

Goudeerlijk: Het verhaal van Papua

Amsterdam | 12 december 2025

Verenigde Naties - secretaris-generaal in New York

Gestelde vragen:

New York Agreement and Act of Free Choice

1. *Does the UN consider that the Netherlands and Indonesia violated their obligations under the New York Agreement (1962)?*
2. *Looking back at the New York Agreement, does the UN still consider it a legitimate agreement since there were no West Papuans allowed to participate in the negotiations about their own future?*
3. *Why did the UN at the time accept a procedure that violated the 'one person one vote' principle and did not meet international legal standards for self-determination?*
4. *Is the UN aware that many of the findings and observations made by UN observers did not end up in Ortiz Sanz' final report to the UN?*
5. *If so, what does the UN plan to do set the record straight with regards to this final report on the Act of Free Choice?*
6. *What responsibility does the UN acknowledge for its role in supervising the Act of Free Choice in 1969?*
7. *What responsibility does the UN acknowledge for formally receiving and endorsing the report, which legitimized the outcome?*
8. *How does the UN address the violation of the West Papuans' right to self-determination in the 1969 Act of Free Choice?*
9. *Does the UN consider the right to self determination unfinished for West Papuans?*

Mining industry

10. *What measures is the UN taking to prevent the exploitation of West Papua's natural resources in violation of indigenous peoples' rights?*
11. *Does the UN monitor the human rights abuses associated with the sourcing of raw materials from West Papua?*
12. *A portion of the FUNDWI budget, the Fund of the United Nations for the Development of West Irian, was allocated to the development of the mining industry in West Papua. How does the UN view this with hindsight?*
13. *These mining companies entered into contracts with the Indonesian government before the Act of Free Choice, so before the Indonesian government had gained sovereignty of West Papua. Does the UN qualify these mining contracts as illegitimate?*
14. *Why was FUNDWI budget allocated to a mining industry with contracts that entered into force before the Act of Free Choice?*

15. *According to documents that we retrieved from the Dutch National Archives the head of UNTEA, Mr. Djalal Abdoh, was approached by Dutch and American mining companies (Freeport, US Steel and/or Oost Borneo Maatschappij) to endorse and assist the development of their mining plans in West Papua. What did Mr. Djalal Abdoh subsequently do with this information and this request?*

Antwoord van persvoorlichting:

The questions you have are very much related to human rights in West Papua. We would refer you to OHCHR, our colleagues in Geneva will be able to assist you better.

Vertaald naar het Nederlands:

Uw vragen hebben veel te maken met mensenrechten in West-Papoea. We verwijzen u graag door naar het OHCHR; onze collega's in Genève kunnen u beter helpen.

Verenigde Naties - kantoor van de VN Hoge Commissaris voor de Mensenrechten in Genève

Gestelde vragen:

Human rights violations

1. *How often has the UN raised human rights violations in West Papua with the Indonesian government over the past five years?*
2. *What is the UN doing to stop human rights violations in West Papua?*
3. *What issues hinder the discussion of human rights violations in West Papua with the Indonesian government?*
4. *What issues hinder the discussion of human rights violations in West Papua within the UN itself?*
5. *To what extent does the UN bear a moral responsibility for the slow-motion genocide of 500,000 West Papuans?*
6. *Is the UN planning to form an International Commission of Inquiry and/or a similar investigatory body to investigate all alleged violations of international human rights and international humanitarian law in West Papua?*

UN High Commissioner for Human Rights and Special Rapporteurs

7. *To what extent are you leveraging pressure on the Indonesian government to allow the visit of the UN High Commissioner for Human Rights to West Papua?*
8. *What reasons does the Indonesian government give the UN for not allowing the visit of the UN High Commissioner for Human Rights to West Papua?*
9. *How is the UN responding to the findings of Special Rapporteurs on executions, torture, and enforced disappearances in West Papua?*
10. *The UN Special Adviser on the Prevention of Genocide has also pointed to the role of extractive industries and the exploitation of natural resources in human rights violations in West Papua. What is the UN doing with regards to this issue?*

Antwoord:

Our Office has continued to raise concerns on the human rights and humanitarian situation in the Papua region with the Indonesian authorities and called on all parties to refrain from violence. The Office encourages the authorities to engage in meaningful and inclusive dialogue with the people of Papua on their aspirations and concerns.^[1] The Office has also called on authorities to pursue thorough, independent and impartial investigations into all acts of violence, in particular killings, to ensure perpetrators are held to account, regardless of their affiliation.^[2]

Concerns have also consistently been raised by UN human rights mechanisms, including the Special Procedures mechanisms^[3] on the lack of formal recognition of Indigenous Peoples; the erosion of their rights under the revised Special Autonomy Law in West

Papua; the revival of the transmigration policy and its detrimental impact on cultural integrity; and the adverse effects of National Strategic Projects,^[4] extractive industries, and green energy initiatives on Indigenous lands and livelihoods. Concerns have also been raised by UN experts on the exclusion of Indigenous communities from conservation efforts, affecting their territories, lands and resources. Additional concerns include the criminalization of Indigenous land defenders and the existential threats faced by Indigenous Peoples in isolation.

Multiple communications regarding similar or related human rights issues have been sent to the Government of Indonesia in the last years (IDN 1/2025, 7/2024, 5/2024, 2/2024, 9/2023, 6/2023, 4/2023, 3/2023, 2/2023, 3/2022, 1/2022, 11/2021, 10/2021, 8/2021, 5/2021, 4/2021, 2/2020, 1/2020, 8/2019, 6/2019, 7/2018, 6/2017, 3/2016, 1/2016, 8/2015).^[5]

As noted by UN human rights experts, Indigenous Peoples in Papua have historically faced discrimination, stereotypes, and marginalisation based on their distinct cultural practices and connection to ancestral lands. The Special Autonomy Law for Papua has allegedly also failed to improve the human rights situation in the region and allegations of human rights violations are widespread.

The Committee on Civil and Political Rights, during Indonesia's review in 2024, noted concerns on reports of the systematic use of torture and other forms of inhumane and degrading treatment or ill-treatment in places in detention, in particular of indigenous Papuans.^[6] The Committee also expressed regrets on the lack of information on measures adopted to address internal displacement or to facilitate the return of individuals to their homes in Papua and to provide reparations to victims.^[7]

The Committee on Economic Social and Cultural Rights, during Indonesia's review in March 2024, also expressed concerns about reports on the state of the healthcare system in Papua, characterised by abandoned or destroyed health centres and a significant decrease in medical facilities, particularly in highlands regencies, and the dire health situation of internally displaced persons.^[8]

On engagement with UN human rights mechanisms: Indonesia is a **State Party to eight of the nine core human rights instruments** and has signed the Convention for the Protection of All Persons from Enforced Disappearance. Indonesia was reviewed by the CEDAW Committee in November 2021, by the Committees on ESCR on 1 March 2024 and CCPR on 28 March 2024. Indonesia's fourth cycle UPR was in October 2022. On Special Procedures engagement, the last official visit was by the Special Rapporteur on Food in 2018.

^[1] <https://reliefweb.int/report/indonesia/comment-un-high-commissioner-human-rights-michelle-bachelet-indonesia-papua-and>; <https://news.un.org/en/story/2020/11/1078832>

² <https://www.ohchr.org/en/statements-and-speeches/2020/11/comment-un-human-rights-office-spokesperson-ravina-shamdasani-papua>

³ AL IDN 4/2023 <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=28255>

⁴ <https://www.ohchr.org/en/press-releases/2025/11/indonesia-must-recognise-indigenous-peoples-and-consider-them-partners>

⁵ These communications and the State's responses are available in the Special Procedures communications database: <https://spcommreports.ohchr.org/Tmsearch/TMDocuments>

⁶ CCPR/C/IDN/CO/2, Para 26

⁷ CCPR/C/IDN/CO/2, Para 46

⁸ E/C.12/IDN/CO/2, Para 54

Vertaald naar het Nederlands:

Ons Kantoor is bij de Indonesische autoriteiten voortdurend bezorgd geweest over de mensenrechten- en humanitaire situatie in de Papoea-regio en heeft alle partijen opgeroepen zich te onthouden van geweld. Het Kantoor moedigt de autoriteiten aan om een betekenisvolle en inclusieve dialoog aan te gaan met de bevolking van Papoea over hun aspiraties en zorgen.[1] Het Kantoor heeft de autoriteiten ook opgeroepen om grondige, onafhankelijke en onpartijdige onderzoeken uit te voeren naar alle gewelddaden, met name moorden, om ervoor te zorgen dat daders ter verantwoording worden geroepen, ongeacht hun politieke voorkeur.[2]

VN-mensenrechtenmechanismen, waaronder de Speciale Procedures[3], hebben ook voortdurend hun bezorgdheid geuit over het gebrek aan formele erkenning van inheemse volken; de uitholling van hun rechten onder de herziene Speciale Autonomiewet in West-Papoea; de heropleving van het transmigratiebeleid en de schadelijke gevolgen daarvan voor de culturele integriteit; en de nadelige effecten van Nationale Strategische Projecten, [4] winningsindustrieën en groene-energie-initiatieven op inheemse gebieden en bestaansmiddelen. VN-experts hebben ook hun bezorgdheid geuit over de uitsluiting van inheemse gemeenschappen van natuurbewoudsinspanningen, wat gevolgen heeft voor hun territoria, land en hulpbronnen. Andere zorgen zijn de criminalisering van inheemse landverdedigers en de existentiële bedreigingen waarmee inheemse volken in isolatie worden geconfronteerd.

De afgelopen jaren zijn er meerdere berichten over soortgelijke of gerelateerde mensenrechtenkwesties naar de Indonesische regering gestuurd (IDN 1/2025, 7/2024, 5/2024, 2/2024, 9/2023, 6/2023, 4/2023, 3/2023, 2/2023, 3/2022, 1/2022, 11/2021, 10/2021, 8/2021, 5/2021, 4/2021, 2/2020, 1/2020, 8/2019, 6/2019, 7/2018, 6/2017, 3/2016, 1/2016, 8/2015).[5]

Volgens mensenrechtenexperts van de VN hebben inheemse volken in Papoea historisch gezien te maken gehad met discriminatie, stereotypering en marginalisering vanwege hun

specifieke culturele gebruiken en hun band met hun voorouderlijke grondgebied. De Speciale Autonomiewet voor Papoea zou de mensenrechtensituatie in de regio ook niet hebben verbeterd en er zijn wijdverbreide beschuldigingen van mensenrechtenschendingen.

Tijdens de Indonesische evaluatie in 2024 heeft de Commissie voor Burgerrechten en Politieke Rechten haar bezorgdheid geuit over berichten over het systematische gebruik van marteling en andere vormen van onmenselijke en vernederende behandeling of mishandeling in detentiecentra, met name van inheemse Papoea's.[6] De Commissie betreurde ook het gebrek aan informatie over de maatregelen die zijn genomen om interne ontheemding aan te pakken of om de terugkeer van personen naar hun huizen in Papoea te vergemakkelijken en om slachtoffers schadevergoeding te betalen.[7]

Het Comité voor Economische, Sociale en Culturele Rechten uitte tijdens de Indonesische evaluatie in maart 2024 ook zijn bezorgdheid over rapporten over de toestand van het gezondheidszorgsysteem in Papoea, dat gekenmerkt wordt door verlaten of verwoeste gezondheidscentra en een aanzienlijke afname van medische voorzieningen, met name in de regentschappen in de hooglanden, en de erbarmelijke gezondheidssituatie van intern ontheemden.[8]

Over betrokkenheid bij de mensenrechten mechanismen van de VN: Indonesië is partij bij acht van de negen belangrijkste mensenrechteninstrumenten en heeft het Verdrag inzake de bescherming van alle personen tegen gedwongen verdwijning ondertekend. Indonesië werd in november 2021 beoordeeld door het CEDAW-comité, op 1 maart 2024 door het ESCR-comité en op 28 maart 2024 door het CCPR-comité. De vierde cyclus van de UPR van Indonesië vond plaats in oktober 2022. Wat betreft de betrokkenheid bij de Speciale Procedures was het laatste officiële bezoek van de Speciale Rapporteur voor Voedsel in 2018.
