



AP R2P

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Participants in the workshop on R2P and mass atrocities prevention

SPOTLIGHT ON R2P

APR2P/HRWG/ATAP Seminar on the Role of Parliament in Mass Atrocity Prevention

The Asia Pacific Centre for the Responsibility to Protect (APR2P) held a two-day seminar on mass atrocity prevention in Tangerang, Indonesia, on 12-13 December 2014. The seminar was part of an ongoing series of workshops sponsored by APR2P and its partner organizations, with the previous one being held in Bogor, Indonesia in June 2014, that focus on the integral role played by parliament and civil society groups in promoting the Responsibility to Protect (R2P) principle. The seminars focus on the identification and discussion of current issues, opportunities, and challenges in preventing mass atrocity crimes in Indonesia. There were more than

three dozen participants in the seminar, ranging in affiliation from human rights organizations and national human rights commissions, to parliamentarians and their staff and NGOs working in the field of conflict analysis and resolution. The participants were provided with copies of the R2P Toolkit and the Inter-Parliamentary Union's (IPU) resolution on R2P, which were translated into Bahasa Indonesia, as reference materials during the seminar.

In his opening remarks, Mr. Rafendi Djamin, Executive Director of Human Rights Working Group (HRWG) in Indonesia, and Representative

of Indonesia to the ASEAN Inter-Governmental Commission on Human Rights (AICHR), expressed appreciation to the Centre for holding the ongoing seminars in Indonesia in partnership with the HRWG Indonesia. He highlighted the primacy of the prevention pillar of R2P in the advocacy work of HRWG, and discussed the importance of Indonesia implementing the core tenets of R2P on a national scale, especially in light of its status as an emerging power within ASEAN (and its internal Institute for Peace and Reconciliation - AIPR). He also underscored the significant role played by parliamentary staff and civil society organizations in preventing mass atrocities through ongoing efforts to mainstream the principles in Indonesia through advocacy and legislative agenda setting, thanking the participants for their active engagement in the workshops. Pak Eddy from ATAP, a co-organizer of the seminar, also offered brief remarks and shared his pleasure that such



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a diverse range of stakeholders were meeting to discuss these issues of such great importance to Indonesia. Noel Morada, APR2P's Director of Regional Diplomacy and Capacity Building, delivered a lecture on the background of R2P, its implementation within the context of Indonesia and the Asia-Pacific, and how the R2P principles can be balanced with issues of national interest and sovereignty.

Some of the topics discussed during the seminar included:

- 1) the relationship between R2P norms and existing Indonesian laws, agreements and institutions related to human rights;
- 2) the cultural, religious and security contexts which allow R2P norms to thrive in Indonesia, as well as the challenges that face consistent implementation at the national level; and
- 3) the importance of addressing past atrocities as a means of preventing future atrocities.

The events of the second day included a session on "The effects of mass atrocities: what are the victims looking for?" during which presenters discussed some of their first-hand experiences with mass atrocities committed by the government, and the process that should be undertaken in order for those affected to achieve a sense of

reconciliation. Among the key points presented in this panel include:

- 1) the need for an open, safe national dialogue among stakeholders in order for victims to heal and move on from the effects of mass atrocity crimes committed against them and their communities;
- 2) the importance of the government recognizing and apologizing for these crimes, as well as offering compensation where necessary;
- 3) the right of victims, and society as a whole, to know the facts around past atrocities so that the causes can be addressed, learned from and corrected; and
- 4) the significance of confronting past atrocity crimes as an integral part healing and learning from mistakes and preventing future atrocities.

In dealing with past atrocities committed by the state, it was agreed that Indonesians should embrace their unique national and regional cultural traditions in the process of recognizing and healing from these mistakes, even as it is also important to learn from other countries' experiences (e.g., Cambodia and the trials of the Khmer Rouge leaders). An important point that was raised is whether Indonesia is willing to discuss and deal with past atrocities at the national level. It was asserted that it is not enough for reconciliation processes to happen at the local



Parliament staff participants listening to presentation in the workshop

level, they must also be embraced at the regional and national level, by all sectors of the government, including the security forces, the judiciary and the legislature.

Further presentations addressed the ongoing conflict in Papua—a region with a long history of conflict between local populations and the state that has been subjected to mass atrocity crimes by state actors—which presents a case study of the opportunities and challenges of implementing R2P within the diverse cultural and religious landscape of Indonesia. A presentation on the work of the Indonesian National Commission on Human Rights (Komnas-HAM) gave participants a deeper look at the history of human rights protection in Indonesia, past shortcomings, present strengths and weaknesses, and future possibilities and challenges. The presenter highlighted the importance of gaining support for strong human rights laws from members of parliament in order to create strong political commitment that will ensure that the government's own commitments are honored, and the goals of Komnas-HAM achieved.

Each of these presentations were



Dr. Noel M. Morada delivering introductory lecture on R2P



followed by an open forum. Some of the relevant issues raised by participants include:

- 1) the often problematic relationship between the civilian police and national military forces with regard to implementing civilian protection laws and processes;
- 2) the significant problems presented by hate speech, especially of a religious nature, in Indonesia, and the difficulties in differentiating it from protected freedoms of expression;
- 3) the progress that has been made on this front, as seen by current efforts underway to create a more tolerant society by people such as the Minister of Foreign Affairs;
- 4) the challenges presented by the process of reconciliation, which is often resisted by victims themselves, who worry that this effort will simply bring back past traumas and create further divisions amongst the different parties involved, potentially setting back any progress that has been made;
- 5) the potential that the R2P norm, and the processes of mass atrocity prevention, may be viewed by some in Indonesia as a foreign idea used

by external powers to influence Indonesian society and politics, and the importance of countering this by recognizing and promoting the compatibility of R2P with existing Indonesian laws, cultural traditions, and international commitments to respect human rights and protect all citizens from mass atrocity crimes.

The afternoon of the second day of the seminar was devoted to further discussion on the role of R2P in the Indonesian context, and specifically the integral role that parliament, in conjunction with civil society and regional organizations, plays in its implementation. There were breakout sessions during which the small groups examined the relevance of R2P in the Indonesian context, creating plenary reports on each of the specific subjects they were assigned, with a number of concrete recommendations emerging, such as:

- Continue engaging legislators and parliamentary staff in advocating for the creation of laws, bills and political strategies that recognize and prioritize the needs of citizens for protection;
- Engage with partners, including

regional governments, civil society and local stakeholders, to promote reforms in the security and judicial sectors;

- Prioritize the creation of assistance and emergency response systems for the police and military, including new and ongoing training and education efforts;
- Allocate a budget at the national level that will be directed specifically towards mass atrocity prevention efforts, especially in regard to early warning response capacities;
- Budget funds for the compensation of victims of past mass atrocities; memorials; and other efforts at official state recognition of past crimes and reconciliation for the victims;
- Encourage dialogue at every level of Indonesian society between government, civil society and religious groups about mass atrocity prevention, R2P norms in an effort to continue expanding the conversation about human rights education and implementation efforts;
- Implement a system for ensuring that local and regional laws are consistent with national laws and

“In dealing with past atrocities committed by the state, it was agreed that Indonesians should embrace their unique national and regional cultural traditions in the process of recognising and healing from these mistakes”

regulations regarding human rights and the protection of civilians, especially minorities;

- Ensure that national laws accurately reflect the commitments made by Indonesia at the international level, and that the laws correspond accordingly;

- Maintain good standing in international bodies such as the United Nations through increased focus on human rights and atrocity prevention; and

- Continue being a leader through important “soft power” initiatives within regional organizations such as ASEAN, by demonstrating the political, economic and cultural benefits of strong human rights laws, atrocity prevention, and general respect for the rights of all members of society.

The seminar in Tangerang is part of the continuing efforts of the Centre in promoting and implementing R2P in Indonesia that was started with the previous seminars in Bogor and Jakarta. By engaging critical stakeholders, from the parliament and civil society groups, the security sector and the judiciary, the processes and capacities necessary for mass atrocity prevention as presented by R2P are increasingly understood and strengthened, and thus effectively and consistently implemented. In January of 2015, the APR2P Centre, in conjunction with the HRWG-Indonesia and the Embassy of the Netherlands, continued this process by holding a public seminar on the High Level Advisory Panel's (HLAP) Report on Mainstreaming the Responsibility to Protect in Southeast Asia, the second such public seminar in the region after the first one held in Bangkok in October 2014. In addition to increasing awareness on the norms of R2P, these ongoing seminars serve as an important means by which various sectors can engage in open, honest dialogue about the

most pressing human rights issues facing Indonesia today, while building ever-stronger ties between parliament and the diverse array of stakeholders that have an interest in the further strengthening of human rights, and prevention of mass atrocities, at the local, regional and national level.

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