

European Union
Council Secretariat
Brussels, Belgium

11 June 2010
15 – 16:30h

**Preparatory Meeting in view of the upcoming
“EU – Indonesia Human Rights Dialogue”, planned for June 29th**

Participants from EU side: Eva Mendoza (Chair/ Permanent Mission Spain to EU), Dr. Malgorzata Gorska (International Relations Officer – Policy Desk Officer, Human Rights Unit, European Commission – Directorate-General for External Relations), Aymeric Dupont (EU Council, General Secretariat DGE, Human Rights Unit), Fernando Heredia (Permanent Mission Spain to EU)

Participants from NGO side: Floor Schuiling (FBN), Kristina Neubauer (FBN), Gisela (PBI Germany), Nicole Bjerler (Amnesty International, EU office), Shaun Kirven (Protection International), Leonor Rebassa (Frontline Defenders, EU office) and others.

Background:

In view of the upcoming human rights dialogue between the European Union and the Republic of Indonesia on 29 June 2010 in Jakarta, the EU invited several European human rights organisations for a preparatory meeting in Brussels. The agenda of the HRs dialogue was sent out to the invited NGOs beforehand and is the following:

<p style="text-align: center;">FIRST EU-INDONESIA HUMAN RIGHTS DIALOGUE Venue: Jakarta, Indonesia Date: 29th June 2010</p> <ul style="list-style-type: none">○ Rights of the child, including child labour and juvenile justice○ Advancing the rights of prisoners○ International Criminal Court○ Death Penalty○ Women's rights○ Interfaith dialogue and freedom of religion○ Cooperation in the Human Rights field (EU lead/ Indonesia reply)○ Cooperation in international fora○ UNGA and HRC, including follow-up to the UPR○ ASEAN Intergovernmental Commission on Human Rights
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Meeting Overview:

Eva Mandoza opened the meeting stressing that the present NGO representative shall feed the EU with relevant information regarding the upcoming HRs dialogue between the EU and Indonesia. Mandoza encouraged the present NGOs to submit reports and individual cases to the EU. Though many topics would not be on the agenda of the dialogue, the EU would be able to follow-up on submitted cases.

In an introduction round of the EU representatives Fernando Heredia said that the EU had high expectations towards this dialogue. The EU had talks with their Japanese partners who believe in the progress of human rights in Indonesia. Aymeric Dupont stressed the improved relations between the EU and Indonesia since the flight ban on Garuda was lifted in 2009. The EU representatives stressed several times the openness of Indonesia towards this dialogue. Malgorzata Gorska explained that the EU had to be strategic avoiding destroying this openness from Indonesia. The length of the agenda was rather unusual as Indonesia had agreed to most of the agenda points. In general, the EU seems to be pleased with the smooth cooperation of Indonesia towards this first

dialogue. The dialogue will start with a presentation of the respective human rights instruments of the EU and Indonesia.

Frontline Defenders, Amnesty International and Peace Brigades International immediately raised the issue of Papua in regard to the situation of human rights defenders. The representatives criticized that the situation of human rights defenders was not on the agenda of the HRs dialogue. Mendoza explained that when presenting the human rights mechanisms the issue of human rights defenders will certainly be included then (under '*Ensuring Protection – European Guidelines on Human Rights Defenders*').

The NGO representatives signalled their understanding that due to the sensitivity of the first round of the dialogue Papua will not be a single topic on the agenda. The FBN asked the EU to raise the issue of Papua through the right to freedom of expression. However, the FBN expressed its surprise that the right to freedom of expression was not on the agenda of the dialogue. Malgorzata Gorska explained that freedom of expression had been on the initial agenda, but due to the unusual long agenda of the dialogue it was decided to take this topic out. Gorska said that freedom of expression can be raised during the opening of the dialogue or under topic "Cooperation in the Human Rights field". The FBN also proposed to raise the problems of Papua under issues related to security sector reforms and the EcoSoc rights, in particular due to the problems caused by plantations, food estates etc. The FBN expressed its surprise that the EcoSoc rights however were also not on the agenda of the dialogue. Fernando Heredia explained that the EcoSoc rights were included under "Cooperation in the Human Rights field" (the right to water and sanitation would certainly be discussed here). The FBN mentioned its "Human Rights report 2009" which documents cases of violations of the right to freedom of expression, abuses by the security forces and lacking indigenous rights in relation to the exploitation of natural resources. After the meeting, the FBN submitted its "[Human Rights Report 2009](#)" to the EU representatives. As additional documents the "[Update on the Human Rights Situation in Papua, Indonesia – First quarter of 2010](#)" by Neubauer and the "[Aide-Memoire of UEM, Watch Indonesia!, WPN etc](#)" were handed over.

A representative of the "World Organisation against Torture" gave an extended input on recommendations to combat torture in Indonesia. The EU representatives received this input well and said the follow-up on Nowak's recommendations will be part of the dialogue.

Shaun Kirven from "Protection International" stressed several times the need and strength of the interrelation of human rights. In regard to the right of freedom of expression Kirven requested the EU to extend this right as far as possible, e.g. in relation to women's rights (on the agenda) and dress codes.

Protection International and the FBN both criticized the setting-up of the preparatory meeting: The NGOs were invited and asked for input after the agenda of the HRs dialogue had been set by the EU and Indonesia. The FBN asked why the NGOs were not invited beforehand. Eva Mandoza said that in an ideal world the NGOs would indeed have been invited at an earlier stage. She gave several excuses why this did not happen such as the amount of dialogues the EU had to prepare. Mandoza also stressed that the EU delegation in Jakarta had good contacts with local NGOs and that there were already preparatory meetings in Jakarta. However, Mandoza acknowledged that the EU could improve on this matter ("we are all learning"). The agenda as it is now is final. It is proposed as such by the EU to Indonesia and they integrally accepted it without any adjustments.

Other topics that were raised, but largely unrelated to Papua:

- LGBT rights
- Freedom of religion (in the light of recent unrest in Java)
- Children's rights, especially transgender children

What's next:

- 1) Input for the dialogue, for example details of specific cases, is still possible this week (week 24). Input to be sent to:
 - a) Brussels side:
 - Eva Mendoza (Chair/ Permanent Mission Spain to EU): eva.mendoza@maec.es
 - Malgorzata Gorska (International Relations Officer – Policy Desk Officer, Human Rights Unit, European Commission – Directorate-General for External Relations): malgorzata.gorska@ec.europa.eu

- Aymeric Dupont (EU Council, General Secretariat DGE, Human Rights Unit): aymeric.dupont@consilium.europa.eu
 - Fernando Heredia (Permanent Mission Spain to EU): fernando.heredia@reper.maec.es
- b) Jakarta side:
- Charles Whiteley: Charles.Whiteley@ec.europa.eu

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2) The EU delegation in Jakarta will organise a meeting with Indonesian civil society on June 28th, 2010.

"You are cordially invited to a meeting at the EU Delegation (16th Floor, Intiland Tower, Jl. Jend Sudirman) on **28th June at 2pm** to meet the EU representatives who will conduct the first session of the EU-Indonesia Human Rights Dialogue and to exchange views on the human rights situation in Indonesia. Topics that will be discussed at the meeting on the 28th include: freedom of religion, freedom of expression, ICC, death penalty, rights of the child (including child labour and juvenile justice), prisoners' rights and women's rights".

- 3) The EU and RI will give a joint press statement after the dialogue on 29 June 2010. There will be no public report.
- 4) The international NGOs will be invited to a debriefing in Brussels after the dialogue. The next round of the dialogue will be held in 2011 in Brussels.

K. Neubauer, Wuppertal, 15.06.2010

F. Schuiling, The Hague, 16.06.2010