



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

No: 141/POL-II/IX/2025

The Permanent Mission of the Republic of Indonesia to the United Nations, the World Trade Organization, and Other International Organizations in Geneva presents its compliments to the Special Rapporteur on the situation of human rights defenders, the Special Rapporteur on extrajudicial, summary or arbitrary executions, and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and, with reference to the Joint Communication (Ref.: AL IDN 4/2025, dated 8 July 2025), has the honour to convey the response of the Government of the Republic of Indonesia, as attached herewith.

The GoI reaffirms that the rights to freedom of opinion and expression and to peaceful assembly are guaranteed under the Constitution of 1945 and further reinforced by Indonesia's obligations under the International Covenant on Civil and Political Rights (ICCPR). These protections extend to all individuals, including human rights defenders, journalists, and media professionals.

The Government wishes to underline that the matters raised in the joint communication have been carefully discussed through inter-ministerial consultations, including with the relevant national authorities. This process has ensured thorough follow-up and clearance of the allegations, as reflected in the attached reply. The Government emphasizes that reprisals against human rights defenders are prohibited under Indonesian law and inconsistent with its obligations under international human rights instruments.

The Government of Indonesia also reaffirms its strong commitment to engagement with the Special Procedures and remains open to continued constructive cooperation in the promotion and protection of human rights.

The Permanent Mission of the Republic of Indonesia to the United Nations, the World Trade Organization, and Other International Organizations in Geneva avails itself of this opportunity to renew to the Special Rapporteur on the situation of human rights defenders, the Special Rapporteur on extrajudicial, summary or arbitrary executions, and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression the assurances of its highest consideration.

Geneva, 4 September 2025

Ms. Irene Zubaida Khan, Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

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

Mr. Morris Tidball-Binz, Special Rapporteur on extrajudicial, summary or arbitrary executions



**Reply of the Government of Indonesia
to the Joint Communication of the Special Procedures Mandate Holders
Ref.: AL IDN 4/2025 of 8 July 2025**

The Government of the Republic of Indonesia has the honour to respond to the Joint Communication AL IDN 4/2025 of 8 July 2025 from the Special Rapporteur on the situation of human rights defenders, the Special Rapporteur on extrajudicial, summary or arbitrary executions, and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression.

The Government of Indonesia values its constructive dialogue with the Mandate Holders in this regard and reaffirms its commitment to the promotion and protection of human rights. The rights to freedom of opinion and expression and to peaceful assembly are guaranteed under the Indonesian Constitution and further reinforced by Indonesia's obligations as a State party to the International Covenant on Civil and Political Rights (ICCPR). This guarantee applies equally to all individuals, including human rights defenders.

1. The Government emphasizes that reprisals against human rights defenders are strictly prohibited under Indonesian law and are inconsistent with the State's obligations under the ICCPR, ratified through the Law No. 12 of 2005. This is further reinforced by the Law No. 39 of 1999 on Human Rights Art. 100-103, which provides explicit guarantees for human rights defenders under its provisions on community participation, including the right to take part in the protection and promotion of human rights.

Additional safeguards are also provided in sectoral laws, which recognize and protect human rights defenders in the exercise of their respective professions and fields of work, including but not limited to:

- Law No. 40 of 1999 on the Press, which protects human rights defenders who are journalists or media practitioners.
- Law No. 21 of 2000 on Trade Unions, which safeguards human rights defenders engaged in union activities and prohibits employer retaliation.
- Law No. 18 of 2003 on Advocates, which guarantees protection for human rights defenders who are advocates acting in good faith to defend their clients.
- Law No. 32 of 2009 on Environmental Protection and Management, which protects environmental defenders, including against strategic lawsuits against public participation (SLAPP), as reinforced by Supreme Court Decree No. 36/KMA/SK/II/2013.
- Law No. 16 of 2011 on Legal Aid, which protects human rights defenders providing legal assistance.

Police and judicial complaint mechanisms are available to all individuals who consider themselves victims of intimidation or violence, including through the National Human Rights Commission (Komnas HAM) and the Witness and Victim Protection Agency (LPSK).

Moreover, Indonesia continues to strengthen preventive and protective measures to ensure that human rights defenders can carry out their legitimate work in a safe and enabling environment. In this regard, the forthcoming 6th Generation of National Human Rights Action Plan (RANHAM 2026–2030) will include a dedicated focus on the protection of human rights defenders, covering the drafting of specific regulations, the establishment of accessible and effective complaint and response mechanisms, and the strengthening of inter-agency coordination at both the national and local levels.

2. Concerning the case of **Mr. Tobias Silak, four members of the Mobile Brigade Corps (Brimob) have been identified as suspects and transferred to Wamena for trial.** Proceedings are currently ongoing before the Wamena District Court (Cases No. 44/Pid.B/2025/PN and 45/Pid.B/2025/PN) and remain open to public access. Investigations have been conducted in line with national law and international standards, including the Minnesota Protocol on the Investigation of Potentially Unlawful Death. Following the conclusion of the criminal proceedings, internal disciplinary hearings will be conducted against the officers concerned.
3. With regard to the allegations concerning **Mr. Marcho Pahabol, there has been no engagement undertaken by authorities against him, nor has there been any involvement or acquiescence of State officials in the incidents alleged.** Furthermore, to date, the competent authorities have not received any formal complaint related to this matter.

The Government reiterates its firm commitment to safeguarding the rights to freedom of expression, peaceful assembly, and association, consistent with the Constitution and the relevant international human rights instruments. All criminal acts are duly investigated and prosecuted in accordance with national law.

The Government values its engagement with the Special Procedures and remains open to continued cooperation in the promotion and protection of human rights in Indonesia.

****OooO****