Compilation on Indonesia

Report of the Office of the United Nations High Commissioner for Human Rights

I. Scope of international obligations[[1]](#endnote-1)

1. International human rights treaties[[2]](#endnote-2)

|  |  |  |  |
| --- | --- | --- | --- |
|  | *Status during previous cycle* | *Action after review* | *Not ratified/not accepted* |
| *Ratification, accession or succession* | ICERD (1999)  ICESCR (2006)  ICCPR (2006)  CEDAW (1984)  CAT (1998)  CRC (1990)  CRPD (2011)  ICPPED (signature only, 2010) | OP-CRC-AC (2012)  OP-CRC-SC (2012)  ICRMW (2012) | ICCPR-OP 2  OP-CAT  ICPPED  (signature only, 2010) |
| *Reservations and/or declarations* | ICERD (reservation, art. 22, 1999)  ICESCR (declaration, art. 1, 2006)  ICCPR (declaration, art. 1, 2006)  CEDAW (reservation, art. 29 (1), 1984)  CAT (declaration, art. 20 (1, 2, 3), 1998/reservation, art. 30 (1), 1998)  CRC (withdrawal of declarations, arts. 1, 14, 16, 17, 21, 22 and 29, 2005) | OP-CRC-AC (Declaration, art. 3 (2): 18 years, 2012) |  |
| *Complaints procedures, inquiries and urgent action*[[3]](#endnote-3) | OP-CEDAW  (signature only, 2000)  CAT, art. 20 (1998) |  | ICERD, art 14.  OP-ICESCR  ICCPR, art. 41  ICCPR-OP 1  OP-CEDAW  (signature only, 2000)  CAT, arts. 21 and 22  OP-CRC-IC  ICRMW, arts. 76-77  OP-CRPD |

Other main relevant international instruments

|  | *Status during previous cycle* | *Action after review* | *Not ratified* |
| --- | --- | --- | --- |
| *Ratification, accession or succession* | Rome Statute of the International Criminal Court  Palermo Protocol[[4]](#endnote-4)  Geneva Conventions of 12 August 1949[[5]](#endnote-5)  ILO fundamental conventions[[6]](#endnote-6)  UNESCO Convention against Discrimination in Education |  | Convention on the Prevention and Punishment of the Crime of Genocide  Conventions on refugees and stateless persons except for Stateless Persons Conventions[[7]](#endnote-7)  Additional Protocols I, II, and III to the 1949 Geneva Conventions[[8]](#endnote-8)  ILO Conventions Nos. 169 and 189[[9]](#endnote-9) |

II. Cooperation with human rights mechanisms

A. Cooperation with treaty bodies

1. Reporting status

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| *Treaty body* | *Concluding observations included in previous review* | *Latest report submitted since previous review* | *Latest concluding observations* | *Reporting status* |
| CERD | -- | -- | -- | Combined fourth to sixth reports overdue since 2010 |
| CESCR | -- | -- | May 2014 | Second report due in 2019 |
| HR Committee | -- | -- | July 2013 | Second report due in 2017 |
| CEDAW | -- | -- | July 2012 | Eight report overdue since July 2016 |
| CAT | May 2008 | -- | -- | Third report overdue since 2012 |
| CRC | -- | -- | June 2014 | Combined fifth and sixth reports to CRC due in 2019, initial reports to OP-CRC-AC and OP-CRC-AC overdue since 2014 |
| CMW | -- | -- | -- | Initial report overdue since 2013 |
| CRPD | -- | 2016 | -- | Initial report pending consideration |

1. Responses to specific follow-up requests by treaty bodies

|  |  |  |  |
| --- | --- | --- | --- |
| **Concluding observations** | | | |
| *Treaty body* | *Due in* | *Subject matter* | *Submitted in* |
| HR Committee  CEDAW | 2014  2014 | Investigation past human rights violations; death penalty; female genital mutilation; law on defamation religion.[[10]](#endnote-10)  Female genital mutilation; discrimination against women in marriage and family relations.[[11]](#endnote-11) | 2015.[[12]](#endnote-12) Further information requested.[[13]](#endnote-13)  Reminders sent in 2014[[14]](#endnote-14) and 2015.[[15]](#endnote-15) |

B. Cooperation with special procedures

|  |  |  |
| --- | --- | --- |
|  | *Status during previous cycle* | *Current status* |
| *Standing invitation* | No | No |
| *Visits undertaken* | -- | Adequate Housing |
| *Visits agreed to in principle* | Adequate Housing  Health | Food  Health |
| *Visits requested* | Religion  Summary executions  Disappearances  Foreign debt  Water and sanitation  Minority issues | Religion  Persons with disabilities  Extreme poverty  Torture  Slavery  Sale of children  Freedom of expression  Summary executions  Human rights defenders  Foreign debt  Disappearances  Minority issues  Water  Peaceful assembly  Cultural rights  Promotion of truth, justice, reparation and guarantees of non-recurrence  Discrimination against women  Indigenous peoples  Right to development  Hazardous substances and wastes  International solidarity |
| *Responses to letters of allegation and urgent appeals* | During the period under review, 42 communications were sent. The Government replied to 5 of these communications. | |

C. Status of national human rights institutions[[16]](#endnote-16)

| *National human rights institution* | *Status during previous cycle* | *Status during present cycle*[[17]](#endnote-17) |
| --- | --- | --- |
| National Human Rights Commission of Indonesia(*Komnas HAM*) | A (2012) | A (Special review in March 2014) |

1. Unless indicated otherwise, the status of ratification of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on Indonesia from the previous cycle (A/HRC/WG.6/13/IDN/2). [↑](#endnote-ref-1)
2. The following abbreviations have been used in the present document:

   ICERD International Convention on the Elimination of All Forms of Racial Discrimination

   ICESCR International Covenant on Economic, Social and Cultural Rights

   OP-ICESCR Optional Protocol to ICESCR

   ICCPR International Covenant on Civil and Political Rights

   ICCPR-OP 1 Optional Protocol to ICCPR

   ICCPR-OP 2 Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty

   CEDAW Convention on the Elimination of All Forms of Discrimination against Women

   OP-CEDAW Optional Protocol to CEDAW

   CAT Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

   OP-CAT Optional Protocol to CAT

   CRC Convention on the Rights of the Child

   OP-CRC-AC Optional Protocol to CRC on the involvement of children in armed conflict

   OP-CRC-SC Optional Protocol to CRC on the sale of children, child prostitution and child pornography

   OP-CRC-IC Optional Protocol to CRC on a communications procedure

   ICRMW International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

   CRPD Convention on the Rights of Persons with Disabilities

   OP-CRPD Optional Protocol to CRPD

   ICPPED International Convention for the Protection of All Persons from Enforced Disappearance [↑](#endnote-ref-2)
3. Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and ICPPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; ICPPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: ICPPED, art. 30. [↑](#endnote-ref-3)
4. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. [↑](#endnote-ref-4)
5. Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); For the official status of ratifications, see International Committee of the Red Cross, www.icrc.org/IHL. [↑](#endnote-ref-5)
6. International Labour Organization Forced Labour Convention, 1930 (No. 29); Abolition of Forced Labour Convention, 1957 (No. 105); Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Equal Remuneration Convention, 1951 (No. 100); Discrimination (Employment and Occupation Convention, 1958 (No. 111); Minimum Age Convention, 1973 (No. 138); Worst Forms of Child Labour Convention, 1999 (No. 182). [↑](#endnote-ref-6)
7. 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons, and 1961 Convention on the Reduction of Statelessness. [↑](#endnote-ref-7)
8. Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see International Committee of the Red Cross, www.icrc.org/IHL. [↑](#endnote-ref-8)
9. International Labour Organization, Indigenous and Tribal Peoples Convention, 1989 (No. 169); and Domestic Workers Convention, 2011 (No. 189). [↑](#endnote-ref-9)
10. CCPR/C/IDN/CO/1, para. 32. [↑](#endnote-ref-10)
11. CEDAW/C/IDN/CO/6-7, para. 42. [↑](#endnote-ref-11)
12. CCPR/C/IND/CO/1/Add.1. [↑](#endnote-ref-12)
13. Letter from HR Committee to the Permanent Representative of the Republic of Indonesia to the United Nations, dated 16 August 2016, available from http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/IDN/INT\_CCPR\_FUL\_IDN\_24968\_E.pdf. [↑](#endnote-ref-13)
14. Letter from CEDAW to the Permanent Representative of the Republic of Indonesia to the United Nations, dated 251 September 2015, available from http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/IDN/INT\_CEDAW\_FUL\_IDN\_21562\_E.pdf (accessed on 28 July 2016). [↑](#endnote-ref-14)
15. Letter from CEDAW to the Permanent Representative of the Republic of Indonesia to the United Nations, dated November 2014, available from <http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/IDN/INT_CEDAW_FUL_IDN_18877_E.pdf> (accessed on 28 July 2016). [↑](#endnote-ref-15)
16. According to article 5 of the rules of procedure of the Global Alliance of National Human Rights Institutions Sub-Committee on Accreditation, the classifications for accreditation used by the Sub-Committee are: A: voting member (fully in compliance with each of the Paris Principles); B: non-voting member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination); and C: no status (not in compliance with the Paris Principles). [↑](#endnote-ref-16)
17. The list of national human rights institutions with accreditation status granted by the Global Alliance of National Human Rights Institutions is available from <http://nhri.ohchr.org/EN/Documents/Status%20Accreditation%20Chart.pdf>.

    [↑](#endnote-ref-17)