



Solidarity for Indigenous Papuans response to the Call for input UN Special Rapporteur on Freedom of Religion or belief: Report on Respecting, Protecting and Fulfilling the Right to Freedom of Thought

Introduction

1. Solidarity for Indigenous Papuans¹ (SIP) is a network of NGOs and activists within West Papua that aspire to address among other issues human rights and climate change within the indigenous West Papuan communities and advocate through its existing national, regional and international NGO networks for solidarity and support.
2. West Papua indigenous people are currently experiencing internet shut down with two regencies engage in a protracted armed conflict² between West Papua National Liberation Army (the armed wing of the Organisasi Papua Merdeka – fighting for independence from Indonesia) and Indonesian Military and Police since December 2018. The conflict is further intensified by the “terrorist” name tag³ that was labelled against the liberation army which the Civil Society feared the label will be applied to human rights and environmental activists in West Papua to suppress them from raising environmental and human rights issues in the two provinces and to justify human rights violations by the Military and Police covered under terrorist tag.
3. In West Papua, the violations of human rights including freedom of thought, opinion, expression and religion or belief are being committed in light of legacy issues of colonialism, exploitation⁴, marginalization, racism, land grabbing, and resettlement of migrants from Indonesia into the region, protracted armed conflict and militarization. Note that we are no expert in legal terms; we would only provide examples of violations of those stated freedoms inside West Papua by the Government of Indonesia through legal, policy and state apparatus. In particular, the presence and involvement of fully armed military personnel attending church services, visiting

¹ This report is prepared by Solidarity for Indigenous Papuans (SIP) as a response to the call by the UN Special Rapporteur on the right to freedom of religion or belief. West Papua in this passage refers to mean the two Provinces of Papua and West Papua in Indonesia sharing the Eastern border with the Independent Stat of Papua New Guinea on the island of New Guinea in the Pacific.

² Current armed conflict in Papua region could be found here; [2019 \(humanrightspapua.org\)](https://humanrightspapua.org/)

³ The Asia Pacific reports about the likely consequences could be found here; <https://asiapacificreport.nz/2021/04/01/designating-opm-as-terrorists-will-increase-tension-rights-abuses/>

⁴ In this paper Indrawan et al, described the massive exploitation of forest and other investment in the Papua region since 2015; [A time for locally driven development in Papua and West Papua \(birdsheadseascape.com\)](https://birdsheadseascape.com/)

schools and involve themselves in meetings and taking important decisions on development and policy initiatives of the two provinces.

Report on Respecting, Protecting and Fulfilling the Right to Freedom of Thought

1. From the perspective of CSOs that focuses on addressing the issues of indigenous people in West Papua we aspire to discuss our points based on questions number 1, 7, 9, 10, 11, 12, 13 and 14. We focus on experiences faced by the people of West Papua under Indonesian rule. United Nations Universal Declaration on Human Rights Article 18 (line 1) states;

“Everyone has the right to freedom of thought, conscience and religion;”

Article 19 on the other hand stated that;

“Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”

Meanwhile Article 9 of the Equality and Human Rights Commission of Scotland stated that;

“Everyone is free to hold a broad range of views, beliefs and thoughts, and to follow a religious faith. The right to manifest those beliefs may be limited only in specified circumstances”

Merriam Webster dictionary gave the following definition for the word “thought”;

(a) a product of thinking (b) a developed intention or plan (c) something such as opinion or belief in the mind (d) the intellectual product or organized views of a place, a group, a period or individual.

From the definition provided with regard to “thought” as a noun encompasses opinion and belief given that opinions and beliefs are in fact ‘products’ or ‘properties’ of thought. They form part of basic human rights because thought is an intellectual property of individuals. It can become groups’ product/property when that thought is popularly held by many people. For instance, Religion in this regard is sort of a product/property of thought that has become groups’ property which violation of it is categorized as the violation of human rights.

Equality and human rights commission posits that “freedom of thought, conscience and religion are essential requirements in a democratic society.” When respected, it tolerates and “preserves diversity and pluralism” other essential aspects of a vibrant and functioning democracy.

Example cases taken from the human rights court listed by Equality and human rights commission⁵ include; *Eweida v the United Kingdom* (January 2013), *Begum v the Head Teacher and Governors of Denbigh High School* (2006) and *R (Surayanda) v Welsh*

⁵ More could be read from their website; <https://www.equalityhumanrights.com/en/human-rights-act/article-9-freedom-thought-belief-and-religion>

Ministers (2007), R (Ghai) v Newcastle upon Tyne City Council and Ladele v the United Kingdom (January 2013). Cases listed were considered as some examples of violation of Article 9 of the Equality and human rights commission which directly come under observation and implementation of UDHR Articles 18 and 19 of the human rights convention. Most countries to the East have no well-developed human rights institutions; countries like Indonesia do not have effective human rights court where human rights issues could be addressed effectively.

2. Certain self-expressions of people be it in the form of digital, print, painting and or art constitute the fruit of their thought. They are products of their thinking which means that destroying, deface, adjustments or do anything that undermines those expressions constitute violation of freedom of thought. This include attempt at directing, forcing or indoctrinating someone with an aim to abandon his/her expected original thought through indoctrination, teaching or mere presence during the process of preaching in case of religion by force.

3. In this regard, we believe that certain conducts of Indonesian military in West Papua are in breach of Article 18 and 19 of UDHR. The military and police presence in churches, schools, meetings and other civilian activities in full military gear constitute violation of freedom of thought. The right to freedom of thought of the West Papua children, women folks as well as men folks who come into contact with the military in churches, schools and meeting places are clearly being violated by the mere presence of Indonesian military. The free thinking aspects of those who come in contact with the military disappear due to fear. This is because the circumstances on the ground in West Papua do not pose a threat to lives or properties of the people of West Papua that warrants the military to take those actions.

On the other aspect is the targeted destruction of tomb stones and graveyards of West Papuan leaders by the Indonesian military in recent years. The military and police have also been confiscating traditional West Papua bags and arm bands with West Papua flag designs, and destroying other West Papuan cultural and nationalist symbols by force aspire to eradicate nationalist ideas from West Papuans. This also constitutes the violation of freedom of thought because in those tomb stones and art works, Papuans inscribe words and symbols of West Papua nationalism which from time to time the Papuan public visit and draw inspiration from. The tombs of leaders in West Papua are considered public property which in legal terms would be group property and violation of it constitutes the violation against the people of West Papua.

The military is carrying out or exercising public functions, delivering services like teaching, church services and attending meetings as part of the military operations under the code name "Operation Nemangkawi" against the West Papua National Liberation Army and not as a government policy to serve the people. West Papua is not under an emergency situation that warrants the military to take such actions (see attached photos). The motives of the Indonesian military are different in general; they are strategically positioned among the people to gather military intelligence as well as spreading propaganda to achieve military aim.

4. The practice of dual function⁶ of the military has a lot of influence in the current military operations in West Papua region. The government of Indonesia was established in such a way that views military involvement in politics, administration and business affairs of the nation as a norm since the 1960s. The government recognized this as the “dwifungsi” dual function of the military in civilian affairs. The system sort of glued the society together from 1966 to 1998 when the country transformed into a democratic state adopting some features of democracy such as free elections and establishment of human rights watchdog institutions like human rights commission to monitor the violations of human rights in the country. The other aspect is the protracted armed conflict since 2018 to date in several regencies within Papua province that trigger the reinforcement of Papua region as “Military Operations Area” locally known as “Daerah Operasi Militer⁷ (DOM).

In West Papua the system of dual function of the military did not end in 1998; it still exists to this day due to existing armed conflict for independence from Indonesia. Indonesian military positioned themselves from the political level down to bureaucracy and into business in West Papua over the last 60 years of Indonesian occupation. It has been seen as a norm, however, Indonesian military’s current trend of going into churches, schools, meetings and gatherings in full military gear are uncommon. The military adopted it recently, 2020 to be exact as part of their “winning hearts and mind strategy” under Operations Nemangkawi⁸.

5. The trend has led to serial killings, kidnappings, intimidation and threats against church leaders by the military including the killing of Pastors and Catechists in Intan Jaya and Nduga (see attached report), health workers and teachers. The actions of Indonesian military instead of uniting the people are building deep hatred towards Indonesian government among the Papuans. How can the West Papuans accept Indonesian military when the same military killed their pastors, bomb their schools and clinics in some parts at the same time visiting the other parts distributing food and teaching children in the villages. These has been nothing but a mental torture for West Papuans and the circle of violence are going worse by the day with the way Indonesian military conduct themselves in West Papua.

The Indonesian intelligence network was established both offline and online to dismantle what they termed as “pikiran jahat” bad thoughts from Papuans creating thousands of groups, fake profiles on Social media posing as Papuans to carry out Indonesian nationalist propagandas every minute dehumanizing the Papuan identity and culture in the process promoting Indonesian nationalism. The level of mental health among Papuans could not be measured due to lack of such facilities in West Papua. The reality on the ground dictates that almost half of the adult Population and some percentage of young population of Papua are mentally ill due to too much exposure to hateful online contents, loss of their loved ones in the hands of Indonesian military, unsolved human rights cases and a dream for a free West Papua. These thoughts affect their daily lives as well lead them to drinking to pass the time and talk about the freedom for hours non-stop. It’s sort of disease that has developed in all Papuan households.

6. In order to address the long standing issue between West Papuans and Indonesian government there has be an amicable solution in which the International community through

⁶ More information on dual function could be found here; [ARTIKEL.pdf \(upy.ac.id\)](#)

⁷ Papua has been a military operations area for Indonesians; [Papua in Suharto's Hands - Historia](#)

⁸ More story on the extension of Operation Nemangkawi; [Masa Operasi Satgas Nemangkawi di Papua Diperpanjang Enam Bulan \(kompas.com\)](#)

