

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 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

Ref.: AL IDN 5/2026

(Please use this reference in your reply)

1 June 2026

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 extrajudicial, summary or arbitrary executions; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Independent Expert on human rights and international solidarity; Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism and Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, pursuant to Human Rights Council resolutions 59/4, 60/8, 54/14, 53/7, 53/4, 52/9, 53/5, 58/14 and 52/7.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **alleged human rights violations by police forces against peaceful protesters** in Indonesia during the May Day protest in Jakarta, protests in Papua and a series of nationwide protests in late August 2025, as well as more recently in April 2026. Allegations include physical violence, arbitrary arrests, enforced disappearances, and unnecessary and excessive use of force, including the improper and disproportionate use of water cannons, tear gas and rubber bullets, causing injuries and death among peaceful protesters. We have previously expressed concerns regarding similar matters, especially concerning alleged restrictions and violent repression of peaceful protests of students and civil society, in our letter [AL IDN 3/2025](#). We thank your Excellency's Government for its reply [No. 91/POL-II/VI/2025](#), dated 16 June 2025. However, we remain concerned after having received the information outlined below.

According to the information received:

Background

In 2024, public protests in Indonesia were allegedly met with excessive and unnecessary use of force by police and security forces and repressive measures by executive powers ([AL IND 3/2025](#)). Particularly, the exercise of the rights to freedom of peaceful assembly and of association and the right to freedom of expression were under threat due to alleged heightened and widespread suppression of dissent, targeting especially those who criticized the elected

administration. Furthermore, more than 65 cases were reported to Special Procedures mandate holders concerning undue dispersals of discussion forums and peaceful assemblies in urban and rural areas. These reports included alleged prosecution and arbitrary arrests of peaceful protesters, who at times were reportedly held incommunicado, denied access to legal advice, and subjected to torture and other inhuman, cruel or degrading treatment or punishment during their detention. We also received information about alleged intimidation of journalists.

These human rights violations were allegedly conducted in different parts of the country and affected all types of assemblies, as well as different groups of people. Alleged misconduct includes unnecessary and excessive use of force by law enforcement officials, as well as the unnecessary, disproportionate and indiscriminate use of less lethal weapons, such as batons, water cannons and tear gas. Reports indicate that the use of tear gas has not only affected peaceful protesters 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 to 23 May 2024, and was mentioned in the letter [AL IND 3/2025](#).

Furthermore, cases of digital attacks, threats and other forms of reprisals against human rights defenders have been reported. Human rights defenders in Indonesia reportedly lack the necessary legal protection, which exposes them to potential threats and different forms of intimidation. Additionally, after the Second Amendment to the Electronic Information and Transaction Law (EIT), which entered into force in January 2024, concerns remain regarding the retention of criminal sanctions for defamation. In fact, this pattern has allegedly been used to suppress human rights defenders since the issuance of the EIT in 2016. Several cases violations of human rights by police and law enforcement against journalists have also been reported. The alleged incidents include acts of intimidation, death threats as well as psychological and physical violence, some of which resulted in serious injuries.

Following our communication [AL IND 3/2025](#), sent in April 2025, Indonesian security forces have allegedly continued to respond to protests with repression and violent crackdowns. Human rights violations were primarily reported with regards to four events: (1) the May Day protest on 1 May, 2025 in Jakarta, (2) the protests in the Papua region on 27 August, 2025, (3) a series of protests in several Indonesian cities from 25 August until 1 September 2025 and (4) most recently, student protests in East Kalimantan in April 2026. Furthermore, cases of insufficient investigations, enforced disappearances and criminalization of human rights defenders were reported throughout 2025.

The May Day protest on 1 May 2025 in Jakarta

On 1 May 2025, thousands of workers, students and activists gathered in front of the Indonesian Parliament compound demanding labor rights protection. In the afternoon, at around 4.48 p.m., police forces allegedly started dispersing the crowd by firing water cannons. Furthermore, police officers reportedly pushed, beat and kicked some of the protesters. Meanwhile, journalists were allegedly

blocked from entering the Parliament complex, searched, and forced to delete video footage.

It is reported that the Jakarta police arrested 14 people, including university students, four volunteer medical responders, and two paralegals, in connection with the protest, and subjected them to beatings and harassment. For instance, among the 14 arrested individuals was Cho Yong Gi, a philosophy student of the University of Indonesia who voluntarily served as a paramedic during the protest. He was allegedly shouted at by at least two police officers who accused him of throwing objects and then dragged him to the ground. They then allegedly proceeded to choke him, trampled on his neck and legs and beat him until someone intervened to stop the assault. He reportedly suffered nosebleeds, dizziness and coughing as a result. He was then brought to the Jakarta Metropolitan Police headquarters, where he was questioned and allegedly forced to sign interrogation record which did not reflect his statement.

Within days, Jakarta police brought accusations against all 14 arrested individuals under several provisions of the Criminal Code, including “assault against state officials” (article 212), “obstructing the work of law enforcement” (article 216) and “insulting the dignity of the president” (article 218). Thirteen out of the 14 people arrested were formally charged by the competent judicial authority on 7 May 2025, the one remaining was charged on 23 May 2025.

On 16 June 2025, victims reported the violence they had allegedly been subjected to during their arrests to the National Police Headquarters. However, instead of being investigated independently, the reports were seemingly referred to the Jakarta Metropolitan Police – the very institution implicated in the allegations. Soon after, victims began facing acts of intimidation by unknown individuals: Mr. Cho Yong Gi reportedly found a carcass of a dead rat placed on his motorcycle dashboard on the morning of 8 July, and later that day allegedly observed an unidentified man monitoring the house in Depok where he and other victims had been seeking refuge. On 30 July 2025, another male volunteer paramedic reported having been intercepted and forced off his motorcycle by four masked men in a black car. The unknown individuals allegedly covered his head with a cloth and dragged him into the car, where they beat, tortured and questioned him regarding the May Day protest for almost one hour. The men reportedly took his identity card, and one of them pressed a cigarette against his cheek to burn his skin. During the abduction, he allegedly overheard one of the men addressing someone on the phone as “Ndan” – a shorthand for “Commander”, commonly used within Indonesian police and military ranks, suggesting a chain of command behind the operation. He was eventually abandoned on the street, badly injured and traumatized. According to the information received, between 20 June and 30 July 2025, victims have been subjected to at least 17 instances of such intimidation, including a home invasion, spam calls, WhatsApp hacking attempts and other instances of being followed or threatened.

Protests in the Papua region

Since 28 June 2025, activists and protesters had been holding peaceful protests at various locations in Sorong, a city located in the Southwest Papua Province, to demand the release of four Papuan pro-independence activists and to express dissent against the authorities' plan to transfer the detainees to Makassar, South Sulawesi, to stand trial.

On 27 August 2025, the day of the scheduled transfer, family and community members were again protesting peacefully at the Sorong Police headquarters, the mayor's office and the governor's office. Security forces reportedly responded by deploying joint police and military units, allegedly firing tear gas to disperse the crowd. At least 23 protesters were reportedly arrested and released days later. One person – a motorcycle taxi driver who was not involved in the protest – was seriously injured. He was reportedly wounded by live ammunition piercing his left arm and lungs, though the military has denied the use of live ammunition and attributed the injury to a tear gas cannister. The case was reported to the Sorong City Police to demand an investigation.

Protests against the transfer of the abovementioned detainees also took place in other cities. Peaceful protests in Manokwari were reportedly dispersed by police forces firing tear gas, which also reached nearby residential areas. In one such area, a civil servant reportedly experienced breathing difficulties after alleged exposure to tear gas inside his home and died in hospital the following morning.

Police abuse of force during mass protests from 25 August to 1 September 2025

On 25 August 2025, a protest took place in front of the Indonesian Parliamentary compound. Hundreds of people joined the protest, including university students and activists, criticizing the housing allowance for members of the House Representatives and demanding social and economic justice. The protest ended at night when police allegedly began unnecessarily and excessively firing tear gas and water cannons and conducting beatings against peaceful protesters in order to disperse the crowd. It was reported that at least 370 protesters were arrested and detained, among them 196 underage students. Many of the arrested protesters allegedly sustained bruises on their bodies.

In the following days, the protest spread to other cities such as Medan in North Sumatra on 26 August 2025, and to Potianak in West Kalimantan on 27 August 2025. In both cities, police forces reportedly arrested dozens of protesters. Furthermore, in Medan, four journalists were reportedly obstructed, and their work equipment was taken away from them. One journalist was allegedly beaten by police officers while reporting on the protest.

On 28 August 2025, protests continued in Jakarta as thousands of labor unions' members held a rally outside the Parliament compound joined by university students. From 3 p.m. onwards, tensions reportedly escalated as police forces started unnecessarily and excessively firing tear gas and water cannons into the crowd in order to disperse protesters. Reports further appear to show police

officers chasing after protesters who were fleeing in all directions and firing tear gas at them, including as they reached residential areas.

In the context of this protest, a motorcycle taxi driver – who was reportedly not participating in the protest but delivering food to customers in the area – was struck, run over and killed by an armored tactical vehicle belonging to the National Police's Mobile Brigade (Brimob). The killing of the motorcycle taxi driver further intensified public outrage.

On the following day, 29 August 2025, protests continued as thousands of protesters took to the streets of several cities in Indonesia, including Jakarta, Bandung (West Java), Semarang and Solo (Central Java), Makassar (South Sulawesi), Pontianak (West Kalimantan) as well as Surabaya and Malang (East Java). According to the information received, police officers repeatedly resorted to unnecessary and excessive force, including beatings, violent crowd dispersal and disproportionate use of tear gas and water cannons, as well as arbitrary arrest and detention of protesters. In Jakarta, thousands of university students gathered outside the Jakarta Police Headquarters to demand accountability for the driver's death. Additionally, a group of motorcycle taxi drivers held rallies near the Brimob Headquarters in Kwitang, demanding transparent investigation into the killing. Police forces allegedly deployed water cannons and tear gas to disperse protesters in both locations.

Furthermore police officers allegedly used rubber bullets to disperse protesters in at least two cities, namely Kwitang and Pontianak. In Kwitang, a university student was rushed to hospital and later underwent surgery after a rubber bullet allegedly hit his chest. Reports indicate that during a protest in front of the local parliament building in Pontianak, another university student was also shot in the head by a rubber bullet.

In Makassar, a protest in front of the city parliament building led to clashes as police forces allegedly used water cannons and tear gas to push back protesters. Later in the evening, unknown people set fire to the parliament building, which led to the death of three public employees and one member of the Civil Service Police Unit who were trapped in the fire. Additionally, a motorcycle taxi driver was killed by crowds who accused him of being a police intelligence agent when he was watching a protest around the Indonesian Muslim University in Makassar. In Solo, a pedicab driver allegedly died as a result of exposure to tear gas. Furthermore, two paramedics who were on their way to evacuate protesters affected by tear gas were allegedly forced to stop their ambulance by police officers and beaten. The paramedics reportedly suffered head injuries, one of which required 12 stitches.

On 30 August and 1 September 2025, the protests continued in several Indonesian cities, including Ciamis (West Java), Kediri (East Java), Denpasar (Bali), Yogyakarta, Samarinda (East Kalimantan) and Palembang (South Sumatra). Police forces continued to apply unnecessary and excessive force in response to these protests. Instructions regarding such measures were allegedly given by the National Police Chief, who is said to have instructed officers to use

rubber bullets if protesters trespassed into the compound of the Mobile Brigade headquarters.

Furthermore, attacks against journalists occurred on 30 August 2025 in Denpasar, where at least two journalists were subjected to intimidation and assault while carrying out their duties. According to media reports, a female journalist was attempting to record footage of the police chasing after protesters when three men approached her, claiming to be police officers and prevented her from reporting. They reportedly held her hands and forced her to unlock her phone to delete her recording. A male journalist from a local TV station was allegedly approached by police while livestreaming two women protesters being chased by police in front of the Bali Police headquarters. Even though he clearly identified himself as a member of the press and did not participate in the demonstration, he was allegedly verbally abused, kicked, punched and rag-dolled by the officers. He reportedly had his phone and bag seized, was put in a headlock and dragged into the headquarters, leaving him severely injured and in need of medical attention. His livestream, which had around 20,000 viewers, was later taken down. An eight-minute audio recording however appears to prove the verbal abuse by police officers.

Moreover, attacks against university students allegedly continued. In Yogyakarta and Jakarta, at least four university students reportedly died after being beaten by police forces, at least one of whom was providing legal support. Others reportedly needed surgery to stop internal bleeding, and one student was in a coma for three days due to a skull fracture. According to relatives, some of them showed bruises and injuries consistent with shoeprints on their chests and stomachs. Some students allegedly also showed symptoms of post-traumatic stress, such as the family of one victim recounting them talking in their sleep saying “I’m sorry, sir. Please, sir, don’t hit me anymore”.

Protests of students continued at the Islamic University of Bandung (Unisba) and Pasundan University (Unpas), where police allegedly fired tear gas into the compounds in the early hours of 2 September 2025 – hours after students had wrapped up their protests in front of the local parliament building. At least 12 students reportedly suffered breathing difficulties as a result. Although the incidents were recorded on CCTV and campus security officers allegedly found remains of tear gas cannisters on the grounds, police claimed that the tear gas had been fired from the road outside the campus and had been blown toward the campus areas by the wind.

During the protests, three lawmakers’ and the Finance Minister’s houses were allegedly looted, and several public facilities were also destroyed. Restriction on freedom of expression occurred as livestreaming features on social media platforms were limited, after having been widely used by protesters to record the events. However, the Minister of Communications and Digital Affairs claimed that this restriction was imposed voluntarily by social media platforms, denying any Government responsibility.

On 31 August 2025, the President of Indonesia issued a public statement that lawmakers’ allowances would be revoked. However, he also discredited the

protests, claiming that the actions of some protesters amounted to acts of treason and terrorism. No mention was made by the President regarding ending the use of unnecessary and excessive force by the police or about bringing to justice those responsible for the deaths, serious injuries and other violations.

Throughout the protests, at least 564 individuals have been subjected to intimidation and physical violence, 341 were affected or injured by water cannon and tear gas, and two individuals were allegedly wounded by rubber bullets.

Recently, human rights organizations in the country have confirmed that widespread and massive human rights violations – including the death of 11 people and mistreatment and torture of people detained – had taken place in the context of the protests. Over 5,000 people were detained. They also confirmed that Government buildings were ransacked and homes of officials were breached.

Lack of investigations until the last months of 2025

Out of all reported cases of loss of life, only the death of the motorcycle taxi driver in Jakarta has been internally investigated by police: the National Police's Internal Affairs Division launched an ethics probe into the seven Brimob police officers who were on board the tactical vehicle that ran over the individual. Two of them were found guilty of ethics violations: the commanding officer, who sat in the passenger seat, received a dishonorable discharge from the police, while the driver was given a seven-year demotion. The ethics hearing for the five other officers, all of whom sat in the backseats, is ongoing. The National Police Commission, the police external oversight body, has recommended launching a criminal investigation into all seven officers, but no progress has been made by the police. At the time of drafting, the police have yet to announce any investigation into the remaining 10 cases of death, which include the remaining motorcycle taxi driver, the three public employees and the member of the Civil Service Police Unit who were trapped in a fire, the pedicab driver, and the four university students. Under international human rights law, the obligation to investigate deaths is not confined to cases caused directly by State violence. Rather, States are required to conduct prompt, effective, independent, and impartial investigations into all potentially unlawful deaths pursuant to the procedural dimension of the right to life: This obligation is reflected, inter alia, in article 6 ICCPR and authoritatively interpreted by the Human Rights Committee in General Comment No. 36, which provides that States parties have a duty to investigate all potentially unlawful deprivations of life, including where there are reasonable grounds to suspect that a death may have been caused unlawfully (para. 27).

Criminalization of human right defenders

In addition to the alleged use of excessive force against protesters, police officers have been accused of targeting human rights defenders, as well as other members of the public, during late August and early September 2025. During this period, eight people appear to have been arrested and formally charged

solely for expressing their opinions or posting on social media in support of the protests.

Human rights defenders Mr. Delpedro Marhaen Rismansyah and Mr. Muzaffar Salim were for instance charged with multiple offences, including under article 160 of the Criminal Code on incitement, articles 28 and 32 of the 2024 Electronic Information and Transactions Law (ITE Law) - which criminalize, inter alia, the intentional dissemination or transmission of false or misleading electronic information causing consumer loss, the distribution or transmission of inflammatory content or content inciting hatred or hostility against individuals or groups on the basis of race, nationality, ethnicity, skin colour, religion, belief, gender, or mental or physical disability, the dissemination of false information causing public unrest, as well as the unauthorized alteration, addition, deletion, transfer, damage, destruction, removal, concealment, or public disclosure of electronic information or electronic documents, including conduct compromising the confidentiality or integrity of such data - and violations of the Child Protection Law. Police forces alleged that posts on a local foundation's social media accounts encouraged underage students to protest. One post, which promoted a legal aid hotline for students facing sanctions, was presented as evidence of incitement. However, legal experts have raised concerns that these provisions were applied inconsistently with constitutional standards. While the Constitutional Court has clarified that incitement under article 160 of the Criminal Code requires physical and public act, Mr. Marhaen and Mr. Salim were charged based on conduct that took place exclusively online. Additionally, police forces allegedly raided the foundation's office and Mr. Marhaen's residence, seizing books and other belongings without a warrant.

On 29 August 2025, Mr. Khariq Anhar, another activist and university student, was arrested by plainclothes officers who, according to his lawyers, did not present a warrant. He was then allegedly taken to a vehicle and subjected to physical violence. His arrest and designation as a suspect occurred only two days after a police report was filed, without prior summons or opportunity to respond. He was reportedly interrogated while exhausted, denied access to legal counsel and pressured into signing interrogation minutes that did not reflect his statements. He was charged under Article 48 of the Electronic Information and Transactions Law (Law No. 1 of 2024 on the Second Amendment to Law No. 11 of 2008), concerning the alteration of electronic information or electronic documents belonging to others, even though the content in question was a satirical social media post clearly marked as altered text.

On 1 September 2025, Mr. Syahdan Husein, an activist and administrator of the Instagram account "Gejayan Memanggil", was arrested and charged with multiple offences, including Article 160 of the Criminal Code on incitement and article 28(3) of the ITE Law on misinformation. The police accused him of "inciting violence" by uploading Instagram posts related to the protests in collaboration with other Instagram accounts.

The four activists were acquitted by the Central District Jakarta court in early February 2026.

Police forces also arrested and formally charged four other people, including activists and general members of the public, for alleged “provocation” in relations to the protests. Three were arrested in Jakarta, while one was arrested in Kediri, East Java.

On 6 February 2026, the Central Jakarta District Court acquitted Mr. Marhaen, Mr. Salim, Mr. Husein and Mr. Anhar. This verdict followed a trial in which prosecutors had sought a two-year prison sentence for each activist, accusing them of posting “provocative” content on social media that allegedly led to violence and property damage during the August 2025 protests. The judges ruled that there was no causal link between the activists’ social media posts and the violence that occurred during the protests.

Nevertheless, these cases appear to show a broader pattern in which police used several laws to intimidate and prosecute both human rights defenders and other people exercising their right to freedom of expression and peaceful assembly.

Enforced disappearances

Between 31 August and 11 September 2025, a reporting channel for disappeared persons received 44 reports, concerning mostly alleged disappearances in the cities of Jakarta and Bandung. As of 17 September 2025, 33 of these individuals were found to have been held in incommunicado detention, without access to lawyers or their families, at several police stations in Jakarta. Police officers reportedly refused to confirm that the individuals were in their custody when family members of the disappeared attempted to seek information on their whereabouts and denied them access to official records of detention. Their detention was reportedly only confirmed after the police decided to release the detainees’ names later.

Two other male individuals were disappeared for months, after last being seen in late August 2025 near the Mobile Brigade (Brimob) Headquarters in Kwitang. Their burned bodies were allegedly discovered in April 2026 inside a building located across the street from Brimob Headquarters. Their families and legal counsel were reportedly prevented from viewing the bodies and denied access to the autopsy records of the deceased.

Meanwhile, two other individuals remained forcibly disappeared since August 2025.

Arbitrary Arrest

As of 18 September 2025, at least 4,194 people were reportedly arbitrarily arrested in 16 provinces, many of whom had allegedly been denied access to legal counsel. Police allegedly hindered lawyers from seeing or giving counsel to the arrested protesters in several cities, including in Semarang, Yogyakarta, Jakarta, Bandung and Surabaya.

Protests in April 2026

On 21 April 2026, a demonstration was organised in front of the Office of the East Kalimantan Regional People's Representative Council (DPRD) and the Governor's Office in Samarinda City, East Kalimantan Province. Led by students and CSOs, the protest was aimed at voicing dissent regarding controversial local budget allocations and policies of the East Kalimantan Provincial government.

As the Governor refused to meet with protestors and later left under tight security, tensions reportedly turned into unrest, and police forces allegedly forcibly dispersed protestors. According to the information received, at least 46 people – most of them students – were injured.

Additionally, journalists covering the protest allegedly experienced intimidation, repression, and forced deletion of data by the police. One female journalist was allegedly intimidated, had her phone confiscated, and data forcibly deleted by security officers inside the Governor's Office. Three other journalists were reportedly obstructed while covering the situation outside the Governor's Office.

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, association and expression in the country, as well as the apparent misuse of criminal law and laws regulating information systems and digital content to subject individuals to judicial proceedings for exercising their fundamental rights and freedoms.

The International Covenant on Civil and Political Rights (ICCPR), 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, association and the right to freedom of expression, and to take part in public affairs (articles 21, 22, 19 and 25 respectively). While these rights can be restricted, any restriction must be justified by law, serve a legitimate specified aim, and be necessary, proportionate and non-discriminatory in a democratic society. States are prohibited from unjustifiably blocking or disrupting peaceful assemblies and must ensure any restrictions are in line with democratic values such as pluralism, tolerance, and broadmindedness. In addition, ILO Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise, ratified by Indonesia in 1998, affirms the right of workers and employers to organise their activities, formulate their programmes, and engage in collective action, free from any interference by public authorities that would restrict or impede the lawful exercise of these rights.

We are concerned that the alleged use of excessive and unnecessary force by law enforcement officials, including the deployment of water cannons, tear gas, rubber bullets and physical violence against protestors, bystanders, journalists, volunteer medics and legal observers, including children and other vulnerable individuals, raises serious concerns under article 6 (the right to life) and 7 (freedom from torture and cruel, inhuman or degrading treatment or punishment) of the ICCPR, as well as under international standards governing the use of force by law enforcement officials.

International law requires that force be used only as last resort in self-defence or defence of others against an imminent lethal threat, and only when strictly necessary and proportionate. We are further concerned that, in some instances, this excessive and unnecessary use of force has allegedly led to the death of protesters or bystanders, which, if confirmed, would amount to an arbitrary deprivation of life in violation of article 6 of the ICCPR.

We recall that, where deaths occur in the context of law enforcement operations, including during the policing of assemblies, the State has a duty to ensure that they are investigated in accordance with international standards, including the Minnesota Protocol on the Investigation of Potentially Unlawful Death (2016). Such investigations must be prompt, effective, thorough, independent, impartial and transparent, and capable of determining not only the direct cause and circumstances of death, but also whether the use of force complied with the principles of legality, necessity, proportionality, precaution and accountability. They should also examine the role of operational planning, command and control, supervision, training, the regulation and deployment of less-lethal weapons, and any failures to prevent foreseeable risks to life.

We are further concerned by the alleged arbitrary arrest and detention, including instances of incommunicado detention, denial of access to legal counsels and family members, forced confessions as well as reported instances of torture and ill treatment both on the streets and in detention. Such practices, if confirmed, would be incompatible with articles 7, 9 (right to liberty) and 14 (fair trial) of the ICCPR, and may constitute serious violations of the absolute prohibition of torture, including under the Convention against Torture, ratified by Indonesia in 1998.

We furthermore wish to express our concern regarding an apparent pattern of misuse of criminal law in order to criminalize protesters, human rights defenders and journalists. We are particularly troubled by the apparent application of vaguely and overbroad offences, which may fail to meet the requirements of legality, necessity and proportionality under articles 15 (non-retroactive criminal punishment), 19, 21 and 22 of the ICCPR, and which risk chilling civic space. In addition, we are concerned at the stigmatization of protestors as “traitors” or “terrorists”, including through Presidential statements, which further chills and deters the legitimate exercise of fundamental rights and civic participation. By denouncing civil society actors as national security threats, it may also inadvertently encourage law enforcement authorities to use excessive force and other unjustified repressive measures.

We would like to draw your attention to the United Nations Declaration on the Protection of All Persons from Enforced Disappearances,¹ which establishes that no circumstances whatsoever, whether a threat of war, a state of war, internal political instability, or any other public emergency, may be invoked to justify enforced disappearances (article 7). In addition, the right to life, freedom from torture and other ill-treatment and the prohibition of enforced disappearance have attained the status of *jus cogens*.

Finally, we are deeply concerned by the persistent lack of prompt, independent, impartial and effective investigations into allegations of unlawful killings, torture,

¹ [Declaration on the Protection of all Persons from Enforced Disappearance | OHCHR](#).

excessive use of force, including leading to serious injury and deaths, enforced disappearances, torture and ill-treatment, arbitrary detention, and attacks against journalists and human rights defenders. We recall that investigations must be capable of identifying and holding accountable all those responsible, including, where applicable, persons in command or supervisory positions. The apparent reliance on internal police mechanisms, delay in criminal investigations, and the absence of accountability for the majority of reported deaths and serious injuries risk fostering impunity and denying victims and their families their right to truth, justice and reparation, contrary to articles 2(3), 6, of the ICCPR read in conjunction with the affected rights.

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 planning, command and conduct of law enforcement operations during the above-mentioned protests, including the legal and operational framework governing the use of force and less-lethal weapons, and disaggregated data on the number, nature and severity of injuries sustained by protesters and other affected persons.
3. Please provide information on the measures taken to search for and establish the fate and whereabouts, in accordance with the articles 6 and 9 of the ICCPR and the Guiding Principles for the Search for Disappeared Persons of the Committee on Enforced Disappearances, of the students reported as disappeared after the protests.
4. Please provide information about any investigations opened concerning the alleged violent acts which occurred during the protests (perpetrated allegedly by civilians as well as law enforcement, including acts committed against medical 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, peaceful assembly and association and the right to take part in public affairs.
5. Please provide information on measures taken by your Excellency's Government to carry out a prompt, impartial, thorough, independent and effective investigation into the allegations of excessive use of force against peaceful protestors, civil society activists, lawyers, journalists and other participants, bystanders and supporters, and into the use of crowd control weapons to disperse peaceful assemblies, including the

legislative basis the use of such weapons, prior authorization and chain of command involved and the justification of such employment.

6. Please indicate whether investigations have been initiated into cases of alleged excessive use of force resulting in death. If so, please provide information on their status, the authority responsible, and the measures taken to ensure compliance with the Minnesota Protocol on the Investigation of Potentially Unlawful Death. If no investigation has been initiated, please explain why.
7. Please provide information on measures taken by your Excellency's Government concerning the plans to advance justice and reparation for those affected by the alleged violations, including measures to ensure non-repetition.
8. 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.
9. 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 rights to freedom of peaceful assembly, association and expression, and the right to take part in public affairs, in the country, without fear of repression or intimidation and in line with international human rights standards.
10. Please provide information on the measures are taken to protect journalists and media outlets, as well as universities, during protests, to ensure free media coverage and reporting on protest movements in Indonesia.
11. Please indicate what steps will be taken to prevent the misuse of criminal laws, arbitrary detention and due process violations, as well as stigmatizing national security narratives, against protesters and human rights defenders.

This communication, and any response received from your Excellency's Government, will be made public via the communications reporting [website](#) at the 60 days mark. Should Your Excellency's Government respond within 60 days, both the communication and the response, may be published before the 60 days mark. The communications and responses will also be made available in the subsequent periodic 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 related cases through its humanitarian

procedure. The Government is required to respond separately for the present communication and the humanitarian 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.

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Ganna Yudkivska
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Gabriella Citroni
Chair-Rapporteur of the Working Group on Enforced or Involuntary Disappearances

Farida Shaheed
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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 2006

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.

Article 21 ICCPR protects peaceful assemblies wherever they take place: outdoors, indoors and online; in public and private spaces; or a combination thereof. Such assemblies may take many forms, including demonstrations, protests, meetings, processions, rallies, sit-ins, candlelit vigils and flash mobs. They are protected under article 21 whether they are stationary, such as pickets, or mobile, such as processions or marches" (CCPR/C/GC/37, para. 6). 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]. This means ensuring that the rights to freedom of peaceful assembly and of association are enjoyed by everyone, without discrimination on the basis of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status (A/HRC/41/41, para. 13). States furthermore have an "obligation not only to refrain from violating the rights of individuals involved in an assembly, but to ensure the rights of those who participate or are affected by them, and to facilitate an enabling environment" (A/HRC/31/66 para. 13).

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). Furthermore, authorities must be able to show that any restrictions meet the requirement of legality, and are also both necessary for and proportionate to at least one of the

permissible grounds for restrictions enumerated in article 21” (CCPR/C/GC/37, para. 36).

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.

Furthermore, as underlined by the Special Rapporteur on extrajudicial, summary or arbitrary executions (A/80/214), the protection of the right to life requires not only accountability after deaths occur, but also robust preventive measures to reduce the risk of potentially unlawful killings in law enforcement operations. In this regard, States must ensure that policing operations, including in the context of assemblies, are planned, commanded and conducted in a manner that minimizes the risk of death or serious injury, including through clear operational protocols, adequate training, effective supervision, differentiated and proportionate responses to individual conduct, and strict regulation of less-lethal weapons. The reported use of force against protesters, bystanders, journalists, volunteer medics, legal observers, children and other persons not posing an imminent threat raises serious concerns regarding compliance with these preventive obligations

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 draw your Excellency's Government's attention to the United Nations Declaration on the Protection of All Persons from Enforced Disappearances,² which establishes that no State shall practice, permit, or tolerate enforced disappearances. The Declaration also proclaims that each State shall take effective legislative, administrative, judicial, or other measures to prevent and terminate acts of enforced disappearance in any territory under its jurisdiction. In particular, the Working Group recalls that the Declaration sets out the necessary protection by the State, in particular articles 9, 10, and 12, which relate to the rights to a prompt and effective judicial remedy to determine the whereabouts of persons deprived of their liberty; to access of competent national authorities to all places of detention; to be held in an officially recognized place of detention, and to be brought before a judicial authority promptly after detention; to accurate information on the detention of persons and their place of detention being made available to their family, counsel or other persons with a legitimate interest; and to the maintenance in every place of detention of official up-to-date registers of all detained persons. Article 13 also stipulates that steps shall be taken to ensure that all involved in the investigation, including the complainant, relatives, counsel, witnesses, and those conducting the investigation, are protected against ill-treatment, intimidation, or reprisal and that the victims or family relatives have the right to obtain redress, including adequate compensation (article 19).

Similarly, the Guiding Principles for the Search for Disappeared Persons of the United Nations Committee on Enforced Disappearances³ establish that the search for the disappeared should be undertaken without delay (principle 2); respect the right to participation of the family of the disappeared (principle 5); be considered a continuing obligation (principle 7); and be interrelated with the criminal investigation (principle 13).

In their joint statement on so-called short-term enforced disappearances,⁷ the Working Group on Enforced or Involuntary Disappearances and the Committee on Enforced Disappearances clarified that there is no duration requirement in the definition of enforced disappearance under international human rights law and that, therefore, the obligations incumbent upon States under the relevant instruments are the same regardless of the duration of the enforced disappearance.

Likewise, in its study on enforced or involuntary disappearances and economic, social and cultural rights,⁴ the Working Group has highlighted the chilling effect of the disappearance of human rights defenders and called States to "ensur[e] the existence of and respect for cultural diversity and the existence of space where multiple opinions, positions and interpretations of history can find their expression in the public sphere diminishes the level of vulnerability of those questioning in one way or another mainstream ideas and positions.."

We reiterate that the prohibition of enforced disappearance is a peremptory norm of *jus cogens* applicable *erga omnes*, in accordance with international treaty and customary law.

² [Declaration on the Protection of all Persons from Enforced Disappearance | OHCHR.](#)

³ [CED/C/7*](#).

⁴ [A/HRC/30/38/Add.5.](#)

We also refer to the study on enforced or involuntary disappearances and economic, social and cultural rights conducted by the Working Group (A/HRC/30/38/Add.5), which observes that the labeling of human rights defenders as rebels, insurgents or terrorists is often used to justify, condone or minimise human rights violations committed against them, including enforced disappearances (para. 34). The study further indicates that the enforced disappearances of human rights activists violate the economic, social and cultural rights of other individuals involved in related activities, as well as of a broader community of persons who relied on the disappeared individual to represent and defend their rights (para. 37).

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. The Committee further stressed that the right to education can only be enjoyed if accompanied by the academic freedom of staff and students.

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”.⁵

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)”.

⁵ <https://www.ohchr.org/sites/default/files/documents/issues/association/statements/20241004-stm-sr-association.pdf>.