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ECONOMIC, SOCIAL AND CULTURAL RIGHTS

**Written statement* submitted by the Commission of the Churches on International
Affairs of the World Council of Churches, a non-governmental organization
in general consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[20 January 2004]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

1. The Commission of Churches on International Affairs (CCIA) of the World Council of Churches (WCC) submits that one of its primary tasks is to express the common concern of the churches in the service of human need, the breaking down of barriers between people and the promotion of human family in justice and peace. All its programme activities are accordingly, conceived and implemented in a way that expresses the basic Christian imperative to participate in the struggle for human dignity and social justice for all God's people and at the same time maintain the integrity of action and engagement by the churches as rooted in the biblical faith. Churches are called to share in God's mission of justice, peace and respect for all creation and to seek for all humanity the abundant life which God intends. Within scripture, through tradition and from the many ways in which the spirit illuminates the heart, God's gift of dignity to each and every human person can be discerned.

2. The CCIA has a long history of involvement in the struggle for human rights. This involvement is based on the conviction that God wills a society in which all can exercise full human rights. All human beings are created in God's image, equal infinitely precious in God's sight. This basic commitment of faith was reflected in the Report of the Vth Assembly held in Nairobi, 1975. The Report under the Section: "The Right to Basic Guarantees for Life" inter alia noted:

"No rights are possible without basic guarantees for life, including the right to work, to adequate food, to guaranteed health care, to decent housing and to education for the full development of the human potential. Because women have the lowest status in most world communities their special needs should be recognised.

The ever widening gap between the rich and poor nations has created today a highly explosive situation in which millions are denied these rights. This is due to a number of contributing factors, including the following:

- the present international economic structures are dominated by a few rich countries who control a large proportion of the world's resources and markets.
- Transnational corporations, often in league with oppressive regimes, distort and exploit the economies of poor nations.
- National economies are controlled in many cases by a small group of elites who also often give special access to transnational corporations.
- Patterns of land ownership are often exploitative.
- The right to the basic guarantees for life involves guarding the rights of future generations e.g. through protection of environment and conservation of earth's resources."

These are prophetic words that lay bare the root causes of economic injustice. The validity of these words spoken around three decades ago have been further strengthened by the present trend towards globalisation of national economies, that has resulted in greater concentration of economic power in the hands of a small minority. The forms of trade and investment liberalisation applicable today tends to render national economies more vulnerable to outside economic forces and their extra national priorities is the formation of political partnerships between national elites whose interests are served by the dominant pattern of

economic development. These new economic-political alliances have systematically removed from ordinary people the social power to order and direct their lives. The pressures for social regulation consign to the margins those who cannot sell their productive labour or those who resist processes of cultural and political integration and homogenisation. In the aftermath of September 11, the present co-ordinated global economic and political power is now systematically being undergirded by an increasingly integrated global military system of control.

3. In the above context it is pertinent to quote from the presentation made by Mr Bertrand Ramcharan, Acting High Commissioner for Human Rights in New York on 10th November, 2003, at a Seminar organised by CCIA on “The State of Human Rights Ten Years After the Vienna World Conference on Human Rights (1993)”. Speaking on the realisation of economic, social and cultural rights, the Acting High Commissioner said:

“Notwithstanding this push for the integration of human rights, can one say that there is better realisation of economic, social and cultural rights ten years after the Vienna Conference? It would be hard to answer this question in the affirmative. Can one say that the work of the Commission on Human Rights to advance the implementation of the right of development has so far helped alleviate the plight of the poor? Again, it would be difficult to answer in the affirmative. Perhaps the most significant activity when it comes to the realisation of economic, social and cultural rights over the past ten years has been the development of human rights guidelines for poverty reduction strategies. The guidelines promulgated by the office of High Commissioner for Human Rights in 1992, are based on the reasoning that strategies for poverty reduction should be based explicitly on the norms and values set out on the international law of human rights. Underpinned by universally recognised moral values and reinforced by legal obligations, international human rights provide a compelling normative framework for this formulation of national and international policies of poverty reduction.”

Summing his presentation, the High Commissioner for Human Rights said that ten years after Vienna Conference, the challenge should be renewed determination to counter gross violations of human rights, to promote democracy, the rule of law, good governance and the strengthening of national protection systems in every country of the world.

It remains a fact that while much progress has been made during the past decades in the setting up of international norms and standards of human rights, little or no progress has been made in the implementation of established rights. There is lack of political will, resources and appropriate mechanisms at the national level to ensure applicability of international recognised norms and standards.

4. At the 59th Session of the United Nations Commission on Human Rights, CCIA made a written submission with regard to the situation in Indonesia with particular reference to the violations of social, economic and cultural rights of the people of Papua. In its submission CCIA drew the attention of the Commission to the violations of human rights of the Papua people as a result of the discriminatory and unfair policies and practises of the Indonesian government. The World Council of Churches in a letter addressed to President Megawati Soekarnoputri in September 2002, pointed to the deteriorating human rights situation in the

province as a result of such policies and practices. It further said that the grievances of the Papuan people for equitable sharing of economic resources and political power can only be addressed through fair and honest implementation of the autonomy law. The way forward for the government was to ensure the implementation of National Dialogue as the people of Papua were committed to peace through a process of consultation and multilateral decision making.

5. The CCIA regrets to note that despite all efforts by the people of Papua to seek an amicable solution to their grievances, the Indonesian government had not shown any reciprocity. To the contrary, despite repeated appeals by the people to revive the National Dialogue, the government has not only refused to come to the negotiating table but it has also, initiated actions in the province that have resulted in unrest and conflict. The decision, earlier this year to issue Presidential Instruction No. 1/2003 that orders the implementation of the 1999 law to divide Papua, into three provinces - West Irian Jaya, Central Irian Jaya and Papua resulted in violence and conflict as a result of which four people died and scores of others were injured. The hasty manner in which this action of dividing the province into three parts was taken, effectively lays bare the territory's riches for a new layer of bureaucrats to exploit. The action is yet another link in the chain of Indonesian government's social, economic, political and cultural policies, practised over the last five decades as a result of which indigenous Papuans have suffered all kinds of discrimination, human rights abuses, environmental exploitation and destruction, political and cultural oppression. Papua's cultural and ethnic make up too, has been radically altered. Since the province's incorporation's by Indonesia, Papua's population of 1.5 million people now have to share the territory with some 775,000 Indonesian migrants. The government policy of transmigration has been deliberately targeted to alter the demographic complexion of the province. Also, Papuans now face increased militarism and repression and have been dispossessed and marginalised in their own land. If the current demographic and health care trends are allowed to continue, they may result in further isolation and marginalisation of indigenous Papuans.

6. The Special Autonomy Law passed by the House of Representatives in October 2001, provided a ray of hope to resolve the tension and conflict between people of Papua and government of Indonesia. However, lack of political will of the Indonesian establishment has stalled all meaningful negotiations for just and lasting resolution of the conflict. During the last year, despite promises of continuance of reforms, Indonesia witnessed the return of military to centre stage of civil and political life. The military and the intelligence agency have been instrumental in championing Presidential Instruction (1/2003) that effectively abrogates the special Autonomy Law by ordering unilateral and arbitrary division of Papua into three separate provinces, each with its own military command structures. This unwarranted action of the government has closed all avenues of dialogue and has further destabilised an already troubled province. It seems the government by initiating such action against the wishes of the majority of the Papuan people has indicated that it is not keen on Papuan people efforts for non violent process of conflict resolution. The ongoing conflict in Papua can be resolved if the Indonesian government shifts its pattern of rule in the province that relies on violence to resolve differences and disputes.

7. The Indonesian government must reverse its policies that continue to exploit the territory's natural resources for its own benefit. The benefit of these valuable economic resources should be used for the upliftment of the Papuan people. The revenue earned should be

spent on education services, healthcare, transportation and communication instead of being appropriated for the benefit of the predominantly urban based transmigrant population.

The Commission should urge the Indonesian government to implement the autonomy law in consultation with the representatives of the Papuan people. If this is not done the situation of confrontation and conflict is likely to further detonate resulting in grave and serious human rights violations. The government of Indonesia must realise that the problems in Papua are primarily economic because of the failure of its development policies. Every effort therefore has to be made to ensure that the Province of Papua gets its due share of the proceeds raised from the exploitation of its abundant natural resources and that the rights of the Papuan people are duly recognised and economic justice guaranteed.

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