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Watch Indonesia! e.V.

**in Cooperation with Hirschfeld-Eddy-Foundation
with financial support from Hannchen-Mehrzweck-Foundation and Dreilinden**

CARE ABOUT ME NOT MY (QUEER) IDENTITY!

Berlin, 09 until 11 December 2014

Report of the event series 'CARE ABOUT ME NOT MY (QUEER) IDENTITY! Human Rights Situation of LGBTI* people in Indonesia and Germany'

Summary

Six years after the adoption of the Yogyakarta Principles and on the occasion of the Human Rights Day, *Watch Indonesia!* decided to review the human rights standards in Indonesia and Germany in relation to sexual orientation and gender identity. Supported by *Hannchen-Mehrzweck-Foundation*, *Hirschfeld-Eddy-Stiftung* and *Dreilinden*, the three-day event series which took place from 09 to 11 December 2014 in Berlin, Germany, provided a platform for awareness-raising and mainstreaming of LGBTI* rights, exchanging of national specific LGBTI* issues regarding the application of international human rights as well as international networking and future cooperation among LGBTI*-people, -associations and -organizations as well as committed organizations and civil society.

Almost 75 international participants including human rights experts such as Dr. Theodor Rathgeber from Germany, LGBTI* experts such as Dédé Oetomo from Indonesia, experts and students from gender studies, political science and Southeast Asian studies, workers in these areas, filmmakers such as Lola Amaria from Indonesia, German participants, and persons living in Germany from Indonesia and other countries discussed the human rights situation of LGBTI* people in Indonesia and Germany as well as the role of film and mass media for LGBTI* mainstreaming. Emphasis was placed on legal bases to obtain human rights on national level, UN mechanisms to protect human rights and possibilities for transregional support and solidarity of queer movements and activist groups considering multiple discriminations and postcolonial discourses.

The proceedings of the three events **A** Crossing and Alliances: Between traditional values and homophobic imports – sexual orientation and gender identity in Indonesia **B** Conference: Care about me not my (queer) identity! – Human Rights Situation of LGBTI* people in Indonesia and Germany **C** Filmscreening: Sanubari Jakarta (directed by Lola Amaria) are briefly reflected in this report, which includes three annexes: the list of speakers, pictures of the conference and pictures of the exhibiton 'Dia or Sh / e' and its continued work with participants at the conference.



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INDONESIA!**

Für Demokratie, Menschenrechte und Umwelt in Indonesien und Osttimor e.V.



CARE ABOUT ME
NOT MY (QUEER) IDENTITY!

**Human Rights Situation of LGBTI* people
in Indonesia and Germany**

09.– 11.12.2014
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I. Introduction

The rights of lesbians, gays, bisexuals, trans*- and inter*- people (LGBTI*) are globally constricted up to this day. A coming-out still leads to social exclusion in many parts of the world. Discrimination and violence is everyday business for people who are not matching the binary gender norm and/or identity, which clearly is a human rights violation.

In 2006 the Indonesian city Yogyakarta was hosting a historic summit: International human rights experts have been addressing the role of non-heterosexual people in international contracts and commitments regarding human rights. As a result of this conference the Yogyakarta principles became the flagship of international claims for the application of international human rights Law regardless of the sexual orientation or gender identity. A consistent and consequent application of universal human rights is the necessary strategy for guaranteed protection of LGBTI*-communities regardless of sexual orientation or gender identity.

Despite the progressive demands of the Yogyakarta principles little is known about the situation of lesbian, gay, bisexual, trans* and inter*sexual people (LGBTI*) in Indonesia. The Yogyakarta principles therefore are an important criterion for evaluating to what extent human rights for LGBTI* are already implemented in Germany and how the human rights situation must be assessed for LGBTI* in Indonesia as the birthplace of the Yogyakarta Principles.

This event series aimed at the discussion of discrimination and violence against LGBTI*-people in Germany and Indonesia and of possibilities to underpin human rights. Another key part was the promoting of mutual understanding for specific problems and learning from Indonesian and German experiences. To ensure a multifaceted exchange and networking possibilities the events provided political and cultural sessions targeting a broad audience including LGBTI*-people,



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-associations and -organizations, interested and committed organizations and civil society as well as experts working within the field of human rights as well as students from gender studies, political science and Southeast Asian studies, workers in these areas, German participants, and persons living in Germany from Indonesia and other countries. In order to discuss possibilities of mainstreaming and the role of mass media also film makers were invited.

Dédé Oetomo, Indonesian LGBTI* activist, and Lola Amaria, Indonesian filmmaker, organized the events with us and provided insights into the situation of Indonesian LGBTI*-people.

A. Crossings and Alliances: Between traditional values and homophobic imports – sexual orientation and gender identity in Indonesia

Sarah Kohrt, *Hirschfeld-Eddy-Foundation*, opened the event and welcomed the participants. Johanna Lein, *Watch Indonesia!*, gave an introduction, thanked *Hirschfeld-Eddy-Foundation* for the cooperation and introduced the two speakers. Ray Rusli presented Dédé Oetomo and *GAYa Nusantara Foundation* Surabaya, Indonesia as a great support for a coming-out in Indonesia.

Dédé Oetomo, Founder of *GAYa Nusantara Foundation Surabaya*, Indonesia and member of the Advisory Board of *Hirschfeld-Eddy-Foundation*, first talked about the long and rich history of gender and sexual diversity in Indonesia, about contemporary increase of homophobia and about community development, organizational structures of LGBTI* activism and movements. He then explained the work and vision of the LGBTI* community-based organization *GAYa Nusantara Foundation* in the field of research, education, public awareness, advocacy, politics, sexual health and well-being services. Focussing the role of the Yogyakarta Principles in Indonesia, he mentioned that these principles are known among LGBTI* activists and allies as well as in the National Human Rights Commission and National Commission Against Violence Against Women but unknown to the government. Finally, Dédé Oetomo informed about expectations on European solidarity and support such as statements, protests, actions, resources, technical assistance and pressure on governments to hold the Indonesian government accountable.

B. Conference: CARE ABOUT ME NOT MY (QUEER) IDENTITY! – Human Rights Situation of LGBTI* people in Indonesia and Germany

B.1. Opening of the conference

Johanna Lein, *Watch Indonesia!*, opened the conference and welcomed the participants. After giving a short overview about the importance of the LGBTI* topic, especially in Indonesia and Germany she introduced Dédé Oetomo, Indonesian LGBTI* activist and Earenya Guerra, *Watch Indonesia!*.

B.2. Human Rights, discrimination and stigmatization in Indonesia and Germany

Dédé Oetomo, Founder of *GAYa Nusantara Foundation Surabaya*, Indonesia and member of the Advisory Board of *Hirschfeld-Eddy-Foundation*, pointed out the importance of LGBTI* rights as human rights. He outlined the current social change in Indonesia with changing values, increasing technology of information and use of social media, new sexual practices, new constructions of identities and increasing understanding, tolerance and acceptance on the one hand and ignorance of the Indonesian government, increasing transphobia among middle class and islamists as well as possible harassment and violence in families and communities on the other hand. With emphasis on national law in Indonesia Dédé Oetomo underlined that homosexual acts between



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consenting adults is not a crime with exceptions in two provinces and four districts, that cross dressing is not a crime, but trans women and gender-nonconforming gay men face harassment and violence and that harassment from vigilante groups violating freedom of assembly.

Earenya Guerra, *Watch Indonesia!*, gave an insight about the situation of LGBTI* rights and social trends in Germany. With focus on national law, she talked about the same-sex union which is not a homosexual marriage, the Transsexuellengesetz (TSG) which was revised in 2011 to make the change of marital status easier, about the Allgemeines Gleichbehandlungsgesetz (AGG) from 2006 to protect against any kind of discrimination which include sexual orientation but not explicitly gender identity. Other core themes were on the one hand the new homophobia in middle class families through Christian conservative political parties and movements and the revised National Educational Plan 2015 for Baden-Württemberg because it is supposed to include topics like sexual diversity and on the other hand the popularity of the German gay pride and the Berlinale Teddy Awards which are considered the most important awards for movies dealing with queer topics.

B.3. Workshop sessions

Yogyakarta Principles: Legal action against discrimination

Dr. Theodor Rathgeber, Forum Human Rights Germany / University of Kassel (Germany) and observer to the UN Human Rights Council in Geneva, discussed with the workshop participants the applicability and practicability of the Yogyakarta Principles. Key questions were: Which legal bases exist, in order to obtain human rights at national level? Which UN mechanisms can be used to protect human rights regardless of the sexual orientation and gender identity?

Agency: Alliance and Advocacy

With an informative input from J.C. Lanca, MA Southeast Asia Studies / Gender Studies, participants explored the possibilities for transregional support of queer movements and activist groups, especially on a grass-root level. Group exercises and discussions aimed at furthering the sensibility for problems in such processes by taking into account intersectionalities, postcolonial discourses and questioning euro-centric perspectives. As key result, the participants emphasized the urgency to render support according to local activist's needs and to scrutinize one's own position in a constant dialogue with local insiders.

Multiple discrimination

The workshop started with an introduction to the concept of intersectionality by Azadê Peşmen, BA Political Science / Public Administration, explaining its origin in the black feminist movement, subsequently the workshop facilitator explained how the debate on intersectionality came up in Germany. With the help of some exercises the participants were encouraged to reflect on their privilege and internalized prejudices. The workshop ended with a discussion on how to put knowledge into practice on a daily basis without reproducing discriminative behavior.

Practise for resistance

The performers Maka* and Paulina presented techniques of physical involvement stemming from the theater of the oppressed for participants to take part. They introduced the concept behind theater of the oppressed as a form of activism and self-organization within (and through) movements. The performative and collective work is hereby used as a means to express needs, demands, opinions and emotions from a marginalized or even subaltern position. However, the



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workshop did not stop there, but invited participants to actively try out basic collective performance techniques.

B.4. Panel discussion

In the panel discussions ‘Outlook: What are the next steps?’, moderated by Sabrina Saase, *Watch Indonesia!*, four speakers discussed strategies for further actions of international networks and cooperation to improve the lives of LGBTI* people and communities. Human rights activist Dr. Theodor Rathgeber, LGBTI* activist Dédé Oetomo and filmmakers Lola Amaria and Vika Kirchenbauer exchanged ideas about alliances and the role of mass media for LGBTI* mainstreaming as well as about representation of LGBTI* people in national policy, UN, media and art.

B.5. Final remarks and closing of the conference

In his final remarks Alex Flor from *Watch Indonesia!* emphasized the significance of the struggle for LGBTI* rights in relation to general human rights discourses. He gave a personal input on achievements of queer movements in Germany and Indonesia, mentioned the challenges of terminology within the working field of LGBTI* and took up contradictory positions regarding the positions worked out in the workshop sessions by experts.

Johanna Lein, *Watch Indonesia!*, pointed out that there are many different opinions as well as approaches while aiming at LGBTI* human rights and thanked the audience for the discussions, participation and interest in the human rights situation of LGBTI* people in Indonesia and Germany.

B.6. Side events

The conference was accompanied by the photo exhibitions ‘DIA or S / HE’, by Indonesian artist Lashita Situmorang and ‘CHANGE’ by berlin photo designer Leah Kühl. These artworks were an attempt to explore and to understand the daily lives of transgender, their love and discrimination and the question if this understanding is possible or if trying to overcome the individual gap is the most important step to state: we all are just human beings. Pierre Horn, photographer from ‘Schall und Schnabel’ continued the art work ‘DIA or S / He’ to let participants experience their own questions.

C. Filmscreening: Sanubari Jakarta

In nine short films "Sanubari Jakarta" describes the complex and multifaceted problems of LGBTI*-people in Indonesia. The courage to resistance, the hide-and-seek of their sexuality, the fight for justice and despair in these tasks but also the everyday life of a discriminatory society are displayed in the compilation of short films "Sanubari Jakarta".

Afterwards, Alex Flor, *Watch Indonesia!*, introduced "Sanubari's" producer and director of one of the short films, Lola Amaria, who gave her own ideas about the film and it's importance and answered questions from the audience about the positive feedback of the film in Indonesia.



II. Annexes

List of Speakers

Tuesday, 09 December 2014

Crossings and Alliances: Between traditional values and homophobic imports – sexual orientation and gender identity in Indonesia

Reception: Sarah Kohrt, Hirschfeld-Eddy-Foundation
Introduction: Johanna Lein, Watch Indonesia!
Impulse: Ray Rusli
Keynote speaker: Dédé Oetomo, GAYa Nusantara Foundation Surabaya, Indonesia and Advisory Board of Hirschfeld-Eddy-Foundation

Wednesday, 10 December 2014

Conference: CARE ABOUT ME NOT MY (QUEER) IDENTITY! – Human Rights Situation of LGBTI people in Indonesia and Germany*

Introduction

Reception: Johanna Lein, Watch Indonesia!
Keynote speaker: Dédé Oetomo, GAYa Nusantara Foundation Surabaya, Indonesia and Advisory Board of Hirschfeld-Eddy-Foundation
Earenya Guerra, Watch Indonesia!

Workshop sessions

Yogyakarta Principles: Legal action against discrimination:

Dr. Theodor Rathgeber, Forum Human Rights Germany / University of Kassel (Germany) and observer to the UN Human Rights Council in Geneva

Agency: Alliance and Advocacy:

J.C. Lanca, MA Southeast Asia Studies / Gender Studies, project coordinator
ID -Contemporary Art Indonesia 2010, HomeSweetHome 2007

Multiple discrimination:

Azadê Peşmen, BA Political Science / Public Administration, master student in Historical Urban, scholarship holder of Heinrich Böll Foundation, doing workshops for the project I-Päd (intersectional pedagogy)

Practise for resistance:

Maka* and Paulina

Panel discussion

Outlook: What are the next steps?

Moderation: Sabrina Saase, Watch Indonesia!
Panelists: Dédé Oetomo, GAYa Nusantara Foundation Surabaya, Indonesia and Advisory Board of Hirschfeld-Eddy-Foundation
Dr. Theodor Rathgeber, Forum Human Rights Berlin / University of Kassel (Germany) and observer to the UN Human Rights Council in Geneva
Lola Amaria, Indonesian filmmaker (recent film on LGBTI* topics)
Vika Kirchenbauer, artist and filmmaker



Closing

Keynote speaker: Alex Flor, Watch Indonesia!
Johanna Lein, Watch Indonesia!

Thursday, 11 December 2014
Filmscreening: Sanubari Jakarta

Reception: Johanna Lein, Watch Indonesia! e.V.
Introduction: Alex Flor, Watch Indonesia! e.V.
Panelist: Lola Amaria, Indonesian film maker (recent film on LGBTI* topics)

Pictures of the Conference



Dédé Oetomo, GAYa Nusantara Foundation Surabaya, Indonesia and Advisory Board of Hirschfeld-Eddy-Foundation



Panel discussion, from left to right: Sabrina Saase (Moderation), Dédé Oetomo (LGBTI* expert), Vika Kirchenbauer (film maker), Lola Amaria (film maker), Dr. Theodor Rathgeber (human rights expert)



Panel discussion

Fotoexhibition 'DIA or Sh / e'

Photos from Lashita Situmorang



Interactive Participation in the Fotoexhibition 'DIA or Sh / e'

– Pierre Horn from 'Schall und Schnabel' continued the work from Lashita Situmorang with participants at the conference on the 10 December 2014.



