



## Centre for Democratic Institutions

### TREATY IMPLEMENTATION WORKSHOP INDONESIA

#### **Background**

In June 1998, President Habibie announced Indonesia's first National Plan of Action on Human Rights. The Plan included a commitment for Indonesia to become a party to all the major United Nations human rights treaties by 2003. Indonesia is already a party to the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and recently ratified the Convention Against Torture.

One aspect of the obligations undertaken by parties to international human rights treaties is that of making initial and periodic reports to expert treaty-monitoring bodies. Report presentation is an onerous and specialised activity. By 2003, Indonesia will be required to prepare eight reports in each five year period: a challenging task requiring both commitment and expertise.

The 'Human Rights: Treaty Implementation Training' workshop was co-sponsored by the Australia-Indonesia Institute and the Centre for Democratic Institutions in response to Indonesia's increased reporting obligations. The workshop was held at the Radisson Hotel in Jakarta on 30 November-1 December 1998. These dates were chosen to coincide as closely as possible with the 50th anniversary of the United Nations Declaration on Human Rights and with the annual conference of Indonesia's National Human Rights Commission (KOMNASHAM).

#### Workshop training team

The training team consisted of four members, each of whom has a depth of experience in issues relating to monitoring and reporting on international human rights treaties.

Justice Elizabeth Evatt AC is a current member of the Human Rights Committee, which monitors the implementation of the International Covenant on Civil and Political Rights. Justice Evatt is a former member of the Committee on the Elimination of Discrimination against Women, which monitors CEDAW.

Mr Roland Rich is Director of the Centre for Democratic Institutions and a former Assistant Secretary of the International Organisations Branch of the Australian Department of Foreign Affairs and Trade. Mr Rich has experience in the preparation of reports.

Professor Hilary Charlesworth is Director of the Centre for International and Public Law at the Australian National University and an internationally respected expert on international human rights treaties.

Professor Robert McCorquodale is Reader in Law at the Australian National University and has extensive expertise in international human rights treaties.

### **Workshop participants**

The invitation list was arranged by the Australian Embassy in consultation with the Indonesia Department of Foreign Affairs (Departemen Luar Negeri, DEPLU). Approximately 60 people, including representatives of non-government organisations and the media, attended the workshop opening. The workshop itself had some 40 participants, including officials from six departments who will have responsibility for report writing, as well as academics from the University of Indonesia in Jakarta and Diponegoro University in Semarang. Professor Sunaryati Hartono, a member of the CEDAW committee and one of the two Indonesian members of human rights treaty bodies, also participated in the workshop.

### **The Workshop**

The workshop was carried out over two days, with the programme covering a range of issues including the international human rights system, reporting requirements and preparation, and involving non-government organisations in the reporting process.

A series of overhead slides were used in each of the presentations. These were translated into Bahasa Indonesia and copies were given to each of the participants. Course materials also included copies of the Universal Declaration of Human Rights, also translated into Bahasa Indonesia, and the Department of Foreign Affairs and Trade (DFAT) Human Rights Manual. The Centre for Democratic Institutions also provided copies of the UNITAR manual on reporting to the six relevant departments and to Professor Hartono.

Course materials were drawn from United Nations sources and the workshop complemented and enhanced UN efforts in this field. The UN offers training courses on reporting, including a two week course held in Turin and regional courses which tend to draw one or two representatives from each regional country. A possible advantage of the Australia-Indonesia Institute/Centre for Democratic Institutions course over the UN courses is that it attracted a critical mass of line officers from responsible ministries in Jakarta, as well as some representation from beyond the capital, and thus began the process of cooperation among ministries which is essential for a successful reporting process. Another advantage is that the course was tailored to specific Indonesian needs and, where possible, used Bahasa Indonesia.

### **Evaluation**

The evaluation questionnaires circulated by Professor Charlesworth indicated a very positive response from participants.

The lively questioning and commentary after each session indicated a high level of engagement and understanding among participants. At the end of the first day, participants broke into small groups for discussion and then reported back to the plenary on the question 'What are the potential advantages and problems in Indonesia of preparing reports under the UN human rights treaties?' The comments made

indicated a considerable understanding of the issues and a keen perception of the dimensions of the task.

Perhaps one of the best outcomes was a decision by Professor Hartono to hold her own training course, using the Australia-Indonesia Institute/Centre for Democratic Institutions materials, for the drafting of the CEDAW report. The human rights section of the Foreign Ministry also expressed interest in further cooperation in this area.

### **Australia-Indonesia Institute The Australia Lectures 1998**

On the evening of December 1, Justice Elizabeth Evatt, one of the Treaty Implementation Seminar presenters, delivered the Australia lecture. Justice Evatt's lecture was entitled 'Vision and Reality: Problems in building a human rights society' and is available on this site in both English and Bahasa Indonesia.

#### **Participants**

A. T. Syah  
Department of Education and Culture  
(Departemen Pendidikan dan Kebudayaan)

Saparinah Sadli  
National Human Rights Committee (KOMNAS HAM)

Kiki Riadi  
Department of Social Affairs (Departemen Sosial)

Miriam Budiardjo  
National Human Rights Committee (KOMNAS HAM)

Siti Hayati  
Law Faculty University of Indonesia

Petty Usnam  
RCTI

Romly  
Directorate of Legislation, Department of Justice

Lingawaty Hakim  
Department of Foreign Affairs (Departemen Luar Negeri)

Sulistyowati  
Law Faculty University of Indonesia

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Law Faculty University of Indonesia

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Law Faculty University of Indonesia

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Department of Religious Affairs

Rudy SM  
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Department of Defence and Security  
(Departemen Pertahanan Keamanan)

Eko Sabar PR  
Human Rights Centre, University of  
Diponegoro

Jonny Sinaga  
Department of Foreign Affairs (Departemen  
Luar Negeri)

S. Sudradjat  
Armed Forces of Indonesia (MABES -  
ABRI)

Sophi Oentari  
Department of Manpower (Departemen Tenaga  
Kerja)

Hendir NG  
Law Faculty University of Indonesia

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Department of Education and Culture  
(Departemen Pendidikan dan Kebudayaan)

Mizwar Jalaluddin  
Department of Foreign Affairs (Departemen  
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Justice Josi  
Department of Justice

Sugianto

Department of Justice

Winastuti  
Department of Justice

Irfan R. Hutagalung  
Law Faculty University of Indonesia

Dede Ruhiyat  
Department of Defence and Security  
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Budhi Wisaksono  
Human Rights Centre University of Diponegoro

Sri Yanti SH  
Department of Justice

Kamala Chandrakirana  
National Committee Against Violence Against  
Women

Daulat HA Pasaribu  
Department of Foreign Affairs (Departemen  
Luar Negeri)

Arifin Sutedja  
Department of Foreign Affairs (Departemen  
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Tien Handayani M  
Law Faculty University of Indonesia

K. Suparlan  
Department of Justice

Ita F. Nadia  
Kaliana Mitra

Ruhyada  
Department of Foreign Affairs (Departemen  
Luar Negeri)

Irwanto  
Department of Foreign Affairs (Departemen  
Luar Negeri)

Eddy Noor  
Department of Information (Departemen  
Peneragan)

Stompal  
Department of Information (Departemen  
Peneragan)

Sita WB  
Department of Social Affairs (Departemen  
Sosial)

Adbul Hadi  
National Resilience Institute

Hendra  
University of Indonesia

**Treaty Implementation Workshop: Indonesia**  
**Programme**  
**Monday 30 November 1998**

10.00 am	<b>Opening and welcoming remarks</b> Professor Miriam Bujiardo, Chairperson KOMNASHAM H.E. Ambassador John McCarthy, Australia
10.45 pm	Tea/coffee
11.00 am	<b>Session A: The International Human Rights System</b> Chair: Professor Sunaryati Hartono Presenter: Justice Elizabeth Evatt AC
12.30 pm	Lunch
2.00 pm	<b>Session B: The UN Human Rights Systems</b> Chair: Mr Harry Purwanto, Departemen Luar Negeri Presenters: Hilary Charlesworth/Robert McCorquodale, Australian National University
3.30 pm	<b>Tea/coffee and small group discussion on issues involved in human rights reporting in Indonesia</b>
4.30 pm	Video on the Human Rights Committee
	Close

**Tuesday 1 December 1998**

11.00 am	<b>Session C: Reporting Requirement under Human Rights Treaties</b> Presenters: Hilary Charlesworth/Robert McCorquodale, Australian National University
12.00 noon	Lunch
1.30 pm	<b>Session D: Preparing the International Covenant on Economic, Social and Cultural Rights (ICESCR) Report</b> Presenter: Roland Rich
2.30 pm	<b>Session E: Reporting from the Perspective of a member of the Treaty-monitoring Body</b> Chair: Mr Agus Sriyono, Departemen Luar Negeri Presenter: Justice Elizabeth Evatt AC
3.30 pm	Tea/coffee
3.45 pm	<b>Session F: Involving NGOs in the Reporting Process</b> Panel discussion: Justice Elizabeth Evatt AC/Professor Suyono Yahya
4.30 pm	Closing and Review
5.00 pm	Close