

Country Updates on Human Rights and Democracy 2019

Indonesia

1. Overview of the human rights and democracy situation: Indonesia's track-record on human rights has improved over the last years, with pluralism, fundamental freedoms, diverse media and vibrant civil society as key features of this progress.

In April 2019, presidential and legislative elections took place concurrently for the first time, in a peaceful and orderly manner.

Yet, several human rights issues persist. The new proposed Criminal Code raised major concerns by restricting fundamental freedoms and human rights that would violate the rights of women, religious minorities, and LGBTI persons, as well as freedom of speech and association, drawing considerable criticism domestically and the attention of the international community. Following large-scale protests, Indonesia's President Widodo announced at the end of September 2019 the postponement of the vote on the revision of the new proposed Criminal Code, referring the debate to the new Parliament, in place since 1 October 2019.

The European Parliament adopted on 24 October 2019 a resolution in the framework of an urgency debate on the new proposed Criminal Code. The EP expressed concerns about discrimination against LGBTI people, intolerance towards ethnic and religious minorities, the application of the blasphemy law and freedom of the press, including restriction to freedom of expression in Papua.

In September 2019, the Parliament adopted a new law weakening the Corruption Eradication Commission, affecting the independence of the body and undermining the fight against corruption, largely spread all over the Indonesian society.

During protests in the Papua province in summer 2019, at least 53 people were killed and hundreds were arrested. Human Rights Defenders, notably those working on environmental issues and land rights, reported an increase in harassment and intimidation. In 2019, 53 cases of violence against journalists were recorded with 30 of them involving police officers. The LGBTI community faced important discrimination, including in the labour market, with non-heterosexual orientation put forward as a criterion of ineligibility for recruitment by certain government agencies.

Concerning the death penalty, although no executions were carried out in 2019, at least 69 people, particularly drug offenders, were sentenced to death in 2019.

2. EU action - key focus areas: The EU continued its action in favour of the abolition of the death penalty and called upon the Indonesian government to consider establishing a de facto moratorium on executions (as one of the recommendations accepted by Indonesia in the last cycle of the Universal Periodic Review in 2017) with a view to abolishing the death penalty.

The EU continued to monitor the revision of the Criminal Code through regular meetings with government, parliament, civil society and international partners.

Non-discrimination and the protection of minority groups is a further key area of EU engagement. The EU closely followed-up the enforcement of the blasphemy law and kept regular contact with victims of discrimination and intolerance throughout 2019, including with representatives of LGBTI organisations, ethnic minorities and religious minority groups. The EU encouraged Indonesia to engage with the UN Special Rapporteur on Freedom of Religion or Belief (FoRB). Ján Figel, EU Special Envoy for the promotion of FoRB, visited Jakarta in November 2019.

Throughout the year, the EU continued to promote the universality of human rights on several occasions such as the International Women's Day, the 30th anniversary of the UN Convention on the Rights of the Child, the 16 Days Campaign against Gender-Based Violence, and on International Human Rights Day. Initiatives included the '100% Human' Film Festival, the 'Think Equal, Think Girls' comic and cartoon competition, various panel discussions and 'He-for-She' pledges made by EU Heads of Mission.

3. EU bilateral political engagement: The EU and Indonesia held the eighth human rights dialogue in November 2019 in Brussels. During the meeting, a wide range of human rights matters were discussed, including the death penalty, access to justice, rights of indigenous peoples and persons belonging to minorities, rights of LGBTI persons, freedom of expression, freedom of association and cooperation in the multilateral framework. For the first time, the human rights dialogue was preceded by the Civil Society Organisations' Forum, bringing together representatives from both European and Indonesian civil society.

On 5-6 December 2019, the EU delegation and Member States' representatives participated in the annual Bali Democracy Forum where key messages were delivered on good governance, human rights and multilateralism.

4. EU financial engagement: Under the EIDHR thematic programme, the EU delegation managed six projects in 2019 (for an overall value of approximately EUR 3.3 million). These projects addressed notably matters such as business and human rights, non-discrimination based on disability and gender identity (including LGBTI orientation), prevention of torture and other inhuman treatment and limitation of the use of the death penalty. The EU also awarded grants to civil society organisations with a particular focus on fighting gender-based violence in Indonesia (EUR 0.8 million). The project aims to provide legal assistance to women in several provinces in Indonesia, advocating at the same time for a gender-sensitive approach to the criminal justice system.

5. Multilateral context: In follow-up to the 2017 Universal Periodic Review (UPR), the EU continues to monitor Indonesia's commitments made in its acceptance of 167 out of 225 recommendations.

The EU continues to lend its support to the UN Office of the High Commissioner for Human Rights, and monitors Indonesia's activities as a member of the UN Security Council (2019- 2020) and UN Human Rights Council (2020-2022).