

Oral Statement of Indonesia's National Commission on Violence against Women (Komnas Perempuan)
at the 7th Session of the Forum on Minority Issues on
“Preventing and addressing violence and atrocity crimes targeted against minorities”

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Dear Chair Person, and all participants

I am grateful for the presentations related to recommendations on preventing and addressing violence and atrocity crimes targeted against minorities that will be adopted as international standard.

1. In the Indonesia context the 1945 Constitution protect and guarantees the basic rights of every person without exception. However, many implementing policies and regulations are not in accordance with the Constitution. In addition, weak law enforcement and impunity has make violence and atrocity crimes targeted against minorities continues.
2. Komnas Perempuan 's monitoring the most vulnerable groups are minority denominations religious , women of Papuan ethnicity, women in LBTcommunity (lesbian, bisexual, transgender community) and women migrant workers.
3. The state only recognize six religions, meaning that those in religious minority groups and adherents to local faith experience violence in the term of expulsion, persecution and prohibition from building place of worship, lack of access to legal status such as not being able to register their marriage or to get a birth certificate, students force to take a subject on one of the religions recognized by the state.
4. Women of Papuan ethnicities become minority in term of economy, social, cultural and political roles. Special Autonomy does not have comprehensive affirmative action as mandated in Act No. 21 / 2001 on Special Autonomy, that failing to address the needs and problems faced by Papuan women.
5. There is no legal recognition women in LBT community resulting in them often experiencing violence particularly from radical groups in the name of religion.
6. Women migrant workers became a minority in the recipient country in terms of the economy, freedom to have organization, and access to public and domestic sphere, cultural domination of the employer, vulnerable to domestic violence and criminalization. Especially when they are counted as undocumented workers.
7. There are some positive experiences such as the Head Regioncy of Palu has signed the Memorandum of Understanding (MoU) for the Recovery of the victims of past human

rights violation. A similar process has begun in Jakarta with the building of May 1998 Memorialization. In addition, in Papua, women are represent in those three working group of Papua People's Assembly (MRP), and the adoption of a Special Regulation (Perdasus) on Recovery rights of Papuan women victims of violence and human rights violations.

8. In line with the recommendations that presenting by the special rapporteur on Minority issues, the state should:
 - a. Undertake harmonization of the regulation with the 1945 Constitution, and international human rights declarations and conventions. ➔ Paragraph 14
 - b. Creating affirmative action to promote welfare and equality of life of minority groups, including ensuring their participation in decision-making and streamed through the public institutions. ➔ Paragraphs 17, 21.
 - c. Carry out law enforcement that has a deterrent effect on perpetrators and prevents the repeat of violence and atrocity crime targeted minority. ➔ paragraphs 15, 27, 29
 - d. Providing restoration to victims groups (health, economic, and reparations)
 - e. Create dialogue space between multi religions, cultural and communities; carry out campaigns and public education on pluralism and tolerance, prohibits the dissemination of hatred. ➔ paragraphs 15, 18, 30, 31, 33.

Thank you, Chair person

Geneva, November 26, 2014