

NGO Oral Statement on UPR intervention for Indonesia

Joint statement from the Canadian HIV/AIDS Legal Network, International Lesbian and Gay Association (ILGA), Arus Pelangi and the Indonesian LGBTIQ Forum. Delivered by King Oey on Wednesday 19 September 2012.

Madam,

on behalf of Indonesian LGBTI organizations, we commend the Government of Indonesia on the tremendous improvement in many sectors in recent years.

We also thank the Government of Indonesia for positively engaging with the UPR process and accepting many of the recommendations from other state parties.

However, we want to draw the attention of the UN Human Rights Council to the sustained discrimination against LGBTI persons in Indonesia; something that was an obvious concern of some state parties. Switzerland mentioned its concern about the discrimination and intolerance against people for their sexual orientation or gender identity, whereas Spain made a recommendation.

We regret that the Government of Indonesia has rejected Spain's recommendation and denied that legislation criminalizing sexual relations between persons of the same sex in Aceh Province exists. The fact is that the Provincial Legislative Council of Aceh did pass a local ordinance on adultery, also called Qanun Jinayat, into law in September 2009.

The only reason this ordinance has not been enacted was because it lacked the signature of the then governor of Aceh. At any moment the new governor may decide to sign it and the ordinance will be enacted. Being the only province where the Sharia Law can be implemented, Aceh has become the province where inhuman punishments such as caning are now practiced. With the implementation of the Adultery Ordinance the inhuman practices would have been expanded to stoning to death. At least the Government of Indonesia should guarantee that it would nullify any future enactment of such ordinance.

Madam, we also ask the Government of Indonesia to proactively stop intolerant groups from making inflammatory homophobic and transphobic rhetoric, which have often resulted assaults on LGBTI public gatherings and events. Instead, the Indonesian Government should protect the freedom of association and assembly for LGBTI persons.

Thank you.