



经济及社会理事会

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人权委员会
增进和保护人权小组委员会
第五十一届会议
议程项目 2

在所有国家、特别是在殖民地和其他未独立国家和领土上
人权和基本自由遭受侵犯的问题，包括种族歧视和
种族分隔政策以及种族隔离政策：小组委员会
按照人权委员会第 8(XXIII)号决议提交的报告

1999 年 8 月 6 日印度尼西亚常驻联合国
日内瓦办事处代表致增进和保护人权小组委员会
第五十一届会议主席的信

防止歧视及保护少数小组委员会第 1998/3 号决议请人权事务高级专员调查该决议附件所列人士在安全方面的处境。根据这一决议，增进和保护人权小组委员会散发了第 E/CN.4/Sub.2/1999/4 号文件。谨就此文件发表如下意见。

在这一方面，我想请您注意该文件的第 12 段，其中提到，由于印度尼西亚政府未曾提供有关信息，Kasiepo 先生的处境不明。

本人惊讶地发现，我国代表处于 1999 年 8 月 3 日提供的信息竟然未曾出现在上述文件之中。此外，我也不安地注意到，人权署在 1999 年 7 月 2 日才照会我国代表处，要求提供有关信息，但是载有高级专员调查结果的这份文件于 1999 年 7 月 5 日

已经散发。我认为，这是十分不公平的。因此，我要求将此信以及所附我国政府的答复* 作为小组委员会的文件散发；同时就上述文件(E/CN.4/Sub.2/1999/4)作出相应的更正。

大 使

常驻代表

N. Hassan Wirajuda (签名)

* 附件不译，原文照发。



ANNEX

PERMANENT MISSION
OF THE REPUBLIC OF INDONESIA
TO THE UNITED NATIONS
AND OTHER INTERNATIONAL ORGANISATIONS
GENEVA

The Permanent Mission of the Republic of Indonesia to the United Nations and Other International Organizations at Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and, in reference to the latter's note dated 2 July 1999, has the honour to provide its response in respect to Mr Victor Kasiepo as follows:

Mr Kasiepo left Indonesia in the early 1970s and has never returned to live there since. Therefore, he has never been, since then, engaged in activities in the field of human rights promotion and protection in Indonesia, including in the province of Irian Jaya, let alone labelling himself as a human rights defender in Irian Jaya.

Mr. Kasiepo has reportedly been living in the Netherlands but has never reported his presence to any Indonesian diplomatic representation or consular service there or in any other country. According to the Indonesian laws on citizenship, Indonesians living abroad must report to an Indonesian representation in the country of their new residence in every five years. Failing to do so automatically entails that he/she renounces to his/her Indonesian citizenship. Because Mr Kasiepo has not complied with the laws, he is no longer considered an Indonesian citizen. Being neither Indonesian citizen nor resident, he can therefore not avail himself of the protection of the Government of Indonesia.

In this regard, resolution 1998/3 adopted by the Sub-commission on Prevention of Discrimination and Protection of Minorities in which the United Nations High Commissioner for Human Rights was requesting to inquire about the security situation of individuals listed in the annex to the resolution, including Mr Kasiepo, does not apply to Indonesia.

Office of the United Nations
High Commissioner for Human Rights
Palais Wilson
52 rue des Paquis
1201 Geneva

The facts also prove that Mr Kasiepo is not a stranger to the Office of High Commissioner for Human Rights since he has frequently attended various human rights meetings at Palais des Nations for at least in the past few years. For example, his name appears in the lists of participants for the 50th session of the Sub-commission on the Prevention of Discrimination and Protection of Minorities and for the Fifty-Fifth session of the Commission on Human Rights under the banners of two NGOs, namely Survival International and International Work Group for Indigenous Affairs respectively. Just recently, in July 1999, he also attended the pre-sessional Working Group on Indigenous Populations.

For the latter's information, human activists need not to take cover to conduct their activities in Indonesia. In the current political environment more and more Indonesians are beginning to engage not just in the discourse of human rights but also in the active promotion and protection human rights through practical measures. The formation of organizations by Indonesians aimed at promoting and protecting human rights is the most apparent feature of this new active participation. NGOs have been growing in number and are increasingly becoming active in the promotion of a civil society. In this regard, several NGOs have recently emerged whose activities, ranging from human rights in general to more specific aspects of human rights, are getting substantial recognition from both the Indonesian people and the Government. This attests the commitment of the Government of Indonesia to developing partnerships with individuals, groups, institutions and NGOs in the promotion of democracy, human rights and fundamental freedoms for the advancement of democratic societies, institutions and processes.

The Permanent Mission of the Republic of Indonesia avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 3 August 1999


