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PHOTO OF CAMBODIAN CHILDREN OUTSIDE THE KHMER LITERACY SCHOOL VIA WIKIMEDIA COMMONS USER CAMBODIA4KIDS, LICENSED UNDER CC-BY-2.0

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## Indonesian Government Proposes Legislation Attacking Anti-Corruption Agency, Brutally Cracks Down on Student Protesters

by Hailey Ferguson

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Anti-corruption protests have been a growing trend around the world as citizens increasingly are rising up to oppose government activity that has led to systemic and endemic corruption. In the past two months, Indonesian students have led peaceful protests op-

posing such human rights abuses. The protesters' grievances are directed toward President Joko Widodo and his government, stemming primarily from the government's support of legislation recently passed in Parliament that would curb the power of the nation's anti-corruption apparatus.[1]

The Corruption Eradication Commission (KPK) was formed in 2002 with the primary goal of internally prosecuting corrupt government actors in Jakarta, but it is now in danger of being prevented from carrying out that purpose by the current government.[2] Indonesia has been plagued with corruption throughout the Widodo administration.[3] Independent corruption reports suggest rampant bribery within the public service sector and a judicial system that is independent in name but is largely influenced by political interests.[4] It is not just the KPK that is in trouble; the Widodo administration is both scrutinizing those within the government less and attacking personal and economic freedoms more by revising the Criminal Code.[5] Students and young people throughout the country have grown energized and have been demonstrating against these extreme legislative changes over the past

few months. As of September 2019, Jakarta police have injured over 300 protesters, killing one.[6]

As a member of the United Nations Human Rights Council, Indonesia is under an obligation to uphold the "promotion and protection of civil rights around the globe," and within its own borders.[7] Admittedly, a seat on the Human Rights Council does not necessarily guarantee that a state upholds human rights obligations, as several of the states on the Human Rights Council have extensive records of human rights violations. However, recently Indonesia has recently taken action to permit itself to be held accountable for human rights violations. In 2006, Indonesia ratified the International Covenant on Civil and Political Rights (ICCPR), agreeing to undertake specific responsibilities to uphold civil and political freedoms under Article 2.[8] Additionally, the right to peaceful assembly is protected under Article 21 of the ICCPR and Article 20 of the UDHR.[9] In essence, Indonesia has agreed that all people whose rights have been violated will have access to a fair remedy issued by "competent judicial, administrative, or legislative authorities," even if the violator of rights comes from within the state itself.[10] By crippling the internal accountability and anti-corruption organs within its own government, the current Indonesian administration is directly skirting those duties. Not only will there be no free and independent judiciary to deal with internal corruption, but any subsequent changes in the laws would likely infringe on the rights of Indonesian citizens.

In a sharp diversion from what many hoped would be a period of progressive reforms under Widodo, his administration has used the legislature in order to bolster its own powers.[11] The executive is effectively supporting abuses being carried out by the security forces against peaceful protesters, ultimately quashing the Indonesian people's freedom of expression.[12] Even after Human Rights Watch issued formal concerns to Widodo in writing, international or internal pressure will not force the government to abide by the agreements that Indonesia has signed.[13]

The extreme use of force against peaceful demonstrators in Jakarta and other major cities in Indonesia is particularly disturbing. After the hundreds of casualties in these protests and those in the August Papua protests, the Indonesian government has experienced increased scrutiny by human rights groups as of late.



PROTESTERS IN JAKARTA ON SEPTEMBER 24TH DEMONSTRATE AGAINST THE WIDODO GOVERNMENT VIA WIKI-MEDIA COMMONS USER JAHLILMA, LICENSED UNDER CC BY-SA 4.0.



[14] There are videos and images circulating on social media showing the police using excessive force on the protesters, mostly young university students.[15] A representative from Amnesty International in Indonesia notes that the security forces' actions are "not in accordance with standard [security] procedure," and it is written into law that the police force "must follow human rights principles while on the job." [16] Not only this, but this disturbing activity by the security force is endangering the Indonesian citizens' right to peaceful assembly clearly protected by the ICCPR and the UDHR.[17]

Human rights abuses perpetrated by state security forces against peaceful student protests in Jakarta continue a concerning trend of violent responses by police that result in civilian casualties.[18] Last year saw mass protests from citizens in Chile, Lebanon, Hong Kong, and more, demanding a change in leadership when they felt the so-called democratic systems in place had failed. Some of these protests, such as in Beirut, were also a referendum on the central governments as we saw in Jakarta, but all had a similar response from state police causing widespread injury or death.[19] There is evidence of security forces in other absolutist states systemically using torture and sexual violence against detainees arrested at peaceful protests in order to quell rising populism.[20] Additionally, many police are simply not trained to handle the large scale public movements that are increasingly common globally. Tactics such as using live ammunition to clear protesters will only cause more casualties to those asserting the rights afforded to them and contest government's claims that their security forces are there to protect citizens. Unfortunately, since these incidents are so widespread amongst countries that are experiencing populist movements similar to Indonesia, it is unlikely to see an international referendum on security force human rights abuses promptly.

With the lack of pressure against other states suffering from similar protester abuse and government corruption issues, there is little hope that other states simply condemning such issues will be effective. However, often governments are forced to make changes when faced with economic pressure from partners in the market. The Association of Southeast Asian Nations (ASEAN) established the ASEAN Economic Community (AEC) in the early 2000s, which plans to connect individual Southeast Asian markets to increase equi-

table development, and eventually integrate the region into the larger global marketplace.[21] This organization has already taken great strides, and only stands to become more lucrative as the region develops further. If ASEAN utilizes sanctions or regional trade freezes to block Indonesia from lucrative economic opportunities with the AEC, the Widodo government would be forced to make reforms to the administrative actions that have placed public freedoms at risk. Regional organizations with meaningful influence, economic or otherwise, are responsible for pressuring Widodo to uphold the laws that Indonesia is a signatory to in order to halt any further actions that would unduly strengthen the government at the expense of Indonesian citizens' freedom.

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## In Morocco, Her Body is Not Her Choice

by Arielle Kafker

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Hajar Raissouni is a writer for Akhbar Al Yaoum, an independent Moroccan newspaper. The twenty-eight-year-old was arrested on August 31, 2019 on charges of engaging in premarital sex and having an abortion. [1] She was apprehended outside her gynecologist's office alongside her fiancé, doctor, nurse, and a medical secretary, all of whom faced ancillary charges.[2] Raissouni claimed she was visiting her gynecologist because of a blood clot.[3] On September 30, 2019, a court convicted Raissouni and sentenced her to one year in prison for violating statutes on extramarital sex and prohibited abortion.[4] Officials interrogated Raissouni during her pre-trial detention and forced her to submit to a medical examination because of the alleged abortion.[5] Details of her private life were also shared with the public. Raissouni's conviction is a microcosm

of Morocco's systematic violations of sexual and reproductive rights.[6]

Morocco criminalizes abortion except when a pregnancy is life-threatening to the mother.[7] Pregnancies resulting from rape and incest must be carried to term according to the law.[8] Additionally, sex before marriage is expressly prohibited: thousands of people were tried for premarital sex in 2018.[9] These prohibitions are codified in Articles 454 and 490, respectively, of Morocco's penal code.[10] Shortly after Raissouni's arrest, hundreds of women signed a manifesto proclaiming their participation in illicit premarital sex and abortion; they also took to the streets in solidarity with Raissouni and in protest of the anti-premarital sex laws.[11]

Article 12 of the International Covenant on Economic, Social, and Cultural Rights (ICESCR), which Morocco ratified in 1979, guarantees the right to physical and mental health.[12] The United Nation's Economic and Social Council clarified the full scope of Article 12 in Agenda item three of its meeting in the Spring of 2000: it "may be understood as requiring measures to improve...sexual and reproductive health services, including access to family planning, pre- and post-natal care, emergency obstetric services and access to information, as well as to resources necessary to act on that information." [13] A country that surveils medical offices to ensure they are not providing abortions is actively inhibiting access to reproductive health services. [14] The law forces hundreds of women to seek dangerous "back-alley" abortions every day.[15] Not only is Morocco in violation of the ICESCR, but it is leaving women with only hazardous options for terminating pregnancies.

Morocco's laws on premarital sex and abortion also contravene the premise of the Convention to End All Forms of Discrimination Against Women (CEDAW), of which Morocco is a State Party.[16] Part I Article I of CEDAW asserts that "marital status" cannot be a vehicle for discrimination.[17] Regulating sex solely amongst those who are unmarried is therefore a prohibited practice. Furthermore, Article 12 states: "state parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning." [18] Equality between