

ADVANCE QUESTIONS TO INDONESIA – ADDENDUM 1

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

- Could you please elaborate further on the extent to which civil society in Indonesia was involved in the preparation of your national report?
- We note the comments made by the UN Special Rapporteur on freedom of religion and belief on the distinctions made between different religions in Indonesia. We are concerned about the alleged attacks and threats on Ahmadiyah families following a fatwa banning the Ahmadiyah. We would welcome Indonesia's comments on this particular issue, and further information on the steps the Government is taking to promote freedom of religion and belief in Indonesia.
- Could you please elaborate further on the existence and status of a National Human Rights Institution in Indonesia, and whether it complies fully with the Paris Principles?

SWEDEN

- Indonesia has ratified the Convention against Torture. Civil society organisations have reported that torture and other maltreatment nonetheless continue to occur, while violators are seldom brought to justice. In an initial statement after his visit to Indonesia in November 2007, the UN Special Rapporteur on torture held that persons deprived of their liberty in Indonesia were “extremely vulnerable to torture and ill-treatment,” while widespread impunity prevailed for perpetrators. What measures is the government of Indonesia taking to ensure the elimination of torture and other cruel, inhuman or degrading treatment or punishment, as well as to end impunity for such violations?
- The constitution of Indonesia stipulates that every citizen has the right to education. The right was further elaborated in the fourth constitutional amendment of 2002, setting, inter alia, a minimum level of the share of state and regional budgets that shall be allocated to education. Official enrolment rates for children aged 7-12 have surpassed 90 percent for the past several years. UNICEF has reported, however, that around 50 percent of children do not complete the mandatory nine years of schooling. What measures is the government of Indonesia taking to ensure that all children are able to fully enjoy their right to education?

DENMARK

- In light of the recent move towards broader autonomy in Aceh, what does the central government intend to do to secure adequate human rights protection at

the local level, including freedom of religion in light of the growing use of Sharia Law in Aceh?

- Indonesia has been successful in fighting terrorism in the last few years. However, some Indonesian terrorism legislation seems to be incoherent with international standards on human rights (particularly Law 16/2003). What does the government intend to do to make sure that Indonesian anti-terrorism legislation is fully in line with international human rights law?
- Indonesia has ratified CAT but has not criminalized torture in domestic law. Which initiatives does the central government plan to eliminate the use of torture? Does the government intend to criminalize the use of torture in domestic legislation?

FINLAND

- We acknowledge that the Government of Indonesia has made commitments to protect children from violence, including by implementing Laws No. 23/2002 on Child Protection and No. 23/2004 on the Elimination of Domestic Violence as well as by conducting a national campaign entitled "Stop violence against children"¹.
- With regard to the United Nations study on violence against children², which states that "no violence against children is justifiable; all violence against children is preventable", we would appreciate to receive further information on legislative, administrative and other measures taken to implement the Study's overarching and setting-specific recommendations in Indonesia. In particular, we would greatly appreciate if the Government of Indonesia could share with us good practices to prevent and respond to violence against children³.

¹ The national report for the universal periodic review submitted by the Government of Indonesia, page 8 and the concluding observations adopted by the Committee on the Rights of the Child (CRC/C/15/Add.223, paragraph 7(b)).

² Report of the independent expert for the United Nations study on violence against children (A/61/299).

³ Report (which provides information on the dissemination of the United Nations study on violence against children and on progress made in the initial phase of follow-up to the study) of the independent expert for the United Nations study on violence against children (A/62/209, see footnotes 4 and 63).