



18 May 2010

Mr. Ifdhal Kasim
Chair, Komnas HAM

Ibu Hesti Armiwulan
Deputy Chair, Komnas HAM

Commission on Human Rights (Komnas HAM)
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Dear Mr. Kasim and Ibu Hesti,

The International Gay and Lesbian Human Rights Commission (IGLHRC), an international human rights organization with offices in four countries, writes to commend the unwavering efforts of Komnas HAM (National Human Rights Commission of Indonesia) to publicly defend the rights of lesbian, gay, bisexual and transgender (LGBT) Indonesians. Additionally, IGLHRC writes to alert you to recent and upcoming events and ask that you continue your steadfast support for justice.

The support of Komnas HAM during recent months has come at a crucial time. Mobs harassed and attacked individuals attending the conference of the International Lesbian and Gay Association (ILGA) Asia in Surabaya March 25 - 28. IGLHRC, an eyewitness to the attacks, observed the lack of action by the police to fulfill its duty to address the mob violence. During the period when the conference should have taken place, vigilantes sealed off the Surabaya office of GAYa NUSANTARA, the local organizational host, and it remained closed by vigilantes until April 21. Over the past month, Indonesian LGBT activists in Jakarta have reported to IGLHRC that they've been stalked and threatened by vigilantes. Members of the Islamic Defender Front violently disrupted a human rights training for *waria* (transgender people) in Depok (West Java) on April 30. IGLHRC received reports that city government and public order officers in Depok colluded with the attackers. Threats were also made against an HIV/AIDS seminar in Bandung (West Java) on May 11, causing it to be relocated.

These incidents represent a misuse of religion by vigilante groups such as the Islamic Defender Front, which inaccurately claims to speak for all Muslims in Indonesia. The recent spate of violence not only violates universal principles of human rights, but also signals to groups and individuals that government authorities will turn a blind eye when non-state actors violate the rule of law in the name of religion. This notion sets in motion a dangerous precedent.

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The Indonesian Constitution protects the right to freedom of association; it is the duty of the State – including the police – to uphold and protect this provision. The Indonesian National Police has a policy recognizing that sexual minorities are a marginalized group needing police protection from violence and discrimination. The recent incidents indicate that the police are failing to implement their own standards for discharging police duties while also failing to implement international human rights standards. At the international level, Indonesia is a member of the United Nations and a party to major human rights treaties, including the *International Covenant on Civil and Political Rights* (ICCPR), the *International Covenant on Economic, Social and Cultural Rights* (ICESCR), and the *Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW). Based on its national and international legal commitments, the Government of Indonesia has an obligation to promote, protect and fulfill the rights of all persons.

In the upcoming days, LGBT activists in Indonesia are planning events in response to the recent attempts to silence them. IGLHRC calls on the Government of Indonesia and the Indonesian National Police to guarantee the safety of these activists and all LGBT people. We hope that Komnas HAM will stand with us in our call.

All too often, human rights advocates must highlight incidents of wrongdoing. In the case of Komnas HAM, IGLHRC is pleased to recognize a commitment to human rights. In particular, IGLHRC appreciates both of your individual contributions. Additionally, IGLHRC notes the positive leadership that Komnas HAM has taken throughout Southeast Asia to promote progressive realization of human rights for LGBT people. One important example of this is the forward-thinking role that Komnas HAM has played in advocating respect for LGBT people and implementation of the *Yogyakarta Principles* in the Asia Pacific region.

IGLHRC will continue monitoring and responding to the treatment of LGBT people in Indonesia. We recognize the need to be in solidarity without undermining the leadership of in-country LGBT and other human rights activists. In this spirit of solidarity, we extend our support and friendship to Komnas HAM.

Most Sincerely,

Grace Poore
Regional Program Coordinator
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