

STATEMENT OF THE DELEGATION OF INDONESIA
3rd Open Ended Working Group on Transnational Corporations and Other
Business Enterprise with Respect to Human Rights

23-27 October 2017

Discussion on Reflection of the Implementation of UNGP on Business and
Human Rights at the international, regional, national levels and other relevant
frameworks

Mr. Chairperson,

Indonesia attaches great importance on the issue of Business and Human Rights, including the implementation of the UN Guiding Principles on Business and Human Rights (UNGPs) at the national, regional and international levels.

At the national level Business and Human Rights have been embedded in our existing laws such as **Law on Investment, Law on Limited Liability Company, and Law on State-Owned Enterprises. These laws aim at** ensuring companies to uphold their responsibilities with regard to human rights and environment.

In 2016, Chief Justice of Indonesia Supreme Court enacted regulation No. 13/2016 on Procedures for the Settlement of Criminal Acts Committed by Corporations which stipulates that corporation and/or its directors can be subjected to Indonesia Criminal Law (KUHP).

Furthermore, earlier this month, Supreme Court ruling has terminated water privatization practice in Jakarta. This decision was made after lawsuit filed by Coalition of Jakarta Residents Opposing Water Privatization, claiming that the agreement between Jakarta's local government and private water companies had failed to guarantee an adequate supply of clean and potable water in Jakarta.

All of regulations I mentioned earlier are in line with the spirit of legally binding instrument, particularly regarding access to remedy.

Mr. Chairperson,

The Government of Indonesia continues to nurture and raise awareness of relevant stakeholders on the need for business community to respect, promote, and protect all human rights in line with our national agenda. In 2016 and 2017, we convened several **events to disseminate information and raise stakeholders' awareness** on the issue of business and human rights **both at the national and sub-national levels.**

We are currently in the process of assigning a national focal point for the issue of business and human rights. We are also preparing a National Guidance on Business on Human Rights which can be used as reference for all national stakeholders in implementing the UNGPs. The Government facilitated the deliberations on this draft guidance through seminars, symposiums and focus group discussions to get inputs from all related stakeholders **including in at the local level.**

At the regional level, Indonesia participated actively in the first ever Asia's regional forum on Business and Human Rights in Doha last 2016.

On 24-25 August this year, the Governments and Business Co-Chairs from Indonesia and Australia convened the inaugural Bali Process Government and Business Forum, called Perth Forum. The Forum which were attended by representatives from governments, business leaders from 44 states, International Organizations and observers, discussed how to strengthen collaboration between Governments and business sectors in dealing with human trafficking, modern slavery and children workers.

The Ministers and Business Leaders reaffirmed the importance of the UNGP and target 8.7 of the Agenda 2030. The Ministers also welcomed the adoption by business leaders of a work plan that will guide the development practical and recommendations in addressing human trafficking and includes ethical employment, transparency in supply chains, and safeguards, and redress mechanisms.

At the international level, Indonesia has actively participated in the Forum of Business and Human Rights since it was first conducted in 2012. During the FBHR in 2016, the Senior Advisor for the Minister of Fisheries and Marine Affairs became one of the panelists to share our best practice on Human Rights Due Diligence in fisheries industry. We also conducted a side event to further disseminate such practice.

Mr. Chairperson,

Our efforts at the international, regional and national levels hopefully strengthen our domestic instruments and better prepare our national business community in mainstreaming respect of human rights in business activities.

I thank you