



Plenary sitting

B8-0426/2017

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 Human Rights in Indonesia
(2017/2724(RSP))

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on behalf of the S&D Group

B8-0426/2017

**European Parliament resolution on Human Rights in Indonesia
(2017/2724(RSP))**

The European Parliament,

- having regard its previous resolutions on Indonesia, in particular that of 19 January 2017;
 - having regard to the EU local statement on freedom of religion or belief and freedom of expression, 9 May 2017;
 - having regard to the EU-Indonesia Partnership and Cooperation Agreement (PCA), which entered into force on 1 May 2014; and to the Joint Press release following the first EU-Indonesia Joint Committee meeting under the PCA of the 29 November 2016;
 - having regard to the statement of 27 July 2016 by the European External Action Service (EEAS) spokesperson on the planned executions in Indonesia;
 - having regard to the Report of the Office of the United Nations High Commissioner for Human Rights, Compilation on Indonesia, 17 February 2017; to the Universal Periodic Review , Cycle 2 and the Summary of stakeholders' submissions on Indonesia, 20 February 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, which Indonesia ratified in 2006
 - having regard to the Convention against Torture and Other Cruel, Inhumane or degrading Treatment or Punishment of 1987
 - having regard to the Rule 135 of its Rules of Procedure
- A. whereas Indonesia is the world's fourth most populous nation, the third largest democracy, the largest Muslim majority country, and a diverse society comprising of 255 million citizens of various ethnicities, languages and cultures;
- B. whereas the relations between the EU and Indonesia, a G20 member, are strong; whereas the EU and Indonesia share the same values as regards human rights, governance and democracy;
- C. Whereas 2016 saw an unprecedented number of violent discriminatory harassing verbal attacks and vitriolic statements against LGBT people; Whereas such attacks have reportedly been stoked, directly or indirectly from government officials, state institutions and extremists; whereas furthermore the nature of such attacks has

aggravated in 2017;

- D. Whereas throughout April and May 2017, over 150 LGBT were subject to police raids on private gatherings of gay men and transgender women, arrested or forced to take HIV tests;
 - E. Whereas homosexuality is legal in Indonesia and LGBT rights have been defended by President Jokowi; whereas the conservatives in Indonesia are pushing for a national ban of LGBT rights; whereas since January 2016, the Constitutional Court in Indonesia is reviewing a petition aimed to criminalise gay and non-marital sex amongst other things;
 - F. whereas, in the autonomous province of Aceh , governed by Sharia law, consensual same sex sexual acts and sexual relations outside of marriage are criminalised carrying a penalty of up to 100 lashes and 100 months in prison; whereas in May 2017, two young men convicted of same-sex sexual relations were sentenced to 85 lashes with a cane;
 - G. whereas there is a growing intolerance for religious minorities in Indonesia; whereas as of June 2017, at least seven people have been convicted and imprisoned under the blasphemy laws, including the Governor of Jakarta Basuki Tjahaja Purnama, better known as Ahok, who has been sentenced to two years in prison; whereas tolerance to discrimination against religious minorities is facilitated through legal provisions, such as the blasphemy law;
 - H. whereas Indonesia resumed capital punishment in 2013 after a 4 year interruption and has executed a number of convicts;
1. Repeats the importance of the strong and long-standing political, economic and cultural ties between the EU and Indonesia;
 2. Is concerned about the growing intolerance towards ethnic, religious and sexual minorities in Indonesia; Urges the authorities of Indonesia to continue, as well as to strengthen their efforts to enhance religious tolerance and social diversity; strongly condemns all acts of violence, harassment and intimidation against minorities; calls for accountability of all those committing such violations; notes the efforts of Indonesia to sustain its democracy, human rights and in recalling its ‘unity in diversity’;
 3. Welcomes, the statement of President Widodo of 19 October 2016 condemning LGBT discrimination; Urges the President to continue to support and protect all rights of privacy, autonomy, health and LGBT; Calls on Indonesian politicians and authorities to publically follow suit, as well as to instruct the police forces to respect and protect the rights of LGBT;
 4. Recalls its strong concern about the intensification of anti-LGBT rhetoric from public figures; Condemns all acts of violence and harassment against LGBT ; Calls on the

authorities of Indonesia to refrain from further restricting the rights of LGBT and to repeal all legislation, including Sharia rules in Aceh, which criminalize sexual relations among person of the same sex or violate LGBT rights; In this regard further calls on the authorities to immediately terminate publicly flogging; warns that banning or criminalising LGBT right violates internationally protected rights to privacy and non-discrimination; Calls on the authorities in Indonesia to investigate incidents of police collusion with militant Islamic groups to attack gatherings of LGBT people and activists and for accountability of those responsible;

5. stresses the need to ensure protection of all human rights, particularly of all minority and vulnerable groups; Reminds once again that improving the human rights situation in Indonesia is a priority of the EU-Indonesia PCA;
6. Notes with concern the sentence imposed on Ahok; stresses once again that freedom of expression, thought, conscience or religion, are protected under international human rights law;
7. Calls upon the authorities of Indonesia to repeal all legal provisions unduly restricting fundamental freedoms and human rights; Calls upon the Authorities of Indonesia to review and to bring all laws in conformity with its international obligations specifically on freedom of expression, thought, conscience and religion, equality before the law, freedom from discrimination, and right to expression and public assembly;
8. Is concerned about the reports on abuses and violence against persons with psychosocial disabilities in mental hospitals and institutions; Calls upon the Ministry of Health to ensure for their independent and regular monitoring;
9. Is concerned about reports on persistence of violence against women and harmful female practices, such as female genital mutilation; Calls on the authorities of Indonesia to strengthen its legislation on violence against women, to penalise all forms of sexual violence, to legislate towards eliminating gender inequality and empowering of women;
10. Welcomes the suspension of executions of people on death row convicted of drug trafficking pending a review of their case; Urges the Government of Indonesia to continue to halt all such executions and to retry them in accordance with international standards; Re- calls for an immediate reinstatement of the moratorium on the use of the death penalty with a view to abolishing the death penalty;
11. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, the Government and Parliament of Indonesia, the Secretary-General of ASEAN, the ASEAN Intergovernmental Commission on Human Rights and the UN Human Rights Council.