



Indonesia Country Profile



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General Information

Country Name: Republic of Indonesia

Capital: Jakarta

Geography:

Location:	<ul style="list-style-type: none"> ▪ Southeast Asia, archipelago between the Indian Ocean and the Pacific Ocean
Area:	<ul style="list-style-type: none"> ▪ <i>total</i>: 1,919,440 sq km ▪ <i>land</i>: 1,826,440 sq km ▪ <i>water</i>: 93,000 sq km
Land boundaries:	<ul style="list-style-type: none"> ▪ <i>total</i>: 2,830 km ▪ <i>border countries</i>: East Timor 228 km, Malaysia 1,782 km, Papua New Guinea 820 km
Coastline:	<ul style="list-style-type: none"> ▪ 54,716 km
Climate:	<ul style="list-style-type: none"> ▪ tropical; hot, humid; more moderate in highlands
Terrain:	<ul style="list-style-type: none"> ▪ mostly coastal lowlands; larger islands have interior mountains
Natural resources:	<ul style="list-style-type: none"> ▪ petroleum, tin, natural gas, nickel, timber, bauxite, copper, fertile soils, coal, gold, silver
Irrigated land:	<ul style="list-style-type: none"> ▪ 45,000 sq km (2003)
Natural hazards:	<ul style="list-style-type: none"> ▪ occasional floods, severe droughts, tsunamis, earthquakes, volcanoes, forest fires
Environment - current issues:	<ul style="list-style-type: none"> ▪ deforestation; water pollution from industrial wastes, sewage; air pollution in urban areas; smoke and haze from forest fires
Environment - international agreements:	<ul style="list-style-type: none"> ▪ <i>party to</i>: Biodiversity, Climate Change, Climate Change-Kyoto Protocol, Desertification, Endangered Species, Hazardous Wastes, Law of the Sea, Ozone Layer Protection, Ship Pollution, Tropical Timber 83, Tropical Timber 94, Wetlands ▪ <i>signed, but not ratified</i>: Marine Life Conservation
Geography - note:	<ul style="list-style-type: none"> ▪ archipelago of 17,508 islands (6,000 inhabited); straddles equator; strategic location astride or along major sea lanes from Indian Ocean to Pacific Ocean

People:

Population:	<ul style="list-style-type: none"> ▪ 245,452,739 (July 2006 est.)
Age structure:	<ul style="list-style-type: none"> ▪ 0-14 years: 28.8% (male 35,995,919/female 34,749,582) ▪ 15-64 years: 65.8% (male 80,796,794/female 80,754,238) ▪ 65 years and over: 5.4% (male 5,737,473/female 7,418,733) (2006 est.)
Population growth rate:	<ul style="list-style-type: none"> ▪ 1.41% (2006 est.)
Sex ratio:	<ul style="list-style-type: none"> ▪ at birth: 1.05 male(s)/female ▪ under 15 years: 1.04 male(s)/female ▪ 15-64 years: 1 male(s)/female ▪ 65 years and over: 0.77 male(s)/female ▪ total population: 1 male(s)/female (2006 est.)
HIV/AIDS	<ul style="list-style-type: none"> ▪ adult prevalence rate: 0.1% (2003 est.) ▪ people living with HIV/AIDS: 110,000 (2003 est.) ▪ deaths: 2,400 (2003 est.)

Major infectious diseases:	<ul style="list-style-type: none"> ▪ food or waterborne diseases: bacterial and protozoal diarrhea, hepatitis A and E, and typhoid fever ▪ vectorborne diseases: dengue fever, malaria, and chikungunya are high risks in some locations ▪ note: at present, H5N1 avian influenza poses a minimal risk; during outbreaks among birds, rare cases could occur among US citizens who have close contact with infected birds or poultry (2005)
Ethnic groups:	<ul style="list-style-type: none"> ▪ Javanese 45%, Sundanese 14%, Madurese 7.5%, coastal Malays 7.5%, other 26%
Religions:	<ul style="list-style-type: none"> ▪ Muslim 88%, Protestant 5%, Roman Catholic 3%, Hindu 2%, Buddhist 1%, other 1% (1998)
Languages:	<ul style="list-style-type: none"> ▪ Bahasa Indonesia (official, modified form of Malay), English, Dutch, local dialects, the most widely spoken of which is Javanese
Literacy:	<ul style="list-style-type: none"> ▪ definition: age 15 and over can read and write ▪ total population: 87.9% ▪ male: 92.5% ▪ female: 83.4% (2002 est.)

Government:

Government type:	<ul style="list-style-type: none"> ▪ Republic
Administrative divisions:	<ul style="list-style-type: none"> ▪ 30 provinces ▪ 2 special regions* ▪ 1 special capital city district** ▪ Aceh*, Bali, Banten, Bengkulu, Gorontalo, Irian Jaya Barat, Jakarta Raya**, Jambi, Jawa Barat, Jawa Tengah, Jawa Timur, Kalimantan Barat, Kalimantan Selatan, Kalimantan Tengah, Kalimantan Timur, Kepulauan Bangka Belitung, Kepulauan Riau, Lampung, Maluku, Maluku Utara, Nusa Tenggara Barat, Nusa Tenggara Timur, Papua, Riau, Sulawesi Barat, Sulawesi Selatan, Sulawesi Tengah, Sulawesi Tenggara, Sulawesi Utara, Sumatera Barat, Sumatera Selatan, Sumatera Utara, Yogyakarta* ▪ note: following the implementation of decentralization beginning on 1 January 2001, the 440 districts or regencies have become the key administrative units responsible for providing most government services
Independence:	<ul style="list-style-type: none"> ▪ 17 August 1945 (independence proclaimed) ▪ 27 December 1949 (Netherlands recognized Indonesian independence)
Constitution:	<ul style="list-style-type: none"> ▪ August 1945; abrogated by Federal Constitution of 1949 and Provisional Constitution of 1950, restored 5 July 1959; series of amendments concluded in 2002
Legal system:	<ul style="list-style-type: none"> ▪ based on Roman-Dutch law, substantially modified by indigenous concepts and by new criminal procedures and election codes; has not accepted compulsory ICJ jurisdiction
Suffrage:	<ul style="list-style-type: none"> ▪ 17 years of age or ▪ universal and married persons regardless of age

Executive branch:	<ul style="list-style-type: none"> ▪ <i>chief of state:</i> President Susilo Bambang YUDHOYONO (since 20 October 2004) and Vice President Muhammad Yusuf KALLA (since 20 October 2004); <i>note</i> - the president is both the chief of state and head of government ▪ <i>cabinet:</i> appointed by the president ▪ <i>elections:</i> president and vice president were elected for five-year terms (eligible for a second term) by direct vote of the citizenry; last held 20 September 2004 (next to be held in 2009)
Legislative branch:	<ul style="list-style-type: none"> ▪ House of Representatives or Dewan Perwakilan Rakyat (DPR) (550 seats; members elected to serve five-year terms) ▪ House of Regional Representatives or Dewan Perwakilan Daerah (DPD), constitutionally mandated role includes providing legislative input to DPR on issues affecting regions ▪ People's Consultative Assembly or Majelis Permusyawaratan Rakyat (MPR) has role in inaugurating and impeaching president and in amending constitution; consists of popularly-elected members in DPR and DPD; MPR does not formulate national policy. ▪ <i>elections:</i> last held 5 April 2004 (next to be held in 2009) ▪ <i>election results:</i> percent of vote by party - Golkar 21.6%, PDI-P 18.5%, PKB 10.6%, PPP 8.2%, PD 7.5%, PKS 7.3%, PAN 6.4%, others 19.9%; seats by party - Golkar 128, PDI-P 109, PPP 58, PD 55, PAN 53, PKB 52, PKS 45, others 50 ▪ <i>note:</i> because of election rules, the number of seats won does not always follow the percentage of votes received by parties
Judicial branch:	<ul style="list-style-type: none"> ▪ Supreme Court or Mahkamah Agung (justices appointed by the president from a list of candidates approved by the legislature) ▪ a separate Constitutional Court or Mahkamah Konstitusi was invested by the president on 16 August 2003 ▪ in March 2004 the Supreme Court assumed administrative and financial responsibility for the lower court system from the Ministry of Justice and Human Rights ▪ Labor Court under supervision of Supreme Court began functioning in January 2006
Political parties and leaders:	<ul style="list-style-type: none"> ▪ Crescent Moon and Star Party or PBB [Yusril Ihza MAHENDRA] ▪ Democratic Party or PD [Subur BUDHISANTOSO] ▪ Functional Groups Party or Golkar [Yusuf KALLA] ▪ Indonesia Democratic Party-Struggle or PDI-P [MEGAWATI Sukarnoputri] ▪ National Awakening Party or PKB [Alwi SHIHAB] ▪ National Mandate Party or PAN [Sutrisno BACHIR] ▪ Prosperous Justice Party or PKS [Tifatul SEMBIRING] ▪ United Development Party or PPP [Hamzah HAZ]
International organization participation:	<ul style="list-style-type: none"> ▪ APEC, APT, ARF, AsDB, ASEAN, BIS, CP, EAS, FAO, G-15, G-77, IAEA, IBRD, ICAO, ICC, ICFTU, ICRM, IDA, IDB, IFAD, IFC, IFRCs, IHO, ILO, IMF, IMO, Interpol, IOC, IOM (observer), IPU, ISO, ITU, MIGA, MONUC, NAM, OIC, OPCW, OPEC, PIF (partner), UN, UNCTAD, UNESCO, UNIDO, UNMIL, UNOMIG, UPU, WCL, WCO, WFTU, WHO, WIPO, WMO, WT_oO, WTO

Economy:

Currency (code):	<ul style="list-style-type: none"> ▪ Indonesian Rupiah (IDR) ▪ 1.00 USD = 9,104.59 IDR (for reference only)
Economy - overview:	<ul style="list-style-type: none"> ▪ Indonesia, a vast polyglot nation, has struggled to overcome the Asian financial crisis, and still grapples with high unemployment, a fragile banking sector, endemic corruption, inadequate infrastructure, a poor investment climate, and unequal resource distribution among regions. ▪ Indonesia became a net oil importer in 2004 because of declining production and lack of new exploration investment. In late December 2004, the Indian Ocean tsunami took 131,000 lives with another 37,000 missing, left some 570,000 displaced persons, and caused an estimated \$4.5 billion in damages and losses. The cost of subsidizing domestic fuel placed increasing strain on the budget in 2005, and combined with indecisive monetary policy, contributed to a run on the currency in August 2005, prompting the government to enact a 126% average fuel price hike in October. The resulting inflation and interest rate hikes dampened growth prospects in 2006. ▪ However, in October 2006, Jakarta paid off its outstanding IMF debt, incurred during the 1997-98 Asian financial crisis, four years ahead of schedule. Keys to future growth remain internal reform, building up the confidence of international and domestic investors, and strong global economic growth.
GDP (purchasing power parity):	<ul style="list-style-type: none"> ▪ \$869.7 billion (2005 est.)
Labor force - by occupation:	<ul style="list-style-type: none"> ▪ agriculture: 46.5% ▪ industry: 11.8% ▪ services: 41.7% (1999 est.)
Unemployment rate:	<ul style="list-style-type: none"> ▪ 11.8% (2005 est.)
Population below poverty line:	<ul style="list-style-type: none"> ▪ 16.7% (2004)
Distribution of family income - Gini index:	<ul style="list-style-type: none"> ▪ 34.3 (2002)
Public debt:	<ul style="list-style-type: none"> ▪ 49.9% of GDP (2005 est.)
Agriculture - products:	<ul style="list-style-type: none"> ▪ rice, cassava (tapioca), peanuts, rubber, cocoa, coffee, palm oil, copra; poultry, beef, pork, eggs
Exports - commodities:	<ul style="list-style-type: none"> ▪ oil and gas, electrical appliances, plywood, textiles, rubber
Exports - partners:	<ul style="list-style-type: none"> ▪ Japan 21.1%, US 11.5%, Singapore 9.2%, South Korea 8.3%, China 7.8%, Malaysia 4% (2005)
Debt - external:	<ul style="list-style-type: none"> ▪ \$135 billion (2005 est.)
Economic aid - recipient:	<ul style="list-style-type: none"> ▪ \$43 billion ▪ <i>note:</i> Indonesia finished its IMF program in December 2003 but still receives bilateral aid through the Consultative Group on Indonesia (CGI), which pledged \$2.8 billion in grants and loans for 2004 and again in 2005; nearly \$5 billion in aid money pledged by a variety bilateral, multilateral, and non-governmental organization (NGO) donors following the 2004 tsunami; money is slated for use in relief and rebuilding efforts in Aceh. (2002)

Transnational issues:

<p>Disputes - international:</p>	<ul style="list-style-type: none"> ▪ <i>East Timor:</i> East Timor-Indonesia Boundary Committee continues to meet, survey, and delimit land boundary, but several sections of the boundary remain unresolved. Many East Timorese refugees who left in 2003 still reside in Indonesia and refuse repatriation. Indonesia and East Timor contest the sovereignty of the uninhabited coral island of Pulau Batek/Fatu Sinai, which hinders a decision on a northern maritime boundary. ▪ <i>Australia:</i> A 1997 treaty between Indonesia and Australia settled some parts of their maritime boundary but outstanding issues remain. ▪ <i>Malaysia:</i> International Court of Justice's (ICJ) award of Sipadan and Ligitan islands to Malaysia in 2002 left maritime boundary in the hydrocarbon-rich Celebes Sea in dispute, culminating in hostile confrontations in March 2005 over concessions to the Ambalat oil block. The ICJ decision has prompted Indonesia to assert claims to and to establish a presence on its smaller outer islands. ▪ <i>Singapore:</i> Indonesia and Singapore pledged in 2005 to finalize their 1973 maritime boundary agreement by defining unresolved areas north of Batam Island. ▪ <i>Papua New Guinea:</i> Indonesian secessionists, squatters, and illegal migrants create repatriation problems for Papua New Guinea. ▪ Piracy remains a problem in the Malacca Strait
<p>Refugees and internally displaced persons (IDP):</p>	<ul style="list-style-type: none"> ▪ <i>IDPs:</i> 570,000 (resulting from 26 December 2004 tsunami) 500,000 (government offensives against rebels in Aceh; most IDPs in Aceh, Central Kalimantan, Maluku, and Central Sulawesi Provinces) (2005)
<p>Trafficking in persons:</p>	<ul style="list-style-type: none"> ▪ <i>current situation:</i> Indonesia is a source, transit, and destination country for women, children and men trafficked for the purposes of sexual exploitation and forced labor; Indonesian victims are trafficked to Malaysia, Saudi Arabia, Kuwait, United Arab Emirates, Hong Kong, Taiwan, Japan, South Korea, and Singapore; A significant number of Indonesian women who go overseas each year to work as domestic servants or "cultural performers" are subjected to conditions of involuntary servitude and commercial sexual exploitation; To a minimal extent, Indonesia is a destination for women from East Asia, Europe, and South America who are trafficked for sexual exploitation; There is extensive trafficking within Indonesia from rural to urban metropolitan areas particularly for sexual exploitation and involuntary domestic servitude. ▪ <i>tier rating:</i> Indonesia is placed on the Tier 2 Watch List for its failure to provide evidence of increasing efforts to combat trafficking

History

1293	The Hindu Majapahit kingdom is founded in eastern Java.
1400s	Islam becomes Indonesia's dominated religion.
1478	Reign of Singhawikramawardhana, ruler of Majapahit, ends
1512	The first Portuguese exploratory expedition was sent eastward from Malacca to search for the 'Spice Islands' (Maluku) led by Francisco Serrão. Serrão is shipwrecked but struggles on to Hitu (northern Ambon)

	and wins the favour of the local rulers. Christian missionaries arrived with the expedition.
1570	Sultan Hairun of Ternate is killed by the Portuguese. Following a five-year siege, the Ternateans expel the Portuguese who move to nearby Tidore.
1595	First Dutch expedition to Indonesia
1873	The beginning of the bloody Aceh War for Dutch occupation of the province.
1894	Lombok War
1914	World War I breaks out; the Netherlands is a neutral country in the war.
1920	Communist Party of Indonesia (PKI) is founded. Economic downturn.
<i>Japanese Occupation</i>	
1942, February	Imperial Japan occupies Indonesia during World War II, overthrowing the Dutch East Indies and installing their own imperial structure.
1945, 1 June	Sukarno's Pancasila speech (The Five Principles which are the philosophical basis of Indonesian state.)
1945, 16 July	Draft of constitution for the Republic completed.
1945, 15 August	Japanese surrender to Allied powers.
<i>Indonesian National Revolution</i>	
1945, 17 August	"Proclamation of Indonesian Independence," signed by Sukarno-Hatta.
1945, late August	Republican government established in Jakarta and constitution adopted. Central Indonesian National Committee (KNIP) established.
1945, July to 1946, December	Negotiations with Dutch over a federation called the 'United States of Indonesia' result in the Dutch establishing a 'State of East Indonesia'
1949, 27 December	International pressure leads Netherlands Government to transfer power to the United States of Indonesian (USI).
1950, 17 August	Following USI endorsement of a new constitution, the federation is dissolved and Sukarno proclaims a unitary state, the 'Republic of Indonesia'.
1955, September	Indonesia holds general parliamentary elections
1955, March - 1961, August	Regional rebellions in Sumatra and Sulawesi.
1950s/60s	The military articulate the doctrines of dwifungsi and hankamrata: i.e. a military roles in the country's socio-political development as well as security; and a requirement that the resources of the people be at the call of the armed forces.
1959, 5 July	With armed forces support, Sukarno dissolves the Constituent Assembly and reintroduces the Constitution of 1945 with strong presidential powers, assumes the additional role of Prime Minister, which completes the structure of 'Guided Democracy'.
1963	Parliament elects Sukarno 'President-for-life'.
1965, January	Indonesia withdraws from membership of the UN.
1965, October	A counter coup led by General Suharto. A violent anti-communist purge leads to the killing of approximately half million Indonesians.
1966, 11 March	General Suharto forces Sukarno to delegate presidential powers to himself by signing the Supersemar. Indonesian Communist Party dissolved.
<i>New Order Era</i>	

1968, March	Parliament confers full presidential title on Suharto; Sukarno is under effective house arrest.
1969	Papuan representatives agree to join Indonesia following the controversial 'Act of Free Choice'.
1970, 21 June	Sukarno dies
1975, 7 December	Indonesia launches an invasion of East Timor.
1976, 17 July	Suharto signs a bill integrating East Timor into Indonesia as its 27th province.
1976, 19 November	UN General Assembly rejects Indonesia's annexation of East Timor.
1982 – 1983	The height of Petrus ('mysterious shootings') of thousands of suspected criminals by government security forces.
1984, 12 September	Muslim concerned protesting over alleged insensitivities to Islam at Tanjung Priok; a riot ensues resulting in many deaths.
1985	The Indonesian government requires all organizations of any kind to adopt Pancasila as their sole basis.
1988	Suharto is elected to a fifth term as president.
1989	The Free Aceh Movement (GAM) reemerges following its 1976 founding; suppression of its guerilla activities leads to 2,000 deaths by 1991 in Aceh.
1991, 12 November	ABRI (Angkatan Bersenjata Republik Indonesia, Indonesian's armed forces) troops fire on demonstrative funeral procession in Dili, East Timor. TV images of the killings put East Timor high on the international human rights agenda.
1993	Suharto seeks a sixth term and is re-elected.
<i>Economic Crisis and Overthrown of Suharto regime</i>	
1997, July	The collapse of the Thai baht starts the East Asian financial crisis and over the ensuing months Indonesia is the country hardest hit.
1997 – 1998	Severe social unrest breaks out across Indonesian cities against Chinese Indonesians, Christians, symbols of wealth, the police and bureaucracy.
1998, 11 March	Suharto unanimously elected by the People's Consultative Assembly (Majelis Permusyawaratan Rakyat , MPR) to his seventh presidential term.
1998, late March	Largely peaceful student demonstrations against the regime rise to national prominence.
1998, 12 May	Four student demonstrators at Trisakti University are shot dead by bullets likely to have been but unproven from army sources .
1998, 13 May	Memorial services for killed students leads to vandalism, arson, looting and rape by roving mobs which continue unchecked by security forces for two days leaving 1,200 dead.
1998, 21 May	After being deserted by his cabinet, Suharto resigns the presidency. Bacharuddin Jusuf Habibie assumes presidency.
1998, 13 November	On the last day of the MPR sessions, soldiers open fire on demonstrating students killing at least fifteen and injuring hundreds.
1999, 19 January	A petty argument between in the city of Ambon triggers Christian-Muslim clashes that last for three years across Maluku. As many as 10,000 are killed and 700,000 or one third of the region are displaced.
1999, 7 June	Indonesia's first free and fair national elections since 1955 take place with almost no disruption and wide participation. Votes however are distributed across forty-eight parties with no party achieving a majority.

1999, September	East Timor votes to secede from Indonesia in a referendum conducted under UN auspices. Four-fifths of voters choose independence for East Timor over integration with Indonesia. Pro-integration militias trained and paid by ABRI immediately resort to a scorched earth policy that leaves 1,000 dead and most of the territory's infrastructure ruined.
1999, 13 September	President Habibie relents to international pressure and allows a UN peacekeeping force known as 'INTERFET' to enter East Timor and restore order.
1999, October	The Indonesian parliament rejects President Habibie's accountability speech. Abdurrahman Wahid whose party received one eighth of the popular vote is elected president by the MPR.
2000, 24 December	In a coordinated attack involving more than three dozen sites across the country, churches are bombed and eighteen people killed. It is later proven to be the work of Jemaah Islamiyah in retaliation for Christian killings of Muslims in the Maluku conflict.
2001, July	President Wahid is impeached chiefly on grounds of incompetence. The parliament elects Megawati president by 592 votes to 0. Hamzah Haz defeats Akbar Tandjung and Lieutenant General (ret.) Susilo Bambang Yudhoyono as vice president.
2002, February	Peace talks in Maliano, South Sulawesi appear to end three years of Christian-Muslim violence in Maluku and Poso.
2002, October 12	Bombs in the Kuta nightclub district in Bali kill 202 people.
2002, December	The Indonesian government and GAM sign a peace accord aimed at ending decades of violence in Aceh. The deal breaks down the following year.
<i>Yudhoyono administration</i>	
2004, October	Indonesia's first direct presidential election elects Bambang Yudhoyono following popular disillusionment with incumbent Megawati.
2004, 26 December	Tsunami hit the western coast of Indonesia. Aceh was most seriously affected.
2004, September	A bomb blast outside the Australian embassy in Jakarta kills 11 and injures up to 100 people.
2006, August	Signatory of Memorandum of Understanding (MoU) between Government of Indonesia and GAM.

Human Rights Institution & Treaties

National Human Rights Commission (Komnas HAM)

The National Human Rights Commission was established in 1993 by Presidential Decree No. 50/1993. Its mandate is guided by Pancasila¹, the Indonesian Constitution, and the UN Human Rights Conventions. The Commission was widely thought to be a response to the intense international pressure mounted on the Indonesian Government's massacre in East Timor in 1991. The Commission disseminates information, conducts studies and monitors and investigates human rights cases. There are 25 members of the Commission.

The main bodies or "departments" within the Human Rights Commission include three Sub-commissions for:

- a. Education and Public Awareness on Human Rights, which disseminates the national and international concept of human rights;
- b. Monitoring Human Rights Instruments, which monitors international treaties on human rights that the Commission may propose to the government for their ratification or accession; and,
- c. Monitoring the Implementation of Human Rights, which monitors and investigates the implementation of human rights and provides advice and proposals to the related government agencies.

In addition, the Commission cooperates with regional and international agencies on human rights issues. This activity is coordinated directly by the Vice Chairperson of the Commission.

Komnas HAM was once regarded as one of the most credible institutions and courageous human rights defenders in the country during the late Suharto years. Ironically, *its performance has been declining since the democratically elected President Abdurrahman Wahid's time*. The investigation on many human rights violation cases has been delayed, or the recommendations have not been implemented. Komnas HAM also faces many obstacles and pressures in its work.

The function and authorization of Komnas HAM mainly base on two acts: Act No. 26 and Act No. 39. However, both of them did not grant enough power to the Commission to carry out its work effectively.

In September 1999, Act No. 39 was promulgated by the Indonesian government in order to transform the Human Rights Charter into legal norms. This Act renewed the Komnas HAM to become an independent institution on the same level as other state institutions. Act No. 39 only conceded the Commission's function on study and research, education and information, monitoring and mediation. It conducts inquiry and examination of events which may be assumed violations of human rights, and brings the matter to the competent authorities to take appropriate legal action against the alleged perpetrators. However, the decisions of Komnas HAM are not legally enforceable.

¹ Pancasila is the philosophical basis of the Indonesian state. Pancasila consists of two Sanskrit words, "panca" meaning five, and "sila" meaning principle. It comprises five principles held to be inseparable and interrelated. The five principles are as below:

- 1) Belief in the one and only God (Ketuhanan yang Maha Esa)
- 2) Just and civilized humanity (Kemanusiaan yang Adil dan Beradab)
- 3) The unity of Indonesia (Persatuan Indonesia)
- 4) Democracy guided by the inner wisdom in the unanimity arising out of deliberations amongst representatives (Kerakyatan yang Dipimpin oleh Hikmat Kebijaksanaan dalam Permusyawaratan/Perwakilan)
- 5) Social justice for the whole of the people of Indonesia (Keadilan Sosial bagi Seluruh Rakyat Indonesia)

In November 2000, Act No. 26 was promulgated. It defines gross violations of human rights as “crimes of genocide and crimes against humanity” and gives Komnas HAM, rather than the police, responsibility for initial investigations into cases of serious human rights violations. Same as Act No. 39, the work of Komnas HAM does not go beyond inquiries and recommendations.

Furthermore, both Acts did not provide procedures for judicial processes of cases of human rights violations and did not clarify which court was responsible for such cases. According to a panel discussion to the 61st session of UN Commission on Human Rights on the human rights situation in Indonesia in 2005, a member of Komnas HAM shared that not a single case of alleged violations of human rights had ever been judicially processed since the promulgation of Act No. 39. They were only dealt with as ordinary crimes and processed in accordance with the Code of Penal Procedures and the Penal Code applicable to ordinary crimes. The member also said that if the government stated that no human rights violations took place, especially during military operations, Komnas HAM does not even have the mandate to inquire those acts.

Website of Komnas HAM: <http://www.komnasham.go.id> (only in Indonesian)

International Obligations

- CAT - Convention Against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment
Status: Ratification. 1998
- CCPR - International Covenant on Civil and Political Rights
Status: Accession. 2006
- CEDAW - Convention on the Elimination of All Forms of Discrimination against Women
Status: Ratification. 1984
- CEDAW - OP-Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women
Status: Signature only. 2000
- CERD - International Convention on the Elimination of All Forms of Racial Discrimination
Status: Accession. 1999
- CESC - International Covenant on Economic, Social and Cultural Rights
Status: Accession. 2006
- CMW - International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
Status: Signature only. 2004
- CRC - Convention on the Rights of the Child
Status: Ratification. 1990
- CRC - OP-AC-Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict
Status: Signature only. 2001
- CRC - OP-SC-Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
Status: Signature only. 2001

International Labour Standard

- ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
Status: Ratification. 1998
- ILO Equal Remuneration Convention, 1951 (No. 100)
Status: Ratification. 1958
- ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
Status: Ratification. 1999

For more information, please go to:

International Labour Organization (www.ilo.org)

Office of United Nations High Commissioner for Human Rights

(<http://www.unhcr.ch/tbs/doc.nsf/newhvstatusbycountry?OpenView&Start=1&Count=250&Expand=80#80>)

Justice and Peace Issues

Tension in Outer Islands

There have been numerous conflicts in the outer islands of Indonesia, such as violence between Christians and Muslims in Sulawesi and Moluccas, disputes between indigenous people and Indonesian government in Aceh and West Papua etc.

In spite of ascribing the blame to long-seated religious dispute, the conflicts are actually rooted in a lot of historical, geographical, political and economic factors.

The geographically dispersed Indonesian archipelago between Indian Ocean and the Pacific Ocean, as well as the diversity in culture and tradition, are the natural factors which lead to difficulty in the country's unity.

Furthermore, the change in population balances, development policies and militarization are three of the major political and economic causes of the communal conflicts.

Transmigration Programme

The Transmigration programme was initiated by the Dutch during the colonial era and implemented on a large-scale under Suharto's regime with financial support by the World Bank from 1976 to 1986.

To relieve the population pressure of the central islands, the programme displaced millions of poor Indonesians from Bali, Madura, Lombok and mainly Java, to outer islands, including Borneo, New Guinea and Sumatra. However, the change in population balances among different ethnic and religious groups has led to increasing competition and tensions.

In Ambon, the fairly balanced proportion of Ambonese-Christians and Ambonese-Muslims was broken due to the substantial migration programme during 70s and 80s. Jobs traditionally preserved by Christians flowed to the new migrants who happened to be Muslims, thus Christians felt themselves threatened. This was believed to be a determining factor for the violent conflict during 1998 and 1999.

The transmigration programme neither improved the livelihood of people nor the country's economy. According to Éric Toussaint's paper, "*October 2004, IMF and WB: The destruction of Indonesia's sovereignty*", the main criticisms were as follows:

- Families were displaced according to a geopolitical objective. Ninety percent of Indonesia's surface area is inhabited by non-Javanese. This creates an unstable political situation. Thus, this project was a national security priority and enabled the government to control indigenous peoples of the outer islands through forced integration.
- The transmigration project violated ground property rights of the indigenous peoples and forest dwellers. Transmigratory sites were established on indigenous peoples' lands without their consent or any compensation and the latter had to change their ways of life. The implementation of the project led to many acts of resistance, leading to violent situations and human rights abuse.
- The average cost of displacing a family was USD 7,000, according to World Bank estimates (in the mid 1990s). That amounts to 13 times the annual income of most families in the inner islands. This project seems most unprofitable and contributes to a considerable increase in foreign debt and poverty. In fact, according to a 1986 World Bank study, 50% of the displaced families were living below the poverty line and 20% below the subsistence level. Other studies proved that 80% of the project sites proved a failure in terms of improving people's living conditions.

- The project was a failure in that it did not contribute to the improvement of poor people's lives in the inner islands. It left the transmigrants in a worse situation than before due to an utterly unfit planning and preparation of sites, a limited access to markets and neglect of land and water ownership. The latter are essential to develop a farming economy. Indeed, according to Rich (*Mortgaging the Earth*, 1994), the land set aside for the migrants was among the poorest soil on earth.
- Indonesia's outer islands are home to ten percent of the tropical forests still standing on earth and the transmigration programme has been a very important source of institutional pressure on these islands' environment. In fact, the project played a part in serious damage to the outer islands' environment through massive forest destruction. This project was proven to be the main cause of the country's deforestation, estimated at 1.2 million hectares per annum in 1991.

(For the full text, please go to: http://www.cadtm.org/imprimer.php3?id_article=821)

Development Policies

Indonesia is abundant in various natural resources which are unevenly distributed. Most of them are located in the outer islands of the country. The development policies over logging, mining and extraction of natural resources in the past years also created tensions in the country.

The development programmes have been taken place without consensus and fair profit sharing with the local people. These have led to resentment over the government coming in and dispossessing the indigenous people of their land. This in turn took on an ethnic component when the dominant ethnic group represented by the government happened to be in conflict with the local indigenous population.

Militarization

The Indonesian military (Tentara Nasional Indonesia, TNI) has been criticized for "continue (sic.) to violate international human rights and humanitarian law with impunity" and has been committing "widespread abuses against civilians, including extrajudicial executions, torture, forced disappearances, beatings, arbitrary arrests and detentions, and drastic limits on freedom of movement." (Human Rights Watch)

Its expansion in the outer islands, such as Central Sulawesi, Maluku islands and Papua, has been on-going. For example, according to the official data, there are 12,000 TNI troops and 2,500 paramilitary police in Papua. The TNI has announced a troop increase and some say 15,000 more troops will be sent to Papua by 2009.

The deployment of soldiers from the capital, Jakarta, down to the furthest village of the archipelago country, is the tactic used since former dictator Suharto to keep control of Indonesia's vast and far-flung territory. The close proximity of generals, soldiers and politicians is believed to be the main ground of collusion and corruption. Furthermore, in Indonesia, the state provides only 30 percent of the annual budget of the armed forces. The TNI has been raising independent income through owning businesses and providing protection to big business.

In the conflict areas, providing protection to the big investors bring extra source of income to the TNI. The protection guarantees the security for the investors, more importantly, that there would be no resistance from the local community. The collusion allows the big business to act with disregard of the law and in against the interest of the local people. There are reports that the TNI has taken action to scare off the villagers who protested against the expropriation of their land by the conglomerates.

Moreover, the military and the police have been accused of involvement in illegal activities, such as illegal logging, prostitution and smuggling of weapons and endangered animals and plants.

Local groups have been calling for a reform of the TNI, especially to “stop the TNI from pursuing business and dismantle its territorial structure.” In 2004, the Indonesia’s Parliament passed the Law No. 34/2004 on the Indonesian Armed Forces (Tentara Nasional Indonesia or TNI) to help the reform of the military, such as TNI business empire to be put under the supervision of the government by 2009. However, this initiative has been vigorously opposed and seems to have stalled. (To read more about the 2004 law, please go to <http://hrw.org/english/docs/2007/02/16/indone15325.htm>)

The Fight for Independence in Papua

Papua is located at the far eastern end of Indonesia and is one of the most remote areas of the country. The restricted access to the area, including prohibited entry of foreign journalists and the lack of independent reports from the area have kept the widespread of abuse and struggle for independence in Papua unknown to the world.

Papua was not included in the Indonesian declaration of independence in 1945. Despite the Netherlands, the former colonial power, envisioned a full independence for Papua in 1970 and the flow of its Morning Star flag for the first time in 1961, Papua was invaded by Jakarta in 1962 and forced to accept the inclusion within Indonesia in a 1969 referendum, called the Act of Free Choice. In response to the fight for independence by a small local rebel group formed in 1965, the Organisasi Papua Merdeka (OPM), the TNI exerted strong suppression to the area, together with widespread and hideous abuse and the estimated civilian death toll up to 100,000.

In 1999, a delegation of 100 Papuans met the Indonesian President Habibie in Jakarta, to convey their will for independence once again. This is also the year where East Timor declared its independence.

The 2001 Special Autonomy Law was the central government’s only significant attempt to reach out to the Papuans, however, it has never brought true autonomy to the people. According to the report of South China Morning Post, the recent splitting of Papua into two provinces “Papua” and “West Irian Jaya” has violated the Special Autonomy Law and is considered to be “a typical divide-and-rule tactic”. It also criticized that “the constant abuse by the TNI increased militarization of the province, relentless arrival of migrants and the discrimination perpetrated against them (Papuans) on their own land”.

Papuans, a mix of 312 tribes of ethnic Melanesians and mostly Christians, have little in common with the Muslim Indonesians. However, the transmigration policy, which led to the influx of Muslim Indonesians, has diluted the Papuan population from 97 percent in 1960 to about 50 percent in 2000.

The reason for TNI to stay in Papua is basically the profit they earn from businesses such as prostitution, illegal logging and providing protection to groups like US mining giant Freeport McMoRan. Freeport, the largest foreign taxpayer of Indonesia, admitted the payment of USD 5.6 million annually to TNI for “protection” on top of its tax to the Jakarta government. (For reference, please read SUA061031(8) issued by Hotline Asia in 2006, calling for an investigation to the human rights violation in Abepura, Jayapura district in West Papua.)

As access to Papua is prohibited, Human Right Watch has produced a report “Protest and Punishment: Political Prisoners in Papua” by interviewing defense lawyers and members of local human rights organizations. It documents how the Indonesian government continues to use the criminal law to punish individuals who peacefully advocate for independence in Papua. All the

prisoners have been convicted for treason or spreading hatred against the government, for nonviolent activities such as flag-raising, or attendance at peaceful meetings on self-determination options for Papua. Full report can be downloaded at:

<http://www.hrw.org/reports/2007/papua0207/papua0207webwcover.pdf>

Peace process in Aceh

Aceh has substantial natural resources, including coal, gas and oil. The exploitation of Aceh's natural resources, uneven distribution of profit between the central government and the native people, as well as the differences in economic approaches and cultural values, have led to a call for independence during 1970s.

During 1980s, the central government started to take suppressive measures and to send troops to Aceh after several security incidents. The support to the Free Aceh Movement (GAM) grew as a result of human rights abuse in the province. The large support was shown during the 2000 plebiscite attended by half million people (of 4 million population of the province). The central government responded in 2001 by broadening Aceh's autonomy, but accompanied by repressive measures. In 2003, Military Emergency Condition was proclaimed in the province. The war continued until Aceh was hit by the massive tsunami.

Aceh was seriously hit by tsunami in 2004 which led to 130,000 to 238,000 persons dead or missing, more than 500,000 remain homeless. In order to enable the rebuilding of Aceh after the natural disaster, a peace agreement between the Government of Indonesia and the GAM was reached. Under the Memorandum of Understanding (MoU) (www.acpp.org/uappeals/cprofile/RI_GAM_MOU.pdf) signed on 15 August 2005, both parties "committed themselves to creating conditions within which the government of the Acehnese people can be manifested through a fair and democratic process within the unitary state and constitution of the Republic of Indonesia."

GAM agreed to disarm and the Government pledged to withdraw all non-local military and police by the end of 2005. The MoU is also expected to lead to peace and democratic transformation of the province.

On 11 December 2006, Irwandi Yusuf and Muhammad Nazar won the elections for the governorship of Aceh. The elections were a huge victory of the GAM which marked the end of 30 years of conflict that claimed over 15,000 lives.

Irwandi Yusuf, former leader of the GAM, pledged on welfare, economic growth, the abolition of corruption and building a strong Aceh with equality among native and ethnic populations during his campaign. Disregarding 38% of the voting population in support to Irwandi Yusuf, not all the parties welcomed the election of a former leader of rebels. He still needs to find a way to cooperate with different parties, including a potentially hostile local parliament, which was elected under the old system and is filled with representatives from national parties.

Death Penalty in Indonesia

The death penalty in Indonesia is applicable for murder with deliberate intention and premeditation; attempting to assassinate the President or Vice-president or render him unfit to govern; treason; premeditated murder of the head of state of a friendly state; piracy resulting in death; theft resulting in death; producing, processing, extracting, converting or making available narcotics; crimes against humanity; and terrorism. Death penalty is applicable to corruption only when the country is in emergency situation.

Following the execution of two men, who were convicted of multiple murders, in May 2001, there was a de facto moratorium on the death penalty in Indonesia until 2004. Prior to 2001, there had been no executions in the country for six years. However, the executions resumed in 2004 and 9 executions have been carried out since then.

On 5 August 2004, Indonesia carried out its first execution in more than 3 years. Mr. Ayodhya Prasad Chaubey, an Indian national convicted of drug-trafficking in 1994, was executed by firing squad. Two Thai nationals, Mr. Saelow Prasert and Ms. Namsong Sirilak, who had been sentenced to death in the same case, were executed on 1 October 2004.

Two Indonesians, Ms. Astini and Mr. Turmudi bin Kasturi, were executed on 20 March and 13 May 2005 respectively. Both of them were convicted for murder.

Despite the call from local groups, activists, religious leaders and international communities for clemency to the three men and several postponements on the execution dates due to the pressure, Messrs. Fabianus Tibo, Dominggus da Silva and Marinus Riwa, who were accused of masterminding the massacre of 200 Muslims in Poso during the inter-religious clashes in 2000, were executed on 22 September 2006. Firmly against any prosecution of death penalty, Hotline issued SUA060811(4) and SUA060920(6) in August and September 2006 to urge the authorities to stop the execution and grant clemency to the three men.

On 28 April 2007, Mr. Ayub Bulubili, aged 40, was executed by firing squad. He was sentenced to death for the premeditated murder of a family of six people in 1999. His two appeals for Presidential clemency were both rejected, firstly by former President Megawati Sukarnoputri on 9 July 2004, and a second appeal was rejected by President Susilo Bambang Yudhoyono, in March 2007. It is the first execution in 2007.

According to Amnesty International, at least 90 people were under death sentence, given that the judicial system of Indonesia is well-known as "in severe need of reform."

In 2006, the Indonesian Parliament ratified the International Covenant on Civil and Political Rights (ICCPR) which promotes the right to life. Article 6(2) of the ICCPR states that, "in countries which have not abolished the death penalty, sentence of death may be imposed only for the most serious crimes". The UN Human Rights Committee established to oversee the implementation of the ICCPR, provides the most authoritative interpretation of the ICCPR. In the General Comment adopted by the Human Rights Committee (General Comment 6 [Article 6], UN Doc. HRI/GEN/Rev.3) on 15 August 1997, it has stated that "the expression 'most serious crime' must be read restrictively to mean that the death penalty should be a quite exceptional measure".

However, Indonesia did not ratify the Second Optional Protocol to the ICCPR, which aimed at the abolition of the death penalty.

There are 25 countries in Asia-Pacific region that have put an end to capital punishment in law or practice.

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