

# Compilation on Indonesia

## Report of the Office of the United Nations High Commissioner for Human Rights

### I. Scope of international obligations<sup>i</sup>

#### 1. International human rights treaties<sup>ii</sup>

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
<i>Ratification, accession or succession</i>	ICERD (1999)	OP-CRC-AC (2012)	ICCPR-OP 2
	ICESCR (2006)	OP-CRC-SC (2012)	OP-CAT
	ICCPR (2006)	ICRMW (2012)	ICPPED (signature only, 2010)
	CEDAW (1984)		
	CAT (1998)		
	CRC (1990)		
	CRPD (2011)		
	ICPPED (signature only, 2010)		
<i>Reservations and/or declarations</i>	ICERD (reservation, art. 22, 1999)	OP-CRC-AC (Declaration, art. 3 (2): 18 years, 2012)	
	ICESCR (declaration, art. 1, 2006)		
	ICCPR (declaration, art. 1, 2006)		
	CEDAW (reservation, art. 29 (1), 1984)		
	CAT (declaration, art. 20 (1, 2, 3), 1998/reservation, art. 30 (1), 1998)		
	CRC (withdrawal of declarations, arts. 1, 14, 16, 17, 21, 22 and 29, 2005)		
<i>Complaints procedures, inquiries and urgent action<sup>iii</sup></i>	OP-CEDAW (signature only, 2000)		ICERD, art 14.
	CAT, art. 20 (1998)		OP-ICESCR
			ICCPR, art. 41
			ICCPR-OP 1
			OP-CEDAW (signature only, 2000)
			CAT, arts. 21 and 22
			OP-CRC-IC
			ICRMW, arts. 76-77
			OP-CRPD

## Other main relevant international instruments

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
<i>Ratification, accession or succession</i>	Rome Statute of the International Criminal Court		Convention on the Prevention and Punishment of the Crime of Genocide
	Palermo Protocol <sup>iv</sup>		Conventions on refugees and stateless persons except for Stateless Persons Conventions <sup>vii</sup>
	Geneva Conventions of 12 August 1949 <sup>v</sup>		Additional Protocols I, II, and III to the 1949 Geneva Conventions <sup>viii</sup>
	ILO fundamental conventions <sup>vi</sup>		ILO Conventions Nos. 169 and 189 <sup>ix</sup>
	UNESCO Convention against Discrimination in Education		

## II. Cooperation with human rights mechanisms

### A. Cooperation with treaty bodies

#### 1. Reporting status

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
CERD	--	--	--	Combined fourth to sixth reports overdue since 2010
CESCR	--	--	May 2014	Second report due in 2019
HR Committee	--	--	July 2013	Second report due in 2017
CEDAW	--	--	July 2012	Eight report overdue since July 2016
CAT	May 2008	--	--	Third report overdue since 2012
CRC	--	--	June 2014	Combined fifth and sixth reports to CRC due in 2019, initial reports to OP-CRC-AC and OP-CRC-AC overdue since 2014
CMW	--	--	--	Initial report overdue since 2013
CRPD	--	2016	--	Initial report pending consideration

#### 2. Responses to specific follow-up requests by treaty bodies

<b>Concluding observations</b>			
<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted in</i>
HR Committee	2014	Investigation past human rights violations; death penalty; female genital mutilation; law on defamation religion. <sup>x</sup>	2015. <sup>xii</sup> Further information requested. <sup>xiii</sup>
		Female genital mutilation; discrimination	Reminders sent in 2014 <sup>xiv</sup>

**B. Cooperation with special procedures**

	<i>Status during previous cycle</i>	<i>Current status</i>
<i>Standing invitation</i>	No	No
<i>Visits undertaken</i>	--	Adequate Housing
<i>Visits agreed to in principle</i>	Adequate Housing	Food
	Health	Health
<i>Visits requested</i>	Religion	Religion
	Summary executions	Persons with disabilities
	Disappearances	Extreme poverty
	Foreign debt	Torture
	Water and sanitation	Slavery
	Minority issues	Sale of children
		Freedom of expression
		Summary executions
		Human rights defenders
		Foreign debt
		Disappearances
		Minority issues
		Water
		Peaceful assembly
		Cultural rights
		Promotion of truth, justice, reparation and guarantees of non-recurrence
		Discrimination against women
		Indigenous peoples
		Right to development
		Hazardous substances and wastes
		International solidarity
<i>Responses to letters of allegation and urgent appeals</i>	During the period under review, 42 communications were sent. The Government replied to 5 of these communications.	

**C. Status of national human rights institutions<sup>xvi</sup>**

<i>National human rights institution</i>	<i>Status during previous cycle</i>	<i>Status during present cycle<sup>xvii</sup></i>
National Human Rights Commission of Indonesia ( <i>Komnas HAM</i> )	A (2012)	A (Special review in March 2014)

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<sup>i</sup> Unless indicated otherwise, the status of ratification of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on Indonesia from the previous cycle (A/HRC/WG.6/13/IDN/2).

<sup>ii</sup> The following abbreviations have been used in the present document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

<sup>iii</sup> Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and ICPPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; ICPPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: ICPPED, art. 30.

<sup>iv</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

<sup>v</sup> Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); For the official status of ratifications, see International Committee of the Red Cross, [www.icrc.org/IHL](http://www.icrc.org/IHL).

<sup>vi</sup> International Labour Organization Forced Labour Convention, 1930 (No. 29); Abolition of Forced Labour Convention, 1957 (No. 105); Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Equal Remuneration Convention, 1951 (No. 100); Discrimination (Employment and Occupation Convention, 1958 (No. 111); Minimum Age Convention, 1973 (No. 138); Worst Forms of Child Labour Convention, 1999 (No. 182).

<sup>vii</sup> 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons, and 1961 Convention on the Reduction of Statelessness.

<sup>viii</sup> Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see International Committee of

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- the Red Cross, [www.icrc.org/IHL](http://www.icrc.org/IHL).
- <sup>ix</sup> International Labour Organization, Indigenous and Tribal Peoples Convention, 1989 (No. 169); and Domestic Workers Convention, 2011 (No. 189).
- <sup>x</sup> CCPR/C/IDN/CO/1, para. 32.
- <sup>xi</sup> CEDAW/C/IDN/CO/6-7, para. 42.
- <sup>xii</sup> CCPR/C/IND/CO/1/Add.1.
- <sup>xiii</sup> Letter from HR Committee to the Permanent Representative of the Republic of Indonesia to the United Nations, dated 16 August 2016, available from [http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/IDN/INT\\_CCPR\\_FUL\\_IDN\\_24968\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/IDN/INT_CCPR_FUL_IDN_24968_E.pdf).
- <sup>xiv</sup> Letter from CEDAW to the Permanent Representative of the Republic of Indonesia to the United Nations, dated 25 September 2015, available from [http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/IDN/INT\\_CEDAW\\_FUL\\_IDN\\_21562\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/IDN/INT_CEDAW_FUL_IDN_21562_E.pdf) (accessed on 28 July 2016).
- <sup>xv</sup> Letter from CEDAW to the Permanent Representative of the Republic of Indonesia to the United Nations, dated November 2014, available from [http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/IDN/INT\\_CEDAW\\_FUL\\_IDN\\_18877\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/IDN/INT_CEDAW_FUL_IDN_18877_E.pdf) (accessed on 28 July 2016).
- <sup>xvi</sup> According to article 5 of the rules of procedure of the Global Alliance of National Human Rights Institutions Sub-Committee on Accreditation, the classifications for accreditation used by the Sub-Committee are: A: voting member (fully in compliance with each of the Paris Principles); B: non-voting member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination); and C: no status (not in compliance with the Paris Principles).
- <sup>xvii</sup> The list of national human rights institutions with accreditation status granted by the Global Alliance of National Human Rights Institutions is available from <http://nhri.ohchr.org/EN/Documents/Status%20Accreditation%20Chart.pdf>.
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