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*Plenary sitting*

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**B8-0077/2017**

17.1.2017

## **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 Indonesia, notably the cases of Hosea Yeimo, Ismael Alua and the Governor of Jakarta  
(2017/2506(RSP))

**Barbara Lochbihler, Heidi Hautala, Bodil Valero, Ernest Urtasun, Bronis Ropè, Davor Škrlec, Igor Šoltes, Maria Heubuch**  
on behalf of the Verts/ALE Group

**European Parliament resolution on Indonesia, notably the cases of Hosea Yeimo, Ismael Alua and the Governor of Jakarta (2017/2506(RSP))**

*The European Parliament,*

Having regard its previous resolutions on Indonesia, in particular the one of 10 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 on the one part and the Republic of Indonesia on the other part, with the exception of matters related to readmission,

- Having regard to the Bangkok Declaration on Promoting an ASEAN-EU Global Partnership for Shared Strategic Goals of 14 October 2016,
  - Having regard to the Joint Communication to the European Parliament and the Council: ‘The EU and ASEAN: a partnership with a strategic purpose’ of 18 May 2015,
  - Having regard to the statement of 27 July 2016 by the European External Action Service (EEAS) spokesperson on the planned executions in Indonesia and of 23 May 2015 by the HR/VP Federica Mogherini on the prospect of further executions in Indonesia,
  - Having regard to the International Covenant on Civil and Political Rights, to which Indonesia is a state party;
  - Having regard to rule 135 of its Rules of Procedure,
- A. Whereas Indonesia is the world’s fourth most populous country, and despite being the world’s largest Muslim majority country is religiously diverse with 6 officially recognised religions;
- B. Whereas in respect of its cultural diversity, Indonesia's constitution is not based on the sharia and the country has taken praise in its religious tolerance in the past;
- C. Whereas President Widodo has made commitments on religious freedoms, but religious minorities face increasing harassment, intimidation and violence by Islamist militant groups and discrimination under Indonesian regulations, including its abusive ‘Blasphemy Law’;
- D. Whereas on 16 November 2016 Jakarta Governor Basuki Tjahaja Purnama ‘Ahok’, was charged with blasphemy in connection with a reference he made to a Quran verse in late September; whereas if charged and convicted, Ahok could face up to five years imprisonment under Indonesia’s blasphemy law;
- E. Whereas the blasphemy law has been used to prosecute and imprison members of religious minorities and of traditional religions such as three leaders of the Gafatar

religious community following the violent forced eviction in 2016 of over 7,000 members of the religious community Gafatar, from their homes in which Indonesian officials and security forces were reportedly complicit; whereas Gafatar activities have since been banned;

- F. Whereas sexual minorities recently also face unprecedented assaults on their basic rights to security and freedom of expression not only from religious organisations but also from politicians and government officials;
- G. Whereas in October 2016 President Jokowi has defended LGBT rights in Indonesia where homosexuality is legal; whereas since 2016, the Constitutional Court in Indonesia is reviewing a petition aimed to criminalize gay sex and non-marital sex, as well as proposals to ban the distribution of contraceptive supplies; whereas the proposed legislation carries up to five years imprisonment;
- H. Whereas human rights groups also continue to record excessive use of force, violence, arbitrary arrests and abuse of ‘maktar’ rebellion laws by Indonesian authorities against Papuans exercising their rights to peaceful assembly and association; Whereas access by foreign media personnel and monitoring groups into West Papua continues to be restricted despite the lifting of a ban on foreign journalists in May 2015;
- I. Whereas in December 2016, Hosea Yeimo and Ismael Alua, two Papuan political activists, were detained and charged with ‘rebellion’ under the Indonesian Criminal Code, following peaceful political demonstrations; Whereas if convicted, they can face penalties up to life imprisonment;
- J. Whereas in May 2016, more than 1,500 peaceful political supporters were temporarily detained during a rally; whereas by August 2016, reported 37 Papuan activists remain imprisoned after being convicted of rebellion or treason;
- F. Whereas Indonesia resumed capital punishment in 2013 and has a number of planned executions of convicts; whereas since the resumption of the death penalty, the number of executions are on the rise;
- 1. Is deeply concerned about the growing intolerance in Indonesia towards ethnic, religious and sexual minorities; condemns acts of violence, harassment and intimidation, as well as reported impunity for such acts and complicity of security forces in many cases;
- 2. Condemns the increased abuse of legislation to discriminate, prosecute and imprison members of religious, ethnic and sexual minorities;
- 3. Calls upon the authorities of Indonesia to repeal Articles 156 and 156(a) of the Criminal Code and remove the blasphemy provisions in the current draft Bill of Revision of the Criminal Code (*RUU Revisi KUHP*), Electronic Information and Transaction law and Rebellion laws (particularly Articles 106 and 110 of the Indonesian Criminal Code), and to bring all laws in conformity with its obligations under international human rights law, specifically on freedom of expression, thought,

conscience and religion, equality before the law, freedom from discrimination, and right to expression and public assembly;

4. Appeals to the Indonesian authorities to ensure the implementation of freedom of religion as provided for by the Constitution and to promote human rights, pluralism and multiculturalism; on the basis of these mutually cherished norms, hopes to see the criminal investigation and charges against the Jakarta Governor Ahok dropped;
5. Remains gravely concerned about human rights abuses against the population in West Papua, unsettled cases of extrajudicial killings and enforced disappearances, arbitrary arrests, torture and sexual violence; Urges to drop the charges against all political activists charged under Rebellion laws while engaging in peaceful protest, notably Hosea Yeimo and Ismael Alua and to release the Gafatar community leaders Ahmad Mushaddeq, Andry Cahya and Mahful Muis Tumanurung;
6. Urges the Indonesian and local authorities in West Papua to implement immediate and effective measures against impunity and to ensure the safety and security of peaceful political protesters; Calls on the authorities to ensure that the people in West Papua are able to freely express their opinions without fear of punishment, reprisal or intimidation;
7. Is concerned about the intensification of anti-LGBTI rhetoric, which has resulted in numerous threats and violent attacks on LGBTI NGOs, activists, and individuals; calls on the government and lawmakers to refrain from further restricting the rights of LGBTI people and ensure their right to freedom of expression and assembly is guaranteed;
8. Calls upon the authorities to establish a moratorium on all executions with a view to abolishing the death penalty;
9. 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.