Solidarity for Indigenous Papuans

**Comments on the Draft GC36 (Committee on the Elimination of Racial Discrimination)**

The Solidarity for Indigenous Papuans (SIP) a network of NGOs and Activists in Papua and West Papua provinces of Indonesia is pleased for the good work done by the United Nations Human Rights Council particularly the Committee on the Elimination of Racial Discrimination. The Solidarity for Indigenous Papuans comment is based on Part IV Article (16) line (1) on the ‘Definition and Understanding Racial Profiling’. SIP proposed that the State Ministers or high ranking officials of a member state of the United Nations be added to the definition as actors along with the ‘law enforcement agents.’

This is due to the fact that views, opinions and statements of leaders of a particular nation have more influence on their society than their ‘law enforcement agents’. Ideas, views or opinions formed by top leaders in a nation are taken more seriously by their citizens including the ‘law enforcement agents’ who seem to act on the direction being taken by their top leaders. As an organization that aspire to protect and advocate for the rights of Indigenous People of Papua who are racially different from the rest of Indonesia we have such experiences since the 1960s when the island was integrated into Indonesian republic.

The mostly negative view of racial inferiority amongst most of the population in Indonesia towards Papuans who are ‘Melanesian’ people of African descent has been enforced by public statements and press releases of state ministers through mass media and social media. This has caused tremendous effect on the population both law enforcement agents and normal citizens in the country. Papuans compost of about 1.3 % of the Population[[1]](#footnote-1) of Indonesia has always been the subject of racial violence over the years.

Police brutality in Papua is very high because of the fact that the police do not investigate before they take action. They don’t give warning shots when it deals with Papuans who are generally viewed as criminals, drunkards and are considered second class citizens in Indonesia. Most leaders call Papuans as ‘anak tiri’ ‘adopted child of Indonesia. The UNHRC should take into consideration of this because ‘law enforcement agents’ only follow directions from the state and its leaders.

SIP recommends that the definition of Racial Profiling in line (1) of article 16 should read;

16. “Racial profiling is the use, by law enforcement agents and *state ministers*,” for allegedly supposed reasons of public safety and protection of generalizations or stereotypes related to presumed race, colour, descent, nationality, place of birth, or national or ethnic origin –rather than objective evidence or individual behaviour- as a basis for erroneous suspicion that people with such characteristics are prone to engage in or may be involved in criminal activity to guide law enforcement actions, resulting in discriminatory decision-making. Racial profiling may include, for example, stops, identity checks, personal searches, arrests, raids, border and custom checks, home searches, targeting for surveillance, or immigration decisions. These actions may involve law enforcement agents in police, customs, immigration, and national security agencies, and may variously take place in the context of street-policing, anti-terrorism operations, or immigration and border control.[[2]](#footnote-2)

1. The Committee observes that profiling can also be biased on the basis of sex, gender, age, or religion or other prohibited or intersecting grounds. Those practices should be also addressed.
2. *In addition to the definitions above profiling that top leaders may be prone to commit may be statements and opinions that may be based on certain aspects or sectors of the population that may be directly or indirectly discriminates them.*
1. <https://www.bps.go.id/subject/12/kependudukan.html#subjekViewTab3> As per 2018 Indonesia population was 265 million of which 3 million is from Papua region almost 1% of the population making the two Papua provinces the least populated areas in Indonesia. [↑](#footnote-ref-1)
2. See the report of the Secretary General of the United Nations on the implementation of the International Decade for People of African descent, (2018) A/73/354. [↑](#footnote-ref-2)