with the Guiding Principles for the Search for Disappeared Persons of the Committee on Enforced Disappearances, of the students reported as missing after the protests.
4. Please provide information about any investigations opened concerning alleged violent acts occurred during the protests (of both civilians as well as law enforcement, medical and health and care personnel) and the stage and/or outcome of those proceedings. Please provide information about any investigation opened against participants in the protests and those exercising their freedom of expression.
5. Please provide information on measures taken by your Excellency's Government to carry out a prompt, impartial, independent and effective investigation into the allegations of excessive use of force against peaceful protestors, civil society activists, lawyers, and other

participants, bystanders and supporters, and into the use of crowd control weapons to unlawfully disperse peaceful assemblies, including the legislative basis the use of such weapons, prior authorization and chain of command involved and the description of the justification of such employment.

6. Please provide information on measures taken by your Excellency's Government concerning the plans to advance justice and reparation, including measures to ensure non-repetition.
7. Please provide information on the stock of less lethal weapons that have been purchased or manufactured by your Excellency's Government, including batons, and teargas.
8. Please indicate what measures have been taken to ensure that civil society activists, groups and organizations, including human rights defenders, are able to freely exercise their right to freedom of peaceful assembly in the country, without fear of repression or intimidation and in line with international human rights standards.
9. Please provide information on the measures are taken to protect journalists and media outlets during protests, to ensure free media coverage and reporting on protest movements in Indonesia.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. 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.

We would also like to inform your Excellency's Government that, given the allegations of enforced disappearance, the Working Group on Enforced or Involuntary

Disappearances may decide to transmit individual cases through its humanitarian procedure. We urge the Government to respond separately to the present communication and to the humanitarian procedures.

Further, we would like to inform your Excellency's Government that after having transmitted the information contained in the present communication to the Government, the Working Group on Arbitrary Detention may also transmit the case through its regular procedure in order to render an opinion on whether the deprivation of liberty was arbitrary or not. The present communication in no way prejudices any opinion the Working Group may render. The Government is required to respond separately to the present communication and the regular procedure.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

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

Gina Romero

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

Matthew Gillett

Vice-Chair on Communications of the Working Group on Arbitrary Detention

Gabriella Citroni

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Tlaleng Mofokeng

Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health

Mary Lawlor

Special Rapporteur on the situation of human rights defenders

Annex

Reference to international human rights law

In connection with above alleged facts and concerns, we would like to refer your Excellency's Government to the International Covenant on Civil and Political Rights (ICCPR), ratified by Indonesia in 2005.

The ICCPR imposes the obligation on States parties "to respect and to ensure" all the rights in the Covenant (art. 2(1)); to take legal and other measures to achieve this purpose (art. 2(2)); and to pursue accountability and provide effective remedies for violations of Covenant rights (art. 2(3)). The obligation of States parties regarding the right to freedom of peaceful assembly thus comprises these various elements, although the right may in some cases be restricted. States are obliged, not to prohibit, restrict, block, disperse or disrupt peaceful assemblies without compelling justification, nor to sanction participants or organizers without legitimate cause (CCPR/C/GC/37).

"States not only have a negative obligation to abstain from unduly interfering with the rights of peaceful assembly and of association but also have a positive obligation to facilitate and protect these rights in accordance with international human rights standards [A/HRC/17/27, para. 66; and A/HRC/29/25/Add.1]. The right to freedom of peaceful assembly is, moreover, a valuable tool that can and has been used to recognize and realize a wide range of other rights, including economic, social and cultural rights. It is of particular importance to marginalized individuals and groups. Failure to respect and ensure the right of peaceful assembly is typically a marker of repression" (CCPR/C/GC/37).

The Human Rights Committee indicated that "restrictions on peaceful assemblies must not be used, explicitly or implicitly, to stifle expression of political opposition to a government (CCPR/C/MDG/CO/4, para. 51), challenges to authority, including calls for democratic changes of government, the constitution or the political system, or the pursuit of self-determination. They should not be used to prohibit insults to the honour and reputation of officials or State organs" (CCPR/C/GC/37, para. 49).

Where the presence of law enforcement officials is required, their action should be focused on facilitating the assembly and enabling it to take place as intended, with the objective of minimizing the potential for injury to any person and damage to property. Law enforcement officials are obliged to exhaust non-violent means and to give prior warning if it becomes absolutely necessary to use force, unless doing either would be manifestly ineffective. Any use of force must comply with the fundamental principles of legality, necessity, proportionality, precaution and non-discrimination, and those using force must be accountable with the requirements enshrined in international law, guided by standards such as the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the United Nations Human Rights Guidance on Less-Lethal Weapons in Law Enforcement (CCPR/C/GC/37).

Besides, the dispersion of an assembly must be a last resort option, only used in exceptional cases when "the assembly as such is no longer peaceful, or if there is clear evidence of an imminent threat of serious violence that cannot be reasonably addressed by more proportionate measures, such as targeted arrests. In all cases, the law

enforcement rules on use of force must be strictly followed. Conditions for ordering the dispersal of an assembly should be set out in domestic law, and only a duly authorized official may order the dispersal of a peaceful assembly” (CCPR/C/GC/37, para 85).

As the Human Rights Committee stated, “all law enforcement officials responsible for policing assemblies must be suitably equipped, including where needed with appropriate and fit-for-purpose less-lethal weapons and protective equipment. States parties must ensure that all weapons, including less-lethal weapons, are subject to strict independent testing, and that officers deployed with them receive specific training, and must evaluate and monitor the impact of weapons on the rights of those affected. Law enforcement agencies must be alert to the potentially discriminatory impacts of certain policing tactics, including in the context of new technologies, and must address them” (CCPR/C/GC/37, para. 81).

As included in the Model Protocol for Law Enforcement Officials to Promote and Protect Human Rights in the Context of Peaceful Protests, before a protest a thorough evidence-based risk assessment needs to be conducted to anticipate potential risks and to develop concrete measures for the prevention and mitigation of those risks, as well as to prepare accordingly the objectives, type of the operation, planned tactics and tactical deployment of personnel and equipment needed. This includes to “develop protection strategies aimed at securing protest participants and bystanders from other actors, including counter protesters, external threats and other violent elements, provocateurs and non-State actors.” (A/HRC/55/60, para. 70, 71).

During a protest, if a dispersion of a demonstration is considered lawful, law enforcers should “inform participants of the decision to disperse a protest in a clear, audible and understandable manner by providing specific reasons for dispersal, instructions on how to disperse safely and reasonable timing for voluntary dispersal”. After a protest, law enforcers should document any use or damage, of equipment, including the use of less-lethal weapons and digital technologies; and conduct debriefings “to review and evaluate the law enforcement operation, any operational or logistical errors and the possible human rights impacts of applied tactics”. Besides, “where any allegations or suspicion exist of misuse of authority or force or other misconduct leading to human rights violations in the context of protests, such as torture and other ill-treatment (...), law enforcement agencies should ensure that self-reporting is completed by officers who were deployed at the time of the incident and were in the vicinity of the incident” (A/HRC/55/60, para. 76, 77(a), 78, 83, 84, 86).

Additionally, “pursuant to the United Nations Guiding Principles on Business and Human Rights, States and private companies should ensure accountability and due diligence regarding the design, production, transfer, procurement and use of any weapons, equipment and technology used by law enforcement officials in the context of peaceful protests” (A/HRC/55/60, para. 31).

In her “Thematic study on the global trade in weapons, equipment and devices used by law enforcement and other public authorities that are capable of inflicting torture and other cruel, inhuman or degrading treatment or punishment” (A/78/324), the Special Rapporteur on torture included acoustic weapons and devices in the list of goods that ought to be regulated at national and international levels, as while they have a legitimate use, they can be misused for torture or other ill-treatment and therefore

necessitate some level of oversight.

Article 19 of the ICCPR guarantees the right to freedom of opinion and expression, which includes the right “to seek, receive and impart information and ideas of all kinds, either orally, in writing or in print, in the form of art, or through any other media”. This right applies online as well as offline and includes political discourse, commentary on one's own and on public affairs, discussion of human rights and journalism among others, encompassing not only the exchange of information that is favourable, but also that which may criticize, shock, or offend (CCPR/C/GC/34, para. 11). The Committee further asserts that there is a duty of States to put in place effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression (para. 23). Any restriction on the right to freedom of expression must (i) be provided by law; (ii) pursue one of the legitimate aims for restriction, which are the respect of the rights or reputations of others and the protection of national security or of public order (*ordre public*), or of public health or morals; and (iii) be necessary and proportionate for those objectives. The Human Rights Committee stated that the restrictions must be “the least intrusive instrument among those which might achieve their protective function” (CCPR/C/GC/34, para. 34).

We would also like to refer 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, articles 1 and 2 of the Declaration state that everyone has the right to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels and that each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms. Furthermore, article 5 of the Declaration states that everyone has the right, individually and in association with others, (...) to meet or assemble peacefully.

Furthermore, we further recall Indonesia's obligations under article 12 of the International Covenant on Economic Social and Cultural Rights (ICESCR), which guarantees the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

Accordingly, States have the obligation to ensure accessibility of health facilities, goods and services to everyone without discrimination, (Committee on Economic, Social and Cultural Rights, general comment 14 para. 12(b)). In addition, by virtue of article 2.2 and article 3, the ICESCR proscribes “any discrimination in access to health care and underlying determinants of health, as well as to means and entitlements for their procurement, on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, physical or mental disability, health status (including HIV/AIDS), sexual orientation and civil, political, social or other status, which has the intention or effect of nullifying or impairing the equal enjoyment or exercise of the right to health” (Committee on Economic, Social and Cultural Rights, general comment 14 para. 18).

We would like to draw the attention of your Excellency's Government that the right to education is enshrined, among others, in article 26 of the Universal Declaration

of Human Rights, articles 13 and 14 of the International Covenant on Economic, Social, and Cultural Rights (ICESCR), articles 28, and 29 of the Convention on the Rights of the Child, and article 24 of the Convention on the Rights of Persons with Disabilities (CRPD).

Furthermore, the UN Committee on Economic, Social and Cultural Rights (CESCR), in its general comment No. 13(1999) on the right to education, interpreted the provisions of article 13 of the ICESCR, emphasizing that education is a fundamental human right, and that access to education must be non-discriminatory, available, and accessible to all.

As mentioned by the UN Special Rapporteur for freedom of assembly and of association, restrictions to the rights of young people risk to create a wider and long-lasting chilling effect. Actions threatening and discouraging public participation and open discourse, severely impacting the rights to freedom of expression, assembly and association (...) poses a profound threat to democratic systems and institutions, especially when young people are affected. It risks alienating an entire generation, damaging their participation and perception of their role in democratic processes”³.

Additionally, article 15 of the Convention on the Rights of the Child (CRC) explicitly protects the right of children to freedom of association and peaceful assembly, stating that “States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly (1). No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others (2)”.

³ <https://www.ohchr.org/sites/default/files/documents/issues/association/statements/20241004-stm-sr-association.pdf>