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*Plenary sitting*

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**B8-0424/2017**

13.6.2017

## **MOTION FOR A RESOLUTION**

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on the situation of human rights in Indonesia  
(2017/2724(RSP))

**Charles Tannock, Karol Karski, Urszula Krupa, Ryszard Czarnecki,  
Ryszard Antoni Legutko, Arne Gericke, Monica Macovei, Angel  
Dzhambazki, Geoffrey Van Orden, Notis Marias, Branislav Škripek, Ruža  
Tomašić, Valdemar Tomaševski**  
on behalf of the ECR Group

**European Parliament resolution on the situation of human rights in Indonesia  
(2017/2724(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Indonesia, in particular that of 26 February 2014 on the draft Council decision on the conclusion of the Framework Agreement on Comprehensive Partnership and Cooperation between the European Community and its Member States, of the one part, and the Republic of Indonesia, of the other part, with the exception of matters related to readmission, and that of 19 January 2017 on Indonesia, notably the case of Hosea Yeimo and Ismael Alua and the Governor of Jakarta,
  - having regard to the Partnership and Cooperation Agreement (PCA) between the EU and Indonesia,
  - having regard to the 6th European Union-Indonesia Human Rights Dialogue of 28 June 2016,
  - having regard to the EU Local statement on freedom of religion or belief and freedom of expression,
  - having regard to the 27th session of the Third Cycle of the UN Human Rights Council Universal Periodic Review in May 2017,
  - having regard to the Universal Declaration of Human Rights of 10 December 1948,
  - having regard to the International Covenant on Civil and Political Rights (ICCPR), which Indonesia ratified in 2006,
  - having regard to Chapter 29 of the Indonesian Constitution, which guarantees freedom of religion,
  - having regard to Rule 135 of its Rules of Procedure,
- A. whereas Indonesia is an important partner of the EU and the relationship is strong; whereas the EU and Indonesia share similar values as regards human rights, governance and democracy;
- B. whereas the respect for fundamental human rights and the role of civil society organizations constitute an essential element of the Partnership and Cooperation Agreement between the EU and Indonesia;
- C. whereas the National Action Plan on Human Rights (NAP-HR) 2015-2019 serves as

the national implementation framework on human rights;

- D. whereas violence against Indonesian journalists has created an atmosphere of fear and self-censorship in many newsrooms, whereas these abuses and threats by security forces and local authorities often go unpunished and most of the time are not even thoroughly investigated;
- E. whereas the increasing islamization of society and politics in several parts of the country, largely due to the growing influence of Wahhabi/Salafist doctrine, is putting pressure on the country's pluralist tradition, interfaith tolerance and fundamental freedoms;
- F. whereas observers report increasing religious intolerance in Indonesia with the numbers of cases recorded in 2016 increasing to 97 from 76 in 2014 which entailed the restriction, destruction, and prohibition of places of worship, the restriction of prayers, and threats against religious groups and whereas experts believe many incidents go unreported;
- G. whereas in January 2017 the National Human Rights Commission, Komisi Nasional Hak Asasi Manusia, found that some provinces, such as West-Java, experience far more religious intolerance than others and that regional government officials often are responsible for either tolerating or directly perpetrating abuses;
- H. Whereas the Indonesian provinces of Papua and West Papua, with populations ethnically and culturally different to the neighbouring Indonesian provinces, were retained under Dutch control from 1945 until 1960; whereas Indonesia declared its independence in 1945; whereas Indonesia pressed its claim on the provinces by invading in 1960 and kept the provinces under military rule from 1960 to 1969; whereas Indonesia agreed to a referendum on independence in 1969 under the auspices of the United Nations, which was eventually held among just one thousand and twenty five of elders of the indigenous people, under the management of the military, and given the name of the 1969 Act of Free Choice, and which returned a unanimous result to remain part of Indonesia which was considered disputed by the UN observers;
- I. Whereas there has been restlessness in the Papuan provinces continuously since the Act of Free Choice in 1969; whereas the provinces have been treated as rebellious and subject to either military rule or a heavy military presence with reports of extrajudicial killings, torture, imprisonment for political reasons, mass arrests and suppression of protest and the free press; whereas Indonesian authorities continue to restrict access by foreign journalists to Papua on spurious "security" grounds despite a President's announcement in 2015 that accredited foreign media would have unimpeded access to Papua;
- J. whereas from 2010 to 2015, 49 percent of girls from birth to 14 years of age in Indonesia were victims of female genital mutilation;
- K. Whereas recent research by Human Rights Watch in government and private health institutions, including mental hospitals, revealed poor basic hygiene, physical and

sexual violence, involuntary treatment, including electroshock therapy without anaesthesia or informed consent of the person, forced seclusion, restraint, and forced contraception;

- L. whereas thousands of children work in hazardous conditions on tobacco farms in Indonesia, exposed to nicotine, toxic pesticides, extreme heat, and other dangers and whereas this could have lasting consequences on their health and development;

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1. Welcomes the close cooperation between the EU and Indonesia on a wide range of issues, including counter-terrorism, good governance, rule of law, justice and law enforcement and human rights; stresses the importance of the Human Rights Dialogue which allows an open exchange on human rights and democracy which are also the basis of the PCA;
2. Welcomes the steps taken by the government in resuming its process of ratification to the UN Convention for the Protection of All Persons from Enforced Disappearance and calls on the government to continue this process;
3. Stresses that the Indonesian government should insist that state agencies, notably the police and armed forces, adopt a zero-tolerance policy toward physical abuse of journalists;
4. Calls on the Indonesian government, its institutions and its people to continue the long standing tradition of tolerance and pluralism and stresses the need for investigating, arresting, and prosecuting individuals or groups who discriminate or commit acts of violence against religious communities;
4. Urges the government to amend or repeal Article 156(a) of the Penal Code and to release anyone sentenced for “deviancy,” “denigrating religion,” or “blasphemy” as this provision, when applied in a discriminatory manner, can have a serious inhibiting effect on freedom of expression and on freedom of religion or belief;
5. Calls on the EU to offer technical assistance and guidance to the Indonesian government as it drafts legislation protecting religious freedom and to assist in training police and counterterrorism officials at all levels to better address sectarian conflict, religion-related violence, and terrorism, including violence against places of worship, through practices consistent with international human rights standards;
6. Calls on the Indonesian government to demilitarise the Papuan provinces and return the military forces to their barracks and to turn the administration, the policing and the judiciary of the provinces over fully to the indigenous people as soon as possible;
7. Calls on Indonesia to carry out a comprehensive investigation into the many killings that have occurred over many years in the unrest in the Papuan provinces, to bring those responsible to trial and demonstrate that impunity is not tolerated by the Indonesian people by punishing the guilty in a just and transparent manner; urges that

journalists and those imprisoned for political reasons should be released and calls on the government to take all necessary measures to ensure that foreign media have unfettered access to Papua;

8. Asks the government to consider criminalizing female genital mutilation and to launch a national public education campaign about the abusive nature of female genital mutilation with a view to renounce the practice;
9. Urges the Ministry of Health to make mental health medication available in all community health centers across the country and to ban all forms of involuntary treatment and to explicitly prohibit the use of seclusion and prolonged restraint;
10. Calls on the authorities to revise the list of jobs that endanger the health, safety, and morals of children and to explicitly prohibit children from working in direct contact with tobacco in any form and vigorously investigate and monitor child labor in small-scale tobacco farming; stresses the need to develop and implement a public education and training program in tobacco farming communities to promote awareness of the health risks to children of work in tobacco farming;
12. Instructs its President to forward this resolution to the Commission, the Council, the European External Action Service, the Member States, the Government and Parliament of Indonesia.