



Parliamentarians for Global Action
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INFORMATIONAL RELEASE

High-level PGA Delegation visits Jakarta – PGA President Ross Robertson and Board Member Mark Pritchard welcome Indonesia's progress towards joining the ICC Statute

Jakarta/London/Wellington, 16 May 2013: On 12-15 May, New Zealand's Assistant Speaker **Mr. Ross Robertson MP** and UK's lawmaker **Mr. Mark Pritchard MP** led a Delegation of Parliamentarians for Global Action (PGA) who visited Jakarta, Indonesia, to highlight political support in the Parliament and Government of Indonesia towards accession to the Rome Statute of the International Criminal Court (ICC) by the 4th largest country in the world.

On Monday 13 May, the PGA Delegation was welcomed in the Plenary of Parliament by the Speaker of Indonesia, **Mr. Marzuki Alie MP**, as soon as Parliament resumed from recess. On Monday afternoon, the Delegation moved into meetings with officials from the Ministry of Defence and the Ministry of Law and Human Rights, as well as the NGOs and the Diplomatic Community.

At a Round-Table Discussion on Indonesia and the ICC, held in the House of Representatives on Tuesday 14 May and opened by Deputy Speaker **Mr. Priyo Budi Santoso MP**, Mr. Robertson underscored the role that Parliament can play in countries that have not yet joined the Rome Statute of the ICC including Indonesia: *"The people that we represent want to live in a peaceful society. Peace, justice and democracy are reinforcing each other. The ICC is a safeguard against future mass atrocities that may destabilize entire countries and regions. It is the responsibility of Legislators to protect the fundamental rights of the people: Indonesian Legislators are making a difference by uniting forces, across party lines, in support of the ICC"*, Mr. Robertson said, praising the contribution that Indonesian MPs have so far given to advance the Rule of Law and protect human rights in their country during the past decades. The Deputy Speaker decided to join the global network of PGA, as also all the other Indonesian MPs in attendance did.

The Chair of the Round-Table, **Ms. Eva Sundari, MP** (Indonesia) urged the Government of Indonesia to promptly transmit the ICC Accession Bill and relevant academic paper (explanatory note) to Parliament, stating that *"there is no time to postpone and no space for failure: The Government of Indonesia shall finally fulfil its commitment, undertaken within the National Human Rights Plan, and Parliament shall exercise its constitutional prerogative to consider and approve the ratification of this pivotal treaty, the Rome Statute"*, the opposition lawmaker affirmed.

Her position was echoed by a prominent human rights advocate from Indonesia, former Attorney General **Dr. Marzuki Darusman**, currently UN Special Representative for North Korea and Executive Director of the Human Rights Resource Centre for ASEAN. Dr. Darusman (a former PGA member) reminded Legislators and officials in attendance that *"there is no excuse for the Government of Indonesia to delay Cabinet approval and transmission to Parliament of the ICC Accession Bill, as the Government has started to deal with this priority in 2007 and the time has come for President Yudhoyono to leave a long-lasting legacy against impunity for future atrocities and thus reinforce the Rule of Law"*. His comments followed the statement delivered by the Director General of the Ministry for Law and Human Rights, **Professor Dr.**

Harkristuti Harkrisnowo, who affirmed that the time-table for decision making was clear: *“The ICC Accession process should take place and be finalised within the current Legislature ending in 2014. The National Human Rights Plan shall be implemented and we are committed to accede to the Rome Statute”*, said Prof. Harkristuti citing the recent visit to the ICC by Deputy Minister of Law and Human Rights Denny Indrayana.

Her remarks prompted a question from the Deputy Chair of the Law, Justice, Security & Human Rights Committee, **Dr. Aziz Syamsuddin MP** (PGA member since 2009), who alerted the Government representative and his parliamentary colleagues that *“the agenda of Parliament will be soon full of items, and the Government must provide us with timely submissions in order for the relevant Committees to accomplish results before the election-period in 2014.”* The pro-government MP expressed support for Indonesia’s Accession to the Rome Statute.

After a vibrant debate highlighting the benefits for Indonesia (and for the International Community as a whole) should the 3rd largest democracy of the world join the ICC, thus overtaking Brazil as largest nation in the Rome Statute system, the Round-Table ended with a statement of Indonesian Human Rights Commissioner **Mrs. Roichatul Aswidah**, who called upon a united effort of Government, Parliament and civil society to overcome pending obstacles towards Accession, starting with the opinion to be rendered by the Ministry of Defence. Participating Parliamentarians – who joined the PGA network – agreed to work on a by-partisan Memo, to be signed by MPs for the attention of President Yudhoyono, through which Legislators will request the Government to give priority to the ICC Accession Bill.

On 15 March, the PGA Delegation was received by the Minister of Defence of Indonesia, **Mr. Purnomo Yugiantoro**, and a high-level team of military and civilian advisors to the Minister: This bilateral meeting was co-chaired by PGA Board Member **Mr. Mark Pritchard, MP** (UK, Chair of the All Party Parliamentary Group for ASEAN). The Minister of Defence confirmed that his departments have been seriously engaged in the study and consideration of the ICC Accession Dossier and a policy-decision on this important subject-matter will be taken by the Cabinet of the Indonesian Government, within which the leading Ministries on this agenda-item are Foreign Affairs and Law and Human Rights. At the end of the fruitful bilateral meeting, **Mr. Pritchard** stated on behalf of PGA’s International Law and Human Rights Programme: *“We welcome the Minister’s commitment to continue to work with Indonesia’s allies and strategic partners to ensure that Accession to the Rome Statute will be accompanied by a correct interpretation of the Court’s mandate and jurisdiction, which should not be irresponsibly invoked in cases that do not fall under the gravity and scale thresholds contained in the Rome Statute’s definitions of genocide and crimes against humanity”*, the British conservative lawmaker said.

Mr. Robertson and **Mr. Pritchard** expressed the view that *“acceding to the Rome Statute of the ICC will reinforce the right of Indonesia to safeguard its sovereign territorial integrity, as the Statute’s Preamble reaffirms the fundamental purposes and principles of the United Nations Charter.”* PGA is committed to work with all UN Members States and, in particular, the 122 States that are already Parties to the Rome Statute, in order to support the process of Indonesia’s Accession, which, if achieved, will represent a formidable step forward towards the universality of the ICC system.

*Initial media coverage: **The Jakarta Post (page 2)**, “Politics stalls ratification”, by Marageth Aritonang <http://www.thejakartapost.com/news/2013/05/16/politics-stalls-ratification.html>*

PROGRAMME OF MEETINGS AND CONSULTATIONS

Parliamentarians for Global Action's

Strategic Mission to Jakarta with the purpose of promoting Indonesia's Accession to the Rome Statute of the International Criminal Court (ICC)

Sunday, May 12, 2013 – Wednesday, May 15, 2013

SUNDAY 12 MAY

- **16:00 PM**, *Hotel Mulia Senayan Lobby*: Briefing session of PGA staff with UK Embassy Political Advisor and Military Attaché (to prepare Lunch with Indonesian Defense Ministry Officials)
- **17:30 PM**, *Hotel Mulia Senayan Lobby*: meeting of PGA staff with Ms. Stefanie Kueng, Swiss Embassy to Indonesia (former PGA ILHRP Officer)
- **18:30 PM**, *Hotel Mulia Senayan Lobby*: Preparatory Meeting for PGA Delegation (MPs and Staff)
- **19:00 PM**, *Hotel Mulia Senayan*: Preparatory Strategy Meeting (dinner) with partners of PGA: Dr. Marzuki Darusman, former Attorney General, former MP & PGA member; Director, Human Rights Resource Centre for ASEAN; Mr. Zainal, ELSAM and Indonesian Coalition for the ICC; Mr. Battara Reza, Imparsial and CICC; Ms. Sandra Rully, HRRC)

MONDAY 13 MAY

- **9.30-10.30 AM (DPR)**: *Parliament- Komplek DPR/ MPR RI Gedung Nusantara I, 7th floor, suite 728*: Meetings of PGA Staff with Parliament Staff for Logistical Arrangements and to gather confirmations of MPs – *Informal mutual understanding on future cooperation between the PGA Secretariat and the Director for Inter-Parliamentary Relations of the Indonesian Parliament*
- **10.30-11:30 AM (DPR)**: PGA Parliamentary Delegation attends the Plenary of the DPR and the Speaker of the Indonesian Parliament, Hon. Marzuki Alie MP, recognizes the four individuals forming the PGA Delegation – The Plenary makes an applause when Mr. Robertson MP is recognized as Chair of the NZ-Indonesia Parliamentary Friendship Group and Mr. Pritchard MP as Chair of the UK All Party Parliamentary Group for the ASEAN Region
- **12.30-14:30 PM** (*Lara Djonggrang Restaurant on Jl. Teuku Cik Ditiro No. 4*): Working Lunch organized by the British Embassy to discuss the Indonesian ICC Accession process in a military perspective (*3 Officials from the Indonesian Ministry of Defense and 2 Officials from the Ministry of Law and Human Rights in attendance*)
- **16:00 PM**: Informal meeting/briefing with H.E. Mr. David Taylor, Ambassador of New Zealand to Indonesia (venue: Hotel Mulia Senayan lobby)
- **19:00-21:00 PM**, *venue: Jalan Imam Bonjol 45, Menteng, Jakarta Pusat 10310* - Dinner-Reception, hosted by the Ambassador of Austria in cooperation with the Head of the EU Delegation to Indonesia, Brunei and ASEAN

TUESDAY 14 MAY

- *Morning in Parliament/Mulia Senayan*: contacts with the press/Bilateral meetings/Round-Table room setting up/registration of participants and preparation of a List of Participants for the Deputy Speaker

-13:00-14:00 PM (DPR): Bilateral Meeting of the PGA Delegation with the Deputy President of the (ruling) Democratic Party, Dr. HJ. Nurhayati Ali Assegaf, MP MSi (Dem), Member of Commission I and Chairperson of IPU Women. *N.B.: Dr. Nurhayati decided to join PGA.*

-14:00-19:00 PM (DPR – Parliament room of the International Cooperation Committee): Round-Table Discussion in the Parliament of Indonesia (DPR) concerning the Process and Implications of Indonesia's Accession to the Rome Statute of the ICC (followed by buffet-dinner offered by PGA to registered participants) [→ See enclosed Agenda, and Outcomes in Interim Results file.]

WEDNESDAY 15 MAY

- 9:00-10:00 AM: Meeting with the Minister of Defense, Mr. Purnomo Yusgiantoro, at the Ministry of Defence of Indonesia, at the presence of 4 representatives of his Cabinet led by the Director General for Defence Strategy.

- 10:00-11:30 AM: Follow-up meeting (*set up on the spot by the Minister of Defense, in agreement with the PGA Parliamentarians*) between the PGA Senior Director and two senior officials attending the 9 AM meeting: the Special Advisor to the Minister of Defense on Social and Cultural Affairs and the Director General for Legal Affairs (*who wrote a negative opinion that blocked ICC Accession in 2009*)

- 13:00-14:00 PM: De-briefing session of PGA Staff for representatives of The Netherlands and UK Embassies to Indonesia

-14:00-15:30 PM: Meeting of PGA Senior Director with a journalist of the Jakarta Post

-16:30-17:45 PM: De-briefing and strategy meeting with leaders of Indonesian NGO Coalition (to discuss outcomes and implications of requests and suggestions made by Ministry of Defense officials to PGA)

- 18:45-19:45 PM: De-briefing of PGA Senior Director for Deputy Chief of Mission of Italian Embassy to Indonesia (interested to support a local project involving CSOs, Ministry of Defense and other officials)

MEMBERS OF THE PGA DELEGATION

1. **Mr. Ross Robertson, MP** (New Zealand), President of PGA; Assistant Speaker of the Parliament; Founder & Co-Chair, Indonesia-NZ Parliamentary Friendship Association
2. **Mr. Mark Pritchard, MP** (UK), Board Member and Deputy Convenor of the International Law and Human Rights Programme of PGA; Chairman of the UK All Party Parliamentary Group for ASEAN Region
3. **Dr. David Donat Cattin** (Italy), Senior Director, International Law and Human Rights Programme, PGA
4. **Mr. Leyla Nikjou** (Austria), International Law and Human Rights Programme Officer, PGA

THIS STRATEGIC MISSION TO INDONESIA IS PART OF THE PGA CAMPAIGN FOR THE UNIVERSALITY AND EFFECTIVENESS OF THE ROME STATUTE OF THE ICC SYSTEM ("PGA ICC CAMPAIGN").

THE PGA ICC CAMPAIGN RECEIVES SUPPORT FROM

THE **EUROPEAN UNION** (EUROPEAN INSTRUMENT FOR DEMOCRACY AND HUMAN RIGHTS),

THE GOVERNMENTS OF THE **NETHERLANDS, SWITZERLAND AND LIECHTENSTEIN,**

AND THE **HUMANITY UNITED** FOUNDATION

PGA RECEIVES CORE SUPPORT FROM THE GOVERNMENTS OF **SWEDEN AND DENMARK**

On-line access to PGA ICC Campaign:

<http://www.pgaction.org/programmes/ilhr/overview.html>

<https://www.facebook.com/pgaction> - <http://twitter.com/#!/PGAAction>

<http://www.flickr.com/photos/pgaction/collections/>