

UN Commission on Human Rights
60th session 15 March – 23 April 2004
Item 9: Human rights violations in any part of the world
Speaker: Alessandra Aula

Franciscans International would like to draw the attention of the Commission to the grave human rights situation in Togo and in Papua, Indonesia.

Togo

In Togo, General Eyadema's 37 year-old regime is systematically hampering fundamental freedoms. For instance, with the revised Press Code, the Ministry of Interior has been given sweeping powers to close down any newspaper he considers a threat to law and public order. Human rights defenders, including Church leaders, are under constant police surveillance; they regularly suffer from arbitrary detention, harassment and intimidation. On many occasions, independent international NGOs cannot mention their names in their reports in order to avoid graver repercussions against them or members of their families.

The widespread use of torture and the unwillingness of the country to cooperate on this matter are also an utmost concern. Since the ratification of the Convention Against Torture – 1988 – Togo has yet to present its initial report to the Committee. Moreover, reliable sources indicate that persons under arrest or held in places of custody – particularly detainees in solitary confinement – are ill treated, beaten and tortured in total impunity.

Franciscans International urges the government of Togo, a CHR Member State:

- 1) To harmonise national legislation with international instruments relating to human rights which the country has ratified;
- 2) To comply with the provisions of the 1998 United Nations Declaration on Defenders of Human Rights and guarantee the safety of all Togolese human rights defenders;

- 3) To implement forthwith the recommendations (CCPR/CO/76/TGO) made in November 2002 by the Human Rights Committee and all those previously adopted by the other bodies responsible for monitoring treaty implementation and to cooperate effectively with UN monitoring mechanisms, in particular the Committee against Torture;
- 4) To invite at the earliest the Special Rapporteur on Torture, the Special Representative on Human Rights Defenders and the members of the United Nations Working Group on Arbitrary Detention to visit Togo and guarantee them free access to individuals, communities and places.

Papua, Indonesia

Mr. Chairman, in 2003, the level of violence in Papua increased, especially in the Central Highlands. In particular, military operations carried out in the area of Wamena have made the local community fearful and intimidated.

Extremely disturbing developments that have recently taken place are:

- a) The formation of a militia group: the Red and White Defence Front in Timika led by Eurico Guterres, a feared militia leader, responsible for gross human rights abuses in East Timor in 1999;¹
- b) The disturbing appointment of Inspector General Timbul Silaen as the new Head of the Regional Police in Papua since he has been reported as one of those responsible for human rights abuses in East Timor;²
- c) The division of Papua Province into three separate provinces, thus ending the implementation of the Special Autonomy law and fuelling horizontal conflict.

Franciscans International urges the Government of Indonesia, a CHR Member State:

- 1) To put an end to all efforts – covert or overt – to create militia or paramilitary groups that serve political purposes and fuel horizontal conflicts in Papua;
- 2) To restore the practice of national and international legal standards, especially by ending the practice of impunity for certain groups and persons;

¹ Eurico Guterres was tried by the Ad Hoc Human Rights Tribunal for East Timor, found guilty for crimes against humanity and sentenced to 10 years in prison. Eurico Guterres is presently free while his sentence is being appealed, which could take years longer.

² Timbul Silaen served as Chief of Police of East Timor during the time of some of the worst State-sanctioned violence in 1999.

- 3) To immediately ratify the International Covenant on Civil and Political rights and the International Covenant on Economic and Cultural Rights.