



**4 November 2021**

### Statement of Support for the Green State Vision

The launch of a Green State Vision by the United Liberation Movement for West Papua (ULMWP) and Provisional Government represents the first ever declaration for a ‘Green State’ – a democracy committed to environmental protection, upholding human rights, and indigenous stewardship of traditional lands. Recognising West Papua’s right to self-determination must be part of the response to the climate crisis.

The Provisional Government is seeking to achieve their right to self-determination and to enable the indigenous West Papuans to control and manage their own natural resources. The launch of their Green State Vision at COP26 demonstrates the clear commitment of the Provisional Government to climate change action and to the sustainable development of West Papua’s rich natural resources.

The Green State Vision sets out commitments from West Papua’s ‘government-in-waiting’, including:

- Making ecocide a serious criminal offence
- Restoring guardianship of natural resources to indigenous authorities, combining Western democratic norms with local Papuan systems
- ‘Serving notice’ on all extraction companies, including oil, gas, mining, logging and palm oil, requiring them to adhere to international environmental standards or cease operations.

The Intergovernmental Panel on Climate Change (IPCC) has recognised that traditional knowledge of the world’s indigenous peoples can be a critical tool in the fight to mitigate the growing climate crisis. We applaud the Green State Vision’s call to ‘restore, promote and maintain balance and harmony amongst human and non-human beings, based on reciprocity and respect.’ The Green State Vision reflects the importance of the environment to the West Papuan peoples’ identity and survival.

In West Papua, the occupying Indonesian authorities are permitting plantation and extractive industries to inflict severe, widespread and long-term damage to the environment. In June 2021, a panel of international legal experts co-chaired by Prof. Philippe Sands QC drafted a definition of ecocide intended for adoption by the International Criminal Court (ICC). The Green State Vision implements the experts’ proposal.

The UN Human Rights Council’s recognition of the human right to a clean, healthy and sustainable environment affirms a human rights-based approach to sustainable development. The Green State Vision takes demonstrable steps to implement this right through its vision of inclusivity, participation, non-discrimination, accountability and empowerment.

The action needed to address the climate emergency requires effective and democratic institutions, accountable systems of governance and strong political will. ILWP supports the



Green State Vision's commitment to a participatory, transparent and accountable system of government, supported by strong institutions and oversight bodies, and a government committed to advocating for, and forming strategic international alliances to promote environmental protection, sustainability and conservation of biodiversity.

In December 2020, the ULMWP announced the formation of a Provisional Government, outlining a provisional Constitution and several institutions. The formation of the Provisional Government and the actions envisaged in this Green State Vision are within international law and in line with international legal precedent. They should be recognised as such by the international community.

The Provisional Government comprises an interim executive, a legislative body and a judicial branch. The provisional Constitution highlights environmental protections, includes a focus on social justice, gender equality and religious freedom, and protects the rights of Indonesian migrants living in the territory. These are further articulated in the Green State Vision. The Indonesian occupation currently makes the holding of elections impossible. As soon as possible, the Provisional Government must be permitted to institute representative democracy in West Papua and to take steps towards their Green State Vision.

In order to respect international law, international pressure must now be applied to push for a negotiated path to independence via a referendum or alternatively for states to support a unilateral declaration of independence by this provisional government on behalf of the people of West Papua if they so choose. The people of West Papua are reclaiming and restoring their sovereignty and their right to determine their own fate.

The human rights situation in West Papua underlines the need for a referendum on independence. West Papuans and the international community continue to document instances of extrajudicial killing, discrimination and restrictions on freedom of expression, assembly and association. We call upon the Indonesian authorities to uphold the rights of West Papuans and call on other states to also consider their obligations under international law. Vanuatu, Papua New Guinea, the United Kingdom, the Netherlands, the Pacific Islands Forum and the Organisation of African, Caribbean and Pacific States are among those calling upon the UN High Commissioner for Human Rights to visit West Papua. Indonesia has previously agreed to this visit and should move ahead with it immediately.

To preserve human rights, to respond to the global climate crisis and to maintain and uphold the international legal system, we support this Green State Vision.

ILWP advised the Provisional Government on the Green State Vision. You can find [the Green State Vision here](#).

International Lawyers for West Papua

5 November 2021