



# General Assembly

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## Human Rights Council

### Fortieth session

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Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

## **Written submission by the National Commission on Human Rights of Indonesia\***

### **Note by the Secretariat**

The Secretariat of the Human Rights Council hereby transmits the communication submitted by the National Commission on Human Rights of Indonesia\*\*, reproduced below in accordance with rule 7(b) of the rules of procedures described in the annex to Council resolution 5/1, according to which participation of national human rights institutions is to be based on arrangements and practices agreed upon by the Commission on Human Rights, including resolution 2005/74 of 20 April 2005.

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\* National human rights institution with A status accreditation from the Global Alliance of National Human Rights Institutions.

\*\* Reproduced in the annex as received, in the language of submission only.



## **Annex**

### **Submission by the National Commission on Human Rights of Indonesia (Komnas HAM) Response to the Report of the Special Rapporteur on the Right to Food**

His Excellency President of the Human Rights Council, 40th session of the Human Rights Council

Greetings to all members, governments, representatives of NHRIs and CSOs of the 40th Session of the Human Rights Council. I would like to acknowledge the Government of Republic of Indonesia (GOI) here today.

The Indonesia National Commission on Human Rights (Komnas HAM) is an ‘A status’ national human rights institution accredited by the Global Alliance of National Human Rights Institutions (GANHRIs) as being in compliance with the Paris Principles. I acknowledge my colleagues from other GANHRI Secretariat and appreciate their assistance to read this statement on behalf of Komnas HAM.

Komnas HAM is pleased to express our appreciation to the Government of Republic of Indonesia for inviting the Special Rapporteur on the right to food, Hilal Elver, who conducted an official visit to Indonesia from 9 to 18 April 2018.

Komnas HAM values the important work undertaken by our Government and other relevant parties in monitoring and reporting on the enjoyment and the exercise of the right to food in Indonesia.

Komnas HAM is well aware of the complexity of the issues relating to food security of Indonesian citizens which spreads all over the archipelago owing to the diversity of local cultures and varying ecological conditions. Therefore, Komnas HAM appreciates the effort made by the Special Rapporteur, Hilal Elver, in finding the facts, analyzing numerous complicated situations, and providing appropriate recommendations which address the complexity comprehensively.

Komnas HAM has identified a need to add a recommendation to GoI which seeks establish an independent and comprehensive land conflict resolution mechanism. Komnas HAM has identified that one of the main causes of food insecurity among the indigenous communities and other local rural communities relates to the conflicting land tenure systems. The Special Rapporteur elaborated this issue on paragraph 68; however she has not included corresponding recommendations. The conflicting land tenure systems have resulted in many conflicts all over Indonesia, each with the potential to contribute to social regression if we do not act.

Furthermore, many of the conflicts have resulted to various types of human rights violations, which include the right to work, right to properties, traditional rights, right to feel safe, indigenous women’s rights, and many other rights relating to indigenous peoples in many parts of Indonesia.

Looking ahead, Komnas HAM is of firm belief that a conflict resolution mechanism must be established in order to progressively improve access to human rights. Additionally, Komnas HAM is confident that it has the potential act as the foundation to other evaluation tools in the future.

Once again, Komnas HAM extends its warm regards and appreciation to the President of the Human Rights Council, government representatives here today, colleagues at GANHRI, and CSOs. We look forward to future collaborations and will continue to strive for the promotion and protection of human rights in Indonesia. Thank you.

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