



# AP R2P

Asia Pacific Centre for the Responsibility to Protect

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## SPOTLIGHT ON R2P

### Developing and Strengthening National Mechanisms for Atrocities Prevention in Indonesia

**Jakarta, 12 November 2015**

The Asia Pacific Centre for the Responsibility to Protect (APR2P) and its partner organization Human Rights Working Group-Indonesia (HRWG) organized an experts meeting in Jakarta on 12 November 2015 on the theme “Developing and Strengthening National Mechanisms for Atrocities Prevention in Indonesia.” Some 25 participants from various sectors, including commissioners from the national human rights commissions and government representatives, attended the meeting which had the following objectives:

• To assess and discuss to what extent

Indonesia has adopted, implemented, integrated mass atrocities prevention principles in its national policies (Pillar 1) as well as developed mechanisms at the national level;

- To identify and discuss the challenges in the implementation and operationalisation of the principle at the national level;
- To identify and discuss the opportunities to enhance, accelerate the implementation of R2P (early warning system, legal framework, institution, coordination, resources, etc.); and
- To explore the idea of having a

national R2P focal point as part of strengthening national mechanism in preventing mass atrocities.

In his opening remarks, Mr. Rafendi Djamin, Executive Director HRWG and Indonesia’s outgoing Representative on the ASEAN Intergovernmental Commission on Human Rights, said that the purpose of the experts meeting was to exchange ideas and recommendations on the issue of mass atrocities prevention in the context of Indonesia, including its national plan of action on human rights (RANHAM). He said that it was a continuation of the three-day CSO workshop on the role of civil society groups in advancing atrocities prevention in Southeast Asia held immediately before this event. Indonesian participants in the said workshop came up with the following recommendations:

- Work towards the appointment of an R2P national focal point
- Finalize the agenda of security sector reform



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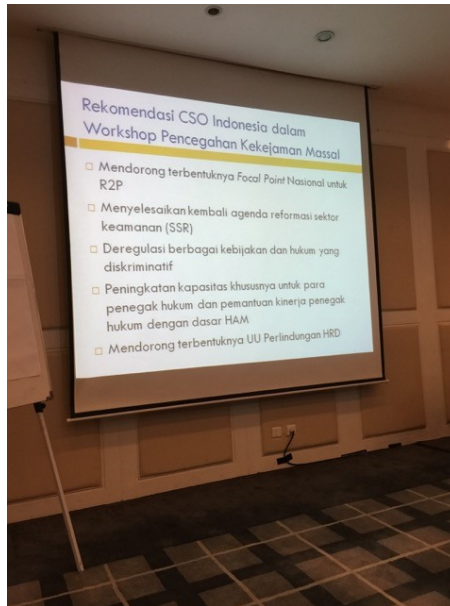
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- Enhance capacity building among law enforcers
- Abolish some discriminative laws and regulations
- Push for the development of the human rights defenders law

In his opening remarks, Dr. Noel Morada, the Asia Pacific Centre's Director for Regional Diplomacy and Capacity Building, underscored the commitment of the Centre to providing relevant support in furthering the discussions in Jakarta on the appointment of an R2P national focal point in Indonesia. He also said that the experts meeting was a timely opportunity to discuss further the development of a national action plan for implementing R2P.

Ms. Lina Alexandra, Researcher from the Centre for Strategic and International Studies (CSIS) presented CSIS research on "Mainstreaming the Principle of Responsibility to Protect in Indonesia". According to her, awareness of the concept is very limited, both in government and CSO sectors. The government has not yet made the concept a national priority and some key ministries, in particular the defense ministry, which remains cautious about it. Meanwhile, only a few of CSOs in Indonesia have awareness or knowledge of this concept.

She also pointed out that the debate on the operationalisation of the R2P concept in Indonesia is a sensitive issue particularly with regard to the second and the third pillars, and especially in the context of the role of the international community in taking necessary action if the state fails to protect its population. Opinion among CSO and the academe on this issue are divided into three: 1) those who see no problem with intervention; 2) those who are strongly opposed to intervention and believe that R2P's application can be misused by a strong states over weak ones; and 3) those who consider R2P as different from humanitarian intervention as it focuses mainly on assistance for capacity building of states for protection of vulnerable



*The national action plan for the implementation of R2P in Indonesia will consist of a number of this meeting's recommendations.*

populations. For many in Indonesia, the concept is relevant for the country due to past atrocities under the new order in 1965, the May riots in 1998, and in Timor L'este, among others.

Ms Alexandra will soon be joining the Asia Pacific Centre for R2P as a researcher.

Among the recommendations from the CSIS report include the need to sustain discussions on R2P; addressing continuing risks of future atrocities in Indonesia, especially in the context of protecting religious freedom and the importance of having R2P national focal point.

Mr. Iman from Indonesia Ministry of Foreign Affairs gave an update about the position of Indonesian government on R2P after UN General Assembly interactive dialogue in 2009. He pointed out that there is support for the principle's prevention pillar. He also stressed the important role of the international community as stated in the UN Charter in assisting states but there is also a need for a clear and comprehensive capacity building strategy. This should include enhancing early warning capacity and coordination with international, regional, and UN bodies.

According to him, Indonesia has

actively played an important role as co-host in a meeting of member states on Pillar 2 (international assistance and consent of states) at the 68th UN General Assembly in 2014. Its delegation underscored the importance of international co-operation in the area of assistance for protection, which should have the consent of states. Indonesia has also been working to promote R2P in ASEAN and sponsored the first High Level Advisory Panel's Report R2P in Southeast Asia in New York in 2014. With regard to the matter of appointing a R2P national focal point for Indonesia, he said that it needs deeper study and further discussion.

A number of recommendations were generated during meeting, specifically in the areas of awareness raising, addressing risks factors for atrocities, participation, and addressing a number of challenges in implementing R2P in Indonesia. These will contribute towards the development of a national action plan for the implementation of R2P. They are as follows:

### **Awareness raising**

- Bring the dialogue on R2P down to local or community level, especially in the "hot spot" areas of Indonesia where human rights violations are taking place and atrocities are being committed by some security sector agents.
- Enhance capacity building for human protection among security officers especially in remote areas where people need protection.
- Promote awareness of R2P among civil society groups and academia, as well as in the Ministry of Domestic Affairs in order to deepen their understanding of the principle and the importance of atrocities prevention.

### **Addressing risk factors for atrocity crimes**

- Use existing laws to combat hate speech especially in social media
- Support RANHAM's eight action



lines, including the right to feel safe.

- Advocate the abolition of discriminatory domestic laws such as the blasphemy law
- Monitor closely the security sector reform agenda and ensure that there is proper check on the powers or authority of the military.
- Develop early warning system in order to prevent radicalism or extremism.
- Invite Nadhatul Ulama and Muhammadiyah (Islamic mass organisations in Indonesia) to discuss the issue of extremism and tolerance of minority groups and introduce the R2P concept.
- Made the appointment of a national R2P focal point a priority. Consider two options on who can take the lead in the matter of appointing an Indonesian R2P national focal point: the Coordinator of Ministry of Politics and Security or the national human rights commissions, which already have modalities in their mandate in preventing mass atrocities.

### Participation of women

- Include women participation in all aspects related to the development of peace, security, and conflict prevention in Indonesia.

### Challenges to implementing R2P

- Sustaining the initiative of President Jokowi in trying to solve past human rights abuses;
- Increasing intolerance against minority religious groups and growing radicalism in Indonesia;
- Anchoring the concept of R2P in local values and wisdom to correct the misperception that it is a Western idea;
- Continuing lack of public awareness about R2P and atrocities prevention;
- Developing capacity for atrocities

prevention in the context of local elections and managing conflict over resources;

- Dealing with conservative mindset among law enforcers especially on human rights protection; and
- Existing memorandum of understanding (MOUs) between the military and civilian government agencies that allow the appointment of military in public service remains a major obstacle to meaningful security sector reform.

Overall, the experts meeting was an important milestone in the Centre's Indonesia program as it generated concrete ideas for advancing the implementation of R2P in the country. Specifically, the participants agreed to include the above recommendations in developing a national action plan on R2P. The Centre is currently working with HRWG-Indonesia in organizing a national dialogue on atrocities prevention, which is scheduled for mid-2016. The dialogue will focus on issues related to appointing a national focal point and strengthening national mechanisms to prevent future atrocities in Indonesia.

The Centre would like to express its appreciation to Mr Rafendi Djamin and the staff of HRWG-Indonesia for their assistance in organizing the Experts Meeting in Jakarta and for providing the post-meeting report on which this article is based.



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