



Plenary sitting

B8-0428/2017

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

Hilde Vautmans, Izaskun Bilbao Barandica, Ilhan Kyuchyuk, Johannes Cornelis van Baalen, Petras Auštrevičius, Beatriz Becerra Basterrechea, Dita Charanzová, Gérard Deprez, María Teresa Giménez Barbat, Martina Dlabajová, Marian Harkin, Ivan Jakovčić, Louis Michel, Javier Nart, Urmas Paet, Maite Pagazaurtundúa Ruiz, Jozo Radoš, Frédérique Ries, Marietje Schaake, Robert Rochefort, Jasenko Selimovic, Pavel Telička, Ivo Vajgl, Paavo Väyrynen, Ramon Tremosa i Balcells, Cecilia Wikström

on behalf of the ALDE Group

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

The European Parliament,

- having regard to its previous resolutions on Indonesia
 - having regard to the EU-Indonesia Partnership and Cooperation Agreement (PCA), which entered into force on 1 May 2014,
 - having regard to the statement of 23 May 2015 by Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) Federica Mogherini on the prospect of further executions in Indonesia,
 - 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 6th European Union-Indonesia Human Rights Dialogue of 28 June 2016,
 - 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 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, Inhuman or Degrading Treatment or Punishment of 1987,
- A. whereas Indonesia is an important partner of the EU; whereas 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;
- B. whereas, Indonesia is a party to the International Covenant on Civil and Political rights (ICCPR);
- C. whereas the right not to be tortured is a fundamental and inalienable right;
- D. whereas the LGBTI community, religious minorities, women and girls and persons with disabilities in Indonesia are often the victims of discrimination and violence;
- E. Whereas, the Indonesian government fails to respond effectively to crimes and intolerance against minorities and women in the country and to uphold its international human rights obligations;

- F. Whereas intimidation and violence against journalists continues to grow, creating an atmosphere of fear and self-censorship among journalists; whereas foreign journalists are denied access to Papua;
- G. whereas between 2010 and 2015, 49% of girls from birth to 14 years of age were victims of female genital mutilation;
- H. whereas there are thousands of persons with psychosocial disabilities shackled and abused in homes, mental hospitals and institutions; whereas the practice of shackling in these cases has been banned in Indonesia since 1977 but implementation at the provincial level is weak due to the lack of monitoring and the lack of awareness;
- I. whereas, in May 2017, two young men have been convicted of same-sex sexual relations in Aceh, the only province in Indonesia to practice Sharia law; whereas the two men were sentenced to 85 lashes of cane; whereas 339 persons were lashed; Whereas, in April 2017 the Constitutional Court ruled that the central government can no longer repeal local sharia adopted in Indonesia;
- J. whereas, in the rest of Indonesia homosexuality is not illegal; whereas the LGBTI community has, nonetheless, been under siege in the past years
- K. whereas in May 2017 the police raided a gay sauna in the capital of Indonesia, Jakarta; whereas 141 men were detained and questioned during this raid;
- L. whereas, at the beginning of January 2016 a series of anti-LGBTI public comments and biased and false statements by government officials developed into discrimination, harassment, intimidation and violence against LGBTI persons by state commissions, militant Islamists, and mainstream religious organizations;
- M. whereas, Indonesian authorities force LGBTI persons to undergo HIV tests, invading their privacy; whereas, the World Health Organisation's 2015 Guidelines state that "Mandatory, compulsory or coercive HIV testing is never appropriate";
- N. whereas former Jakarta Governor Basuki Ahok Tjahaja, a Christian, was charged on November 16 2016 for violating the blasphemy law in connection with a reference he made to a Quran verse; whereas Ahok has been sentenced to a two year prison sentence; whereas the blasphemy laws could be used arbitrarily or in line with a political agenda; whereas on 22 May 2017 Ahok officially withdrew his appeal; whereas the Attorney General is momentarily also considering to withdraw its appeal;
- O. whereas, President Jokowi Widodo outspokenly supports the use of the death penalty; whereas the authorities have executed four convicted drug traffickers in July 2016 and indicated that 10 other death row prisoners will be executed in 2017;
- 1. Appreciates the strong relationship between the EU and Indonesia, and repeats the importance of the strong and long-standing political, economic and cultural ties between the two parties;

2. Welcomes the good state of relations between Indonesia and its neighbours and its active engagement in favour of the UN;
3. Calls on the Indonesian government to review all local laws and to ensure that they are in conformity with international human rights standards and to order all local governments to repeal all discriminatory laws that violate those standards;
4. Expresses its concern about serious media freedom violations; urges the Indonesian government to insist that state agencies adopt a zero-tolerance policy toward physical abuse of journalists and give foreign media unfettered access to Papua;
5. Calls on President Jokowi to show leadership by publicly condemning intolerance and crimes against LGBTI persons, minorities, women and organisations or gatherings in the country;
6. Calls on the Indonesian government to criminalize and specify penalties for those who carry out female genital mutilation;
7. Urges the Ministry of Health in Indonesia to make mental health medication available in all community health centres across the country and provide community based-mental health service; urges the Ministry and the Indonesian Psychiatric Association to ban all forms of involuntary treatment, including electroconvulsive therapy without the person's free and informed consent and explicitly prohibit the use of seclusion and prolonged restraint;
8. Is concerned about the intensification of anti-LGBTI rhetoric and intolerance, which has resulted in numerous threats against, and violent attacks on, LGBTI NGOs, activists and individuals; strongly condemns all acts of violence, harassment and intimidation against this community;
9. Urges the authorities and government officials to refrain from making public statements that are discriminatory towards LGBTI persons or other minorities in the country;
10. Requests the Indonesian government to publicly reject the assertion of the Indonesian Psychiatric Association that homosexuality and "transgenderism" are mental health conditions; End forcible detention and treatment of anyone in a purported effort to "cure" them of homosexuality, bisexuality, or transgender identity, and rigorously enforce the prohibition;
11. Urges on the revision of the blasphemy law as it puts religious minorities at risk; calls for the decarceration of Basuki Ahok Tjahaja;
12. Calls on the Indonesian government to reinstate a moratorium on the use of the death penalty and move towards the abolition of the death penalty;
13. Calls on the Indonesian government to fulfil all its obligations and to respect, protect and fulfil the rights and freedoms enshrined in the ICCPR;

14. 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.