

## **Goal 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.**

### **Peace and Justice as Human Rights**

The Goal 16 covers a large part of the civil and political dimensions of human rights. It includes the right to life, the right to be free from torture and slavery, the right to freedom of information, the right to political participation, the right to legal personality, as well as the right to access to justice. These are the right embodied in the Universal Declaration of Human Rights, International Covenant on Civil and Political Rights and other international human rights instruments, which mostly have been ratified by the Gol, namely the Convention Against Torture (CAT) and the Convention on the Rights of the Child (CRC).

Most of these civil and political rights are also enshrined in the 1945 Constitution, as well as in the Law number 39/1999 on Human Rights. Moreover, with regard to the right to access to justice, Indonesia has passed a law on legal aid (Law no. 16/2011), which has been officially implemented since 2013. The law sets out legal aid as a right and guarantee the right to free legal aid for the poor.

Indonesia is still struggling to resolve various issues regarding the protection of the civil and political rights of its citizens. With regard to the right to life, apart from the the ongoing practice of death penalty, deaths from excessive use of force by are still occurred, especially in conflict area like Papua.<sup>1</sup> The National Commission on Human Rights (Komnas HAM) also reported that there were 230 reports on violations of the right to life in 2016 alone.<sup>2</sup> Moreover, torture is still often practiced by law enforcement apparatuses. In 2016, Komnas HAM received 142 reports on torture.<sup>3</sup>

Furthermore, in the justice sector, Indonesia is also still facing problems with the accountability of its justice system. The World Justice Index 2015 scored Indonesian criminal justice system only 0.37, while the civil justice system is slightly better with a score of 0.47, in a scale of 0.00 as the lowest score, to 1.00 as the highest score. It reflects the necessity for Gol to improve the justice system in order to strengthen the access to justice for everyone.

### **The National Targets on Peace and Justice.**

There are 12 targets under Goal 16 on the promotion of peace and justice, and the government found all those targets are in line with the national medium-term development plan (RPJMN) 2015-2019.<sup>4</sup>

---

<sup>1</sup> According to Human Rights Watch, there were at least 11 people were killed in Papua, in 2015, due to the use of excessive force by law enforcement/military personnel. See, Human Rights Watch, World Report 2015, 2016, available at: <https://www.hrw.org/world-report/2016/country-chapters/indonesia>

<sup>2</sup> Komnas HAM, REKAP DATA PENGADUAN KOMNAS HAM TAHUN 2016, available at: [https://www.komnasham.go.id/files/20170117-data-pengaduan-tahun-2016-\\$P5WKG.pdf](https://www.komnasham.go.id/files/20170117-data-pengaduan-tahun-2016-$P5WKG.pdf)

<sup>3</sup> Ibid.

<sup>4</sup> Bappenas, Zero Draft: PEDOMAN TEKNIS PENYUSUNAN RENCANA AKSI PEMBANGUNAN BERKELANJUTAN (RAN TPB), 2016, available at: <http://sdgsindonesia.or.id/index.php/bonus-pages/item/76-zero-draft-pedoman-teknis-penyusunan-rencana-aksi-pembangunan-berkelanjutan-ran-tpb?start=1390>

*Analytical Framework for  
Linking Sustainable Development Goals with Human Rights Obligations in Indonesia*

Global Targets	National Targets	National Indicators
16.1 Significantly reduce all forms of violence and related death rates everywhere.	1. Increasing the efforts to sustain social development through strategy (iv), controlling violence against children, fights, domestic violence; (vi) improving security reflected in low number of horizontal conflicts and crimes (Book II, chapter 1.1.1.3).	N/A
16.2 End abuse, exploitation, trafficking and all forms of violence against and torture of children.	<p>1. The availability of protection from various violence and other misconducts by optimizing preventive, handling and rehabilitative mechanisms for children, women and marginalized groups (Book I, chapter 6.4.6);</p> <p>2. Strengthened children protection system, including the effort to protect children from violence, exploitations, abandonment and other mistreatments. (Book II, chapter 2.2.10)</p>	a. Decreased number of violence against children from 38.62% (for boys) and 20.48% (for girls) (source: Book II, page 2-74).
16.3 Promote the rule of law at the national and international levels and ensure equal access to justice for all.	1. The realization of human rights respect, protection and fulfillment through legislations, human rights enforcement, legal aid provisions and services for the poor and marginalized groups, as well as law enforcement apparatuses with good human rights perspective and gender responsiveness. (Book I, chapter 6.4.1 & Book II, chapter 7.2.1 no.3).	<p>a. Legal aid target 2019: 6380 people, non litigation: 7260 activities (11.7M-42);</p> <p>b. Legal development index: 75%;</p> <p>c. The number of legal service posts for the poor to obtain birth certificate: 359;</p> <p>d. The number of outdoor trials and people receiving court fees waiver: 15.981.</p>

*Analytical Framework for  
Linking Sustainable Development Goals with Human Rights Obligations in Indonesia*

---

Global Targets	National Targets	National Indicators
16.4 By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime.	<p>1. The realization of Indonesian leadership and roles in international cooperation through</p> <p>(a) the strengthened role of Indonesia in handling transnational organized crimes;</p> <p>(b) the implementation of international cooperation to resolve global issues threatening the humankind, such as infectious diseases, climate change, distribution of illegal small arms and drugs. (Book II, chapter 5, page: 5-43).</p>	a. The percentage of acceptability of Indonesia's position in multilateral forum on the issues of international security, weapons of mass destruction and conventional weapons, transnational crimes and terrorism.
16.5 Substantially reduce corruption and bribery in all their forms.	1. Increased effectiveness of corruption prevention and eradication (Book I, 6.4.2 and Book II, 7.2.1).	<p>a. Anti corruption behavior index from 3.6 to 4 (2019);</p> <p>b. Anti corruption law enforcement: 20% increase.</p>

*Analytical Framework for  
Linking Sustainable Development Goals with Human Rights Obligations in Indonesia*

Global Targets	National Targets	National Indicators
16.6 Develop effective, accountable and transparent institutions at all levels.	<ol style="list-style-type: none"> <li>1. Increased transparency and accountability in all governance process and development (Book I, chapter 6.2.3 and Book II, chapter 7.2.2)</li> <li>2. Good quality of bureaucratic services through a) institutional and service management strengthening; and b) capacity building of public services performance (Book II, chapter 7.3.2, page 7-41).</li> </ol>	<ol style="list-style-type: none"> <li>1. Unqualified opinion (WTP) status on financial reports: from 74 to 95 ministerial reports in 2019.</li> <li>2. Capability level of the government internal auditor (APIP): from 1 to 3 in 2019.</li> <li>3. The performance level of the government internal auditing system (SPIP): 1 in 2019.</li> <li>4. Governmental agencies accountability performance (SAKIP): 85 agencies/ministries in 2019.</li> <li>5. The use of e-procurement: from 60.24% to 80% in 2019.</li> <li>6. The percentage of government agencies to achieve a good score on Bureaucratic Reform Index: 75 agencies/ministries.</li> <li>7. Civil servants professionalism index: from 76 to 86.</li> <li>8. National e-government index: from 2.66 to 3.4 in 2019.</li> <li>9. National Integrity Index: from 7.22 to 9 in 2019.</li> <li>10. Public satisfaction survey: from 80% to 95% in 2019.</li> <li>11. Compliance percentage of the implementation of the Public Service Law: from 64 ministries and 15 agencies to 100 in 2019.</li> </ol>
16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels.	<ul style="list-style-type: none"> <li>- Guarantee and fulfillment of civil liberties, political rights and obligations of the people, and the increased of women's political representation (Book II, 5.2.1 &amp; 5.3.1).</li> <li>- Guarantee of civil liberties and the fulfillment of people's political rights and openness public information through the strategy of increasing public participation in policy-making processes, public policy programs, public decision-making and the reasons behind public decisions (Book II, chapter 5.2.1).</li> </ul>	<ul style="list-style-type: none"> <li>- Civil liberty index: 87 in 2019;</li> <li>- Political rights index: 68 in 2019;</li> <li>- Women's representation in political parties: 30% in 2019.</li> </ul>

*Analytical Framework for  
Linking Sustainable Development Goals with Human Rights Obligations in Indonesia*

<b>Global Targets</b>	<b>National Targets</b>	<b>National Indicators</b>
16.8 Broaden and strengthen the participation of developing countries in the institutions of global governance.	<ul style="list-style-type: none"> <li>a. Improved Indonesian role at the global level;</li> <li>b. Improved Indonesian roles and leadership at ASEAN regional level;</li> <li>c. Improved Indonesian roles and leadership at the G-20 Global and APCE global level (Book II. 6.1.6).</li> </ul>	<ul style="list-style-type: none"> <li>a. the acceptance percentage of Indonesia in multilateral forum: 84% in 2019;</li> <li>b. Indonesia's leadership percentage in multilateral forum: 78% in 2019.</li> </ul>
16.9 By 2030, provide legal identity for all, including birth registration.	The achievement of improved integrated vital registration coverage and development. (Book II, chapter 2.3.1, point 7).	<ul style="list-style-type: none"> <li>a. Basic service coverage for birth certificate ownership for the 40% of low income population; from 64.6% (2015) to 77.4% in 2019 (Book II, Chapter I. Page. 1-70);</li> <li>b. Court fee waiver at religious courts to obtain marriage certificates to facilitate the obtainment of birth certificates; 15.981 in 2019 (Matrix II 2M-5);</li> <li>c. The percentage of children who have birth certificate: 85% (Matrix II.2M-16).</li> </ul>

*Analytical Framework for  
Linking Sustainable Development Goals with Human Rights Obligations in Indonesia*

Global Targets	National Targets	National Indicators
16.10 Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements.	<p>1. The realization of human rights respect, protection and fulfillment through legislations, human rights enforcement, legal aid provisions and services for the poor and marginalized groups, as well as law enforcement apparatuses with good human rights perspective and gender responsiveness. (Book II, chapter 7.2.1)</p> <p>2. Strategic achievement of the enforcement of democracy and human rights at domestic level (Book II, chapter 5.2.2);</p> <p>3. Improved public information and communication openness, as well as improved access to public information (Book II, chapter 5.21 and chapter 5.3.1).</p>	<p>a. The number of human rights violations allegations being handled and communicated: 320 reports annually;</p> <p>b. The number of actual human rights violations allegations being handled: 120 reports annually</p> <p>c. The percentage of inquiries and recommendations being followed up with regard to the issues of violence against women, human rights protection of women ---- the percentage of reparative systems being developed for victims of human rights violations: 20% annually.</p> <p>d. The number of gross violations of human rights being resolved (Matrix II.7.M. page.33-43).</p> <p>e. The percentage of public institutions to implement the provision of Public Information Openness: 80 % of institutions.</p> <p>f. The number of basic regulations on public information dissemination and parity: 6 regulations.</p> <p>g. The percentage of public access to media: 90%.</p>
16.a Strengthen relevant national institutions, including through international cooperation, for building capacity at all levels, in particular in developing countries, to prevent violence and combat terrorism and crime.	<p>1. Increased promotion and fosterage of democracy and human rights through domestic enforcement of democracy and human rights and strengthening coordination among stakeholders (Book II, chapter 5.2.2 and 5.3.2);</p> <p>2. The realization of human rights respect, protection and fulfillment through legislations, human rights enforcement, legal aid provisions and services for the poor and marginalized groups, as well as law enforcement apparatuses with good human rights perspective and gender responsiveness. (Book II, chapter 7.2.1).</p>	NA

Global Targets	National Targets	National Indicators
16.b Promote and enforce non-discriminatory laws and policies for sustainable development.	1. The realization of human rights respect, protection and fulfillment through legislations, human rights enforcement, legal aid provisions and services for the poor and marginalized groups, as well as law enforcement apparatuses with good human rights perspective and gender responsiveness. (Book II, chapter 7.2.1).	a. Indonesian democracy index (IDI):  b. Increased number of handling of human rights violations reports: 7000 reports being handled by 2019. (Matrix II.7M-34).

### **Gap analysis.**

The Gol has covered almost all important aspects to improve the promotion of peace and justice in Indonesia. However, there are some gaps that are important not to be overlooked with regard to more definitive indicators on some targets.

As reducing violence and related deaths rates are strongly related to the fulfillment of the right to life, it is important to monitor the progress of target 16.1 by setting up indicators that can reflect the state of security and safety enjoyed by everyone in all regions in Indonesia.

While, although the Gol has ratified CAT since 1998 through the adoption of the Law number 5/1998, Indonesia still has not established torture as a punishable act. This has contributed to the widespread use of torture among law enforcement, as well as military, personnel. Therefore, it is important to aim for the adoption of a legislation providing torture as a punishable act and to end impunity for the perpetrators of torture.

## **Human Rights Based Approach for the National Targets on Goal 16.**

In light of the gaps in the indicators under Goal 16, we would like to suggest the following additional indicators to strengthen the impacts of the national development strategy to promote peaceful and inclusive societies and access to justice in Indonesia.

<b>Global Targets</b>	<b>National Targets</b>	<b>National Indicators</b>	<b>Suggested HRBA Indicators</b>
16.1 Significantly reduce all forms of violence and related death rates everywhere.	1. Increasing the efforts to sustain social development through strategy (iv), controlling violence against children, fights, domestic violence; (vi) improving security reflected in low number of horizontal conflicts and crimes (Book II, chapter 1.1.1.3).	NA	<ul style="list-style-type: none"> <li>- Strongly recommend the GoI to include the following Global Indicators to protect the right to life and personal security of every citizen:</li> <li>- Number of victims of intentional homicide per 100,000 population, by sex and age;</li> <li>- Conflict-related deaths per 100,000 population, by sex, age and cause</li> <li>- Proportion of population subjected to physical, psychological or sexual violence in the previous 12 months</li> <li>- Proportion of population that feel safe walking alone around the area they live.</li> </ul>

Global Targets	National Targets	National Indicators	Suggested HRBA Indicators
16.2 End abuse, exploitation, trafficking and all forms of violence against and torture of children.	<ol style="list-style-type: none"> <li>1. The availability of protection from various violence and other misconducts by optimizing preventive, handling and rehabilitative mechanisms for children, women and marginalized groups (Book I, chapter 6.4.6);</li> <li>2. Strengthened children protection system, including the effort to protect children from violence, exploitations, abandonment and other mistreatments. (Book II, chapter 2.2.10)</li> </ol>	NA	<ul style="list-style-type: none"> <li>- Strongly recommend the Gol to include the following Global Indicators to protect the right of everyone not to subject to torture and inhuman treatments:</li> <li>- Proportion of children aged 1-17 years who experienced any physical punishment and/or psychological aggression by caregivers in the past month;</li> <li>- Proportion of young women and men aged 18-29 years who experienced sexual violence by age 18 ;</li> <li>- Adopt a legislation which includes the provision of torture, cruel and unusual punishments, and inhuman treatments as punishable crimes.</li> </ul>

### **The Roles of the UN Country System.**

The UN Office on Drugs and Crimes (UNODC) and the UNDP may provide a great assistance for the Gol to achieve all targets aimed under Goal 16, as the two UN programmatic agencies have both the expertise and experiences in assisting the Gol in combating extreme violence, terrorism as well as developing a strong and accountable justice sector.

-----oOo-----