

Letter to the OECD Working Party on Responsible Business Conduct Concerning Its Technical Review of Indonesia

The undersigned coalition of Indigenous Peoples and civil society organisations (together, the “**submitting organisations**”) respectfully submit this letter to the OECD Working Party on Responsible Business Conduct for consideration during its technical review of Indonesia. This letter is submitted to aid the Working Party in its evaluation of Indonesia’s alignment with OECD legal instruments and best practices and policies, and it provides information about Indonesia’s legal and regulatory framework regarding Indigenous Peoples’ rights.

The submitting organisations are concerned that Indonesia's current laws, policies and practices do not adequately address the areas covered in the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct and associated guidance. We urge the Working Party to outline the following recommendations (expanded upon more fully at the end of this letter) in its technical review as further actions required before inviting Indonesia’s accession to the OECD:

- a. Immediately define a timeline and process in consultation with Indigenous Peoples’ representatives for strengthening and adoption of the Indigenous Peoples’ Rights Bill in line with international human rights standards;
- b. Expedite the current process of legally recognising Indigenous Peoples’ land rights by accelerating the recognition of the existence of Indigenous communities and the recognition of their territories;
- c. Ensure that all development plans and policies include clear guidelines that require respect for Indigenous Peoples’ rights;
- d. Ensure that affected communities, civil society organisations and relevant stakeholders are consulted meaningfully in the development and implementation of human rights due diligence laws and regulations; and
- e. Refrain from deploying the military to support development and other projects, and strengthen and implement laws to protect the rights of environmental and human rights defenders.

Introduction

The OECD Guidelines require that enterprises “pay special attention to any particular adverse impacts on individuals, for example human rights defenders, who may be at heightened risk due to marginalisation, vulnerability or other circumstances, individually or as members of certain groups or populations, including Indigenous Peoples.”¹ The Guidelines refer to the UN Declaration on the Rights of Indigenous Peoples as a definitive source for what the rights of Indigenous Peoples are. The OECD Due Diligence Guidance for Responsible Business Conduct

¹ OECD Guidelines for Multinational Enterprises on Responsible Business Conduct, para. 45.

as well as the OECD-FAO Guidance for Responsible Agricultural Supply Chains also provide some further guidance on how enterprises should respect the rights of Indigenous Peoples.

At the moment, however, Indonesia's legal and regulatory framework does not require businesses adequately to respect Indigenous Peoples' rights and would fail to ensure compliance with the OECD framework. In the first instance, Indonesian laws and regulations do not adequately recognise Indigenous Peoples or their land rights. Second, the Indonesian legal framework does not offer adequate interim protections for Indigenous Peoples where they and their lands have not yet been recognised, and there are no legal requirements that companies seek and obtain an Indigenous community or people's free, prior, and informed consent, prior to engaging in operations. More broadly, current Indonesian laws, policies, and practices weaken formerly existing human rights and environmental standards or otherwise cast doubt on Indonesia's commitment to aligning its laws, policies and practices with the OECD framework.

Indonesia's legal framework fails to adequately recognise Indigenous Peoples and their land rights

Despite having had various versions of a bill regarding the rights of Indigenous Peoples on the legislative agenda for over a decade, and despite numerous recommendations to adopt the same,² Indonesia still has no single law in place to protect the rights of Indigenous Peoples. There has been some recent momentum on a bill, with the House of Representatives (*Dewan Perwakilan Rakyat*, DPR) deciding to change the name of the bill from the Customary Law Communities Bill (*RUU Masyarakat Hukum Adat*) to the Indigenous Peoples Bill (*RUU Masyarakat Adat*).³ Nonetheless, there is no clear indication that the DPR will ratify the bill anytime soon.

In the meantime, Indigenous Peoples must navigate a complex maze of regulations at both the national and local level to attempt to secure any recognition of their rights. The National Human Rights Commission of Indonesia, Komnas HAM, has pointed out that some of the regulations concerning Indigenous Peoples are inconsistent with one another.⁴ Komnas HAM commented that this lack of a comprehensive regulation and poor coordination across government agencies means that the government has been unable to effectively protect and fulfill the rights of Indigenous Peoples.⁵

At present, Indigenous communities can only seek legal recognition of their communal land rights if their existence is first affirmed in a local government legal instrument (e.g. *Surat Kuasa*, *Peraturan Daerah*). This determination is dependent on the discretion of the local government, violating Indigenous Peoples' right to self-identification, a core right of

² See, e.g., CESCR, E/C.12/IDN/CO/2, 14 March 2024, para. 17, and CCPR, CCPR/C/IDN/CO/2, 3 May 2024, para. 45.

³ Christ Belseran, Mongabay, "Desak DPR Serius Proses dan Sahkan RUU Masyarakat Adat", 11 March 2026, <https://mongabay.co.id/2026/03/11/mendesak-pengesahan-ruu-masyarakat-adat/>

⁴ Komnas HAM, "Standar Norma dan Pengaturan tentang Pelindungan Hak Masyarakat Adat", 2025, para. 41.

⁵ Ibid

Indigenous Peoples.⁶ This unfettered discretion has impeded the ability of Indigenous Peoples to secure legal recognition of their rights, as there have been problems with significant delays in the adoption of such regulations or decrees, as well as haphazard drafting of those that have been adopted, resulting in confusion over the effect of the legislative instrument. Some local governments have adopted regulations or decrees acknowledging that there are Indigenous Peoples in their region and setting out a process for the identification of particular peoples, but far fewer have yet to follow through on the process to actually recognise specific Indigenous Peoples, much less recognise their rights over their lands and territories. As of November 2025, there had only been 169 subnational government legislative instruments (out of a total 552 subnational government entities⁷) that recognised Indigenous communities, meaning that the government has yet to recognise the existence of the vast majority of Indigenous communities in Indonesia.⁸

After overcoming this discriminatory hurdle and obtaining local government recognition of their existence, Indigenous Peoples then have to pursue formal national government recognition of their land rights. The government of Indonesia signed the COP30 Intergovernmental Land Tenure Commitment⁹ in November 2025 and committed to recognise 1.4 million hectares (3.5 million acres) of Indigenous customary forest (*hutan adat*) by 2029.¹⁰ Although commendable, it is worth noting that there are more than one thousand Indigenous communities who have already mapped out 33.6 million hectares of their customary lands. Of these, as of August 2025, only 6.37 million hectares had been formally legally recognised¹¹, and as of November 2025, 0.367 million hectares were legally recognised as customary forest¹². Although recognition of a further 1.4 million hectares of customary forest is a many-fold increase in the recognition of such areas, achievement of this commitment would still leave the majority of Indigenous customary lands without legal recognition.

A further concern is that the government's commitment appears to pre-determine eligibility for the 1.4 million hectare target, rather than providing a transparent mechanism through which legally recognised Indigenous Peoples can seek recognition of their customary forests during the 2025–2029 implementation period.¹³ Instead, eligibility is confined to communities identified in advance and subject to a further round of verification and validation by the Task

⁶ See UNDRIP, Art. 3. Self-identification is also identified by the OECD-FAO Guidance for Responsible Agricultural Supply Chains as a fundamental criterion for determining Indigenous peoples.

⁷ In Indonesia there are currently 38 Provinces (*Provinsi*), 416 Districts (*Kabupaten*), and 98 Municipalities (*Kota*).

⁸ See also IWGIA, "Indigenous peoples in Indonesia", <https://iwgia.org/en/indonesia/5120-iw-2023-indonesia.html>

⁹ FCLP, "COP30 Intergovernmental Land Tenure Commitment", 17 November 2025, <https://forestclimateleaders.org/news-and-resources/cop30-intergovernmental-land-tenure-commitment/>

¹⁰ Hans Nicholas Jong, Mongabay, "New pledge, old problems as Indonesia's latest Indigenous forest promise draws skepticism", 7 November 2025, <https://news.mongabay.com/2025/11/new-pledge-old-problems-as-indonesias-latest-indigenous-forest-promise-draws-skepticism/>.

¹¹ BRWA, "Recognition Status of Indigenous Territory in Indonesia", 9 August 2025, <https://brwa.or.id/assets/image/rujukan/1758277557.pdf>.

¹² Peta Jalan: Percepatan Penetapan Status Hutan Adat di Indonesia 2025-2029, Direktorat Jenderal Perhutanan Sosial, Kementerian Kehutanan, 2025

¹³ See Annex of Peta Jalan: Percepatan Penetapan Status Hutan Adat di Indonesia 2025-2029, Direktorat Jenderal Perhutanan Sosial, Kementerian Kehutanan, 2025

Force for the Acceleration of Customary Forest Recognition, imposing an additional administrative barrier without creating any clear pathway for communities recognised during that period to obtain *hutan adat* status. The target is also allocated in a markedly uneven manner: 847,722 hectares (58.9%) are deferred until 2029 and assigned to only two communities, Bahau Hulu and Pujungan in North Kalimantan, the province in which 1,059,801 hectares (73.7%) of the 1.4 million target is concentrated.¹⁴ This degree of geographic and community concentration calls into question whether the roadmap can credibly function as a nationwide framework for accelerating recognition of Indigenous customary forests.

Although the OECD Guidelines are primarily concerned with businesses' respect for rights, the government's failure to legally recognise the vast majority of Indigenous communities' lands is complemented by a failure to require businesses to respect the land rights of those Indigenous communities without legally recognised lands. This means that where Indigenous communities do not have legally recognised lands, and businesses fail to respect their customary land rights, communities have no legal recourse.

Indonesia's legal framework fails to provide interim protection of Indigenous Peoples' land rights and fails to require respect for Indigenous Peoples' right to FPIC

Indonesia does not currently have adequate laws or regulations in place to protect Indigenous Peoples' rights where their land rights are not yet recognised. This deficiency in the national legal framework is in part derived from the lack of one comprehensive law governing Indigenous Peoples' rights. Furthermore, where there are laws in certain areas or sectors that protect Indigenous Peoples' rights in the absence of formal land tenure recognition, such laws are not always implemented. For example, Law 27/2007 and Law 1/2014 on the Management of Coastal Areas and Small Islands contain some protections for Indigenous Peoples' rights. However, as noted by the national human rights commission, Komnas HAM, "[t]he granting of licenses in forestry, farming, and mining in coastal areas and small islands did not consider the provisions on the Indigenous Peoples protection as intended by the 1945 Constitution, Law 39 of 1999 on Human Rights, Law 27 of 2007 and Law 1 of 2014 as well as relevant international instruments."¹⁵

The current legal and regulatory framework also has no provisions that fully protect Indigenous Peoples' right to FPIC in any sectors. While there are provisions in some laws that require limited forms of consultation or consent, these protections do not amount to FPIC as set out in the UNDRIP and related international human rights jurisprudence.¹⁶ Law 39/2014 on Plantations, for example, requires that businesses have an agreement with the relevant Indigenous community before the government can issue them with a plantation business permit.¹⁷ This assumes that the Indigenous community has recognised status as a *masyarakat*

¹⁴ Ibid

¹⁵ Komnas HAM, National Inquiry on the Rights of Indigenous Peoples, p. 15.

¹⁶ See, e.g., A/HRC/39/62, "Free, prior and informed consent: a human rights-based approach: Study of the Expert Mechanism on the Rights of Indigenous Peoples", 10 August 2018.

¹⁷ Art. 17.

hukum adat, and there are no further provisions to ensure that any agreement is obtained without coercion and following an informed consultation.

Similarly, Law 4/2009 on Mineral and Coal Mining (amended in 2025¹⁸), states that before conducting mining business activities, companies must resolve land rights and that any settlement may be carried out in stages according to land needs; however, this settlement is framed as “compensation based on a mutual agreement with the land rights holders”¹⁹ rather than as a requirement to obtain FPIC of affected rightsholders before operations commence.

Although the OECD framework expects enterprises to respect the right to FPIC even where national laws do not require it,²⁰ revision of the Indonesian framework in line with international human rights laws would better demonstrate Indonesia’s commitment to the shared values, visions, and priorities of the OECD. It would also ensure that a National Contact Point, once established, is able to operate in a legal and regulatory framework that supports Indigenous Peoples’ rights and would mean that the NCP could better support an effective resolution to any grievances raised.

Recent developments in Indonesian law and policy weaken previously existing human rights and environmental standards or otherwise raise questions about the seriousness of Indonesia’s commitment to aligning itself with the OECD framework

The national human rights commission, Komnas HAM, in 2016 noted one of the root causes of rights violations against Indigenous Peoples in Indonesia was that “Development policy promoting economic growth has given priority to granting exploitation permits to large-scale economic enterprises over Indigenous territories, with the state apparatus and/or the security forces providing protection to the corporate interests (also in forest areas zoned for conservation).”²¹ This prioritisation of development has become even more pronounced in recent years, and the government has embarked upon intensive economic and development policies and plans without implementing the necessary measures to ensure that Indigenous Peoples’ rights are protected. Some of this development has been supported by changes in laws that ease permitting or other requirements for companies engaged in projects that are considered priorities by the government. Many projects involve private-public partnerships, and the government has often shielded private companies from responsibility for violating Indigenous Peoples’ rights or otherwise participated in such rights violations.

¹⁸ *Perubahan Keempat atas Undang-Undang Nomor 4 Tahun 2009 tentang Pertambangan Mineral dan Batubara*, <https://peraturan.bpk.go.id/Details/316682/uu-no-2-tahun-2025>

¹⁹ Peraturan Pemerintah Nomor 96 Tahun 2021, Article 175

²⁰ The OECD Guidelines on Responsible Business Conduct note that enterprises are expected to respect the rights of Indigenous peoples, as elaborated upon in the UNDRIP. The OECD-FAO Guidance for Responsible Agricultural Supply Chains note that enterprises “should always ... respect relevant internationally recognised human rights” and that even where FPIC is not mandated in national laws, enterprises should nonetheless implement FPIC as long as it does not violate local law. Annex B.

²¹ Komnas HAM 2016 Indigenous Peoples Inquiry Summary, p. 15.

Mega-infrastructure projects across the archipelago have already caused and threaten further violations of Indigenous Peoples' rights. These include the construction of the new capital city (*Ibu Kota Negara*, IKN) in East Kalimantan, the Trans-Kalimantan road,²² Trans-Sumatra road,²³ and Trans-Papua road.²⁴ Some communities have already been displaced from their homes, for example due to the construction of a hydropower facility that is meant to power the new capital city.²⁵ Some Indigenous Peoples have been offered cash for some plots of land but there has been no information provided to those individual families regarding relocation, let alone any collective consultation with and seeking of FPIC from Indigenous communities whose lands overlap the planned city's development zone.²⁶

Other developments include mega-agro-industrial projects such as the Merauke Integrated Food and Energy Estate in South Papua, which has been questioned by the UN for its lack of respect for Indigenous Peoples' rights,²⁷ and which has been designated as a strategic national project (*Proyek Strategis Nasional*).²⁸ They also include various large-scale extractive or infrastructure and renewable energy projects prioritised under the Comprehensive Investment and Policy Plan (CIPP) for Indonesia's Just Energy Transition Partnership.²⁹ Existing projects meant to boost the supply of renewable energy have already caused serious Indigenous Peoples' rights violations. To cite just one case, in June 2023, an investigation³⁰ into an Indonesian Environment Fund (IEF)-funded biomass power plant project³¹ in West Papua found that the project had caused the destruction of the Indigenous Marind peoples' food sources and led to the impaired development and death of Marind children due to malnutrition.³² While the CIPP mentions that FPIC processes can "support the participation of

²² See, e.g., MacInnes, A., "ADB and the Australian Government propose high-risk road project that will pierce the heart of Borneo", FPP, 2022, available at https://www.forestpeoples.org/sites/default/files/documents/FP-4661%20ADB%20Report_v5.pdf.

²³ James Cook University Australia, "Coal road to cut through imperilled rainforest", 21 September 2022, available at <https://www.jcu.edu.au/news/releases/2022/september/coal-road-to-cut-through-imperilled-rainforest>.

²⁴ Mongabay, "Podcast: The Trans-Papua Highway could lose billions and deforest millions of hectares", 2 March 2022, available at <https://news.mongabay.com/2022/03/podcast-the-trans-papua-highway-could-lose-billions-and-deforest-millions-of-hectares/>.

²⁵ Mongabay, "As Indonesia's new capital takes shape, risks to wider Borneo come into focus", 8 March 2023, available at <https://news.mongabay.com/2023/03/as-indonesias-new-capital-takes-shape-risks-to-wider-borneo-come-into-focus/>.

²⁶ See Mongabay, "Elders call for Indigenous cultural preservation in new Indonesia capital", 27 July 2023, available at <https://news.mongabay.com/2023/07/elders-call-for-indigenous-cultural-preservation-in-new-indonesia-capital/>.

²⁷ Communication from UN Special Rapporteurs to the Government of Indonesia, 7 March 2025, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=29741>.

²⁸ CNBC Indonesia, "Soeharto Sampai SBY Gagal, Food Estate Dilanjutkan Jokowi", 11 October 2023, available at <https://www.cnbcindonesia.com/entrepreneur/20231011063456-25-479545/soeharto-sampai-sby-gagal-food-estate-dilanjutkan-jokowi>.

²⁹ Just Energy Transition Partnership Indonesia, *Comprehensive Investment and Policy Plan 2023*, 21 November 2023, available at https://jetp-id.org/storage/official-jetp-cipp-2023-vshare_f_en-1700532655.pdf.

³⁰ Direktorat Jenderal Energi Baru Terbarukan dan Konservasi Energi (EBTKE), 2021, available at <https://ebtke.esdm.go.id/post/2021/08/13/2933/50.pasokan.listrik.kabupaten.merauke.bersumber.dari.ebt.dapat.diwujudkan?lang=en>.

³¹ The Gecko Project, "'Green' finance bankrolls deforestation in Papua", 2023, available at <https://thegeckoproject.org/articles/green-finance-bankrolls-deforestation-in-papua/>.

³² See Sophie Chao, "Can There Be Justice Here? Indigenous Perspectives from the West Papuan Oil Palm Frontier", *Borderlands* Vol 20. No. 1, 2021, available at <https://doi.org/10.21307/borderlands-2021-002>; and

local communities”,³³ and mentions FPIC processes as mitigation actions to avoid risks to “local communities”, it does not provide any further detail or guidance on how to identify when FPIC is required nor how to conduct an FPIC process.

Much of this development is accompanied by increased militarisation in Indonesia, with the military being deployed to support these projects.³⁴ Despite concerns from UN human rights bodies about this increased militarisation,³⁵ the government has continued to increase the military’s presence and role in civil spaces. The government has on numerous occasions deployed the military in response to protests against priority projects; for example, in Poco Leok, Flores, there were cases in November 2023 and October 2024 where the government deployed armed police and military personnel in response to the community’s protests against a geothermal power plant, and used force, injuring protestors, and arrested protestors.

Many of the Indonesia’s development policies and plans are facilitated by the so-called Omnibus Law (Job Creation Law), which, despite minor revisions following a Constitutional Court decision invalidating the law due to lack of due process in its promulgation,³⁶ remains a law that facilitates investments at the expense of human rights. The revision of the law via a Government Regulation in Lieu of Law No. 2/2022, approved by the Parliament through Law No. 6/2023, does not follow the orders of the Constitutional Court to, first, issue a law on how to draft an omnibus law, and second, revise the law in conformity with the principles of good legislation. Moreover, the revision makes few substantive changes to the original law.³⁷ The Omnibus Law eases permitting requirements for projects designated as “national strategic projects” (*proyek strategis nasional*, PSNs), allowing for easier land acquisition; for example, communities may be subject to relocation/forced displacement to make way for PSNs, especially in cases where the legal status of their land is not formally acknowledged by the government. It provides for new integrated licenses that allow for multiple business uses which previously would have required separate licenses, thus facilitating exploitation of Indigenous lands. It also weakens the requirements for environmental and social impact assessments and limits consultation requirements for permitting.³⁸ UN treaty bodies have

Joint CSO submission to CERD UA/EW, 25 July 2013, available at <https://www.forestpeoples.org/sites/fpp/files/publication/2013/08/cerduamifeeuly2013english.pdf>.

³³ *Comprehensive Investment and Policy Plan 2023*, at p. 118.

³⁴ See, e.g., Hans Nicholas Jong, Mongabay, “Military-backed plantation project in Indonesian Papua triggers rights concerns”, 30 April 2025, <https://news.mongabay.com/2025/04/military-backed-plantation-project-in-indonesian-papua-triggers-rights-concerns/>.

³⁵ See, e.g., CESCR, E/C.12/IDN/CO/2, 14 March 2024, para. 9(b).

³⁶ Stanley Widiyanto, Reuters, “Indonesia court orders government to revise controversial labour law”, 25 November 2021, <https://www.reuters.com/world/asia-pacific/indonesia-court-orders-government-amend-controversial-labour-law-2021-11-25/>.

³⁷ ANBR, “Indonesian Gov’t Opts for Quick Fix for “Conditionally Unconstitutional” Job Creation Law”, 7 February 2023, available at <https://www.abnrlaw.com/news/indonesian-govt-opts-for-quick-fix-for-conditionally-unconstitutional-job-creation-law>. For a more comprehensive summary of the changes in the new Government Regulation, see also USAID, “Summary of Perppu No. 2 Year 2022 on Job Creation: USAID Economic Growth Support Activity”, May 2023, available at https://pdf.usaid.gov/pdf_docs/PA0211ZT.pdf.

³⁸ A coalition of Indonesian civil society organisations have continued to call for repeal of the Omnibus Law and the Government Regulation revising it. See AMAN, “Koalisi Masyarakat Sipil Serukan Pencabutan Perpu Cipta

expressed concerns about this law and urged the government to revise the Omnibus Law to reinstate environmental protections and to remove provisions that are incompatible with Indigenous Peoples' rights.³⁹

The government of Indonesia's prioritisation of economic development at the expense of rights can also be seen in the failure of the government to adequately fund national human rights institutions and to implement their recommendations. UN human rights treaty bodies have recommended to the government that it ensure that these institutions have "adequate human and financial resources in order to enable them to carry out their mandates effectively and independently, including with regard to the promotion and protection of economic, social and cultural rights".⁴⁰ This recommendation has not yet been implemented.

The submitting organisations therefore urge the Working Party to recommend that the State of Indonesia:

- a. Immediately define a timeline and process in consultation with Indigenous Peoples' representatives, including Indigenous women representatives, for strengthening of the Indigenous Peoples' Rights Bill in line with international human rights standards – specifically, such that the Bill will ensure Indigenous Peoples, including Indigenous women, have legally recognised and protected access to, use of, control over, and ownership over their traditional lands, territories, and resources, and that the Bill will protect and enforce Indigenous Peoples' right to FPIC for any activities that may affect their rights;
- b. Follow the agreed timeline and process to revise the existing draft bill to bring it in line with international human rights standards, and to adopt the bill and bring it into force;
- c. While the Indigenous Peoples' Rights Bill is pending adoption, expedite the current process of legally recognising Indigenous Peoples' land rights by accelerating the recognition of the existence of Indigenous communities and then the recognition of their territories;
- d. Ensure that all development plans and policies include clear guidelines that require respect for Indigenous Peoples' rights and describe how to respect their rights, particularly their land and participation rights;
- e. Ensure that the new regulations being drafted on mandatory human rights due diligence also apply equally to State-owned enterprises and entities in which the State party holds shares; and that they include measures targeting industries known to have

Kerja", 25 January 2023, available at <https://www.aman.or.id/news/read/koalisi-masyarakat-sipil-serukan-pencabutan-perpu-cipta-kerja>; WALHI, "Pemerintah Menegaskan Pembangkangan Terhadap Konstitusi dan Mengkhianati Rakyat", 30 December 2022, available at <https://www.walhi.or.id/pemerintah-menegaskan-pembangkangan-terhadap-konstitusi-dan-mengkhianati-rakyat>.

³⁹ See CESCR, E/C.12/IDN/CO/2, paras. 15, 17; CCPR, CCPR/C/IDN/CO/2, para. 45; CEDAW, CEDAW/C/IDN/CO/8, 24 November 2021, para. 46.

⁴⁰ See CESCR, E/C.12/IDN/CO/2, 14 March 2024, para. 7; and CCPR, CCPR/C/IDN/CO/2, 3 May 2024, para. 7.

been having a negative impact on the environment and the enjoyment of human rights, in particular the palm oil and nickel mining industries;⁴¹

- f. Ensure that affected communities, civil society organisations and relevant stakeholders are consulted meaningfully in the development and implementation of human rights due diligence laws and regulations;⁴²
- g. Refrain from deploying the military to support development and other projects, and strengthen and implement laws to protect the rights of environmental and human rights defenders;
- h. Adhere to the Constitutional Court order in case no. 91/PUU-XVIII/2020 and revoke the Government Regulation in Lieu of Law No. 2/2022 and the subsequent Law No. 6/2023 to instead follow a truly consultative and participatory process to revise the Omnibus Law; and
- i. Adopt the necessary legislation and policies to ensure that the National Human Rights Commission's (Komnas HAM's) recommendations are enforceable, and that the national human rights institutions have the necessary resources to effectively carry out their mandate.

The submitting organisations would be pleased to meet with the Working Party to discuss these recommendations further and to learn how we can continue to engage with Indonesia's OECD accession process.

Respectfully,

- 1. Accountability Counsel**
- 2. Aliansi Masyarakat Adat Nusantara (AMAN)**
- 3. Asia Indigenous Peoples Network on Extractive Industries and Energy (AIPNEE)**
- 4. Bahtera Alam**
- 5. Center for Regulation Policy and Governance (CRPG)**
- 6. Center of Economic and Law Studies (CELIOS)**
- 7. Community Empowerment and Social Justice Network (CEMSOJ)**
- 8. Earthworks**
- 9. ELSAM**
- 10. Environmental Paper Network**
- 11. Epistema Institute**
- 12. Forest Peoples Programme**
- 13. Green of Borneo**
- 14. Greenpeace Indonesia**
- 15. Hukum Zulkifli Law Office**
- 16. HuMa**
- 17. Hutan Kita Institute (HaKi)**

⁴¹ See also, CESCR, E/C.12/IDN/CO/2, para. 11.

⁴² See also, CESCR, E/C.12/IDN/CO/2, para. 13.

18. Inclusive Development International
19. International Work Group for Indigenous Affairs (IWGIA)
20. Indigenous Peoples Rights International (IPRI)
21. International NGO Forum on Indonesian Development (INFID)
22. JPIC Kalimantan
23. Koalisi Jaga Hutan
24. Lanting Borneo
25. Lembaga Bantuan Hukum (LBH) ANGSA
26. Lembaga Bela Arus Hijau (LemBAH)
27. Lembaga Pemberdayaan Ekonomi Dan Sosial Masyarakat (LPESM) Riau
28. Mighty Earth
29. Nexus3Foundation
30. OECD Watch
31. Pantau Gambit
32. Perkumpulan Nurani Perempuan (PNP)
33. Perkumpulan Pemantauan Akuntabilitas Berkelanjutan (AsM)
34. Perkumpulan Rawang
35. POKJA 30
36. PPMAN
37. PROGRESS Kalimantan Tengah
38. Programme Intégré pour le Développement du Peuple Pygmée
39. Protection International
40. Publish What You Pay (PWYP) Indonesia
41. Satya Bumi
42. Sawit Watch
43. SIRGE Coalition
44. The Marginalised Mirror
45. Transparency International Indonesia
46. Trend Asia
47. TuK Indonesia
48. WALHI Kalimantan Barat
49. WALHI Jambi
50. WALHI Kalimantan Timur
51. WALHI Maluku Utara
52. WALHI Nasional
53. Yayasan Ambeua Helewo Ruru (YAHR)
54. Yayasan Masyarakat Kehutanan Lestari (YMKL)
55. Yayasan Pusaka Bentala Rakyat
56. Yayasan Ulayat Nagari Indonesia (YUNI)