

INFOHD report on
56th session
United Nations
Commission on
Human Rights 20
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2000

*Indonesian NGO's Delegation :
INFOHD, PBHI, YLBHI, SP,
Flower Aceh and KONTRAS*

*Indonesian NGO's Human Rights advocacy
at the UN CHR 2000*

1. Introduction:

During the whole session of the 56th the UN Commission on human rights the general attitude of the participants (member states, NGO's, en UN human rights experts) with respect to human rights situation in Indonesia was rather confusing. From the various consultations with delegation of member states', the

experts and NGO representative a common position can be concluded as followed: Despite the continued concern about ongoing gross violations on human rights particularly in the conflict areas of Indonesian archipelago, one would give a chance to the newly democratically elected President Wahid to take concrete action toward genuine improvement of human rights situation in Indonesia. This position is also reflected with a very warm applause by all audience of Commission after the speech of Mr. Hasballah, Indonesian Minister of State for Human Rights Affairs before the UN Commission on Human Rights..

All members of Indonesian NGO's were already prepared about the general position of the commission. While taking notes to this expectation to the new government Wahid, the lobby and campaign is focused on the effort to formulate concrete policies and remedies in combating impunity, by pushing an ad-hoc Extra Judicial National Tribunal if Indonesia wish to avoid International Tribunal for the perpetrators of gross human rights violations in East Timor in 1999.

This report will further elaborate the preparation, the proceeding and the results of Indonesian NGO's advocacy and lobby work during the whole session. Finally an assesment and recommendation will be withdrawn for the improvement of the 57th session in 2001.

This report will be presented with the following sections: Section 2 on the significance and goals of the mission which will summarize the development of international scrutiny on human crisis in Indonesia and the maximum and minimum goals which was achieved. Section 3 will describe the preparation which include preparatory consultations/meeting . This sessions will be closed by description of fund rising-works and the sources of financial support. Section 4 will describe the 2 parallel briefings organised by INFOHD in close co-operaton with Pax Romana and International Commission of Justice (ICJ) on agenda item 9 : Country Situations en on agenda item 12 a: violence against women. Section 5 on lobby and consultation during the session, and section 6 on networking. Financial report will be presented in section 8, after presenting the list of recommendations .

2. The Significance and goals of the mission in 2000:

a First of all is the worsening human rights situation in Indonesia in the whole year of 1999 and the first 2 months of the year 2000. Despite the new democratically elected Government of President Wahid and Vice-President Megawati since October 1999, gross violation on human rights, ranging from torture, disappearances and extra judicial killings, state sexual violence against women, the abuse of women migrant workers to the cycle of impunity have occurred along with the continuing violence based on manipulation of ethnic and religious sentiments. These gross violations also occurred within the internal armed conflict areas which is mainly based on political disputes.

b.The momentum of national and international pressure following the report of Commission of Inquiry on East Timor and Indonesian Commission of inquiry (KPP-HAM) February 2000 as well as earlier report of joint visit of UNCHR mechanism to East Timor in December 1999. Those are important preliminary steps in ending the cycle of impunity in Indonesian archipelago.

c. This 56th session of CHR is going to be the first year evaluation on the implementation of recommendations made by 2 UNCHR mechanism to the Indonesian Government following their visit in Indonesia. Those are: UN-Special Rapporteur on Sexual Violence against women Ms. Radhika Coomaraswamy which was presented last April 1999, and the implementation of recommendation made by UN-Working Group on Arbitrary Detention (WGAD) in Indonesia and East Timor in February 1999. Lastly, this forum could also be used as evaluation of the recommendation made by the Chairperson of Sub-commission on human rights last August 1999.

d. The Ongoing international scrutiny toward the human rights records of Habibie's administration from April until October 1999. And human rights record under the administration of Mr. Wahid's. A pressure from US Government towards Indonesian Military's role in social

and political life was made by US Ambassador to UN Mr. Richard Hoolbroke in January 2000. A pressure from member state of European union (UK, the Netherlands, France, Ireland and Nordic countries) on the situation in Molucca and Aceh; All of these have shown the deep concern of that member of International community about human rights crisis in Indonesia.

e. Beside all of the above-mentioned international scrutiny at the state's level, pressure was also exercised by our partner organization in different part of the world. Watch Indonesia (Germany), Komitee Indonesia, Amnesty International chapter Holland (in the Netherlands), Tapol (in United Kingdom), NINDJA in Japan, CARI and others in Australia They have launched similar campaign and lobby to their respective government to take up strong action towards Indonesian Government during the 56th session of CHR.

f. The importance to maintain the continuity of Indonesia NGO participation in the UN CHR,

Since the preparatory meetings, INFOHD is aware that despite the international scrutiny on Indonesian human rights situation the maximum goal to have a resolution on human rights situation in Indonesia can not be set as the ultimate goal for this year session. This assumption is based on the observation that General concern of the “Western-plus” friendly countries (USA, EU and other Nordic countries, Australia, Canada) were focused on the success of General Election. Therefore the realistic goals were set up as followed:

1. The minimum target of our advocacy and lobby work in the UNCHR this year should be an effective pressure towards Indonesian government that perpetrators of human rights violation should be brought to justice, that all gross human rights violation in the conflict areas will be ended
2. Exercising pressures to Indonesian Government by putting forward the poor human rights record of Habibie Administration during the session by means of direct oral intervention on some

agenda items; organizing parallel briefing on 2 themes which were relevant to the particular agenda items namely item 9 (country Situation) and item 12.a Violence against Women. Particular goals were set to support the Report of Special Rapporteur Radhika Coomaraswamy, by presenting the account of 3 women activist from the field including 1 from conflict area namely Aceh .

3. Intensive lobby and consultation with Spec.Rap. on violence Against Women Ms. Rhadika Coomaraswamy and with members of Working Group on Arbitrary Detentions, to formulate follow-up actions on monitoring the implementation of their recommendations based on their finding from their recent visit to Indonesia the end of 1998 and beginning 1999.
4. Pressuring Indonesian government to reply the pending request of Special Rapporteur on Extra Judicial Killings, Ms. Ashma Jahangir (Pakistan) and Special Rapporteur on Independence of Judiciary, Mr. Param Coomaraswamy (Malaysia), and Special Rapporteur of Religious Intolerance

The Indonesian NGO's delegation has also prepared summary of concern and demands regarding Indonesian human rights situation for this 56th session which has been used as an important lobby-document in all consultation with representative of member States, International NGO's, special rapporteurs as well as members of Working Groups and senior officials of UNHCHR

3. PREPARATION:

- a. Preparatory meetings and consultation in Jakarta

The preparation of the Indonesian NGO delegates this year, was started with INFOHD visit to Indonesia from February 4th till 20th, 2000. INFOHD in co-operation with PIRD-YLBHI (Publication and International Relations division of YLBHI) had organized a 2 days preparatory meeting in Jakarta involving 14 Indonesian Human Rights NGO's, within which 3 are women rights NGO's. This prep meeting was held from 15 - 16th February

2000 in Jakarta. The prominent Human Rights NGO are, among others, YLBHI (Indonesian Legal Aid Foundation), KontraS (Commission for disappearances and victims of State violence), PBHI (Indonesian Legal aid and human rights Association), and 2 NGO's from Aceh.

The first day of the meeting was started with a discussion on general assesment of human rights situation in Indonesia, pointers of evaluation on the implementation of all recommendation from 2 Human Rights mechanism who have visited Indonesia namely WGAD and Special Rapporteur on Violence against women, and recommendation from Sub-commission on Human Rights 1999 (Chairman Statement) – presented by 4 participants of the workshop. The other half of the day was focused on the discussion of draft oral intervention on various agenda item (6, 7 9 10 en 11).

The morning session of the second day of the workshop was focused on the draft oral intervention on agenda item 12a Violence against women presented by 3 participants (Solidaritas Perempuan, Apik and YLBHI), agenda item 13 on children rights from 1 participant (Institut sosial), agenda item 14a on Migrant workers presented by Solidaritas Perempuan. Agenda item 14c on IDP's presented by KontraS rewith emphasis on Molucca and RpuK on Aceh. The afternoon session of the second day was focused on distribution of slots to speak (inventarisation of slots and accreditation). Followed by presentation on media outreach (nationally and internationaly), jointly presented by KontraS , PBHI and Elsam. n those meeting the distribution of slots to speak and the draft of oral intervention text were thoroughly discussed. The last item of the afternoon session was on the organisation of 2 parallel briefings on agenda item 9 country situation and agenda item 12 a on violence againts women.

The workshop has set up an Indonesian NGO delegation consist of 12 members:

1 (one) woman activist from the field Aceh

1 (one) woman activist from Kalyanamitra and Women division of Volunteers Team for Humanitarian Action

1 (one) woman activist on woman migrant workers from Women's Solidarity (SP)

1 (one) women activist from LBH- APIK- advocating judicial reform with gender perspective

1 (one) women activist from YLBHI- advocating indigenous and women rights

1 (one) human rights activist from KontraS.

1 (one) human rights activist from PBHI

1 (one) human rights activist from ELSAM

1 (one) human rights activist from Aceh

1 (one) women representative from Nations Solidarity (Solidaritas Nusa Bangsa)

1 (one) representative of INFOHD as coordinator

1 (one) representative from PIRD/YLBHI

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b. Slot and Accreditation:

Accreditations and slot to deliver oral interventions in the UN CHR 2000 session were received from the following International Organizations:

1 NOVIB: slot to speak on agenda item 9 (country Situations) and item 11(Civil and Political Rights)

2 Third World Movement Against Exploitation of Women : slot to speak on agenda 9 (country situation), item 11 (Civil and Pol. Rights), 10 on Socio Economic Rights and item12.a (violence against women)

1. Robert F. Kennedy Memorial Foundation slot to speak on item 11 (civil and political rights).

2. Society of the Threatened People on item 6 Racism and Racial Discrimination

1. Asian Pacific Forum on Women and Development on agenda item 12a Violence against women.

Table. Accredittation and slots for oral intervention.

Name of delegations	Accreditation	Slot
Rachland Nashidik/PBHI	TWM-AE	item 9 Country Situation
Humam/FP-HAM Aceh	TWM-AE	Item 10 Ecosoc Rights
Ester Yusuf /SNB	Society of the Threatened People	Item 6 Racims and Racial Discrimination
Tommyaryanto/KontraSI	NOVIB	Item 9 country Situation
Wiratmadinata/Koalisi NGO HAM Aceh	TWM-AE	Item 11 civil and political rights
Ms. Taty Khrisawaty/SP	Asia Pasific Forum on Women Law and Development	Item 12a Violence Against women
Ms Ita Nadia	TWM-AE	Item 12.a violence against women
Ms. Sri Wiyanti	TWM-AE	Item 12a Violence againts Women
Ms. Nur Amalia	NOVIB	Item 15 Indigenou Rights
Ms. Suraiya/RpuK	Australian Council for Overseas Aid	Item 14a on IDP's
	ACFOD	

a. Financial Support:

Members of delegation from YLBHI and KontraS (Tommyaryanto, Nur Amalia and Petra de Leeuw) have arranged their own funding resources. INFOHD (Rafendi Djamin) and Rachland Nashidik from PBHI were funded by Diakonesche Werk, Germany. While Sri Wiyanti from APIK and Suraiya Kamaruzzaman from RpuK (Women's volunteer for Humanitarian Action in Aceh) were funded by HIVOS foundation, The Netherlands. Mr. Humam from LPHAM Aceh funded by Ford Foundation and Wiratmadinata from Koalisi NGO HAM Aceh is funded by Elsam

PARALLEL BRIEFINGS:

Two parallel briefings were organised. The first one was related to agenda item 9: Human Rights Violations in All Part of the world (country situation). It was held on the 30th of March 2000 in the Palais des Nations. The theme chosen is: "Human Rights during Transition from Militarism to Democracy: The Case of Indonesia". The speakers are Mr. Rachland Nashidik (PBHI) on the topic "Tribunal for East timor". Mr. Humam Hamid (FP-HAM) on the topic "Human rights and Humanitarian crisis in Aceh" and the third speaker is Mr. Tommyaryanto "Communal Violence in Molucca and the role of the military". The briefing was chaired by Secretary General of Pax Romana, Mr. Anselmo Lee.

The attendance of the meeting is quite than satisfactory. About 30 persons from different international NGO's and State had attended the briefing. One prominent participant is Ms. Bella Kappour, HR officer dealing on Indonesia from the office of HCHR was also present. Not as previous years none of the Indonesian Government Representatives were present on the briefing. One could argue that Indonesian state human rights diplomacy is secured that the newly democratically elected President Wahid has gained an international support and consequently there will be much less international pressure from all participants of the

commission. Anyhow there were an interesting discussion among the participants of this briefing in formulating concrete steps and action which have to be done by the Office of High commissioner on human rights, and the member state's to be pro-active in supporting the effort of President Wahid to set an internationally credible court to bring perpetrators of HR violation in East Timor to justice .

The Second parallel briefing was focused on Violence against Women.(agenda item 12 a), with 3 Key Note speakers namely ms. Ita Nadia/Kalyanamitra focusing her presentation on the form of violence against women at the context of state/military sponsored communal violence victimising the traditional medicine women in East Java. Ms. Sri Wiyanti on the gender perspective of legal reform in Indonesia and ms. Suraiya from women volunteers for humanitarian action in Aceh presenting the fate of women and children in of the IDP's in Aceh..

5 ORAL INTERVENTIONS

The long list of speakers on item 9 (country situation) and debate on human rights situation in Kosovo has extended the schedule. Unfortunately, BW was not- able to deliver his oral intervention on extended session April 5th, 1999 because he is due to leave for Jakarta on the 4th of April 1999. The intervention under the slot of NOVIB was read by Rafendi Djamin. Followed by Hendardi (human rights situation in Indonesia, particularly on impunity) under the slot of Agir Ensemble and Khairani (on the human rights situation in Aceh) under the slot of Asian Legal Resource Center. Oral interventions under agenda item 11 (civil and political rights) was delivered by Irianto Subiyakto under the slot of NOVIB on question of disappearances, Taty Khrisnawaty under the slot of TWM-EW on impunity . Further, agenda item 12.a on Violence against women were intervened by Taty Khrisnawaty, Khairani and Yusan Yeblo in the sequence of time. Their intervention was then followed by interventions from various NGO's which also highlighting the question systimatic rapes and other gender specific sexual violence in Indonesia.

1. LOBBYING AND CONSULTATIONS

- a. Member States: We have met with representatives from Germany , United Kingdom, reps. From USA Government.
- b. Special Rapporteurs and Working Group: We have met both Radhika Coomaraswamy (SR on violence against Women) and Param Coomaraswamy (SR on the Independence of Judiciary and Impunity). We also have a long and deep discussion with Mr. Loise Joinet (member of working group on arbitrary detention) and his assistant mr. Marcus Schmidt . Special Rapporteur on Extra Judicial Killings ms . Ashma Jahangir.
- c. Office of High Commissioner: We have a long consultation with ms. Bella Kappour, Human Rights Officer responsible with Indonesian program. Mr. Tom Mc Carthy, Senior Human Rights Officer from the office of HCHR. The discussion was focused on The possibility to push the preparation on setting up an international tribunal while waiting for a national human rights court . The possibility to include this as part of the operative paragraph in the draft of chairman statement on East Timor and Indonesia.

1. Organisation and NETWORKING:

This year session Indonesian NGO's delegation is trying to organise a daily evaluation to discuss development of the lobby work, division of work in the lobby, attending briefings and following the session, solving the problem among the delegations and logistic of the team. It has resulted with a very positive impact for the team work.

INFOHD traditional network which are very helpfull in supporting the work at the 56th session of CHR are: Pax Romana through mr. Anselmo Lee and ms. Lucy. Internationaal commission of Jurist. (ICJ) through ms. Nirmala Pandit and ms. Nana Moeljadi. And International Service, particularly mr. Adrian Zoller and Mark Thomspson who have given us some advice on formulation of our demands.

As of last years Cooperation with our colleagues from East Timor (accredited by Asian Buddhist Conference) and West-Papua (accredited by Survival International) has been going on smoothly particularly on exchange of information and cooperation on

lobby-work. Unfortunately the low profile lobby strategy from East Timorese friends, is not very helpful in pushing our spearheads of lobby works

Cooperation with friends from Burmese and Malaysian NGO was established on oral intervention and parallel briefings. While in Geneve we have also joined the informal Asia-Pacific NGO' Caucus, attending the daily sharing meeting and coordination on joint-action/statement. And briefing with the High Commissioner on Human Rights.

This year is also marked with a positive new cooperation with NGO friends from Canada, USA (RFK), Germany (Society of Threatened People, German Human Rights Forum), and UK (Tapol) in the lobby work.

An orientation was made to work together with latin american NGO's who have waging campaign against impunity namely friens from Chili and Mexico.

2. Conclusion and Recommendations :

15 oral interventions on various agenda items, 2 parallel briefings on agenda item country situation and violence against women, combined with various lobby and consultations with important member states from western groups (Canada, Germany, Portuguese, Australia, Norway and Dutch) as well as from light minded groups countries (Brazil) were organised to deliver messages to the internatonal community represented in the UN Commission on Human Rights regarding demands on international action to improve human rights situation in Indonesia.

The recommendations :

- a. On the preparation: It can be improved by having a general lobby document shoud be finished as early as february so that this can be presented/circulated to foreign office in the capital.
- b. solid basis for further lobby and campaign work.: Data gatherings from various human rightss NGO should be compiled by the end of January which thefore can be enclosed/included in the lobby document. This can only be done when there is a sort of

permanent Consortium of Human Rights NGO's with its main task compiling data's according to the existing UN human rights mechanism.

- c. Monitoring closely the implementation of Chairman Statement particularly to the obligation of Indonesian Government in setting up a national human rights court to bring the Indonesian perpetrators of human rights and humanitarian law in East Timor.
- d. monitoring the implementation of recommedantion of SR on Violence Againts Women. A direct and regular contact can be done through the assistant of ms Radhika. Final assesment of Indonesian Government commitment to implement the recomendation of the SR on violence against women will be in year 2001.