

INDONESIA UPR

WHAT IS THE UPR?

The Universal Periodic Review (UPR) is a mechanism of the United Nations, under which **States' human rights records are reviewed by other States**, every four and a half years.

Under the UPR all countries are treated **equally**. All 193 UN Member's human rights records are reviewed.

The UPR is a **peer-review** process, as each State's human rights performance is assessed by other States.

Reviews take place during an interactive discussion between the State under review and other UN Member States. During this discussion any UN Member State can pose questions, comments, or **make recommendations** to the States under review.

The reviewed State can declare what actions it has taken to improve their human rights situations and can choose to either accept or note the recommendations received.

The **State has the primary responsibility to implement** the recommendations made by other States to improve the human rights situation in the country.

During the next review the State should provide information on what it has been doing to implement the recommendations made during the previous review.

The fourth cycle of reviews under the UPR started in 2022.





PARLIAMENTS & THE UPR

Before the review, they can contribute to the State's report on the human rights situation in the country and encourage their Government to host a broad consultation process.

During the review, they can participate in the interactive discussion, either as a member of the Government delegation or as an observer.

Most importantly, **after the review** they are instrumental in making sure that the recommendations from the UPR are translated into national legislation and policies, budgetary action, and implemented at the national level.

In their oversight function, parliaments play a crucial role in ensuring Governments implement the recommendations received during the UPR.

INDONESIA & THE UPR

Indonesia has come three times under review in 2008, 2012, 2017, and the fourth cycle will take place in November 2022.

During the first three cycles Indonesia received numerous recommendations relating to the right to freedom of religion or belief (FoRB).

FOR MORE INFORMATION:

- [Basic Facts about the UPR](#)
- [UPR and Parliaments](#)
- [IPU Human Rights Handbook](#)
- [Indonesian CSOs' submission on FoRB to the 4th Cycle of UPR](#)
- [Komnas HAM's submission for the 4th Cycle of UPR](#)



FORB AND THE UPR

Notable recommendations on the right to Freedom of Religion or Belief for Indonesia include:

- **Amend or revoke laws** and decrees that limit the right to FoRB to bring them in line with international human rights standards, including:
 - The Blasphemy Law in the 1965 Law and the Criminal Code,
 - The 2006 ministerial decrees on building houses of worship and religious harmony,
 - The discriminatory local by-laws and regulations, and
 - The 2008 Joint Ministerial Decree on the Ahmadiyah.
- Ensure that religious minorities can fully exercise their right to FoRB, free from violence and without discrimination.
- Continue to support ethnic and religious respect within a diverse society.
- **Investigate and prosecute** all cases of harassment and discrimination of religious minorities and non-believers.
- Accept a visit by the **Special Rapporteur** on Freedom of Religion or Belief.
- Institute **training** and awareness campaigns on FoRB for provincial and municipal officials, and law enforcement officials .



WHAT CAN MPs DO?

- ✓ **Encourage** the Government, particularly the Ministry of Foreign Affairs and the Ministry of Law and Human Rights, to fully consider, and reflect in the national report, the inputs received from all stakeholders, including CSOs and NHRI.
- ✓ **Cooperate** with NHRIs and civil society coalitions to gather more data and inputs regarding the situation of FoRB from the ground, and provide provisions to the problematic laws and regulations related to FoRB.
- ✓ Hold public **awareness-raising** activities with constituencies about the upcoming UPR review, the status of the problematic laws in Parliament, why they are problematic and what steps have been taken by MPs.
- ✓ **Participate** in the session in Geneva, either as members of the government delegation or as observers. Participate in the deliberations of the Executive to determine Indonesia's position on the UPR recommendations.
- ✓ Meet regularly with **influential stakeholders** such as the Ministry of Religious Affairs, Ministry of Foreign Affairs, Indonesian Ulema Council (MUI), religious and belief organizations, interfaith organizations, religious leaders and religious and belief minority communities.
- ✓ Organise regular parliamentary **monitoring** of progress made in the implementation of the UPR recommendations, including by requesting the Executive to provide regular updates or a mid-term report to Parliament.
- ✓ Influence **state budget** to include funds for human rights sensitivity training for key state actors such as police, security officials and judges, especially to handle cases of blasphemy and hate speech.