

# INDONESIA

SETTING THE  
AGENDA: HUMAN  
RIGHTS PRIORITIES  
FOR THE NEW  
GOVERNMENT

**AMNESTY**  
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# INTRODUCTION

As the Indonesian people prepare for presidential elections in July 2014, Amnesty International calls on the presidential candidates to commit publicly to ensuring that human rights are protected, respected and fulfilled, as provided in international human rights law and standards and reflected in Indonesia's Constitution.

Amnesty International acknowledges that since the end of President Suharto's rule in 1998, Indonesia has embarked on a series of key reforms aimed at better protecting human rights and enhancing the rule of law. The organization welcomes Indonesia's commitments and efforts to promote human rights at the national, regional and international levels.

Indonesia has explicitly recognized its human rights obligations through ratifying several international human rights treaties:

- International Covenant on Civil and Political Rights (ICCPR) (2006)
- International Covenant on Economic, Social and Cultural Rights (ICESCR) (2006)
- UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (1984)
- UN Convention on the Rights of the Child (CRC) (1990)
- UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) (1998)
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (2013)

In September 2011 Indonesia signed the UN Convention for the Protection of All Persons from Enforced Disappearance, and has extended invitations to various UN Special Procedures.<sup>1</sup>

Indonesia also continues to play an important role in international affairs and in the Association of Southeast Asian Nations (ASEAN), and was involved in the establishment of the ASEAN Intergovernmental Commission on Human Rights (AICHR).

However, Amnesty International continues to receive credible reports of human rights violations across Indonesia which are inconsistent with the country's human rights obligations. These include violations by Indonesian security forces and the failure to hold them to account, restrictions on the rights to freedom of expression and religion and the criminalization of peaceful political activists, particularly in Papua and Maluku.

There is also ongoing discrimination against women and religious minorities, while executions resumed in the country in 2013 after a four-year hiatus. Further, there has been a lack of progress in undertaking the necessary reforms in law and policy to combat impunity and address past human rights violations and abuses, in particular crimes under international law.

The upcoming elections provide an opportunity for presidential candidates to address

Indonesia's human rights situation in their campaign meetings and forums and through the media.

The organization appeals to all presidential candidates to commit firmly to acting on the following human rights agenda, should they lead Indonesia's next government:

1. Ensure accountability for violations by the security forces
2. Respect and protect freedom of thought, conscience and religion
3. Uphold the right to freedom of expression and protect human rights defenders
4. End impunity
5. Uphold the rights of women and girls
6. Respect human rights in Papua
7. End the use of the death penalty
8. Promote and protect human rights in ASEAN

# HUMAN RIGHTS AGENDA

## 1. ENSURE ACCOUNTABILITY FOR VIOLATIONS BY THE SECURITY FORCES

During the last fifteen years significant steps have been taken to reform the Indonesian National Police. The government has put in place legislative and structural reforms to strengthen the police's effectiveness in preventing and detecting crime, maintaining public order and promoting the rule of law.<sup>2</sup> The police have also introduced internal regulations<sup>3</sup> to ensure that international human rights standards are upheld during policing operations.

However, Amnesty International continues to receive reports of serious human rights violations by the police, including unlawful killings, unnecessary or excessive use of force, and torture and other cruel, inhuman or degrading treatment or punishment during arrest, interrogation and detention. Investigations into reports of police abuses are rare, and police often subject complainants to further intimidation and harassment.

Although the authorities have made some attempts to hold alleged police perpetrators to account through using internal disciplinary mechanisms, criminal investigations into human rights violations by the police are all too rare, leaving many victims without access to justice and reparation.

This situation is made worse by the lack of an independent, effective, and impartial complaints mechanism which can deal with public complaints about police misconduct, including criminal offences involving human rights violations. While existing bodies such as the National Human Rights Commission (Komnas HAM), the National Ombudsman or the National Police Commission (Koppolnas) are able to receive and investigate complaints from the public, they are not empowered to refer these cases directly to the Public Prosecutor's Office.<sup>4</sup> The complaints are usually transmitted to the Division of Profession and Security (Propam) at the National Police headquarters in Indonesia's capital Jakarta, which will then assess whether the complaint should be investigated further.

Amnesty International also continues to receive reports of human rights violations committed by the Indonesian military, including extrajudicial executions, and torture and other cruel, inhuman or degrading treatment. Criminal offences, including crimes under international law, by military personnel can only be tried in military courts under the Military Criminal Code (*Kitab Undang-Undang Hukum Pidana Militer*, KUHPM). Amnesty International has expressed concerns about the lack of independence and impartiality of these courts.<sup>5</sup>

In 2004, the new Law on the Indonesian National Armed Forces (Law No. 34/2004) subjected soldiers to the authority of the civilian courts for violations of the Criminal Code (*Kitab Undang-Undang Hukum Pidana*, KUHP). However, this law has yet to be implemented as the House of People's Representatives has failed to amend the Law on Military Tribunals (Law No. 31/1997) to provide civilian courts jurisdiction over military personnel for all crimes committed against civilians.

Further, Indonesia has yet to amend its Criminal Code to fully incorporate a definition of torture. The lack of sufficient legal provisions on “acts of torture” creates a loophole which has devastating consequences. It fails to provide a legal deterrent to prevent state agents from committing these acts and does not provide a sufficient legal basis on which state agents can be brought to justice.

**Recommendations to the new Indonesian government:**

- Ensure prompt, thorough, and effective investigations by independent and impartial bodies into all allegations of human rights violations by security forces, in particular where they have caused injury or death. The findings of these investigations should be made public in a timely manner. Where sufficient admissible evidence exists, those suspected of criminal responsibility, including those with command responsibility, should be prosecuted in proceedings which meet international standards of fairness without recourse to the death penalty, and victims should be granted reparation;
- Call on the Indonesian House of Representatives to revise and enact at the earliest opportunity a new Criminal Code that comply with international human rights law and standards, and that include provisions explicitly prohibiting acts of torture. The definition of torture in the revised Criminal Code should, at a minimum, be consistent with Article 1.1 of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- Establish an independent police complaints mechanism to receive and deal with complaints from the public. The body should be operationally independent of the government, political influence and the police itself, and accessible to members of the public throughout the country. It should be sensitive to the needs of women, especially those who are alleging sexual violence and rape. Its mandate should empower it to, among other things, carry out effective investigations and refer cases to the Public Prosecutor. It should also have the power to choose when to supervise or manage investigations conducted by police investigation officers and when to carry out its own independent investigations; and
- Call on the Indonesian House of Representatives to revise the Law on Military Tribunals (Law No. 31/1997) so that military personnel suspected of offences involving human rights violations are prosecuted only before independent civilian courts in proceedings which meet international fair trial standards and without recourse to the death penalty. Victims should be provided with reparation.

## **2. RESPECT AND PROTECT FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION**

The right to freedom of religion in Indonesia is guaranteed in Indonesia’s Constitution.<sup>6</sup> During his term in office from 2004 to 2013, President Susilo Bambang Yudhoyono has frequently made public commitments to promote religious tolerance and pluralism and uphold the right to freedom of religion.<sup>7</sup> However, during his Presidency there have been increasing levels of

harassment, intimidation and attacks against religious minorities, fuelled by discriminatory laws and regulations both at the national and local level.

A Joint Ministerial Decree (No. 3/2008) was issued in 2008 by the Minister of Religious Affairs, the Attorney General, and Minister of Home Affairs, forbidding Ahmadiyya community members from promoting their activities and spreading their religious teachings. Local authorities in a number of provinces, districts and cities have also issued discriminatory bylaws or regulations, restricting Ahmadiyya activities and worship.<sup>8</sup> Local authorities and radical Islamist groups have cited the Joint Ministerial Decree and local regulations to justify their intimidation and attacks against the Ahmadiyya.

Since 2006, there have been numerous incidents of violence against religious minorities. These include attacks on and burning of places of worship and homes by mobs, in some cases resulting in the forced eviction of communities – including children – from their homes and into temporary shelters and accommodation.<sup>9</sup>

In some such cases, despite having prior knowledge of threats against minority religious communities, the Indonesian police did not take necessary preventive measures to stop the attacks or mobilize adequate numbers of police personnel to protect the community.

Amnesty International is also concerned about credible reports that local government officials, at times working with radical Islamist groups, have intimidated or threatened Ahmadiyya or Shi'a followers in an attempt to force them to denounce their beliefs.<sup>10</sup>

The organization has also documented the closure or takeover of places of worship by local authorities.<sup>11</sup> In some instances, the authorities have refused to reopen the places of worship or to issue a building permit for places of worship despite a court ruling in favour of the congregation, stating that it would affect religious harmony. These includes the cases of the Taman Yasmin Indonesian Christian Church (*Gereja Kristen Indonesia*, GKI), in Bogor, West Java<sup>12</sup> and the Filadelfia Batak Christian Protestant Church in Bekasi, Greater Jakarta area.<sup>13</sup>

There are also continuing reports about Islamic courts in Aceh province using caning as a punishment. Such punishment violates the absolute prohibition against torture and other ill-treatment, but remains in force for a range of offences including adultery, consumption of alcohol, being alone with someone of the opposite sex who is not a married partner or relative (*khalwat*), and for any Muslim found eating, drinking or selling food during sunlight hours in the fasting month of Ramadan. At least 139 people were caned in Aceh province between 2010 and 2013.

#### **Recommendations to the new Indonesian government:**

- Conduct prompt, effective, independent and impartial investigations into all reports of intimidation, harassment and attacks against the Ahmadiyya, Shi'a, Christian and other religious minorities and bring the perpetrators to justice in accordance with international fair trial standards and without recourse to the death penalty;
- Immediately revoke the 2008 Joint Ministerial Decree and all other regulations that restrict the activities of the Ahmadiyya community in Indonesia or otherwise violate their right to



freedom of thought, conscience and religion;

- Guarantee the safe, voluntary and dignified return of displaced minority religious communities to their homes or provide permanent resettlement and adequate alternative housing elsewhere in the country, after genuine consultation with them;
- Immediately comply with the Indonesian Supreme Court ruling to issue building permits to the Taman Yasmin Indonesian Christian Church in Bogor and the Filadelfia Batak Christian Protestant Church in Bekasi;
- Take steps to ensure that all religious minorities are protected from, and allowed to practice their faith free from fear of intimidation and attack; and
- End the use of caning as a form of punishment and repeal the laws in Aceh province that allow it.

### 3. UPHOLD THE RIGHT TO FREEDOM OF EXPRESSION AND PROTECT HUMAN RIGHTS DEFENDERS

Indonesia enshrines guarantees to freedom of expression and peaceful assembly in its Constitution and in national legislation.<sup>14</sup> Despite this, during President Susilo Bambang Yudhoyono's administration we have seen the continued use of legislation to criminalize peaceful political activities and to imprison people solely for the peaceful exercise of their rights to freedom of expression and opinion, conscience and religion. Further, human rights defenders and journalists in Indonesia face attacks, intimidation and criminalization for their legitimate work.

Amnesty International continues to document the arrest and detention of peaceful political activists, particularly in areas with a history of pro-independence movements such as Papua and Maluku. Over 70 people are currently imprisoned, some sentenced for as long as 20 years, for attending, organizing or participating in peaceful political activities or protests, or possessing, raising or waving the prohibited pro-independence flags of Papua and Maluku. Many of those arrested are charged with "rebellion" (*makar*) under Articles 106 and 110 (crimes against the security of the state) of Indonesia's Criminal Code.<sup>15</sup>

Amnesty International documented a significant increase in arrests after the authorities issued Government Regulation No. 77/2007 in December 2007, which prohibits the display of regional logos, symbols or flags which are also used by "separatist" organizations.<sup>16</sup>

The organization is also concerned about provisions in the Criminal Code which criminalize blasphemy and are therefore incompatible with the ICCPR, to which Indonesia is a state party. Article 156(a) of the Criminal Code created by Law Number 1/PNPS/1965 concerning the "prevention of religious abuse and/or defamation" imposes a prison sentence "for whosoever in public deliberately expresses their feelings or engages in actions that in principle is hostile and considered as abuse or defamation of a religion embraced in Indonesia".<sup>17</sup>

The blasphemy laws have been used to imprison people for as long as five years, simply because they have peacefully exercised their rights to freedom of expression or freedom of religion. The laws are often used to target individuals who belong to minority religions or faiths, or hold minority opinions.

Amnesty International is also concerned about “incitement” provisions in Law No. 11/2008 on Electronic Information and Transaction (ITE) that have been used to criminalize freedom of expression.<sup>18</sup>

At its Universal Periodic Review (UPR) in the UN Human Rights Council in May 2012, Indonesia accepted recommendations to guarantee adequate protection for human rights defenders and to conduct impartial and independent investigations into acts of violence committed against human rights defenders and bring those responsible to justice.

However, Amnesty International continues to receive reports of intimidation and attacks against human rights defenders and journalists. Most past human rights violations against human rights defenders, including torture and other ill-treatment, possible unlawful killings and enforced disappearances, remain unaddressed and those responsible have not been brought to justice.

In particular, there has been failure to completely address the killing of prominent human rights defender Munir in 2004, which President Susilo Bambang Yudhoyono stated would be a “test of our history” in the context of Indonesia’s democratic reform process. Although three people have now been convicted for their involvement in his death, there are credible allegations that those responsible for his death at the highest levels have not been brought to justice.

**Recommendations to the new Indonesian government:**

- Immediately and unconditionally release all prisoners of conscience deprived of liberty solely for peacefully exercising their rights to freedom of expression and thought, conscience and religion;
- Repeal or else amend laws and regulations which impose restrictions on the right to freedom of expression beyond those allowed under international human rights law. In particular:
  1. Call on the Indonesian House of Representatives to repeal or else amend Articles 106 and 110 of Indonesia’s Criminal Code to make it consistent with international human rights law, ensuring that these articles can no longer be used to criminalize freedom of expression;
  2. Revoke immediately Article 6 of Government Regulation No. 77/2007 which prohibits the display of “separatist” logos, symbols and flags;
- Call on the Indonesian House of Representatives to repeal Law Number 1/PNPS/1965 concerning the prevention of religious abuse and/or defamation and Article 156(a) of the Criminal Code;

- Ensure that the Electronic Information and Transaction (ITE) Law is not misused by the authorities to criminalize freedom of expression;
- Take effective steps to ensure that attacks, intimidation and harassment of human rights defenders are promptly, effectively and impartially investigated and that those responsible are brought to justice in accordance with international fair trial standards and without recourse to the death penalty; and
- Initiate a new and independent police investigation into the murder of human rights defender Munir to ensure that all perpetrators, at all levels, are brought to justice in accordance with international fair trial standards and without recourse to the death penalty.

#### 4. END IMPUNITY

There has been a lack of progress during President Yudhoyono's presidency in delivering justice, truth and reparation for past human rights violations which occurred under President Suharto's rule and during the *reformasi* period (from 1998) including during the events of 1965-66,<sup>19</sup> the 1998 May riots,<sup>20</sup> and the conflicts in Aceh<sup>21</sup>, Papua and Timor-Leste. These crimes included unlawful killings, enforced disappearances, rape and other forms of sexual violence, and other forms of torture and other ill-treatment.

Attempts to bring the alleged perpetrators to justice have been grossly inadequate, and many persons suspected of serious crimes, including crimes under international law, remain at large. Commitments to establish truth commissions have not been fulfilled. Victims of past violations have not been provided with full and effective reparation.

Crimes under international law – crimes against humanity, war crimes, torture, extrajudicial executions and enforced disappearances – are not defined currently in the Criminal Code, making it very difficult for victims to seek justice before ordinary criminal courts in Indonesia.

A Law on Human Rights Courts (Law No. 26/2000) enacted to allow such courts to try cases of "gross abuses of human rights" ("pelanggaran hak asasi manusia yang berat") limits the definition of such abuses to genocide and crimes against humanity. Therefore it excludes other crimes under international law without any basis, including war crimes, torture, extrajudicial execution and enforced disappearance. Many cases that were investigated by the National Human Rights Commission (Komnas HAM) have never been fully investigated by the Attorney General's Office or brought to court, leaving perpetrators at large and victims without access to reparations.<sup>22</sup> The small number of cases which have been prosecuted before the Human Rights Courts have all resulted in either acquittals or convictions being overturned on appeal.<sup>23</sup>

Indonesia has yet to accede to the Rome Statute of the International Criminal Court, despite commitments to do so in the last two National Human Rights Action Plans (*Rencana Aksi Nasional Hak Asasi Manusia*) in 2004 and 2011. On 27 September 2010, Indonesia took the positive step of signing the International Convention for the Protection of All Persons from Enforced Disappearance but has yet to complete the ratification process.

Further, the government has failed to pass a new law to establish a national truth commission almost eight years after the Indonesian Constitutional Court struck down a previous law<sup>24</sup>, when it ruled that a provision requiring that amnesty be granted to perpetrators of gross human rights abuses before victims can receive compensation and rehabilitation was unconstitutional. A new law has been drafted by the Ministry for Law and Human Rights and was scheduled for discussion in parliament in 2011-2014, but the bill has yet to be submitted to the House of People's Representatives.

There have also been no efforts to establish a comprehensive and effective reparation program for victims of human rights abuses. Laws and regulations in Indonesia relating to reparation for victims of human rights abuses remain inadequate and preclude victims from accessing remedies before national courts. Further, there are no provisions under the Criminal Code which would allow victims and their relatives to obtain reparation for some crimes under international law.<sup>25</sup>

Over the past year, there have been some positive developments in addressing impunity in Aceh province. In August 2013, Komnas HAM released new findings that alleged that "gross human rights violations" were committed by the military during the conflict in Aceh. Komnas HAM examined five key cases, and expressed its intention in October 2013 to follow up on its investigation by launching an inquiry, which could eventually lead to investigation and prosecution in a human rights court.<sup>26</sup> Further, on 27 December 2013 the Aceh House of People's Representatives passed the Aceh Truth and Reconciliation bylaw. The bylaw has now been submitted to the Ministry of Home Affairs for approval before it comes into effect.<sup>27</sup>

#### **Recommendations to the new Indonesian government:**

- Review all information that the Attorney General has received in relation to crimes under international law committed in Indonesia, including from Komnas HAM and other bodies, and ensure complete investigations. Whenever sufficient admissible evidence exists, those suspected of the crimes should be prosecuted before national courts in proceedings which meet international fair trial standards and which do not impose the death penalty;
- Call on the Indonesian House of Representatives to revise the Criminal Code and the Criminal Procedure Code in compliance with Indonesia's obligations under the ICCPR and other relevant international human rights law and standards, and as a priority define all offences involving human rights violations and crimes under international law and principles of criminal responsibility in accordance with international law and standards;
- Call on the Indonesian House of Representatives to amend the Law on Human Rights Courts (Law No. 26/2000) to expand its jurisdiction over other crimes under international law, including war crimes, torture, extrajudicial executions and enforced disappearance; and ensure that Komnas HAM can submit all inquiries regarding crimes under international law to an independent prosecutor for investigation, without any possibility of political interference in the process by the Attorney General or other political officials;
- Establish without further delay an independent and impartial truth commission, complementing rather than replacing criminal proceedings and without the power to issue amnesties, in order to establish the facts about past human rights abuses including preserving

evidence and identifying perpetrators; recommend reparation measures to address the suffering of victims; and recommend institutional reforms to ensure that such abuses will not be repeated;

- Establish a programme to provide full and effective reparation (including restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition) to all victims of past human rights abuses in Indonesia. The programme should be devised in consultation with victims, to ensure that the reparation programme is effective and reflects the different needs and experiences of victims/survivors, including based on gender or any other status;
- Ratify the International Convention for the Protection of All Persons from Enforced Disappearance at the earliest opportunity, incorporate its provisions in to domestic law and implement it in policy and practice; and
- Accede to the Rome Statute of the International Criminal Court and the Agreement on Privileges and Immunities of the International Criminal Court, incorporate their provisions into domestic law and implement them in policy and practice.

## 5. UPHOLD THE RIGHTS OF WOMEN AND GIRLS

The Indonesian government has taken some positive steps to fulfil its pledge to combat violence against women and eliminate discrimination against women. However, Amnesty International is concerned that women and girls in Indonesia continue to face barriers in law, policy and practice which inhibit the full exercise of their human rights and are inconsistent with Indonesia's human rights obligations under international human rights law, including the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) which it ratified in 1984 and made into law the same year (Law No.7/1984).

Laws and regulations continue to exist at the national or local level that discriminate against women and that perpetuate gender stereotypes. For example, the Marriage Law (Law No. 1/1974) provides that the legal age of marriage in Indonesia is 16 for women, and 19 for men (Article 7). The Marriage Law also authorizes polygamy. The Indonesian House of Representatives has failed to prioritize the revision of the Marriage Law despite it being on the National Legislation Programme (Prolegnas) since 2006. There are also regulations on dress codes in Indonesia which are discriminatory towards women and girls.<sup>28</sup> The CEDAW Committee in 2012 recommended the repeal or amendment of all such laws and regulations within a clear timeframe.<sup>29</sup>

The government has also failed to eliminate practices which are harmful to women's and girls' health, discriminatory and cruel, inhuman and degrading, such as female genital mutilation and early marriage. Although decreasing, marriage at a young age is still relatively widespread, especially in rural areas and slums.<sup>30</sup> Further, the Indonesian government has yet to enact specific legislation prohibiting female genital mutilation with appropriate penalties as recommended by the CEDAW Committee in 2012 and the Human Rights Committee in 2013.<sup>31</sup>

Amnesty International is also concerned that marital rape has yet to be criminalized in the

Criminal Code, and the Domestic Violence Law refers to sexual violence (*kekerasan seksual*) but not specifically to rape (*perkosaan*).

Women and girls are disproportionately affected by Indonesia's restrictions on sexual and reproductive rights. Laws and policies discriminate on the grounds of marital status and exclude unmarried women and girls from full access to sexual and reproductive health services. They further require the husband's consent for married women and girls to access abortion and contraception.<sup>32</sup> These requirements are inconsistent with international human rights law, which call for the removal of all third party consent requirements in accessing health services, including authorization from spouses.

Abortion is criminalized in most cases in Indonesia. Under the 2009 Health Law, there are only two exceptions in which a woman may legally seek and health workers perform an abortion: if the health of the mother or foetus is endangered, or in the case of pregnancy resulting from rape. Further, there are several criteria to access abortion which can be very difficult to meet in practice.<sup>33</sup> Additionally there is a persistently high rate of maternal mortality and significant disparities between deliveries in health facilities among women in rural and urban areas. Such gaps in legislation and practice are inconsistent with international human rights law as reflected in CEDAW's recent recommendations to Indonesia.<sup>34</sup>

Domestic workers in Indonesia, the vast majority of whom are women and girls, are not legally recognized as workers. As a result, they are often exploited economically and live and work in abusive conditions. In addition, they lack adequate sexual and reproductive health information.<sup>35</sup> A draft law on domestic workers has been on the legislative agenda since 2010, however debate and passage of the law has faced continued delays.<sup>36</sup>

Further, significant numbers of Indonesian migrant domestic workers continue to be exposed to trafficking and forced labour by Indonesian recruitment agencies. The government is failing in its duty to properly regulate and investigate, prosecute and punish those responsible for abuses against domestic workers, and take steps against agencies which are involved in these activities.<sup>37</sup>

There has also been a failure to take effective steps to deliver justice, truth and reparation to women and girls who were victims of human rights abuses during past conflicts. In addition, many survivors of rape and other crimes of sexual violence have yet to be provided with medical, psychological, sexual and reproductive, and mental health services or treatment.<sup>38</sup>

**Recommendations to the new Indonesian government:**

- Call on the Indonesian House of Representatives to review and amend the Marriage Law (No. 1/1974) to eliminate provisions that discriminate against women, including age of marriage and polygamy, or perpetuate gender stereotypes;
  
- Undertake a review of all laws, policies and practices that discriminate against women, including those that contribute to high maternal mortality rates to ensure that they are in full conformity with Indonesia's human rights obligations;

- Call on the Indonesian House of Representatives to pass specific legislation prohibiting female genital mutilation, providing appropriate penalties for those who perform female genital mutilation, and pass specific legislation criminalizing marital rape;
- Decriminalize abortion in all circumstances and eliminate provisions in law which require husbands' consent to access abortion and contraception and any other health care services;
- Call on the Indonesian House of Representatives to pass specific legislation regulating the labour rights of domestic workers in accordance with international law and standards and ratify International Labour Organization Convention No.189 concerning Decent Work for Domestic Workers, incorporate its provisions into domestic law and implement it in policy and practice; and
- Provide full, effective and transformative reparation to all victims of past human rights abuses and take specific measures to ensure that women can access effective reparation, including measures designed to eliminate the stigma and discrimination experienced by survivors of sexual violence and gender stereotypes that underlie violence against women.

## 6. RESPECT HUMAN RIGHTS IN PAPUA

The Indonesian security forces have a track record of committing human rights violations in the provinces of Papua and West Papua with near impunity. Amnesty International has received credible reports of unlawful killings and unnecessary and excessive use of force and firearms by both police and military personnel during peaceful pro-independence protests and gatherings. The government has consistently failed to make a distinction between violent armed groups and peaceful activists. Further, political activists and others accused of links to pro-independence groups have been tortured or otherwise ill-treated during arrest and detention.<sup>39</sup> Accountability for such acts is rare and at most security personnel receive disciplinary sanctions.<sup>40</sup>

Amnesty International takes no position whatsoever on the political status of any province of Indonesia, including calls for independence. However, the organization believes that the right to freedom of expression includes the right to peacefully advocate referendums, independence or other political solutions.

There remains a persistent culture of impunity for serious human rights violations committed by the Indonesian security forces in Indonesia including in Papua. The Attorney General has not investigated the Wasior (2001) and Wamena (2003) cases despite the fact that Komnas HAM has submitted its inquiry reports to the Attorney General's office indicating that it had found initial evidence suggesting that security forces had committed crimes against humanity, including acts of torture.<sup>41</sup> A Human Rights Court and a Truth and Reconciliation Commission in Papua to establish the truth about past violations, as provided for in Law No. 21/2001 on Special Autonomy for the Papua province (Articles 45 and 46), have yet to be established.

Amnesty International continues to receive reports of intimidation and attacks against human rights defenders and journalists in Papua. Further, the Indonesian authorities continue to restrict access to international human rights organizations, international journalists and other

observers to the Papuan region. The denial of unimpeded access to these provinces limits independent reporting of the human rights situation there.

In May 2013, the UN High Commissioner for Human Rights, Navanethem Pillay, urged Indonesia to “allow international journalists into Papua and to facilitate visits by the Special Rapporteurs of the UN Human Rights Council”.<sup>42</sup>

**Recommendations to the new Indonesian government:**

- Take the necessary steps to ensure that all police and military personnel who have been involved in human rights violations in Papua are held accountable. Those individuals suspected of involvement in serious human rights violations should be prosecuted in civilian courts in proceedings which meet international fair trial standards and without recourse to the death penalty, and victims and their families should receive reparations;
- Ensure that those responsible for the human rights violations which were committed in Wasior and in Wamena are promptly brought to justice in proceedings which meet international fair trial standards and without recourse to the death penalty, and that victims and their families receive due reparations;
- Set up a Papuan Human Rights Court and Truth and Reconciliation Commission as recommended by the 2001 Special Autonomy Law and ensure that it operates in accordance with international human rights law and standards;
- Take measures to ensure that local human rights defenders and journalists are protected, and that human rights abuses against them are not tolerated; and
- Ensure that international human rights organizations and journalists are provided unimpeded access to the provinces of Papua and West Papua.

## 7. END THE USE OF THE DEATH PENALTY

Indonesia resumed executions on 14 March 2013 after a hiatus of four years, when Adami Wilson, a 48-year old Malawian national who was convicted for drug trafficking in 2004, was executed by firing squad in Jakarta. Four other people were executed during the year.<sup>43</sup>

The recent executions marked a regressive step as there had been signals in recent years that the Indonesian authorities were moving away from the death penalty. In October 2012, after it was reported that President Yudhoyono had commuted the death sentence of a drug trafficker, Foreign Minister Marty Natalegawa stated that the commutation was part of a wider push away from the use of the death penalty.<sup>44</sup> Amnesty International believes that these executions may also further undermine the government's efforts to protect Indonesian nationals that face the death penalty overseas.

None of the executions were announced to the public before being carried out, and Amnesty International is not aware if the families of the executed prisoners were notified in advance of the executions being carried out. It appears that the government has been trying to prevent a



full and informed public debate on the use of the death penalty.

Human rights groups have also expressed concern about death sentences following trials which, in some cases, failed to meet international fair trial standards. Concerns reported to Amnesty International include the lack of adequate access to lawyers, lack of adequate access to interpreters, and the use of torture to extract “confessions” which are then admitted as evidence by courts.

In July 2013, the UN Human Rights Committee called on the Indonesian authorities to establish a moratorium on the death penalty. It noted that Indonesia retains the death penalty for drug-related offences, offences which do not meet the threshold of “most serious crimes”. In the event that Indonesia failed to establish a moratorium, the Committee called on the authorities to review legislation so that the death penalty is not imposed for drug-related offences.<sup>45</sup>

**Recommendations to the new Indonesian government:**

- Halt executions immediately and commute all outstanding death sentences to terms of imprisonment;
- Establish an immediate moratorium on executions, with a view to abolishing the death penalty;
- Pending abolition, ensure full compliance with international standards restricting the use of the death penalty, particularly applying it only to the “most serious crimes”; and
- Revise laws, policies and practices to ensure fair trials in line with international standards, especially upholding the presumption of innocence, the right to legal counsel, and the protection against forced confessions and discrimination.

## 8. PROMOTE AND PROTECT HUMAN RIGHTS IN ASEAN

Since the adoption of its Charter in 2007, ASEAN has taken several steps towards establishing regional human rights mechanisms and standards. These steps have included the establishment of the ASEAN Intergovernmental Commission on Human Rights (AICHR), the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) and the ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (ACMW).

Amnesty International recognizes the positive role that Indonesia’s representatives have played in these bodies and in other fora in defending and promoting international human rights standards. It also recognizes the openness and collaborative approach of the Indonesian government in selecting representatives for these bodies, the extensive dialogue that Indonesia’s representatives have held with civil society and their initiatives in inviting AICHR representatives, ASEAN officials, UN and other experts and civil society for consultations on a variety of human rights issues.

Nevertheless, ASEAN’s human rights mechanisms have done very little towards improving the

human rights record of member states. The AICHR, the ACWC and other bodies have been stifled by ASEAN's 'consultation and consensus' rule, which means that any member state can veto discussion on any situation or topic. The result has been that not a single human rights case or situation in any ASEAN member state has been considered in any of the bodies that ASEAN has tasked with promoting and protecting human rights. This situation has also meant that the AICHR has been opaque in its procedures, seldom publishing its working documents, drafts and agendas, and very rarely consulting with civil society organizations.

The AICHR has yet to publish any of the studies it has included in its workplans since its establishment in 2009, and more generally has failed to implement key aspects of its mandate, for instance the provisions on encouraging member states to ratify international human rights instruments (Article 4.5 of the TOR) and on obtaining information from member states on the promotion and protection of human rights (Article 4.10 of the TOR).

Worryingly, the ASEAN Human Rights Declaration, adopted by ASEAN leaders in 2012 and largely drafted by the AICHR, falls far short of international human right standards, in particular as under its "General Principles" enjoyment of all the rights proclaimed in this Declaration is to be "balanced with the performance of duties", subjected to "national and regional contexts" and to considerations of "different cultural, religious and historical backgrounds".

In addition, all the rights in the Declaration may be restricted on a wide array of grounds including "national security" and "public morality."<sup>46</sup> Amnesty International is aware that Indonesia was among the few states that pushed for progressive formulations within the Declaration, but regrets its decision to join the 'lowest common denominator' consensus reflected in the Declaration rather than insist on, at the very least, compatibility of the Declaration with international human rights law and standards.

While suffering from several shortcomings, the other human rights instrument adopted by ASEAN – the Declaration on the Elimination of Violence Against Women and Elimination of Violence Against Children In ASEAN – expresses an unequivocal rejection of all forms of violence against women and children that allows for no exceptions or discrimination, which Amnesty International welcomes. The organization has also welcomed the fact that the Declaration tasks the ACWC with promoting the implementation of the Declaration and reviewing its progress.<sup>47</sup>

The review of the AICHR's Terms of Reference (TOR), which has started in 2014, and the review of the ACWC's TOR, which should also begin in 2014, is a good opportunity to turn the AICHR into a transparent, independent, accessible expert body that will actively monitor and respond to real human rights situations and complaints while applying international human rights law and standards.

#### **Recommendations to the new Indonesian government:**

- Urge transparent procedures for revising the TORs of the AICHR and the ACWC which should include meaningful consultations with civil society and other stakeholders and sharing of drafts;

- Work towards a revised TOR for the AICHR that would ensure its independence, professionalism, transparency and ability to investigate human rights complaints and situations, report on them and recommend ways forward, in accordance with international human rights law and standards. The revised TOR and the Guidelines on the AICHR's Relations with Civil Society Organisations must also ensure frequent and meaningful dialogue with civil society organizations, National Human Rights Institutions and other stakeholders;
- Work towards similar goals when the ACWC's TOR is reviewed and when the ACWC formulates guidelines for engagement with civil society organizations;
- Urge other ASEAN member states to remove the 'consultation and consensus' rule in the TORs of ASEAN human rights bodies with procedures that would enable them, where necessary, to act through majority decisions;
- Insist on a revision of the ASEAN Human Rights Declaration, including by removing "General Principles" 6-8, so as to bring it into line with international human rights law and standards; and
- Insist that any future regional human rights instruments adopted by ASEAN are in full accordance with international human rights law and standards.

# ENDNOTES

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<sup>1</sup> Between 2004 and 2013 Indonesia facilitated the following country visits by Special Procedures: Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context (2013); the Special Representative of the Secretary-General on the situation of human rights defenders (2007); Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (2007); and the Special Rapporteur on the human rights of migrants (2006).

<sup>2</sup> Amnesty International, *Unfinished Business; Police Accountability in Indonesia* (Index: ASA 21/013/2009), June 2009, p13.

<sup>3</sup> The Regulation of the Chief of the National Police on the Use of Force in Police Action (No. 1/2009) and the Regulation of the Chief of the National Police regarding the Implementation of Human Rights Principles and Standards in the Discharge of Duties of the Indonesian National Police (No. 8/2009).

<sup>4</sup> The only exception is when there are cases of alleged “gross abuses of human rights” (“pelanggaran hak asasi manusia yang berat”) defined in the Law on Human Rights Courts (No. 26/2000) as genocide and crimes against humanity. Here Komnas HAM can conduct a *pro-justicia* inquiry and submit its findings directly to the Attorney General’s office for investigation.

<sup>5</sup> Amnesty International, *Indonesia: Military tribunals being used to shield human rights violators*, 19 June 2013, available at: <http://www.amnesty.org/en/news/indonesia-kopassus-trial-2013-06-19>; Amnesty International, *Indonesian soldiers’ sentence for Papua abuse video too light*, 24 January 2011, available at: <http://www.amnesty.org/en/news-and-updates/indonesian-soldiers%E2%80%99-sentence-papua-abuse-video-too-light-2011-01-24>; and Amnesty International, *Indonesian authorities urged to investigate Papua “torture video”*, 19 October 2010, available at: <https://www.amnesty.org/en/news-and-updates/indonesian-authorities-urged-investigate-papua-torture-video-2010-10-19>.

<sup>6</sup> Article 29(2) of Indonesia’s 1945 constitution stipulates that “the state guarantees each and every citizen the freedom of religion and of worship in accordance with his religion and belief”, and article 28E(2) of the second amendment of the constitution recognizes that “[e]very person shall have the right to the freedom to believe his/her faith, and to express his/her views and thoughts, in accordance with his/her conscience”.

<sup>7</sup> Kompas, “SBY: Kebebasan Beragama Dijamin Negara” [SBY: State guarantees freedom of religion], 27 December 2010, available at: <http://nasional.kompas.com/read/2010/12/27/22330682/SBY.Kebebasan.Beragama.Dijamin.Negara-14>, accessed 9 April 2014; and Tempo, “SBY: Negara Menjamin Kebebasan Beribadah” [SBY: State guarantees freedom to worship], 6 May 2013, available at: <http://www.tempo.co/read/news/2013/05/26/063483346/SBY-Negara-Menjamin-Kebebasan-Beribadah>, accessed 9 April 2014.

<sup>8</sup> There are local regulations restricting Ahmadiyya activities in a number of Indonesia’s cities (Bekasi, Depok, Bogor, Samarinda, Pekanbaru, Padang, Cimahi), districts (Pandeglang, Kampar, Sukabumi, Cianjur, Kuningan, Garut, West Lombok, Sarolangun) and provinces (Banten, East Java, West Java, South Sulawesi).

<sup>9</sup> Amnesty International, *Indonesia: Submission to the United Nations Human Rights Committee for the 108th Session of the Human Rights Committee* (Index: ASA 21/018/2013), 21 June 2013, pp22-24.

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<sup>10</sup> Amnesty International, *Indonesia: Submission to the United Nations Human Rights Committee for the 108th Session of the Human Rights Committee* (Index: ASA 21/018/2013), 21 June 2013, p25.

<sup>11</sup> Amnesty International, *Open letter on human rights violations against the Ahmadiyya in West Java* (Index: ASA 21/032/2011), 14 October 2011; Amnesty International, *Indonesia: Four Ahmadiyya places of worship closed in a month, one more at imminent risk* (Index: ASA 21/012/2013), 5 May 2013.

<sup>12</sup> Amnesty International, *Indonesia: Church congregation threatened* (Index: ASA 21/017/2011), 6 July 2011.

<sup>13</sup> Amnesty International, *Indonesia: Demand protection for church congregation* (Index: ASA 21/018/2012), 30 April 2012.

<sup>14</sup> Article 28E(2) of Indonesia's 1945 Constitution provides that "[e]very person shall have the right to the freedom ... to express his/her views and thoughts, in accordance with his/her conscience" and Article 28E(3) that "Every person shall have the right to the freedom to associate, to assemble and to express opinions." 18 Law No. 39/1999 on Human Rights provides that "[e]very citizen has the right to express his opinion in public" (Article 25) and "[e]veryone has the right to peaceful assembly and association" (Article 24.1).

<sup>15</sup> The word *makar* has no direct equivalent in English. However, for the purpose of this document it will be translated as "rebellion". Article 106 enables the authorities to sentence a person to life imprisonment or a maximum of twenty years imprisonment for any attempts undertaken with intent to bring the territory of the state wholly or partially under foreign domination or to separate part thereof, while Article 110 (1) allows for a maximum of six years imprisonment for conspiracy to commit "crimes against the security of the state" under Articles 104 to 108.

<sup>16</sup> Article 6.4 of the regulation prohibits the display of regional logos or flags which have the same features as those used by "organization[s], groups, institution[s] or separatist movements" in Indonesia. It has led to a ban on the "Morning Star" and "Fourteen Star" flags in the Papua region, the "Benang Raja" flag in Maluku, and the "Crescent Moon" flag in Aceh, as they are associated with "separatist" movements in Indonesia.

<sup>17</sup> For further information about Amnesty International's concerns relating to blasphemy provisions, see *Indonesia: Judicial review of law number 1/PNPS/1965 concerning the prevention of religious abuse and/or defamation*, amicus brief submitted by Article 19 the Global Campaign for Free Expression, Amnesty International, the Cairo Institute for Human Rights Studies, and the Egyptian Initiative for Personal Rights (Index: ASA 21/002/2010), 11 March 2010.

<sup>18</sup> These include Article 27(3) which criminalizes "the conduct of anyone who intentionally and without right distributes and/or transmits and/or makes accessible electronic information and/or electronic documents that contains insults and/or defamation" and Article 28(2) which criminalizes "the dissemination of information that incites hate or enmity among certain individuals and/or groups based on ethnicity, religion, race or intergroup relation".

<sup>19</sup> Government officials were allegedly involved in the systematic persecution of members of the Indonesian Communist Party (PKI) and suspected communist sympathizers following the abortive 1965 coup. See Amnesty International, *Indonesia: Attorney General must act on Komnas HAM report on 1965-66 violations* (Index: ASA 21/028/2012), 27 July 2012.

<sup>20</sup> Over a three-day period in May 1998, the anti-government riots that led to President Suharto's resignation claimed the lives of more than 1,000 people. A Joint Fact-finding Team established by the

government found that widespread sexual violence took place during the riots and the majority of the victims were women of Chinese descent.

<sup>21</sup> The Aceh conflict between the armed pro-independence movement Free Aceh Movement (*Gerakan Aceh Merdeka*, GAM) and the Indonesian government dated back to 1976, and peaked during military operations from 1989 until 2005. It took a brutal toll on the population there, leaving between 10,000 and 30,000 dead, many of them civilians. Both sides committed human rights abuses during the conflict, many of which constitute crimes under international law and may amount to war crimes. Human rights violations directed by the Indonesian security forces may amount to crimes against humanity.

<sup>22</sup> There has been no progress by the Attorney General's office on the following cases despite preliminary findings by Komnas HAM of human rights violations: 1965-1966 violations, Wamena (2003), Wasior (2001), Talangsari (1989), Trisakti (1998), Semanggi I & II (1998-99), and the enforced disappearance of 13 political activists (1997-1998).

<sup>23</sup> No one is currently imprisoned as a result of trials before the permanent human rights court in Makassar (Abepura case, 2000), or as a result of trials before the ad-hoc human rights courts (Tanjung Priok, 1984 and East Timor, 1999). See International Center for Transitional Justice (ICTJ) and KontraS (the Commission for the Disappeared and Victims of Violence), *Derailed: Transitional Justice in Indonesia since the Fall of Soeharto*, April 2011, (ICTJ and KontraS, Derailed), p41, available at: [http://ictj.org/sites/default/files/ICTJ-KontraS-Indonesia-Derailed-Report-2011-English\\_0.pdf](http://ictj.org/sites/default/files/ICTJ-KontraS-Indonesia-Derailed-Report-2011-English_0.pdf), accessed 9 April 2014.

<sup>24</sup> Law on a national Truth and Reconciliation Commission (Law No. 27/2004).

<sup>25</sup> Amnesty International, *Time to Face the Past: Justice for Past Abuses in Indonesia's Aceh Province* (Index: ASA 21/001/2013), p41.

<sup>26</sup> Amnesty International, *Indonesia: Pro-justicia inquiry a key opportunity to address past abuses in Aceh* (Index: ASA 21/033/2013), 14 October 2013.

<sup>27</sup> Amnesty International, *Indonesia: Aceh parliament passes truth commission bylaw to address past human rights abuses* (Index: ASA 21/001/2014), 8 January 2014.

<sup>28</sup> In 2009 the National Commission on Violence against Women (Komnas Perempuan) identified 21 regional regulations on dress codes which "directly discriminate against women" in intent or impact. See National Commission on Violence against Women (Komnas Perempuan), *In the name of Regional Autonomy: The Institutionalisation of Discrimination in Indonesia, 2009*, p19.

<sup>29</sup> Concluding observations of the Committee on the Elimination of Discrimination against Women: Indonesia, CEDAW/C/IDN/CO/6-7, 7 August 2012, para 18.

<sup>30</sup> Amnesty International, *Indonesia: Briefing to the UN Committee on the Elimination of Discrimination against Women* (Index: ASA 21/022/2012), 25 June 2012, p8.

<sup>31</sup> Concluding observations of the Committee on the Elimination of Discrimination against Women: Indonesia, CEDAW/C/IDN/CO/6-7, 7 August 2012, paras 21-22 and the Human Rights Committee Concluding observations on the initial report of Indonesia, CCPR/C/IDN/CO/1, 21 August 2013, para 12.

<sup>32</sup> In the Population and Family Development Law (No. 52/2009), decisions about family planning should be taken jointly between married couples. Interviews with health workers in 2010 confirmed that the husband's consent was necessary to access some methods of contraception (for example, Intrauterine

Device, IUD). See Amnesty International, *Indonesia: Briefing to the UN Committee on the Elimination of Discrimination against Women* (Index: ASA 21/022/2012), 25 June 2012, p11-14; CEDAW concluding Observations to Indonesia, 2012, CEDAW/C/IDN/CO/6-7, para. 41(c) and (e).

<sup>33</sup> To access legal abortion services in the event of pregnancies that are life-threatening for the woman or the foetus, the Health Law requires the consent of the husband (Article 76(d)). For married women and girls, this access criterion risks denying them access to health - and life preserving medical care for reasons that are medically unjustifiable. Unmarried women and girls are denied access in a way that is clearly discriminatory. Legal abortion provisions for rape victims are only permitted within the first six weeks of pregnancy. This limited timeframe means that most rape victims may not be able to access safe abortion provisions within the required timeframe as they may not know they are pregnant by then.

<sup>34</sup> CEDAW Concluding Observations to Indonesia, CEDAW/C/IDN/CO/6-7, 2012, paras. 41 and 42.

<sup>35</sup> See CEDAW Concluding Observations to Indonesia, CEDAW/C/IDN/CO/6-7, 2012, paras. 37-38 and Amnesty International, *Indonesia: Briefing to the UN Committee on the Elimination of Discrimination against Women* (Index: ASA 21/022/2012), 25 June 2012, pp16-19.

<sup>36</sup> Amnesty International, *Submission to the United Nations Committee on Economic, Social and Cultural Rights* (Index: ASA 21/034/2013), October 2013, pp14-18.

<sup>37</sup> Amnesty International, *China: Exploited for profit, failed by governments: Indonesian migrant domestic workers trafficked to Hong Kong* (Index: ASA 17/029/2013), 21 November 2013.

<sup>38</sup> Amnesty International, *Indonesia: Briefing to the UN Committee on the Elimination of Discrimination against Women* (Index: ASA 21/022/2012), 25 June 2012, pp26-29.

<sup>39</sup> Amnesty International, *Indonesia: Investigate ill-treatment of protesters and intimidation of journalists in Papua*, (Index: Index: ASA 21/039/2013), 28 November 2013; Amnesty International Urgent Action, *Indonesia: Two men detained, feared tortured in Papua*, (Index: ASA 21/005/2013), 22 February 2013; Amnesty International Urgent Action, *Indonesia: Papuan political activist at risk: Yusak Package* (Index: ASA 21/032/2012), 24 August 2012; Amnesty International Press Release, *Indonesian authorities urged to investigate Papua "torture video"*, 19 October 2010.

<sup>40</sup> In November 2011, eight Indonesian police officers involved in a violent crackdown on a peaceful gathering that left three dead were only given written warnings. The warnings were given after an internal disciplinary hearing found that the officers violated the police Disciplinary Code. See Amnesty International, *Indonesia: 'Slap on the wrist' for police violence in Papua is accountability failure*, 23 November 2011.

<sup>41</sup> Amnesty International, *Indonesia: Briefing to the UN Committee against Torture* (Index: ASA 21/003/2008), section 7.2, p37; and ICTJ and KontraS, *Derailed*, p40, Supra No24 available at: [http://ictj.org/sites/default/files/ICTJ-KontraS-Indonesia-Derailed-Report-2011-English\\_0.pdf](http://ictj.org/sites/default/files/ICTJ-KontraS-Indonesia-Derailed-Report-2011-English_0.pdf), accessed 9 April 2014.

<sup>42</sup> UN Newswire, "Indonesia must allow peaceful protests in Papua, stresses UN rights chief", 2 May 2013, available at: <http://www.un.org/apps/news/story.asp?NewsID=44812#.UZ9AJVsrW5U>, accessed 9 April 2014.

<sup>43</sup> Amnesty International, *Indonesia: first execution in four years "shocking and regressive"* (Index: PRE01/130/2013), 15 March 2013; Amnesty International, *Indonesia: Fifth execution confirms shocking new trend of secrecy*, 18 November 2013; and Amnesty International, *Indonesia urged to halt planned executions*, 16 May 2013, available at: <http://www.amnesty.org/en/news/indonesia-story-2013-05-16>, accessed 9

April 2014.

<sup>44</sup> The Jakarta Globe, "Indonesia not Alone in Death Penalty Reticence: Ministers", 17 October 2012, available at: <http://www.thejakartaglobe.com/archive/indonesia-not-alone-in-death-penalty-reticence-ministers/>, accessed 9 April 2014.

<sup>45</sup> See Concluding observations of the Human Rights Committee: Indonesia, CCPR/C/IDN/CO/1, 21 August 2013, para 10.

<sup>46</sup> For a detailed critique of the "General Principles" see Amnesty International, *Submission by Amnesty International-Thailand regarding provisions restricting rights in the ASEAN Declaration on Human Rights* (Index: IOR 64/004/2012), 1 May 2012.

<sup>47</sup> Amnesty International, *Rights Groups Call on ASEAN to implement new Declaration on eliminating violence against women and children in accordance with international standards* (Index: IOR 64/002/2013), 12 November 2013.



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