



**PERMANENT MISSION OF REPUBLIC OF INDONESIA  
TO THE UNITED NATIONS, WORLD TRADE ORGANIZATION AND  
OTHER INTERNATIONAL ORGANIZATIONS**

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**Statement by the Director-General for Human Rights  
Ministry of Law and Human Rights  
of the Republic of Indonesia  
on the Report of the Special Rapporteur on Torture  
at the 7<sup>th</sup> Session of the Human Rights Council**

Geneva, 10 March 2008

**Statement by the Indonesian Delegation**  
**on the Report of the Special Rapporteur on Torture, Mr. Manfred Nowak**  
Geneva, 11 February 2008

Mr. President,

As a member of the Human Rights Council, Indonesia cooperates with the latter and its mechanisms. Therefore, it is our firm conviction that responding to the reports of special procedures should be done in a spirit of good faith and support for the work of the Council and the OHCHR. This good faith should be displayed equally by the member States and the special procedures since the latter's mandates are the backbone of the promotion and protection of human rights worldwide.

To date, Indonesia has had 11 country visits by various United Nations special procedures. This is the second visit by a Special Rapporteur on Torture, the first being Prof. Kooijmans's visit in 1991. This indisputably attests to a much greater transparency on the part of Indonesia. Such transparency is an essential feature in a country such as Indonesia which is on its way to full-fledged democracy – with a vibrant civil society and thousands of NGOS, a vocal parliament, self-censorship and free media, academics, human rights watch groups, and study centers as well as university research centers.

As our Foreign Minister stated in his speech before the High level Statement last week, Indonesia also has several eminent and active national human rights bodies, among others, National Commission on Human Rights, the National Commission on Women, the National Commission on the Protection of Children, and the Ombudsman's Office as well as National Police Commission.

They all play a significant role in the national drive to promote and protect the human rights of all our citizens.

Last but not least, Indonesia also has 436 Committees for the Implementation of the National Plan of Action on Human Rights (RAN-HAM) 2004-2009, mandated among others to compile and receive complaints of human rights violations in the country.

Mr. President.

With so many national institutional mechanisms focusing on human rights complaints, there is nothing unusual in the fact that alleged cases of torture or ill-treatment are often brought up by our own national mechanisms. Many such cases are also reported openly by our media and often make headlines. The same goes for human rights violations allegedly perpetrated by the National Police and the Military, which are regularly and openly brought to the attention of the government for it to address and process them legally. Moreover, no human rights violations fail to come under the Parliament's scrutiny.

In its cooperation with the Council and its special procedures, including with the SR on Torture, the Government of Indonesia focuses on strengthening international cooperation and dialogue in the promotion and protection of human rights. This is in line with the mandate of the Human Rights Council as per GA Resolution 60/251, in which such dialogue and cooperation are carried out through advisory services and technical cooperation at the request and with the consent of the concerned states.

Both advisory services and technical cooperation are what the government calls for from its cooperation with special procedures. For this reason, as stated by

our Foreign Minister, the Council then adds its weight and legitimacy to the work of the special procedures by adopting the Code of Conduct for the Special Procedures. On this premise, we are ready to undertake a dialogue with the Council's special procedures, including with the SR on Torture.

Mr. President,

While appreciating the SR on Torture for his visit to Indonesia, we regret to say that he was unable to fulfill the important mandates to study relevant important documents and reports comprehensively as well as to establish a genuine dialogue with the government throughout the visit. As a result, we wonder how a visit which falls short of expectations on establishing a dialogue with the government can ultimately produce tangible and reliable conclusions and recommendations. For instance, how can the SR reach any conclusions on violence against women when he did not meet and have a dialogue with the relevant officials from the State Ministry for the Empowerment of Women?

This is indeed very unfortunate as Indonesia had high expectations from this visit, particularly in light of the government's intensive efforts to prepare for the ratification of the Optional Protocol on CAT (OP-CAT), as mandated by the RAN-HAM 2004-2009.

In conclusion Mr. President, Indonesia's dedication to the promotion and protection of human rights, in particular by consistently upholding its commitments and obligations both as an active member of the Human Rights Council and as a State-Party to the Convention against Torture are unwavering. We shall not relax our efforts in steadfastly addressing and combating torture and other forms of inhuman or degrading treatment and punishment in the country.

Having said this, the Indonesian government maintains its appreciation of the importance of the work of the Council's special procedures and, to that end, will continue to sustain its dialogue and cooperation with them. In doing so, we believe that it is only when the visit is conducted in a manner that strengthens mutual dialogue and respect that we can be confident that it will produce balanced, fair and tangible recommendations, which take into account the initiatives that have been taken and the challenges that a country concerned such as Indonesia, with its vast size and enormous ethnic, religious and cultural diversity, must confront.

Thank you.