

INDONESIA

Civil Political Rights during the COVID-19 Pandemic

Strengthening civil society and spreading narratives on civil rights to influence public and government perspectives related to civil liberties during the pandemic.

Executive Summary

In recent years, the escalation of human rights violations in the Province of Daerah Istimewa Yogyakarta is rising. The state (local government and law enforcement officers) often carries out repressive actions, persecution, and intimidation. This situation has been exacerbated by the emergence of the COVID-19 outbreak. The government often imposes civil restrictions. The reason given is the potential transmission of COVID-19. Although it is possible to limit rights for health reasons, the practice in Yogyakarta is haphazard. Even the government does not provide a solution for minimizing the impact of the pandemic on minority and vulnerable citizens.

During the pandemic, we saw restrictions on civil space in Yogyakarta that affect civil society, across sectors and actors. Examples include:

- 1)** Yogyakarta Food Solidarity (Solidaritas Pangan Jogja), an emergency kitchen run by civilians, is visited – and controlled – by police.
- 2)** The evaluation meeting on the distribution of food and masks held by a group of civil society at WALHI office (The Indonesian Forum for the Environment) was dismissed by the authorities.
- 3)** Police repression in demonstrations against the omnibus law in Malioboro.
- 4)** Issuance of Regulation of the Governor of DIY No. 1/2021 concerning Control of the Implementation of Public Opinions in Open Spaces.
- 5)** The demonstration to commemorate International Women's Day in front of the Yogyakarta Governor's office was dispersed by a group of people.
- 6)** A number of demonstrators also become victims of violence.
- 7)** The transgender group in Yogyakarta did not receive any social assistance from the impact of COVID-19 from the government.

This project aims to contribute to making changes and improvements to policies that no longer limit civil rights on the grounds of a pandemic. We are encouraging the government to solve the root of the problem, namely how they will tackle a serious outbreak. By consolidating civil society movements that have a human rights perspective and qualified advocacy skills, we aim to influence the government to reduce policies that violate or restrict civil rights during the COVID-19 pandemic in Yogyakarta.

Project description

The project is broken down into four main aspects:

1) Workshop on democracy and human rights with civil society in Yogyakarta.

- Bringing together civil society actors and organisations with the aim to strengthen knowledge of rights during the pandemic.

2) Research on people's political participation in the formulation of policies for handling COVID-19 in Yogyakarta.

- Research conducted to analyse the government's handling of the pandemic and offer alternative policies for a rights-centred approach.

3) Narrative dissemination on civil rights through podcasts.

- Funnelling knowledge gained to form an advocacy strategy and spread public awareness to demand accountability and an approach to COVID-19 that respects rights.

4) Citizen lawsuit.

- Bringing all aspects together to bring a citizen lawsuit against the local government.

The case study will assess the impact of the project, lessons learned, results, and challenges.

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In my opinion, the implementation of state obligations and responsibilities related to human rights during the COVID-19 pandemic shows that the state is negligent and unresponsive in handling this outbreak, starting from arbitrary policies and not prioritizing populist aspects, to the restoration of public health which is not fulfilled.

**— DILA FARHANI NURRAHMAN,
delivered during the workshop.**

Challenges and objectives

The main challenge encountered in terms of our project objectives, was that after submitting our re-search in October, the situation began to stabilise. In November, the government pushed for a high vaccination drive which saw a decrease in hospitalisations and mortality. By December, we saw civic space opening up as it wasn't before. Our final activity, the citizen lawsuit against the government, was therefore not necessary and our project was left incomplete. Although this was a good thing, we did not foresee this happening and were unsure of the best way to finalise our project activities.

In terms of actual project implementation during COVID-19, a challenge was how the workshops and training could be as effective online as offline. To address this, we established some ground rules for better participation, such as having the webcam on throughout the workshop. However, connectivity issues meant this wasn't always possible. It was therefore difficult to measure how engaged participants were. In response to this, we supplemented the online training with in person visits, when it was safe, to assess how much participants acquired from the workshop and how to further distribute online.

When involving other civil society partners, there was too high an expectation of their attendance to subsequent activities. These collaborations were therefore not as optimal as was hoped, as organisations were preoccupied with their own activities, even though willing to be involved. This created difficulties with scheduling suitable times and meant not as many organisations were as involved as was hoped.

There were also safety challenges to note, as the LBH Yogyakarta office was attacked with a Molotov cocktail bomb in September, during the night. It is still not determined who by or why this happened, and whether it was connected to this project or other advocacy efforts. Thankfully no one was harmed.

How our actions helped protect civic space

The workshop took place in late September 2021 and brought together civil society organisations focused on civil and political rights, as well as civil society partners in strategic positions. The aim of the workshop was to inform participants of their rights during the pandemic, and to work together on an innovative advocacy strategy and activities to address the shrinking of civic space during COVID-19. The campaign that resulted following the workshop was to encourage the public to speak up about their rights and counter unfair policies. We created a podcast to disseminate this information to over 16,000 followers across LBH Yogyakarta's social media channels. There were also rallies on important national days, for example on Farmers' Day. Rallies on these days were useful to draw attention to the activities of civil society partners. Many of those involved in the public rallies and actions had also participated in the workshop. Rallies were held on Dec 10 and on days that commemorate important events.



The vulnerability of the transgender community is the result of the actions of mainstream groups with LGBT stigma and it is done massively. The pandemic has made it worse than before. This situation made trans-women unable to carry out their activities because most of them work as street art workers and sex workers.

The transwomen group also did not receive assistance from the government because of their identity as transwomen. The state cannot facilitate their identity (in administration) and there is no political will from the government. In the end, what was done was that the community helped each other and opened donations.

**— MAMI RULLY,
the Kebaya Foundation**

There was a weekly action every Thursday. People typically gathered at the monument – an important landmark of the city. Five rallies were held by civil society groups in Yogyakarta. Of the five, not all were connected to LBH or the democracy workshop. Some were organised by community groups represented in the democracy workshop. How far the workshop contributed to the rallies is difficult to definitively establish. When we asked whether the workshop contributed to the activity, the majority said it contributed a lot to joining the rally. There wasn't a singular factor that led to them participating in more activities – just following up to do more of what was discussed. They were more equipped and more informed.

We conducted research on government COVID-19 policies, particularly how these policies were impacting vulnerable groups, such as the trans community, those with disabilities, businesses dependent on tourists such as vendors and motorcycle taxi drivers, and those suffering a huge loss of income during the pandemic who were left out of any kind of government assistance. The research began in September 2021. We aimed to assess the impact on these groups and analyse how the government should have acted. We were looking at legislation, the various options, and the courses of action that could have been taken. The purpose of the study was to encourage the government to come up with policies that are better, clearer, and more strategic when responding to COVID-19 with an inter-connected and interdependent approach. This was launched on Dec. 20, 2021 with the local government, and was then picked up by the national government. The Indonesian Legal Aid Foundation helped raise these problems in Yogyakarta to a national level. As yet, we have not received a response from the government.

Following the rallies and campaign activities, the government changed their actions by loosening restrictions and pursuing a huge vaccination drive. As a result, people were more accepting of government policies after having been angry and resentful. These signs of improvement and the decrease in urgency meant that we didn't feel it was necessary to go through with the lawsuit we had planned.

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The workshop was important and useful, and they were also engaging in different activities both internally and they were sharing the workshop with other members of their organisation and communities. Then they started engaging in exercises of mapping issues and problems and planned for activities for advocacy to be undertaken. They then implemented this plan. This is what participants told us.

— YOGI,
LBH Yogyakarta,

Results

1. **Workshop on democracy and human rights with various members of civil society in Yogyakarta, including students, paralegals, minority and vulnerable groups (LGBT, women, religious groups, etc.), CSOs, legal aid organizations, academics, etc.**
 - We have involved a number of cross-sectoral civil society organizations and actors in this activity as participants.
 - All participants agreed and were willing to participate in follow-up activities after the workshop, such as creating campaign products, policy research, and legal efforts.
2. **Collaborative research with civil society, on people's political participation in the formulation of policies for handling COVID-19 in Yogyakarta.**
 - In this research activity, we carried out several sub-activities. First, together with the team at LBH Yogyakarta, we held enrichment activities related to the political issues of handling the COVID-19 pandemic in Yogyakarta. Please see the outline of this research in the footnote below¹.
3. **Spread a narrative of civil rights through podcasts and online broadcasting.**
 - The platform we used was LBH Yogyakarta's social media. We also aimed to strengthen public awareness about the government's handling of the pandemic. We produced two podcasts with parties affected by COVID-19 or concerned about the handling of the pandemic:
 - a) Podcast Saksi: Memperjuangkan Kebebasan Akademik di Kampus UP 45 Yogyakarta di Masa Pandemi [\[LINK\]](#)
 - b) Podcast Saksi: Hampir 2 Tahun Pandemi, Sudahkah Efektif Kebijakan Penanganan Pandemi? [\[LINK\]](#)

¹ Central Government and D.I. Yogyakarta Government policies regarding COVID (normative), including how various regulations, including laws and levels of technical regulations in the D.I. Yogyakarta Province.

• Sociological conditions in the field, including Limited Hospital Conditions (statistical data); health workers who died (statistical data); and the concentration of the Central Government in handling the Pandemic which is only centred in Java and Bali.

• Special conditions of the D.I. Yogyakarta Province: the majority of the population of D.I. Yogyakarta Province have low income and depend on the tourism industry (government statistics); who is the most affected and how is the fate of the vulnerable groups? (Affected people and vulnerable groups will take interviews with representatives of Bentor (traditional public transport in Indonesia), Waria Community, Sex Workers)

• Analysis of the Political Law of the D.I. Yogyakarta Government and its recommendations in handling Covid

Indicators:

1. A work plan for collaborative advocacy agreed to by at least 15 strategic actors from Yogyakarta's civil society has been achieved.

After the workshop, Yogyakarta's civil society agreed to make a workplan for advocacy efforts which include research, a campaign, and a citizen lawsuit. To follow up on the workplan, we visited those who participated in the workshop. We hope that the change that we want in this program not only works by design, but also happens organically. We hope every member of the community can help themselves through advocacy or when they are dealing with government repression.

2. Research was produced that has been sent to Yogyakarta's government in the form of a policy brief as a critique and as an alternative for how to handle the pandemic.

This was achieved by research that we conducted and released to the public [\[LINK\]](#). We already sent this research to the government. The second indicator, sub B, was achieved by broadcasting two podcasts on LBH Yogyakarta's YouTube channel. Aside from that, the podcast also broadcasted on LBH Yogyakarta's and AJI Yogyakarta's social media:

• [\[LINK\]](#) • [\[LINK\]](#) • [\[LINK\]](#) • [\[LINK\]](#) • [\[LINK\]](#)

3. There's a counter narrative on government handling of the pandemic from at least two mainstream media and broadcasted by LBH Yogyakarta's social media and media handled by civil society.

The government responded to the counter narrative that we made and the research that we conducted. Their responses was delivered through a hearing forum with government. They said that they are making progress on new regulations on the handling of the pandemic. Although we don't have the regulation draft yet, this can be momentum for us to do interventions and make sure that the material in the draft is in line with human rights and rule of law principles. Here is the link to the new regulation being made:

• [\[LINK\]](#) • [\[LINK\]](#)

3) Citizen lawsuit.

The last four months of this project, there has been no case of repression against civil society's activity (based on field monitoring and media research). Many rallies were conducted by LBH Yogyakarta civil society network. After the rallies took place, there was no repression or prohibition from the government.

Future plans

We are always ready to engage with those interested, including other partners in this project. We will be speaking with local partners, especially given the possibility that similar restrictions will be put back in place, and we want to prevent this from happening again. We are always hoping for any kind of collaboration, and we can link international partners with local partners. What we can put together really depends on the local situation. It would be useful to have a conversation about what we could do in the future.

Call to action

We are very open and willing for anyone who has the same values, vision, and mission as us to be involved in providing support in implementing this project. Please contact us via **office@lbhyogyakarta.org** or by visiting **lbhyogyakarta.org**