



Election Update

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Human Rights Defenders' Pledge

This year's elections raise a number of questions about the future for human rights in Indonesia. Chief among them are what are the parties' and candidates' policies on human rights and what is the public's attitude towards candidates suspected of involvement in human rights violations. A recent congress of human rights defenders has issued a pledge that sets out a number of concerns and recommendations. An article published by United Press International proposes a human rights agenda for Indonesia.

We, victims of human rights abuses who have become defenders of human rights from 24 provinces in Indonesia and who are also victims of violations of both our civil-political rights as well as our economic, social, and cultural rights, declare:

1. We are concerned that the state has no political will to resolve cases of gross human rights violations or to fulfil people's basic rights.
2. We are concerned that the state has made no effort to protect people's basic rights from economic crisis and environmental destruction, or to protect people's safety.
3. We are concerned that the general elections have been robbed of their meaning and have become nothing more than a routine once every five years. We are further concerned that the elections are used as a tool, inherited from the New Order regime, by the political elite and pro-status quo groups to perpetuate their power.
4. We are concerned with legislative, presidential, and vice presidential candidates running in the 2009 general elections who, in general, have a

background as perpetrators of human rights violations, as those who protect perpetrators of human rights violations, or who do not have a human rights agenda.

The elections are used by the political elite to perpetuate their power

Based on the above concerns, we Indonesian defenders of human rights, convening a Human Rights Defenders' Congress at Wisma MAKARA, University of Indonesia (UI), Depok, West Java from 17-20 March 2009, declare:

1. *We agree* that consolidation of the peoples/victims movement is the way to strengthen our ability to be genuinely critical, control abuse, and gain influence in legitimate political processes.
2. *We call on* the people, particularly voters, not to vote for legislative candidates, political parties, presidential and vice presidential candidates who are perpetrators of human rights violations, who grant

protection to perpetrators of human rights violations, or who do not have a human rights agenda.

3. *We call on* the people, particularly voters, to vote for legislative candidates, political parties, presidential and vice presidential candidates who are pro-human rights and pro-people, and not to be easily swayed by the promises of those who do not have a track record of siding with victims/the people.
4. *We invite* those who choose *golput* (to boycott elections) to become a *golput* that is critical and active by organizing yourselves and conducting political education.
5. *We urge* the state to fulfil its obligation to bring closure to various cases of gross human rights violations and, in the time remaining to the current government administration, to fulfil basic rights.

We call on the people not to vote for candidates who are perpetrators of human rights violations

In the name of truth and justice, we Human Rights Defenders pledge ourselves to struggle for an Indonesia that is more civilized, humane, and socially just.

Depok, 20 March 2009

HUMAN RIGHTS CHECKLIST FOR INDONESIA

United Press International (UPI)
March 25, 2009
Ricky Gunawan

Jakarta, Indonesia — Campaigning has begun for Indonesia's general election on April 9. There are 44 political parties and literally

hundreds of thousands of candidates competing for seats in the national and local legislative bodies.

President Yudhoyono's administration is in debt concerning human rights

From the main streets in big cities to alleys in small villages there is a profusion of banners, posters and flags. But what is lacking among the myriad campaign tools is a clear message as to each candidate's platform, including their human rights agenda.

President Susilo Bambang Yudhoyono's administration is in debt concerning human rights. There are so many human rights conventions that should have been ratified during his five years' presidency, but some are overdue. For example, the Rome Statute of the International Criminal Court should have been ratified in 2008, but there is no visible sign that it will be ratified by Election Day. Ratifying this statute would send a strong signal that Yudhoyono is committed to preventing human rights violations.

The Convention on the Prevention and Punishment of the Crime of Genocide, according to the Indonesian National Action Plan on Human Rights of 2004-2009, should have been ratified in 2007. Two years have passed and yet there is no sign that the convention will soon be ratified.

Another key human rights document which is in arrears is the Optional Protocol to the Convention against Torture and other Cruel, Inhuman, or Degrading Treatment or Punishment. Indonesia was expected to ratify this in 2008. The ratification of this protocol would strengthen the struggle to erase torture in Indonesia.

Once the OPCAT is ratified, the government should establish a national preventive mechanism that provides for the regular examination of the treatment of detainees. This would be a good starting point for the

government to guarantee that the practice of torture does not occur in the country.

On top of that, the long-awaited Indonesian Penal Code and Indonesian Criminal Procedure Code have not yet been enacted. It is odd that some unimportant laws have been hastily enacted by the Parliament and president, while laws that are essential to the protection of human rights have been on the waiting list for more than five years.

Those who don't have a visible human rights agenda should not be elected

Apart from these conventions and laws that must be passed, there are many human rights violations that should be addressed by the government without further delay. Victims of past human rights violations such as the 1965 massacre, the Tanjung Priok case in 1984, the Talangsari case in 1989, and the May riot and kidnapping and killings of activists in 1998 have not been compensated. They have not been offered restitution, compensation, rehabilitation and guarantees that such acts will not reoccur.

Without belittling other human rights cases, there have been two major occurrences under the present administration the assassination of human rights activist Munir Said Thalib and the Lapindo mud flow that displaced hundreds of families.

Munir was poisoned during a flight from Jakarta to Amsterdam on the national airline, Garuda Indonesia Airways. The pilot, Pollycarpus Budihari Priyanto, was sentenced to 20 years imprisonment while the alleged instigator, Muchdi Purwopranjono, was acquitted. Anyone who has followed this case is still wondering who ordered Pollycarpus to kill Munir.

The Lapindo mud flow case is entering its third anniversary this year. The Lapindo Brantas Corporation whose drilling for gas set off a huge flow of mud that forced thousands of

people to flee their homes has repeatedly failed to compensate the victims. The government has not succeeded in enforcing the law and prosecuting those responsible.

Yudhoyono is likely to be running for another term as president, backed by the Democratic Party. Many victims of human rights abuses feel he has failed to keep his promise to resolve their cases. He still has about six months to demonstrate his determination to pay his human rights debts and win the heart of the Indonesian people. If he fails to do so, he will not gain votes from victims of human rights violations all over Indonesia.

This basic tenet is also applicable to other presidential candidates, political parties, legislative candidates and others who are bidding for positions in the forthcoming administration. Failure to take account of and prioritize these important issues will result in zero votes from the human rights communities. In brief, those who don't have a visible human rights agenda, the capacity to resolve past human rights violations, and an eagerness to promote and protect human rights, should not be elected.

But what if none of the political actors include this human rights checklist on their agenda? Will the Indonesian people vote for nothing?

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