

PRELIMINARY RESEARCH:

Strengthening the Position and the Roles of the National Commission on Human Rights in Supporting the Achievement of the Sustainable Development Goals in Indonesia

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Komnas HAM

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TABLE OF SELECTED ABBREVIATIONS

DIHR	Danish Institute for Human Rights
ELSAM	Lembaga Studi dan Advokasi Masyarakat [Institute for Policy Research and Advocacy]
GANHRI	Global Alliance of National Human Rights Institutions
INFID	International NGO Forum for International Development
Ministry of NDP / NDPA	Kementerian Perencanaan Pembangunan Nasional/ Badan Perencanaan Pembangunan Nasional [Ministry of National Development Planning / National Development Planning Agency]
NCHR	Komisi Nasional Hak Asasi Manusia Republik Indonesia [National Commission for the Human Rights]
NHRIs	National Human Rights Institutions
OHCHR	Office of the High Commissioner for Human Rights
NMTDP 2015-2019	Rencana Pembangunan Jangka Menengah Nasional 2015-2019 [National Middle Term Development Plan 2015-2019]
NMTDP 2020-2024	Rencana Pembangunan Jangka Menengah Nasional 2020-2024 [National Middle Term Development Plan 2020-2024]
SDGs	Sustainable Development Goals
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNSDG	United Nations Sustainable Development Groups

FOREWORD

The Sustainable Development Goals (SDGs) are global commitments that show clearly and unequivocally that development cannot be implemented properly without the fulfilment of human rights. For Komnas HAM which is mandated in Law Number 39 of 1999 concerning Human Rights to encourage the creation of a conducive situation for the implementation of human rights based on Pancasila, the 1945 Constitution of the Republic of Indonesia, the Charter of the United Nations, and the Universal Declaration of Human Rights, the SDGs have become a very strategic instrument to support the achievement of the mandate.

This research supported by DIHR aims to confirm that the role and position of Komnas HAM in achieving the SDGs is very important and strategic, so that it is necessary to strengthen the role and position of Komnas HAM both internally and externally. So far, the role of Komnas HAM has been "limited" to only one of the targets in Goal 16, whereas in the SDGs scheme it is clearly recognized that Goal 16 is an enabler or factor needed so that Goals 1 to 15 can be achieved based on the principle of essential participation or “no one left behind.”

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Hopefully this research can be utilized and followed up by Komnas HAM and DIHR in a more concrete form through various activities to strengthen the role and position of Komnas HAM in encouraging the achievement of the SDGs. This is because the achievement of the SDGs is a step forward form for the state's obligation to progressively fulfilling human rights for all.

Jakarta, 5 June 2021

Sandrayati Moniaga

Commissioner for Study and Research

1. BACKGROUND

The role of the National Commission on Human Rights (hereinafter: NCHR) as an institution that plays a role in the implementation of the Sustainable Development Goals (hereinafter: SDGs) is still limited to the provisions under the President Regulation Number 59 of 2017 concerning the Implementation to Achieve the Sustainable Development Goals (hereinafter: President Regulation 59/2017).[1] The President Regulation 59/2017 only placed an institutional responsibility with the NCHR under Goals 5 (gender and women) and 16 (peace, justice, and institution)—and only for specific targets (Global Targets) under Goals 5 and 16.[2] Global Targets contained in Goal 5 are only limited to the eradication of violence against women.[3] Meanwhile, Global Targets contained in Goal 16 are only limited to the reduction of violence and death,[4] the sovereignty of law and justice,[5] and access to information and freedom.[6]

This research will mainly discuss the strengthening of the NCHR in the context of the SDGs and human rights. This research will provide explanations about the legal basis for the NCHR to implement the SDGs particularly by using the Law of the Republic of Indonesia Number 39 of 1999 concerning Human Rights (hereinafter: Law 39/1999). This research will also provide explanations about what activities have been conducted by the NCHR in relation to the SDGs, especially for activities that are explicitly designated for the SDGs. Furthermore, there will be an elaboration in regards to how impactful the activities have been, in particular, activities with explicit character towards the SDGs and human rights. In addition, this research will also discuss the important roles of human rights in implementing the SDGs as well as how the NCHR should position itself in supporting the government, and how the government should include the NCHR in determining the course of the achievement of SDGs in Indonesia, considering that the achievement of SDGs is the responsibility of the government. This research is a preliminary stage to the creation of a more detailed and technical research to strengthen the NCHR in relation to human rights and the SDGs.

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1 Peraturan Presiden Republik Indonesia Nomor 59 Tahun 2017 tentang Pelaksanaan Pencapaian Tujuan Pembangunan Berkelanjutan [President Regulation Number 59 of 2017 concerning the Implementation to Achieve the Sustainable Development Goals] (stipulated on 4 July 2017, promulgated on 10 July 2017) (hereinafter: President Regulation 59/2017), Annex, 29-30, 77, 79-80, and 90.

2 Ibid. See also: United Nations General Assembly Resolution 70/1, Transforming Our World: The 2030 Agenda for Sustainable Development, A/RES/70/1 (adopted on 25 September 2015) (hereinafter: UNGA Res. 70/1), 18 (Goal 5, Target 5.2) and 25 (Goal 16, Target 16.1. and Target 16.3.) - 26 (Goal 16, Target 16.10.).

3 Ibid., President Regulation 59/2017, Annex, 30. See also: ibid., UNGA Res. 70/1, 18 (Goal 5, Target 5.2.).

4 Ibid., President Regulation 59/2017, Annex, 77. See also: ibid., UNGA Res. 70/1, 25 (Goal 16, Target 16.1.).

5 Ibid., President Regulation 59/2017, Annex, 79-80. See also: ibid., UNGA Res. 70/1, 25 (Goal 16, Target 16.3.).

6 Ibid., President Regulation 59/2017, Annex, 90. See also: ibid., UNGA Res. 70/1, 26 (Goal 16, Target 16.10.).

The process of this research also includes the implementation of two Focus Group Discussions (FGD). The first FGD was held on 26 January 2021, where the FGD participants were consisted of three commissioners of the NCHR and sixteen staffs of the NCHR (hereinafter: NCHR Internal FGD).[7] The second FGD was held on 29 January 2021 and was attended by the participants from external parties aside of the NCHR (hereinafter: NCHR External FGD), namely (sequenced in alphabetical order): Indonesia Center for Law and Policy Studies, Indonesian Legal Aid Foundation, Institute for Policy Research and Advocacy, Lembaga Demografi Fakultas Ekonomi dan Bisnis Universitas Indonesia, Migrant CARE, National Commission on Violence Against Women, National Secretariat of the Sustainable Development Goals / Secretariat for the National Coordination Team of the Sustainable Development Goals, Self Reliant Development Foundation, and United Nations Educational, Scientific and Cultural Organization (hereinafter: UNESCO).[8]

2. LEGAL BASIS

The NCHR has a broad range of objectives in relation to human rights.[9] First, in relation to "developing condition" which supports the implementation of human rights in Indonesia.[10] Second, in relation to strengthening the "protection and enforcement of human rights" in "various aspects of life" in Indonesia.[11] The two purposes above could be used as a general basis on how the NCHR needs to be recognized by the government in order to obtain more roles in implementing the SDGs in Indonesia.

Within the international context, it is important to note that the Office of the High Commissioner for Human Rights (hereinafter: OHCHR) has identified, although only for the purpose of depiction, the connection between the SDGs and the relevant articles in the treaties related to human rights, to which Indonesia also has legally bound itself to a number of those treaties and also products of policies with soft law characteristics (in which

> **The international instrument mentioned above will not be discussed in a specific manner, since the identification of connection between the SDGs and human rights has been done by the OHCHR.**

7 NCHR Internal Focus Group Discussion with the Researcher Team (26 January 2021) (hereinafter: NCHR Internal FGD).

8 NCHR External Focus Group Discussion with the Researcher Team (29 January 2021). (hereinafter: NCHR External FGD).

9 Undang-Undang Republik Indonesia Nomor 39 Tahun 1999 tentang Hak Asasi Manusia [Law of the Republic of Indonesia Number 39 of 1999 concerning Human Rights] (authorised on 23 September 1999, promulgated on 23 September 1999) (hereinafter the Law 39/1999), Article 75.

10 Ibid., Article 75 Letter a.

11 Ibid., Article 75 Letter b.

to understand its bindingness to Indonesia, further analysis for each content is required).[12] The international instrument mentioned above will not be discussed in a specific manner, since the identification of connection between the SDGs and human rights has been done by the OHCHR. For each of the international instruments that legally binds Indonesia in the said identification made by the OHCHR, could indeed be used as a basis to support the expansion of roles of the NCHR in all goals in the SDGs.[13]

In the context of this research, the main focus of discussion lies in the Law 39/1999 particularly with regards to what human rights aspects are relevant to the 17 SDGs. The NCHR has a close connection with the rights in the Law 39/1999 since the NCHR and those rights are both regulated under the Law 39/1999.[14] Aside from the Law 39/1999, there are several other relevant products of national law where the NCHR is given specific roles, namely the Law of the Republic of Indonesia Number 40 of 2008 concerning Eradication of Discrimination against Race and Ethnicity (hereinafter Law 40/2008).[15] In the Law 40/2008, the NCHR is given the authority to supervise the eradication of acts of discrimination against race and ethnicity.[16] In general, articles related to the discrimination act in the Law 40/2008 are relevant with, for example, Target 10.2. in the SDGs.[17] Besides that, there is also the Law of the Republic of Indonesia Number 7 of 2012 concerning Social Conflict Management where the NCHR is a part of the duties force in the event of national scale conflict.[18] Social conflict could be connected to, for example, the significant reduction of violence which would serve to contribute to the achievement of Target 16.1.[19]

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12 Office of the High Commissioner for Human Rights, "Summary Table on the Linkages Between the SDGs and Relevant International Human Rights Instruments," accessed on 30 December 2020, https://www.ohchr. org/Documents/Issues/MDGs/Post2015/SDG_HR_Table.pdf (first link: https://www.ohchr.org/en/issues/SDGS/ pages/the2030agenda.aspx). See also: Office of the High Commissioner for Human Rights, "Transforming Our World: Human Rights in the 2030 Agenda for Sustainable Development" accessed on 30 December 2020, https://www.ohchr.org/Documents/Issues/MDGs/Post2015/HRAndPost2015.pdf. As a comparison on the relation between human rights and the SDGs in the context of international instrument, see also: Danish Institute for Human Rights, The Human Rights Guide to the SDGs, DIHR, accessed on 12 January 2021, https://www.humanrights.dk/human-rights-guide-sdgs. One of the treaties that has become a part of Indonesian law, for instance, the International Covenant on Civil and Political Rights, see: Law of the Republic of Indonesia Number 12 of 2005 concerning Ratification of the International Covenant on Civil and Political Rights (Kovenan Internasional Tentang Hak-Hak Sipil Dan Politik) (authorised on 28 October 2015, promulgated on 28 October 2015).

13 Law 39/1999 (n. 9), Considering Letter d, Article 7 along with the explanation, Article 67, Article 71, General Explanation. See also: Article 89 Paragraph (1) Letter a.

14 See in general: ibid., Law 39/1999.

15 Undang-Undang Republik Indonesia Nomor 40 Tahun 2008 tentang Penghapusan Diskriminasi Ras dan Etnis [Law of the Republic of Indonesia Number 40 Year 2008 concerning the Eradication of Discrimination against Race and Ethnicity] (authorised on 10 November 2008, promulgated on 10 November 2008) (hereinafter: Law 40/2008), Article 8 and its explanation and Article 10 Letter b and its explanation.

16 Ibid., Law 40/2008, Article 8 and its explanation, See also: Article 10 Letter b and its explanation.

17 (1) Ibid., Law 40/2008, Article 4; and (2) UNGA Res. 70/1 (n. 2), 21 (Goal 10, Target 10.2.).

18 Undang-Undang Republik Indonesia Nomor 7 Tahun 2012 tentang Penanganan Konflik Sosial [Law of the Republic of Indonesia Number 7 Year 2012 concerning the Social Conflict Management] (authorised on 10 May 2012, promulgated on 10 May 2012) (hereinafter: Law 7/2012), Article 49 Paragraphs (1)-(2) and Article 45 Letter c.

19 (1) Ibid., Law 7/2012, Article 12 Letter (a) and its explanation; and (2) UNGA Res. 70/1 (n. 2), 25, (Goal 16, Target 16.1.).

Outside of Goal 16, matters related to the anti-violence against women and children could also be relevant to the conflict addressed by Target 5.2.[20] Besides that, there is also the Law of the Republic of Indonesia Number 26 of 2000 concerning the Human Rights Court (hereinafter: Law 26/2000) that gives roles to the NCHR as the investigator for grave human rights violation cases.[21] The roles of the NCHR in the said Law 26/2000 could be connected with Target 16.3. which entails provisions on the access to justice and legal certainty.[22]

The 2030 Agenda contain 17 SDGs, followed by targets and indicators attached to each of those goals.[23] All SDGs are fully contained in the President Regulation 59/2017.[24] However, not all targets under the United Nations General Assembly Resolutions 70/1 of 2015 (hereinafter: UNGA Res. 70/1) related to sustainable development are included in the global targets contained in the President Regulation 59/2017.[25] It is necessary to note that in the UNGA Res. 70/1 (outside of the contents with regards to the goals and targets of the SDGs), human rights elements have become an important part of the SDGs implementation.[26] Another instrument that is necessary to be pointed out is the Mérida Declaration which was made by the Global Alliance of National Human Rights Institutions (hereinafter: GANHRI) and has contributed as consolidating element to the relation between human rights and the 17 SDGs since it commencement, as of 2015.[27]

Goal 1 in the SDGs focuses on the matters of poverty.[28] SDG 1, particularly Targets 1.1. and 1.2. related to the reduction of poverty, is relevant to the right to life, the right to enhance living standard, and the right to adequate standard of living in the Law 39/1999.[29] The right to basic needs and the right to self-development are also related to Targets 1.1. and 1.2.[30] Target 1.3. on the social protection system could be related to the collective right of self-development (individuals/groups have the rights to protect their self-development

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20 (1) Ibid., Law 7/2012; and (2) Ibid., UNGA Res. 70/1, 18, (Goal 5, Target 5.2.).

21 Undang-Undang Republik Indonesia Nomor 26 Tahun 2000 tentang Pengadilan Hak Asasi Manusia [Law of the Republic of Indonesia Number 26 Year 2000 concerning the Human Rights Court] (authorised on 23 November 2000, promulgated on 23 November 2000) (hereinafter: Law 26/2000), Article 18, Article 20, and Article 25.

22 (1) Ibid., Law 26/2000; and (2) UNGA Res. 70/1 (n. 2), 25, (Goal 16, Target 16.3.).

23 Ibid., UNGA Res. 70/1, 15-27. For the list of indicators from the SDGs target, see: (1) United Nations General Assembly Resolution 71/313, Work of the Statistical Commission Pertaining to the 2030 Agenda for Sustainable Development, A/RES/71/313 (adopted on 6 July 2017); and (2) "SDG Indicators," United Nations (managed by the United Nations Statistics Division), accessed on 28 December 2020, https://unstats.un.org/sdgs/indicators/ indicators-list/.

24 President Regulation 59/2017 (n. 1), Annex.

25 (1) UNGA Res. 70/1 (n. 2), 15-27; and (2) Ibid., President Regulation 59/2017 (n. 1), Annex.

26 See: ibid., UNGA Res. 70/1, 1 (Preamble, Paragraph 3) and 3-4, 6, 8-9, 29, 31-32 (Declaration, Paragraph 3, Paragraph 8, Paragraph 10, Paragraph 19, Paragraph 20, Paragraph 29, Paragraph 35, Paragraph 67, and Paragraph 74 Letter (e)).

27 See in general: The Mérida Declaration: The Role of National Human Rights Institutions in Implementing the 2030 Agenda for Sustainable Development (adopted on 10 October 2015). See also: "12th International Conference," GANHRI, accessed on 15 January 2021, https://nhri.ohchr.org/EN/ICC/InternationalConference/12IC/Pages/default.aspx.

28 For more details, see: UNGA Res. 70/1 (n. 2), 18 (Goal 1, Targets 1.1..-1.5. and Targets 1.a.-1.b.). See also: President Regulation 59/2017 (n. 1), Annex, 1-10.

29 (1) Ibid., UNGA Res. 70/1, 15 (Goal 1, Targets 1.1.-1.2.); and (2) Law 39/1999 (n. 9), Article 4, Article 9 Paragraph (1), and Article 40.

30 (1) Ibid., UNGA Res. 70/1; and (2) Ibid., Law 39/1999, Article 11 and Article 15.

collectively) and the right to the social security.[31] With regards to the right to the social security, there is the right to special facilities and treatment for the people belonging to a vulnerable group, such as children and pregnant women.[32] An aspect of Target 1.4. which pertains to the right to ownership is reflecting a similar spirit with the right to ownership in the Law 39/1999.[33] Law 39/1999 which specifically regulates women's right could be related to Target 1.b. which aims at the creation of policies that includes gender as an aspect of consideration.[34]

Goal 2 focuses on the matters of hunger, food, and sustainable agriculture.[35] Targets 2.1. and 2.2. could be related to the right to life, the right to basic needs, and the right to an adequate standard of living.[36] Target 2.1. which is emphasizing on infants and Target 2.2. which is emphasizing on children under 5 years of age could be accommodated by the children's right that had been protected since their conception.[37]

Goal 3 focuses on the matters of health.[38] Target 3.1. in relation to the safety rate of pregnant women could be related to the right to life and specifically, it could be connected to the special right possessed by pregnant women which grant them special protection.[39] Corresponding with Target 3.1., Target 3.2. concerning the safety of children could also be related to the right to life and specifically related to the children's right to life, to be cared for, and to be protected from violence and other crimes.[40] Targets 3.4., 3.5., and 3.9. concerning disease management have a close relevance with the right to an adequate and healthy environment.[41] Target 3.5. concerning the prevention of narcotics abuse could be related with the children's right to protection against narcotics.[42]

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31 (1) Ibid., UNGA Res. 70/1, 15 (Goal 1, Target 1.3.); and (2) Ibid., Law 39/1999, Article 15 and Article 41 and its explanation.

32 (1) Ibid., UNGA Res. 70/1; and (2) Ibid., Law 39/1999, Article 41 and its explanation and Article 62, and see also Article 5 Paragraph (3).

33 (1) Ibid., UNGA Res. 70/1, 15 (Goal 1, Target 1.4.); and (2) Ibid., Law 39/1999, Articles 36-37.

34 (1) Ibid., UNGA Res. 70/1, 15 (Goal 1, Target 1.b.); and (2) Ibid., Law 39/1999, Part Ninth.

35 Ibid., UNGA Res. 70/1, 15-16 (Goal 2).

36 (1) Ibid., UNGA Res. 70/1, 15 (Goal 2, Targets 2.1.-2.2.); and (2) Law 39/1999 (n. 9), Article 4 and Article 9 Paragraph (1), Article 11, and Article 40.

37 (1) Ibid., UNGA Res. 70/1; and (2) Ibid., Law 39/1999, Article 9 Paragraph (1), Article 52 Paragraph (2), and Article 53 Paragraph (1).

38 Ibid., UNGA Res. 70/1, 16-17 (Goal 3).

39 Ibid., (1) UNGA Res. 70/1, 16 (Goal 3, Target 3.1.); and (2) Law 39/1999 (n. 9), Article 4, Article 9 Paragraph (1), Article 5 Paragraph (3) and its explanation, and Article 49 Paragraph (2) and its explanation and Paragraph (3).

40 Ibid., (1) UNGA Res. 70/1, 16 (Goal 3, Target 3.2.); and (2) Ibid., Law 39/1999, Article 4, Article 9 Paragraph (1) and its explanation, Article 53 Paragraph (1), Article 57 Paragraphs (1)-(3), Article 58 Paragraphs (1)-(2), and Article 64-66. For definition of "children", see Article 1 Number 5 Law 39/1999. For opinion connecting Goal 3 of the SDGs with vaccines and children's health, see: Mimin Dwi Hartono, "Vaksinasi dan Hak Anak atas Kesehatan" [Vaccination and Children's Rights to Health], Kompas.com, published on 12 August 2017, https://sains.kompas.com/read/2017/08/12/205030323/vaksinasi-dan-hak-anak-atas-kesehatan?page=all.

41 Ibid., (1) UNGA Res. 70/1, 16 (Goal 3, Targets 3.3.-3.4. and Target 3.9.); and (2) Ibid., Law 39/1999, Article 9 Paragraph (3). For the children's health can be related to the child's labor, see: Article 64.

42 Ibid., (1) UNGA Res. 70/1, 16 (Goal 3, Target 3.5.); and (2) Ibid., Law 39/1999, Article 65 and its explanation.

Goal 4 concerns on the matters of education.[43] Targets 4.1. and 4.2. concerning pre-school, primary school, and middle-school education are relevant to children's right to education.[44] Targets 4.5. and 4.a. are concerning, among others, access to education for children, it could be related with the special rights connected to the education for children with disabilities.[45] Targets 4.3.-4.4. and 4.6.-4.7. concerns the matters of education for men, women, and young people in general, this may be accommodated by the right to access to education.[46]

Goal 5 concerns on the matters of gender equality.[47] Target 5.1. concerning discrimination against women could be related to the rights to protection for pregnant women and children.[48] Target 5.2. concerning violence against women where in this regard, an example could be taken from women's trafficking relates with the prohibition of women's and children's trafficking in the Law 39/1999.[49] Target 5.3. concerning violence against children such as early marriage, which in general correlates to the articles regulating that the prospective wife shall have the freedom to get married consensually.[50] Other violence in Target 5.3. is also related to the right of children to be protected against violence.[51] In general, Target 5.3. is related to the right to security.[52] Target 5.6. concerning sexual and reproductive health could be related to the right of women to be protected from threats against their reproductive ability in the working environment.[53] Target 5.a. which among others discusses women's right to ownership is connected with the right to ownership in the Law 39/1999.[54] Target 5.c. concerning the reinforcement of gender equalities policies and legislation is relevant with the regulation of women's right to be involved in the public and private sectors.[55]

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43 Ibid., UNGA Res. 70/1, 17 (Goal 4).

44 (1) Ibid., UNGA Res. 70/1, 17 (Goal 4, Targets 4.1.-4.2.); and (2) Law 39/1999 (n. 9), Article 60.

45 (1) Ibid., UNGA Res. 70/1, 17 (Goal 4, Targets 4.5.-4.a.); and (2) Ibid., Law 39/1999, Article 54 and its explanation.\

46 (1) Ibid., UNGA Res. 70/1, 17 (Goal 4, Targets 4.3.-4.4. and Targets 4.6.-4.7.); and (2) Ibid., Law 39/1999, Articles 12-13 and concerning women may be seen in Article 48.

47 Ibid., UNGA Res. 70/1, 18 (Goal 5).

48 (1) Ibid., UNGA Res. 70/1, 18 (Goal 5, Target 5.1.); and (2) Law 39/1999 (n. 9), Article 5 and its explanation.

49 (1) Ibid., UNGA Res. 70/1, 18 (Goal 5, Target 5.2.); and (2) Ibid., Law 39/1999, Article 20 Paragraph (2) and Article 65. See also: footnote number 3.

50 (1) Ibid., UNGA Res. 70/1, 18 (Goal 5, Target 5.3.); and (2) Ibid., Law 39/1999, Article 10 Paragraph (2) and its explanation.

51 (1) Ibid., UNGA Res. 70/1; and (2) Ibid., Law 39/1999, Article 58 and Article 66 Paragraph (1).

52 (1) Ibid., UNGA Res.70/1; and (2) Ibid, Law 39/1999, Articles 30 and 33.

53 (1) Ibid., UNGA Res. 70/1, 18 (Goal 5, Target 5.6.); and (2) Ibid., Law 39/1999, Article 49 Paragraph (2) and its explanation and Paragraph (3).

54 (1) Ibid., UNGA Res. 70/1, 18 (Goal 5, Target 5.a.); and (2) Ibid., Law 39/1999, Article 36 and its explanation.

55 (1) Ibid., UNGA Res. 70/1, 18 (Goal 5, Target 5.c.); and (2) Ibid., Law 39/1999, Article 46 and its explanation, Article 49, and Article 38 Paragraphs (3) and (4).

Goal 6 concerns on the matters of water and sanitation.[56] In general, the targets in Goal 6 that discusses the water and sanitation quality management are relevant to the rights to an adequate and healthy environment.[57]

Goal 7 concerns on the matters of sustainable energy.[58] The targets in Goal 7 focusing on renewable energy and the reduction of fossil fuels could also be related to the rights to an adequate and healthy environment.[59]

Goal 8 focuses on sustainable economic growth and manpower.[60] Target 8.3. concerning the creation of decent employment as well as Targets 8.5.-8.6. and 8.b. concerning decent employment acquisition are all relevant with the rights to decent work.[61] Targets 8.6. and 8.b. which also discusses education, are also connected with the rights to education in general, or the children's right to education.[62] Target 8.7. which discusses, among others, forced labor, including forced child labor, human trafficking, and the creation of child soldiers, are all relevant to the prohibition of slave trafficking, the right to protection from dangerous works, and also the right not to be involved as soldiers in a war.[63] Target 8.8. related to the protection of migrant workers is also relevant with women's rights to obtain fair wages and protection at work, particularly related to women's reproductive health.[64] Target 8.4. concerning environmental degradation, is related to the right to a healthy environment.[65]

Goal 9 concerns matters of infrastructure.[66] Target 9.4. concerning clean and environment-friendly technologies in the infrastructures and industries is relevant to the right to a healthy environment.[67]

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56 Ibid., UNGA Res. 70/1, 18-19 (Goal 6).

57 (1) Ibid., UNGA Res. 70/1, 18-19 (Goal 6, Targets 6.1.-6.6. and Targets 6.a.-6.b.); and (2) Law 39/1999 (n. 9), Article 9 Paragraph (3).

58 Ibid., UNGA Res. 70/1, 19 (Goal 7).

59 (1) Ibid., UNGA Res. 70/1, 19 (Goal 7, Target 7.2. and Targets 7.a.-7.b.); and (2) Law 39/1999 (n. 9), Article 9 Paragraph (3).

60 Ibid., UNGA Res. 70/1, 19-20 (Goal 8).

61 (1) Ibid., UNGA Res. 70/1, 19-20 (Goal 8, Targets 8.3., 8.5.-8.6. and Target 8.b.); and (2) Law 39/1999 (n. 9), Article 38 and Article 49.

62 (1) Ibid., UNGA Res. 70/1, 19-20 (Goal 8, Target 8.6. and Target 8.b.); and (2) Ibid., Law 39/1999, Articles 12-13 and Article 60.

63 (1) Ibid., UNGA Res. 70/1, 20 (Goal 8, Target 8.7.); and (2) Ibid., Law 39/1999, Article 20, Article 63, and Article 64.

64 (1) Ibid., UNGA Res. 70/1, 20 (Goal 8, Target 8.8.); and (2) Ibid., Law 39/1999, Article 38 Paragraphs (2)-(4) and Article 49 Paragraph (2) and its explanation and Paragraph (3).

65 (1) Ibid., UNGA Res. 70/1, 19 (Goal 8, Target 8.4.); and (2) Ibid., Law 39/1999, Article 9 Paragraph (3).

66 Ibid., UNGA Res. 70/1, 20-21 (Goal 9).

67 (1) Ibid., UNGA Res. 70/1, 20 (Goal 9, Target 9.4.); and (2) Law 39/1999 (n. 9), Article 9 Paragraph (3).

Goal 10 focuses on inequality.[68] Target 10.2. concerning non-discriminatory empowerment and inclusion in social, economic, and political affairs,[69] is relevant to the freedom of politics and speech, the right to express one's opinion, the right to association and assembly, the right to establish political parties, and the right to be involved in the government.[70] Matters related to discrimination in Target 10.3. are also related to provisions under Law 39/1999 which was described in the context of Target 10.2.[71] Target 10.4. concerning policies in social protection could be related to the right to social security.[72]

Goal 11 focuses on the sustainable cities and settlement.[73] Targets 11.1.-11.4., 11.5.-11.7., and 11.a.-11.b. which generally intend to enhance settlement qualities by taking into consideration, among others, environmental aspects, are relevant towards the right to an adequate and healthy environment and the right to a place to live and an adequate standard of living.[74] Target 11.4. which also discusses the protection of cultural heritage is relevant for the protection of indigenous people's rights, including to their cultures.[75]

Goal 12 discusses sustainable consumption and production, Goal 13 concerns the matters of climate change, Goal 14 concerns the matters of marine conservation, and Goal 15 concerns the matters of protection of the terrestrial ecosystem.[76] All targets contained in Goals 12-15 are relevant for the right to an adequate and healthy environment in the Law 39/1999.[77]

Goal 16 concerns the matters of peace, justice, and strong institutions.[78] Target 16.1. concerning the reduction of violence and death due to violence is relevant for the right to

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68 Ibid., UNGA Res. 70/1, 21 (Goal 10).

69 For definition of "discrimination," see: Law 39/1999 (n. 9), Article 1 Number 3.

70 (1) UNGA Res. 70/1, 21 (n. 9) (Goal 10, Target 10.2.); and (2) Ibid., Law 39/1999, Article 17, Articles 23-25, Article 39 and its explanation, Articles 43-44, Part Ninth and its explanation, and Part Tenth and its explanation.

71 Ibid. See also: ibid., UNGA Res. 70/1, 21 (Goal 10, Target 10.3.).

72 (1) Ibid., UNGA Res. 70/1, 21 (Goal 10, Target 10.4.); and (2) Law 39/1999 (n. 9), Article 41 and its explanation.

73 Ibid., UNGA Res. 70/1, 21-22 (Goal 11).

74 (1) Ibid., UNGA Res. 70/1, 21-22 (Goal 11, Targets 11.1.-11.4., Targets 11.5.-11.7., and Targets 11.a.-11.b.); and (2) Law 39/1999 (n. 9), Article 9 Paragraph (3) and Article 40.

75 (1) Ibid., UNGA Res. 70/1, 21-22 (Goal 11, Target 11.4.); and (2) Ibid., Law 39/1999, Article 6 and its explanation.

76 Ibid., UNGA Res. 70/1, 22-25 (Goals 12-15).

77 (1) Ibid., UNGA Res. 70/1, 22-25 (Goal 12, Targets 12.1.-12.8. and Targets 12.a.-12.c.; Goal 13, Targets 13.1.-13.3. and Targets 13.a.-13.c.; Goal 14, Targets 14.1.-14.7. and Targets 14.a.-14.c.; and Goal 15, Targets 15.1.-15.9. and Targets 15.a.-15.c.); and (2) Law 39/1999 (n. 9), Article 9 Paragraph (3).

78 Ibid., UNGA Res. 70/1, 25-26 (Goal 16).

life, the right not to be tortured, and the right not to be killed.[79] Target 16.2. focusing on the violence against children is related to children's right to life, the right to legal protection against violence, the right to be protected from exploitation, and the right to not be tortured.[80] Target 16.9. concerning the legal identity of children is related to the rights to name and nationality.[81] Target 16.3. concerning legal certainty in national and international levels are relevant to legal remedies in the national and international level.[82] Target 16.10. concerning the access to public information is related to the right to information.[83] Targets 16.6 and 16.7. concerning participation in the decision making and strengthening of institution could be related to the right to express one's opinion towards the government.[84]

Goal 17 focuses on the collaboration in the implementation of sustainable development.[85] The NCHR could take a role in the data collection to monitor progress under the 2030 Agenda and the SDGs, from the human rights' perspective, as regulated under Target 17.18.[86] This data could be related to the right to information in the Law 39/1999.[87]

The 2030 Agenda contain 17 SDGs, followed by targets and indicators attached to each of those goals. All SDGs are fully contained in the President Regulation 59/2017. However, not all targets under the United Nations General Assembly Resolutions 70/1 of 2015 (hereinafter: UNGA Res. 70/1) related to sustainable development are included in the global targets contained in the President Regulation 59/2017.

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79 (1) Ibid., UNGA Res. 70/1, 25 (Goal 16, Target 16.1.); and (2) Law 39/1999 (n. 9), Article 4, Article 9 Paragraph (1) and its explanation, and Article 33 and its explanation. See also: footnote number 4.

80 (1) Ibid., UNGA Res. 70/1, 25 (Goal 16, Target 16.2.); and (2) Ibid., Law 39/1999, Article 53 Paragraph (1), Article 58 Paragraphs (1)-(2), and Articles 63-66.

81 (1) Ibid., UNGA Res. 70/1, 25 (Goal 16, Target 16.9.); and (2) Ibid., Law 39/1999, Article 53 Paragraph (2) and its explanation.

82 (1) Ibid., UNGA Res. 70/1, 25 (Goal 16, Target 16.3.); and (2) Ibid., Law 39/1999, Article 7 and its explanation. See also: footnote number 5.

83 (1) Ibid., UNGA Res. 70/1, 26 (Goal 16, Target 16.10); and (2) Ibid., Law 39/1999, Article 14 and Article 32. See also: (1) footnote number 6; and (2) Yuli Asmini, "Hak atas Informasi dan Agenda Pembangunan Berkelanjutan" [Rights to Information and Sustainable Development Agenda] SUAR, No. 3 of 2015, 46 (Column).

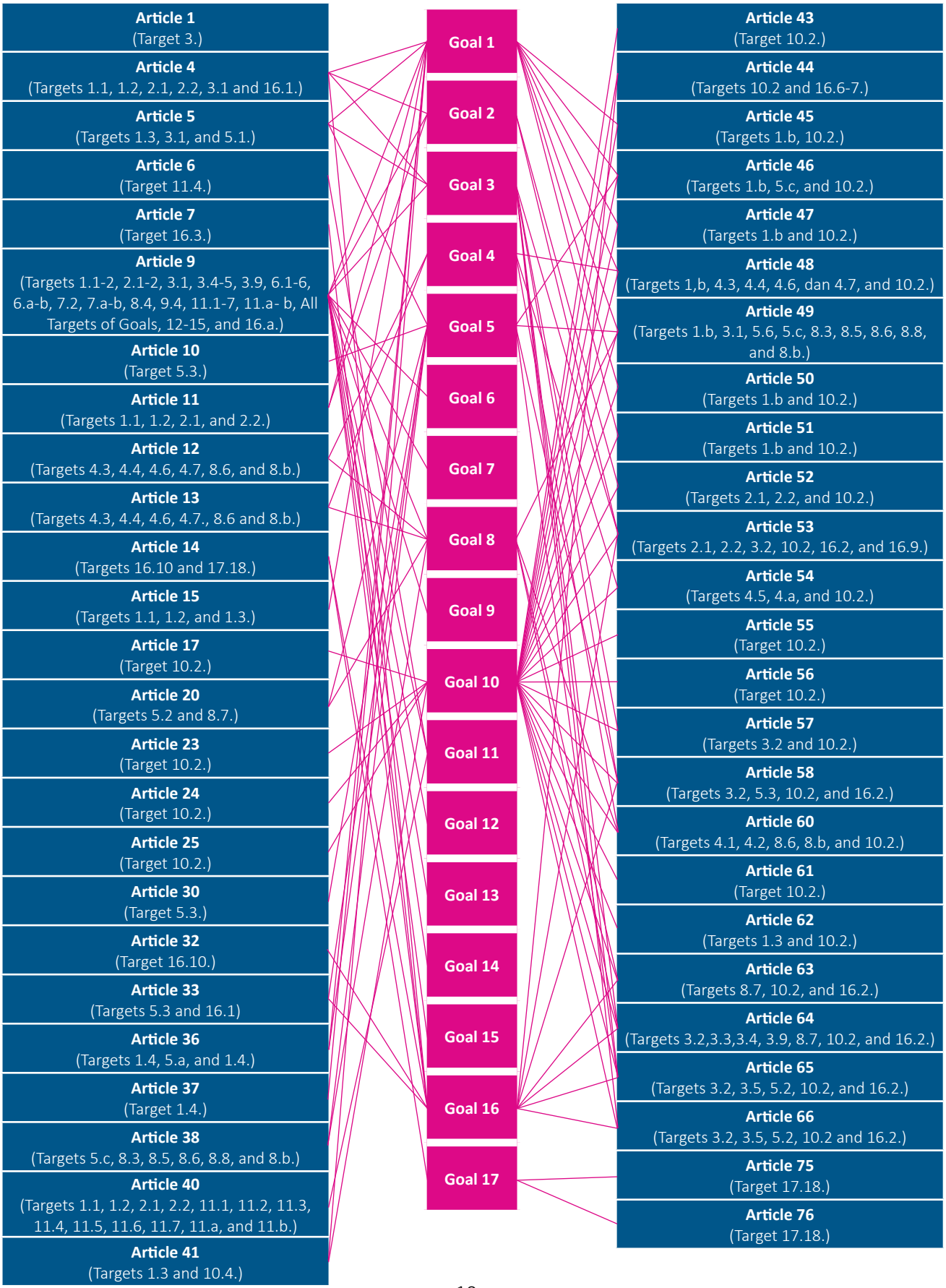
84 (1) Ibid., UNGA Res. 70/1, 26 (Goal 16, Targets 16.6-16.7); and (2) Ibid., Law 39/1999, Article 44.

85 Ibid., UNGA Res. 70/1, 26-27 (Goal 17).

86 (1) Ibid., UNGA Res. 70/1, 26 (Goal 17, Target 17.18); and (2) Law 39/1999 (n. 9), Article 75 and Article 76 Paragraph (1).

87 (1) Ibid., UNGA Res. 70/1; and (2) Ibid., Law 39/1999, Article 14 Paragraph (2).

CONNECTION BETWEEN GOALS 1-17 WITH ARTICLES ON HUMAN RIGHTS IN THE LAW 39/1999:



3. THE ROLES OF THE NCHR IN ACHIEVING THE SDGs

It is important to note that in principle, the NCHR's activities that are not explicitly aimed to specifically achieve the SDGs, can still very much be connected with the SDGs. One way to identify that is to see the relation between articles in the Law 39/1999 and the goals and targets in the SDGs according to the UNGA Res. 70/1 as elaborated in the Chapter 2.

In general, the NCHR received 32,136 complaint files from 2015 to 2019.[88] However, not all of them are related to the violation of human rights.[89] For instance, around 15.8% of the complaint files in 2019 were not related with human rights.[90] The NCHR has also made a classification based on the highest number of human rights violations among the complaint files in 2019.[91] From 4,778 complaint files considered as a human rights violation, the right to welfare is on the first rank amounting to approximately 50.7% and the right to obtain justice is ranked second amounting to approximately 31%.[92] Welfare for example, could be related to Goal 1 which is focusing on poverty and justice could be connected to Goal 16.[93]

Other examples, for instance, in the context of managing mediation. As of 2015 until 2019, mediation concerning land dispute has always ranked as the highest case.[94] With the exception of the year 2017, the amount of mediation in land dispute was always above 45%.[95] Meanwhile, employment case always ranked as the second highest case from 2015 until 2019.[96] Similar to the previous opinion, the NCHR could identify articles or rights that are usually utilized and relevant with the cases related to land dispute and manpower,

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88 Tim Penyusun Laporan Tahunan Komnas HAM 2019, "Laporan Tahunan Komnas HAM 2019" [NCHR 2019 Annual Report] (2020) (hereinafter: "NCHR 2019 Annual Report"), 41.

89 Ibid., "NCHR 2019 Annual Report."

90 Ibid.

91 Ibid., 42.

92 Ibid.

93 Ibid.

94 (1) Tim Penyusun Laporan Tahunan Komnas HAM 2015, "Pemulihan Hak-Hak Korban Pelanggaran HAM: Laporan Tahunan Komnas HAM 2015" [Restitution of Rights of the Victim of the Human Rights Violation: NCHR 2015 Annual Report] (2016) (hereinafter: "Restitution of Rights of the Victim of the Human Rights Violation: NCHR 2015 Annual Report"), 112; (2) Tim Penyusun Laporan Tahunan Komnas HAM 2016, "Pemenuhan Hak Kelompok Minoritas and Rentan di Indonesia: Laporan Tahunan Komnas HAM 2016" [The Fulfillment of Rights of the Minority and Vulnerable Group in Indonesia: NCHR 2016 Annual Report] (2017) (hereinafter: "The Fulfillment of Rights of the Minority and Vulnerable Group in Indonesia: NCHR 2016 Annual Report"), 84; (3) Komnas HAM, "Laporan Tahunan Komnas HAM 2017" ['NCHR 2017 Annual Report'] (2017) (hereinafter: "NCHR 2017 Annual Report"), 72; (4) Tim Penyusun Laporan Tahunan Komnas HAM 2018, "Laporan Tahunan Komnas HAM 2018" [NCHR 2018 Annual Report] (hereinafter: "NCHR 2018 Annual Report") (2019), 37; and (5) Ibid., "Laporan Tahunan Komnas HAM 2019" ['NCHR 2019 Annual Report'], 50.

95 Ibid.

96 Ibid.

then correlate it with the goals and targets in the SDGs. Subsequently, the SDGs could be integrated at the time of the NCHR's implementation of its duties and authorities in relation to its function of mediation.[97]

This chapter will explain a number of the NCHR's activities which were specifically planned for the interest of achieving the SDGs that took the human rights aspects into consideration. From the SDGs' perspective, activities that have been conducted by the NCHR could be divided into two large parts. First, activities involving all of the SDGs in general. Second, activities specifically connected to one or more goals in the SDGs, however, do not cover all of the SDGs. This chapter will classify activities that have been conducted by the NCHR that have had strategic impacts for the NCHR to explore its role in all the SDGs. In order to elaborate on such activities, identification will also be made on the aspects of duties and authorities in the NCHR's functions.[98]

It is necessary to note that the NCHR's Sustainable Development Goals Team (hereinafter NCHR's SDGs Team) has made a list of the SDGs activities implemented by the NCHR from 2016 until 2020.[99] The list consists of activities conducted from 2018 until 2020.[100] In both 2016 and 2017, there is only one recorded activity in each year from the NCHR's SDGs Team's list.[101] In the list of activities during 2016-2018, the NCHR's SDGs Team also have specifically identified relevant goals of the SDGs that were connected to the activities.[102] Meanwhile, in the 2020 list, there is no such identification, and in the 2019 list, the SDGs are only identified in two activities.[103] Aside from relying upon the SDGs activities conducted by the NCHR according to the list made by the NCHR's SDGs Team, this research also see resources from other NCHR's documents such as annual reports, strategic plans, performance reports as well as other relevant resources outside of the NCHR.

The NCHR's SDGs Team was established in 2019.[104] The establishment was an important step in ensuring the existence of a key-player who can specifically work and focus on the SDGs and human rights in the NCHR.[105] The establishment of this team is a positive preliminary step in strengthening the roles of the NCHR in achieving the SDGs in Indonesia. In 2016, the

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97 Law 39/1999 (n. 9), Article 89 Paragraph (4) and its explanation.

98 For the duties and authorities related to the NCHR functions, see: ibid., Law 39/1999, Article 76 Paragraph (1) and Article 89.

99 (1) Komnas HAM, "Laporan Kegiatan Tim Sustainable Development Goals (SDGs) Komnas HAM Tahun 2020" [Activity Report of the NCHR's Sustainable Development Goals (SDGs) Team 2020] (hereinafter: "Activity Report of the NCHR's SDGs Team 2020"); (2) Komnas HAM, "Laporan dan Review Kegiatan Sustainable Development Goals (SDGs) Komnas HAM 2019" [Report and Review of the NCHR's Sustainable Development Goals (SDGs) Activities 2019] (hereinafter: "Report and Review of the NCHR's SDGs Activities 2019"); and (3) Komnas HAM, "Komnas HAM List of the SDGs' Activities" [NCHR's List of the SDGs' Activities] (hereinafter: "NCHR's List of the SDGs' Activities").

100 Ibid.

101 Ibid., "NCHR's List of the SDGs' Activities".

102 Ibid.

103 (1) "Activity Report of the NCHR's SDGs Team 2020" (n. 99); and (2) "Report and Review of the NCHR's SDGs Activities 2019" (n. 99).

104 See: (1) "NCHR 2019 Annual Report" (n. 88), 94; and (2) Ibid., "Report and Review of the NCHR's SDGs Activities 2019", 5.

105 See: ibid.

NCHR was trusted as the SDGs coordinator for Asia Pacific by the GANHRI.[106] In February 2018, the NCHR participated in the Annual Session of GANHRI, where one of the discussion topics was concerning the SDGs.[107] The NCHR's position as the coordinator was strategic since it could support the strengthening of the NCHR's roles in achieving the SDGs and inspire the National Human Rights Institutions (hereinafter: NHRIs) in Asia Pacific region.

The presence of the SDGs web-based tool based on human rights indicators can be considered as one of the strategic activities that the NCHR has conducted from 2015 to 2020, with respect to the SDGs and human rights.[108] The SDGs and human rights web-based tool is strategic since it contains indicators standard for human rights that could be used as guidelines in implementing the SDGs.[109] Besides that, the scope of goals discussed within the web-based tool encompass not only Goals 5 and 16, however, it also covers Goals 1-4, 6, 8, and 10.[110] In the future, there is a plan to complete the goals that have not been included in the web-based tool.[111] The presence of the web-based tool is one of the important evidences of the NCHR's work in giving contribution to achieve the SDGs outside of Goals 5 and 16 that can be accessed by all stakeholders.

The NCHR places the SDGs in an important position within the inclusion of the SDGs into the NCHR's annual reports and strategic plan. An annual report is a document mandatorily made by the NCHR to be delivered to the executive (President), legislative (House of Representatives), and judicative (Supreme Court) bodies.

106 Feri/IBN, "Integrasi HAM dalam Sustainable Development Goals" [Integration of Human Rights in the Sustainable Development Goals], Komnas HAM, published on 10 September 2019, https://www.komnasham.go. id/index.php/news/2019/9/10/1145/integrasi-ham-dalam-sustainable-development-goals.html. For GANHRI's background, see: "A Brief History of GANHRI", GANHRI, accessed on 15 January 2021, https://nhri. ohchr.org/EN/AboutUs/Pages/History.aspx.

107 RO/OL-3, "GANHRI Anugerahi Penghargaan Tertinggi Kepada Komnas HAM 'Akreditasi A'" [GANHRI Granted the Highest Award to the NCHR 'A Accreditation'], Mediaindonesia.com, published on 24 February 2018, https://mediaindonesia.com/politik-and-hukum/146685/ganhri-anugerahi-penghargaan-tertinggi-kepada-k omnas-ham-akreditasi-a.

108 Komnas HAM, UNESCO, and UNSDG, "Human Rights Based Development in Indonesia", accessed on 2 January 2021, https://sdg.komnasham.go.id/en/sdgs/ (hereinafter: web-based tool). See also: (1) NCHR 2017 Annual Report (n. 94), 91 and 43; (2) Tim Penyusun Laporan Kinerja Biro Renwakes Komnas HAM, "LKIP 2017 Biro Perencanaan, Pengawasan Internal and Kerjasama" [Planning, Internal Supervision and Partnership Bureau LKIP 2017] (hereinafter: Planning, Internal Supervision and Partnership Bureau LKIP 2017), 24-25 and 27; (3) NCHR List of SDG's Activities (n. 99); and (4) MDH, "Komnas HAM-UNESCO Kerjasama Mengarusutamakan SDGs dan HAM" [NCHR-UNESCO Partnership Prioritize the SDGs and Human Rights], Komnas HAM, published on 20 April 2017, https://www.komnasham.go.id/index.php/news/2017/6/1 2/351/tindak-lanjut-kerja sama-komnas-ham-unesco-asia-pasifik.html.

109 Ibid., web-based tool.

110 Ibid.

111 See: (1) MDH, "Kerjasama dengan UNESCO, Mendorong Kebijakan Berbasis Bukti" [Partnership wth UNESCO, Encourages Evidence-Based Policies], Komnas HAM, published on 20 March 2018, https://www.komnasham.go.id/index.php/news/2018/3/20/1014/kerjasama-dengan-unesco-mendorong-kebijakan-berbasis-bukti.html; (2) "NCHR-UNESCO Partnership Prioritize the SDGs and Human Rights" (n. 108); and (3) "NCHR 2019 Annual Report" (n. 88), 95.

The creation of the web-based tool is one of the implementations from the memorandum of understanding between the NCHR and UNESCO in June 2017 and was supported by the United Nations Sustainable Development Group (hereinafter: UNSDG).[112] The quality of the web-based tool is also developed continuously in terms of its application towards various topics such as disabilities and demographics,[113] as well as in terms of technical aspects in information technology.[114] In 2019, the supporting tools for the human rights indicator crafted by the NCHR and the UNESCO were used by Lembaga Demografi Fakultas Ekonomi dan Bisnis Universitas Indonesia as one of the research basis in the published research.[115] The web-based tool also has been promoted by the NCHR, for example in March 2018, when the NCHR's representative became a speaker in the Asia Pacific Forum on Sustainable Development 2018 in Thailand, the representative explained the human rights indicator web-based tool in SDGs function as a tool to support the implementation of the SDGs.[116]

The creation of the human rights indicator web-based tool in collaboration with the UNESCO could be categorized as an implementation of the NCHR's function to conduct study and research particularly concerning the collaboration with foreign partners.[117] Besides, the web-based tool could also take a role as a form of implementation of the NCHR's function to conduct dissemination.[118] The meeting with partners as mentioned above could be classified as an implementation of the NCHR's function to conduct study and research in form of discussion and collaboration of human rights with partners.[119] Meanwhile, the NCHR's representative activities in becoming a speaker could be categorized as an implementation of collaborative dissemination with partners.[120]

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112 (1) Nota Kesepahaman antara Komisi Nasional Hak Asasi Manusia Republik Indonesia (Komnas HAM) dan the United Nations Educational, Scientific, and Cultural Organization (UNESCO) tentang Kerja Sama dalam Mempromosikan Hubungan antara Tujuan Pembangunan Berkelanjutan dan Hak Asasi Manusia di Indonesia [Memorandum of Understanding between the National Commission on Human Rights of the Republic of Indonesia (NCHR) and the United Nations Educational, Scientific, and Cultural Organization (UNESCO) concerning the Partnership in Promoting Connection between the Sustainable Development Goals and the Human Rights in Indonesia] (12 June 2017); (2) web-based tool (n. 108); (3) "NCHR 2017 Annual Report" (n. 94), 91 and 43; and (4) " Planning, Internal Supervision and Partnership Bureau LKIP 2017" (n. 108), 24-25 and 27.

113 (1) MDH, "Disiapkan, Perangkat Monitoring SDGs Berbasis Web" [Prepared, a Web-Based SDGs Monitoring Device], Komnas HAM, published on 18 October 2017, https://www.komnasham.go.id/index.php/news/2017/ 10/18/425/disiapkan-perangkat-monitoring-sdgs-berbasis-web.html; (2) "NCHR 2019 Annual Report" (n. 88), 94; and (3) "Report and Review of the NCHR's SDGs Activities 2019" (n. 99), 2.

114 "NCHR 2018 Annual Report" (n. 94), 19.

115 (1) Lembaga Demografi Fakultas Ekonomi dan Bisnis Universitas Indonesia, "Linking SDGs and Human Rights: Demography Aspects" (Final Report) (2019); (2) "NCHR 2019 Annual Report" (n. 88), 94; (3) "NCHR List of SDG's Activities" (n. 99); and (4) "Report and Review of the NCHR's SDGs Activities 2019" (n. 99), 2.

116 MDH, "Pendekatan HAM untuk Mencapai SDGs" [Human Rights Approach to Achieve the SDGs], Komnas HAM, published on 30 March 2018, https://www.komnasham.go.id/index.php/news/2018/3/30/511/pendekatan-ham-untuk-mencapai-sdgs.html.

117 Law 39/1999 (n. 9), Article 89 Paragraph (1) Letter f.

118 Ibid., Law 39/1999, Article 89 Paragraph (2) Letters a-c.

119 (1) Ibid., Law 39/1999, Article 89 Paragraph (1) Letters e and f; and (2) Footnotes number 113-114.

120 (1) Ibid., Law 39/1999, Article 89 Paragraph (2) Letter c; and (2) Footnote number 116.

The NCHR places the SDGs in an important position within the inclusion of the SDGs into the NCHR's annual reports and strategic plan. An annual report is a document mandatorily made by the NCHR to be delivered to the executive (President), legislative (House of Representatives), and judicative (Supreme Court) bodies.[121] Reporting the SDGs activities performed by the NCHR has become a strategic step to show that the NCHR is capable and has performed endeavors to contribute to the achievement of the SDGs beyond Goals 5 and 16 for the strategic stakeholders mentioned above. The performed SDGs activities have been reported from its 2017 report until 2019 report.[122] In the 2019 annual report, activities conducted by the NCHR had significantly increased compared to those within the annual reports in 2017 and 2018, where there was less frequency of discussion concerning the SDGs and human rights.[123] The 2017, 2018, and 2019 annual reports presented the activities towards implementing the SDGs in general.[124] The 2019 annual report has already started to report specific goals of the SDGs, although not all were explicitly explained.[125] When this research was made, the 2020 annual report has not yet been published.

Meanwhile, the strategic plan is important since it serves as a guideline for the NCHR to conduct its activities. The NCHR has placed the SDGs as a part of its policies and strategies as of the NCHR Strategic Plan 2020-2024.[126] However, the seven prioritized issues in the NCHR Strategic Plan 2020-2024 is limiting and appear to adjust itself to Goal 16, particularly only to Targets 16.1, 16.3, and 16.6.[127] According to Beka Ulung Hapsara (Coordinator for the Sub-Commission of the Advancement of Human Rights / Commissioner for Education and Dissemination for the National Commission on Human Rights), the seven prioritized issues were selected by using the people's primary need approach based on the complaints data the NCHR received. In the previous strategic plan during the 2015-2019 period, matters concerning the SDGs were not included yet and there was no revised version of the strategic plan.[128]

Collaborations between the NCHR and either its foreign or domestic partners have produced positive activities in relation to the SDGs and human rights. These collaborations are in accordance with the duties and authorities of the NCHR to establish partnerships in the field of study and research as well as dissemination.[129]

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121 See: ibid., Law 39/1999 (n. 9), Article 97.

122 (1) "NCHR 2017 Annual Report" (n. 94), 91 and 43; (2) "NCHR 2018 Annual Report (n. 94), 36, 54, and 90-91; and (3) "NCHR 2019 Annual Report" (n. 88), 36, 91, 94-95, 110, 114-116, 118, and 120. See also in general: (1) "Restitution of Rights of the Victim of the Human Rights Violation: NCHR 2015 Annual Report" (n. 94); and (2) "The Fulfillment of Rights of the Minority and Vulnerable Group in Indonesia: NCHR 2016 Annual Report" (n. 94).

123 Compare to: ibid.

124 Compare to: ibid.

125 "2019 NCHR Annual Report" (n. 88), 94-95 and 114.

126 Komnas HAM Republik Indonesia, "Rencana Strategis Komisi Nasional Hak Asasi Manusia 2020-2024" [Strategic Plan of the National Commission on Human Rights 2020-2024], 43-46.

127 Ibid.

128 See in general: Komnas HAM, "Rencana Strategis Komisi Nasional Hak Asasi Manusia Tahun 2015-2019" [Strategic Plan of the National Commission on Human Rights 2015-2019]. See also: UNGA Res. 70/1 (n. 2).

129 Law 39/1999 (n. 9), Article 89 Paragraph (1) Letter f and Paragraph (2) Letter c.

These collaborations are important since it could maximize the NCHR's effort to implement the SDGs activities from human rights perspective with support from third parties. Examples of the NCHR's foreign partner in collaborating within the field of the SDGs and human rights and who have signed the memorandum of understanding with the NCHR are the UNESCO,[130] the Danish Institute for Human Rights (hereinafter: DIHR),[131] and the Human Rights Commission of Malaysia.[132]

The UNESCO and the DIHR could be considered as the two most prominent foreign partners who have collaborated with the NCHR. The most prominent collaboration result between the NCHR and the UNESCO were the human rights indicator web-based tool which is related with the SDGs and various supporting activities and their derivatives as explained above. Meanwhile, the most prominent collaboration result with the DIHR was the implementation of various capacity-building activities for the NCHR and other relevant parties in the SDGs and human rights, particularly in 2019 and 2020.[133] One of the activities recently conducted was held in December 2020, whereas the NCHR held a webinar on the NHRIs roles in SDGs where the DIHR representative participated as one of the speakers.[134] Another example of activity is in March 2019, where one of the NCHR Commissioner delivered Indonesia's perspective on the correlation between demography and the SDGs in one of the sessions of the Asia-Pacific People's Forum on Sustainable Development 2019, the DIHR was one of the NCHR's partners in that session.[135] There were two goals mentioned explicitly as the

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130 (1) "Memorandum of Understanding between the National Commission on Human Rights of the Republic of Indonesia (NCHR) and the United Nations Educational, Scientific, and Cultural Organization (UNESCO) concerning the Partnership in Promoting Connection between the Sustainable Development Goals and the Human Rights in Indonesia" (n. 112); and (2) "Planning, Internal Supervision and Partnership Bureau LKIP 2017" (n. 108), 24-25 and 27.

131 (1) "NCHR 2019 Annual Report" (n. 88), 110; (2) Biro Perencanaan, Pengawasan Internal dan Kerjasama Komnas HAM, "Laporan Kinerja 2018" [2018 Performance Report], 26; and (3) Tim Penyusun Laporan Kinerja Komnas HAM, "Komisi Nasional Hak Asasi Manusia LKIP Laporan Kinerja 2018" [2018 LKIP Performance Report of the NCHR] (2018), 67.

132 1) Memorandum of Understanding (MoU) between the Human Rights Commission of Malaysia (SUHAKAM) and the National Commission on Human Rights of Indonesia (Komnas HAM), with the Commission on the Human Rights of the Philippines (CHRP) as an Official Observer on Statelessness Issues in Sabah (23 April 2019); and (2) Ibid., "NCHR 2019 Annual Report", 115-116.

133 For examples as recorded in: (1) "Report and Review of the NCHR's SDGs Activities 2019" (n. 99), 3-4 and 6-9; (2) "Activity Report of the NCHR's SDGs Team 2020" (n. 99), 2-5 and 8-9.

134 (1) Komnas HAM, Side Event 3 Festival HAM 2020 Webinar NHRI's Role and SDGs' Achievements During Covid-19 Pandemic, Youtube video, minutes 52-53, accessed on 30 December 2020, https://www.youtube.com/ watch?v=XaeYD3t_0tM&feature=youtu.be; (2) AAP/IW, "Komnas HAM Kawal Capaian SDGs pada Masa Pandemi COVID-19" [NCHR Oversee the Achievement of the SDGs during the COVID-19 Pandemic], Komnas HAM, published on 23 December 2020, https://www.komnasham.go.id/index.php/news/2020/12/23/1635/ komnas-ham-kawal-capaian-sdgs-pada-masa-pandemi-covid-19.html; and (3) "Activity Report of the NCHR's SDGs Team 2020" (n. 99), 9.

135 (1) Nur Afifa Fauzia, "Aspek Demografi Sebagai Salah Satu Pendekatan Pemantauan SDGs di Indonesia" [Demography Aspect as One of the Approach to Monitor the SDGs in Indonesia], Komnas HAM, published on 1 April 2019, https://www.komnasham.go.id/index.php/news/2019/4/1/776/aspek-demografi-sebagai-salah-satu-pendekatan-pemantauan-sdgs-di-indonesia.html; (2) "Empowering the Most Marginalized and Ensuring Inclusiveness and Equality: Realizing the SDGs through Human Rights," (29 March 2019) (Asia-Pacific Forum on Sustainable Development), https://www.unescap.org/apfsd/6/document/sid events/Empowering%20the% 20most%20marginalized%20and%20Ensuring%20 Inclusiveness%20and%20Equality.pdf; (3) "NCHR 2019 An-nual Report" (n. 88), 115; and (4) Biro Perencanaan, Pengawasan Internal dan Kerjasama Komnas HAM, "Laporan Kinerja 2019" [Performance Report 2019], 33.

background of that event, namely Goals 10 and 16.[136]

Domestic partners are equally important in supporting the NCHR to implement the SDGs and human rights activities. For example, in June 2015, the SDGs concept has been introduced by the NCHR in the workshop and training activities concerning the human rights cities in connection with the Wonosobo Regency development.[137] This activity construed as the implementation of partnership embodied in the memorandum of understanding between the NCHR and the government of Wonosobo Regency as well as the Institute for Policy Research and Advocacy (hereinafter: ELSAM) and International NGO Forum on Indonesian Development (hereinafter: INFID), which priorly has been signed by the parties in May 2015.[138] These workshops and training were also supported by the Ministry of Law and Human Rights as well as the Friedrich Naumann Foundation.[139] In November of the same year, the NCHR along with the Ministry of Law and Human Rights as well as ELSAM and INFID issued a press release concerning human rights cities and connect it with the SDGs.[140] The human rights friendly city theme is very relevant to Goal 11 of the SDGs.[141] In November 2018, the NCHR in collaboration with among others, the central, Central Java province, and Wonosobo regency government as well as INFID, have succeeded in encouraging the manifestation of the Wonosobo Declaration which supports the SDGs' success in general, whereas the SDGs Team in the NCHR related this activity with Goals 5, 10, 11, and 16.[142] Collaboration with the central government (Executive Office of the President of the Republic of Indonesia) and local government (Government of Jember Regency) as well as INFID related to the SDGs has been continued, for instance with the implementation of the Human Rights Festival 2019.[143]

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136 Ibid., "Empowering the Most Marginalized and Ensuring Inclusiveness and Equality: Realizing the SDGs through Human Rights".

137 Yuli Asmini, "Lokalatih Human Rights Cities di Wonosobo" [Workshop on Human Rights Cities in Wonosobo] SUAR, No. 1 of 2015, 40.

138 Ibid.

139 "Pemantauan Workshop Pengarusutamaan HAM Dalam Pengembangan Wonosobo Sebagai Kabupaten Ramah HAM" [Monitoring to the Workshop to Prioritize Human Rights in the Development of Wonosobo as a Human Rights-Friendly Regency], Direktorat Jenderal Hak Asasi Manusia Kementerian Hukum dan Hak Asasi Manusia, published on 7 June 2015, http://ham.go.id/pemantauan-workshop-pengarusutamaan-ham-dalam-pengembangan-wonosobo-sebagai-kabupaten-ramah-ham/.

140 (1) Komnas HAM, INFID, ELSAM, and Kemenkumham, "Siaran Pers Komnas HAM RI, INFID, ELSAM dan Kemenkumham RI Dorong Kota Ramah HAM di Indonesia" [Press Release from the NCHR, INFID, ELSAM, and the Ministry of Law and Human Rights of the Republic of Indonesia is Encouraging Human Rights-Friendly Cities in Indonesia]; and (2) Eva Nila Sari, "Komnas HAM RI, INFID, ELSAM and Kemenkumham RI Dorong Kota Ramah HAM di Indonesia" [NCHR, INFID, ELSAM, and the Ministry of Law and Human Rights of the Republic of Indonesia Encourage Human Rights-Friendly Cities in Indonesia], Komnas HAM, published on 13 November 2015, https://www.komnasham.go.id/index.php/news/2015/11/13/229/komnas-ham-ri-infid-elsam-andkemenkumham-ri-dorong-kota-ramah-ham-di-indonesia.html.

141 See: footnotes number 73-75.

142 (1) "Deklarasi Wonosobo dalam Festival HAM Indonesia 2018" [Wonosobo Declaration in the Human Rights Festival of Indonesia in 2018], Komnas HAM, published on 15 November 2018, komnasham.go.id/index.php/news/2018/11/15/682/deklarasi-wonosobo-dalam-festival-ham-indonesia-2018.html; (2) "NCHR 2018 Annual Report" (n. 94), 90-91; and (3) "NCHR List of SDG's Activities" (n. 99).

143 (1) "Report and Review of the NCHR's SDGs Activities 2019" (n. 99), 8; and (2) "NCHR 2019 Annual Report" (n. 88), 32-34 and 110.

The partnership between the NCHR and its domestic and foreign partners also occurred when the NCHR collaborated with INFID, the United Cities and Local Governments Asia Pacific, and Raoul Wallenberg Institute held an event with the theme of human rights cities and the SDGs in South Korea.[144]

During the NCHR Internal FGD, it was asked through the questionnaire on how far the impacts of five classifications made for the NCHR activities towards the SDGs within this chapter is towards the achievement of the SDGs in Indonesia in relation with human rights.[145] Fifteen people filled the questionnaire and three of them are the commissioners of the NCHR. The following table display the answer to the questionnaire:

IMPACT OF ACTIVITIES TOWARDS THE ACHIEVEMENT OF THE SDGs IN CONNECTION WITH HUMAN RIGHTS ACCORDING TO THE FGD'S PARTICIPANTS ON 26 JANUARY 2021 FROM THE NCHR:[146]

No.	Activities	Impact of Activities towards the SDGs and Human Rights				
		Not Aware	Not Beneficial	Less Beneficial	Beneficial	Very Beneficial
1.	The Establishment of the NCHR's SDGs Team	0	6,7%	0	73,3%	20%
2.	The NCHR as the SDGs Coordinator for the Asia Pacific	6,7%	0	6,7%	66,7%	20%
3.	The SDGs Web-Based Tool based on Human Rights	0	20%	0	80%	0

144 Yuli Asmini, "Forum Kota HAM Dunia dan Peran Penting Komnas HAM" [Human Rights Cities World Forum and the Important Roles of the NCHR], Komnas HAM, published on 24 October 2018, https://www.komnasham.go.id/index.php/news/2018/10/24/651/forum-kota-ham-dunia-and-peran-penting-komnas-ham.html.

145 It is important to state that when a respondent is questioned with closed questions (yes or no): whether the respondent is aware or have heard of (1) The establishment of the NCHR's SDGs Team, there was 1 respondent (6.7%) answered no; (2) The NCHR as the SDGs Coordinator for Asia Pacific, there were 2 respondents (13.3%) answered no; (3) The SDGs Web-Based Tool based on Human Rights Indicator, there was 1 respondent (6.7%) answered no; (4) Annual Report and Strategic Plan, there were 3 respondents (20%) answered no; and (5) Collaboration with Foreign or Domestic Partners, there was 1 respondent (6.7%) answered no. The data used in the matrix are using respondent answers to the questions specifically made for the interest of the creation of this matrix, it is not from the closed questions.

146 There were two activities left excluded from the matrix since there was a confirmation from the NCHR Internal FGD that one of the activities, namely: (1) Giving comments on the regional regulation related to the HIV/AIDS to the Regional House of Representative of East Java was not explicitly related to the SDGs (according to information from Mimin Dwi Hartono); meanwhile in another activity, namely: (2) One of the commissioners of the NCHR went as an expert witness in a criminal court proceeding related to the detention of a person who was a part of the indigenous people, it cannot be remembered whether it directly relates to the SDGs or not (according to the information from Sandrayati Moniaga), source: (1) NCHR Internal FGD (n. 7); and (2) NCHR List of SDG's Activities" (n. 99).

4.	Annual Report and Strategic Planning	6,7%	0	6,7%	66,7%	20%
5.	Collaboration with Foreign and/or Domestic Partners	6,7%	0	6,7%	60%	26,7%

ASSESSMENT INDICATOR:

1. Not Aware: Had never been aware of such an activity at all.
2. Not Beneficial: No positive impact at all towards the achievement of the SDGs and Human Rights.
3. Less Beneficial: Only giving small positive impact to the achievement of the SDGs. The activities are hardly known even among the NCHR internally. Has not yet triggered the implementation of other SDGs activities.
4. Beneficial: Give positive impact to the achievement of the SDGs and Human Rights, however it has not yet triggered the implementation of other SDGs activities.
5. Very Beneficial: Give a very positive impact to the achievement of the SDGs and Human Rights and becomes the trigger to the implementation of other SDGs activities.

A number of interesting findings for example the collaboration between the NCHR and its either domestic and/or foreign partners was chosen as the activities with the highest vote on “very beneficial” (26.7%) towards the SDGs and human rights. The majority of the respondents stated that the 5 activities in the matrix above are in the “beneficial” category. However, there is still one respondent (6.7%) who has not been aware that the NCHR is the SDGs Coordinator for Asia Pacific (GANHRI) and has the SDGs report section in its annual report as well as the SDGs planning in its Strategic Planning; further, there is still one respondent (6.7%) who has not been aware about the collaboration that the NCHR has made with its domestic and/or foreign partners. Besides that, the SDGs web-based tool is considered as not beneficial by 3 respondents (20%).

The result obtained from the answers of 10 respondents to the questionnaire distributed at the NCHR External FGD shows that the NCHR has not yet promoted the implementation of the SDGs activities in an optimum manner to a number of strategic stakeholders outside of the NCHR. The following table displays the result of the questionnaire:

No.	Activities	Are You Aware and/or Have You Heard of (for the web-based tool, and/or utilized it)	
		Yes	**No**
1.	The NCHR Activities in Achieving the SDGs	40%	60%
2.	The SDGs Web-Based Tool Based on the Human Rights Indicators	20%	80%

3.	The SDGs in the NCHR's Annual Year and Strategic Plan	50%	50%
4.	The NCHR's SDGs Team	20%	80%
5.	The NCHR as the SDGs Coordinator for Asia Pacific	10%	90%
6.	SDGs Collaboration with the Foreign and/or Domestic Partners	30%	70%

In principle, the NCHR needs to comprehensively integrate the implementation of Goals 1-17 of the SDGs in exercising its objectives and functions. The NCHR could start by firmly stating such an intention in their strategic documents that would become their reference in exercising its purposes and functions such as contained within the strategic plan.[147] Further, the result of the strategic plan's implementation is expected to be routinely reported and officially recorded in the NCHR's annual report. Sandrayati Moniaga also reminds the needs to comprehensively follow-up the identification towards the NCHR's activities that could be related with the SDGs to strengthen the annual report.

The patterns of process in the implementation of activities based on the NCHR's functions could vary. The following is one of the examples, for instance, an integration process could be initiated by discussing the problems of the SDGs and human rights in each respective goal of the SDGs.[148] After the discussion subject is determined, the NCHR could continue by searching for the relevant collaboration partners to conduct study and research as well as for the interest of dissemination with respect to the SDGs and human rights issues.[149] The study and research could take place in the form of analysis towards the international instruments related to the SDGs and human rights that necessary to be adopted by Indonesia and/or recommendation related to the establishment and revision of the rules and regulations supporting the achievement of goals and targets of the SDGs and human rights.[150] The study and research could be carried out through for instance, a method of approach that is comparative from the other countries that have succeeded in integrating human rights to the SDGs.[151] The result of this study and research then needs to be published and easily accessible to the public.[152] The results of the study and research then need to be distributed to the public by optimizing collaboration with the NCHR's partners in education institutions, either formal or informal.[153] Beka Ulung Hapsara conveyed the necessity for the existence of strategies to disseminate and execute the SDGs issues with a broader method.

In connection to the monitoring and mediating function, the NCHR principally could accept reports on the violation of human rights from various parties, as regulated under Law

147 Kurniasari Novita Dewi (Education and Dissemination Department at the NCHR) reminded the importance of the integration of the SDGs aside from in the strategic plan, but also within the budget, see: NCHR Internal (n. 7).

148 See: Law 39/1999 (n. 9), Article 89 Paragraph (1) Letter e.

149 See: ibid., Article 89 Paragraph (1) Letter f and Article 89 Paragraph (2) Letter c.

150 See: ibid., Article 89 Paragraph (1) Letters a and b.

151 See: ibid., Article 89 Paragraph (1) Letter d.

152 See: ibid., Article 89 Paragraph (1) Letter c.

153 See: ibid., Article 89 Paragraph (2) Letters a-b.

39/1999, whereas the parties have the right to submit reports.[154] The NCHR could choose to follow-up those reports by correlating the issues both to the articles on human rights in Law 39/1999 and to the SDGs relevant thereto. On the other hand, the public also requires an explanation, that the rights under Law 39/1999 are relevant to the SDGs, hence, they could integrate the SDGs in either of their complaint or recommendation.[155] Sille Stidsen from the DIHR stated the importance of "initiating dialogue with relevant duty bearers in relation to patterns of neglect and violations found in the handling of complaints". According to Stidsen, "when such patterns emerge, it could be brought up in dialogue with the relevant ministries and local authorities—and pointed out that this neglect is out of sync with commitments under the SDGs". The NCHR also needs to actively exercise its supervision functions, for instances, supervising the enforcement of human rights within the society and voicing out opinion in relation to human rights to a chairperson of a court and connect it with the SDGs. This act will surely strengthen the implementation and integration of the SDGs in the NCHR. In the implementation of the NCHR's duties and authorities according to its functions, the SDGs web-based tool and human rights indicator could be optimally used as supporting instruments.

According to the activities carried out by the NCHR from 2015 until 2020 in Chapter 3, there are several activities seen as focusing on study and research (Article 89 Paragraph (1) of Law 39/1999) and dissemination (Article 89 Paragraph (2) of Law 39/1999). However, it is necessary to point out that there are no activities found as explicitly related to the SDGs and relevant human rights with mediation (Article 89 Paragraph (4) of Law 39/1999) and activities connected to the monitoring function (Article 89 Paragraph (3) of Law 39/1999).

One of the most prominent parties that could become the primary driver to ensure that the NCHR is supporting the achievement of the SDGs in relation to human rights, is the NCHR's SDGs Team—which of course needs full support from all commissioners and staffs. From the NCHR internal parties, Asri Oktavianty Wahono (Coordinator for Mediation in the NCHR) stated within her answer to the questionnaire of the importance of evaluation for the NCHR's SDGs Team, including the existence of a program that could support a more in-depth implementation of the SDGs and human rights in the NCHR.[156] The NCHR SDGs Team also needs to strengthen its performance with the strategic third party, bearing in mind that there were only 20% of the respondents who were aware of the SDGs Team existence according to the questionnaire distributed to the participants of the NCHR External FGD.

With respect to the collaboration, from the NCHR's internal perspective, for instance, Asri Oktavianty Wahono stated that the NCHR needs to actively collaborate with the ministry and other institutions in relation to the SDGs.[157] From the external perspective, the fact that there were only 30% of the respondents who were aware of the NCHR's collaboration activities with the third parties, according to the questionnaire result, shows a sign that indeed, the collaboration among the NCHR with the Ministry of National Development Planning / National Development Planning Agency (hereinafter: Ministry of NDP / NDPA),

154 See: ibid, Article 89 Paragraph (3) Letters b-g as well as Paragraph (4), Article 90, and Article 101.

155 See: ibid, Article 89 Paragraph (3) Letters a and h.

156 Also elaborated by Asri Oktavianty Wahono in the: NCHR Internal FGD (n. 7).

157 Ibid.

other executing institutions in the President Regulation 59/2017, and other relevant parties requires improvement and better promotion.[158] Indriana Nugraheni (National Secretariat of the Sustainable Development Goals / Secretariat for the National Coordination Team of the Sustainable Development Goals) specifically addresses the importance for the NCHR to coordinate in a more in-depth manner with the Ministry of NDP / NDPA.[159] Through this collaboration, it is expected that all parties are working together to help the government in performing its duties as the party in charge of fulfilling human rights while simultaneously support the achievement of the SDGs in Indonesia.[160] The aforementioned collaboration with foreign partners such as the UNESCO and the DIHR will also provide a very good impact if it is improved, particularly in connection with the strengthening of the NCHR internal resources.

Only 10% of the respondents from the NCHR External FGD were aware of the NCHR position as the SDGs Coordinator for Asia Pacific, GANHRI. Internally, when answering the questionnaires, Sri Nur Fathya (Sub-Coordinator for the Department of Partnership between Institutions) also advised the NCHR to reinforce its role as the SDGs Coordinator for Asia Pacific, GANHRI. The NCHR could actually introduce and develop the web-based tool's quality to and together with the other NHRIs in the Asia Pacific region.

The SDGs web-based tool and human rights indicator possess the chance to become the consolidating element that can help the NCHR and the government to achieve the SDGs by implementing the human rights aspects. It is unfortunate that the survey result from the NCHR External FGD stated that only 20% of the respondents were aware of and/or utilize the said web-based tool. Internally, the NCHR has discussed the necessity to improve the web-based tool by the addition of human rights indicators in the other SDGs goals that have not been made.[161] From the NCHR's external parties, for instance, Diani Sadiawati (Expert Staff for the Minister of National Development Planning) and Indriana Nugraheni proposed several recommendations to the web-based tool, such as a display of the previously obtained achievements.[162] Indriana Nugraheni also stated among others, the need of displaying the technical standard of the measurable indicators.[163]

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158 See: (1) President Regulation 59/2017 (n. 1), Annex; and (2) Law 39/1999 (n. 9), Article 89 Paragraph (1) Letter f, Paragraph (2) Letter e, and Article 103. See also: Article 102.

159 NCHR External FGD (n. 8).

160 See: (1) Law 39/1999 (n. 9), Article 8; and (2) President Regulation 59/2017 (n. 1), Annex.

161 See: MDH, "Partnership with UNESCO, Encouraging Evidence-Based Policy" (n. 111).

162 (1) Surat Nomor: 022/SA.04.ND/01/2021 dari Diani Sadiawati (Staf Ahli Menteri Perencanaan Pembangunan Nasional) mengenai "Penyampaian Respon Focus Group Discussion "Dampak Pandemi COVID-19 dalam Pencapaian SDGs" [Letter Number: 022/SA.04.ND/01/2021 from Diani Sadiawati (Expert Staff for the Ministry of National Development Planning) concerning "Delivery of Response for the Focus Group Discussion "COVID-19 Pandemic Impact to the Achievement of SDGs"] (hereinafter: Letter Number: 022/SA.04.ND/01/2021 from Diani Sadiawati (Expert Staff for the Ministry of National Development Planning)] (28 January 2021); (2) Written Statement from the National Secretariat of the SDGs (29 January 2021); and (3) NCHR External FGD (n. 8).

163 (1) Ibid, Written Statement from the National Secretariat of the SDGs; and (2) Ibid., NCHR External FGD. See also: (1) "Tier Classification for Global SDG Indicators: As of 28 December 2020", United Nations (managed by the United Nations Statistics Division), accessed on 8 January 2021, https://unstats.un.org/sdgs/files/Tier% 20Classification%20of%20SDG%20Indicators_28%20Dec%202020_web.pdf; and (2) "SDG Indicators: Metadata Repository" United Nations (managed by United Nations Statistics Division), accessed on 8 January 2021, https://unstats.un.org/sdgs/metadata/.

Besides, the human rights indicator also needs to be related to the relevant legal products and policies, one of the examples that can be included in this regard, is the identification result of the relationship between rights and the goals in the SDGs within Law 39/1999 as elaborated in Chapter 2 of this research. The NCHR needs to introduce the human rights indicator web-based tools to the other institutions and the public, as well as establishing the indicators as an implementation guideline. Furthermore, in order to strengthen the position of the said human rights standard, it is recommended for such indicator to be recognized in the future president regulation concerning the SDGs, or at least at the level of the NCHR's regulation.

4. STRENGTHENING THE POSITION AND THE ROLES OF THE NCHR: DISCUSSION AND PRELIMINARY RECOMMENDATIONS

The Ministry of NDP / NDPA has an important and strategic role in planning and ensuring that the SDGs are achieved.[164] In the National Coordination Team for the Achievement of Sustainable Development Goals, the Ministry of NDP / Head of NDPA is taking place as the Executing Coordinator and also Steering Board Member in the team.[165] Meanwhile, the Deputy for the Marine and Natural Resources Department in the Ministry of NDP / NDPA is the Chief of the Executing Team from the National Coordination Team.[166] Furthermore,

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164 (1) President Regulation 59/2017 (n. 1), Articles 4-18 and 20-21; and see in general: (2) Peraturan Menteri Perencanaan Pembangunan Nasional / Kepala Badan Perencanaan Pembangunan Nasional Republik Indonesia Nomor 7 Tahun 2018 tentang Koordinasi, Perencanaan, Pemantauan, Evaluasi, dan Pelaporan Pelaksanaan Tujuan Pembangunan Berkelanjutan [Minister of National Development Planning / Head of the National Development Planning Agency of the Republic of Indonesia Regulation Number 7 of 2018 concerning Coordination, Planning, Monitoring, Evaluation, and Report of the Implementation of the Sustainable Development Goals] (stipulated on 26 April 2018, promulgated on 2 May 2018) (hereinafter: Minister of NDP / Head of NDPA Regulation 7/2018); as well as (3) Keputusan Menteri Perencanaan Pembangunan Nasional / Kepala Badan Perencanaan Pembangunan Nasional Nomor Kep. 127/M.PPN/HK/11/2018 tentang Pembentukan Tim Pelaksana, Kelompok Kerja, dan Tim Pakar Tujuan Pembangunan Berkelanjutan Tahun 2017-2019 [Minister of National Development Planning / Head of the National Development Planning Agency Decision Number Kep. 127/M.PPN/HK/11/2018 concerning the Establishment of Executing Team, Working Group and Expert Team for the Sustainable Development Goals 2017-2019] (stipulated 16 November 2018) (hereinafter: Minister of NDP / Head of NDPA Decision 127/M.PPN/HK/11/2018).

165 (1) Ibid., President Regulation 59/2017, Articles 8-9; (2) Ibid., Minister of NDP / Head of NDPA Regulation 7/2018, Article 4, Article 5 Paragraph (2), and Article 6; and (3) Ibid., Minister of NDP / Head of NDPA Decision 127/M.PPN/HK/11/2018, Annex (Structure of Membership for the Executing Team, Working Group, and Expert Team for the Sustainable Development Goals 2017-2019).

166 (1) Ibid., President Regulation 59/2017, Article 10; (2) Ibid., Minister of NDP / Head of NDPA Regulation 7/2018, see for instance: Article 4 and Article 7; and (3) Ibid., Minister of NDP / Head of NDPA Decision 127/M.PPN/HK/11/20.

the Secretariat for the National Coordination Team of the Sustainable Development Goals is under the Ministry of NDP / NDPA and led by the Chief of Executing Team from the National Coordination Team.[167] One of the strategic roles of the Ministry of NDP / NDPA according to the President Regulation 59/2017 is its role as the party that receives the annual report of the SDGs' implementation, starting from the regional level to the national level, which is submitted by the governor, minister, and the head of institutions (including by the Head of the NCHR).[168] Further, the Minister of NDP / Head of NDPA will submit the SDGs report in its entirety to the President.[169]

The NCHR has a strong basis to support the achievement of the SDGs in all of its goals. In this research, particularly in Chapter 2, it is concluded that all goals in the SDGs could be related to the rights under Law 39/1999. Furthermore, practically, as explained in Chapter 3 of this research, it has also been proven that the NCHR has implemented activities related to the SDGs and human rights explicitly, beyond and not limited to Goals 5 and 16, in performing its duties and authorities according to the NCHR functions—despite that there are many improvements that must be done as delivered by the research team and by various parties.

Nonetheless, in President Regulation 59/2017, the Minister of National Development Planning / Head of the National Development Planning Agency of the Republic of Indonesia Regulation Number 7 of 2018 concerning Coordination, Planning, Monitoring, Evaluation, and Reporting of the Implementation of the Sustainable Development Goals (hereinafter: the Minister of NDP / Head of NDPA Regulation 7/2018), and Minister of National Development Planning / Head of the National Development Planning Agency Decision Number Kep. 127/M.PPN/HK/11/2018 concerning the Establishment of Executing Team, Working Group, and Expert Team for the Sustainable Development Goals 2017-2019] (hereinafter: Minister of NDP / Head of NDPA Decision 127/M.PPN/HK/11/2018), the NCHR's roles in achieving the SDGs have not yet been optimally accommodated.[170]As has been delivered in Chapter 1, President Regulation 59/2017 only position the NCHR as an executing institution of Goals 5 and 16.[171] The Minister of NDP / Head of NDPA Regulation

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167 (1) Ibid., President Regulation 59/2017, Article 13; (2) Ibid., Minister of NDP / Head of NDPA Regulation 7/2018, see for instance: Articles 11-13; and (3) Ibid., Minister of NDP / Head of NDPA Decision 127/M.PPN/HK/11/2018.

168 (1) Ibid., President Regulation 59/2017, Article 17 Paragraphs (1)-(2); and (2) Ibid., Minister of NDP / Head of NDPA Regulation 7/2018, Article 20, Article 25, and Article 27. According to the Focus Group Discussion on 26 January 2021 along with the NCHR, Sandrayati Moniaga and Mimin Dwi Hartono explained in their knowledge that there was never been any specific report given to the Ministry of NDP / Head of NDPA related to the SDGs, however Sandrayati Moniaga was once interviewed by NDPA representatives concerning Goal 16 and Mimin Dwi Hartono was once participated by attending the NDPA invitation with respect to the public consultation on the SDGs, source: NCHR Internal FGD. Diani Sadiawati and Indriana Nugraheni also stated that the NCHR also contributed on the establishment of the SDGs National Action Planning 2017-2019, see: (1) Letter Number: 022/SA.04.ND/01/2021 from Diani Sadiawati (Expert Staff for the Minister of National Development Planning) (n. 162), 3; and (2) Written Statement from the National Secretariat of the SDGs (n. 162), 4.

169 (1) Ibid., President Regulation 59/2017, Article 17 (3); and Ibid., Minister of NDP / Head of NDPA Regulation 7/2018, Article 27.

170 (1) President Regulation 59/2017 (n. 1), Annex, 30, 77, 79-80, and 90; (2) Ibid., Minister of NDP / Head of NDPA Regulation 7/2018, Annex II (129, 210, and 254-255), Sub-Annex I (448-449), Sub-Annex II (851-852), and Sub-Annex III (1319 and 1324-1325); and (3) Minister of NDP / Head of NDPA Decision 127/M.PPN/HK/11/2018 (n. 164), Annex, 49.

171 Ibid., President Regulation 59/2017, Annex 30, 77, 79-80, and 90.

7/2018 is a derivative of President Regulation 59/2017.[172] In the Minister of NDP / Head of NDPA Regulation 7/2018, there is a more specific discussion up to the SDGs indicators, it does not stop only at the goals and targets of the SDGs.[173] In this Minister of NDP / Head of NDPA Regulation 7/2018, the NCHR is positioned as the source of data for Indicator 10.3.1.(b) and Indicator 16.10.1.(a) concerning the total complaints in the human rights cases, as well as in the Indicator 16.a.1 concerning quality improvement of the NCHR.[174] In the Minister of NDP / Head of NDPA Regulation 7/2018, the NCHR was also positioned as an executing institution for (1) Indicator 5.2.2.(a) Program 2 in the Activities 1.1.-1.3. regarding women abuse complaint management system mechanism, (2) Indicator 10.3.1.(b) Program 1 in the Activities 1.1.-1.3. regarding severe human rights violation and violation towards marginalized community settlement mechanism, (3) Indicator 16.10.1.(a) Program 1 in the Activities 1.1.-1.5. regarding human rights violations settlement by the NCHR, and (4) Indicator 16.a.1. Program 1 in the Activities 1-6 (1.1., 2.1., 3.1., 4.1., 4.3., 5.1., and 6.1.-6.2.) regarding quality improvement of the NCHR.[175]

It can be seen that the Minister of NDP / Head of NDPA 7/2018 is consistent in positioning the NCHR as the executing institution for the indicators related to the Target 5.2. and Target 16.10., however, it does not give any roles with respect to the Targets 16.1. and 16.3., despite that the Minister of NDP / Head of NDPA Regulation 7/2018 has stipulated that the NCHR is the executing institution for those targets.[176] Furthermore, the Minister of NDP / Head of NDPA Regulation 7/2018 is adding the NCHR as the executing institution for the indicators related to the Targets 10.3. and Target 16.a., although the NCHR is not the executing institution for the said two targets in the President Regulation 59/2017.[177]

The NCHR was also positioned as an institution providing data in different targets compared to its position as an executing institution in the President Regulation 59/2017, namely in the indicators related to the Targets 10.3. and 16.a.1.[178] Indicators in the targets aside from the ones related to the Target 16.10. are neglected in this Minister of NDP / Head of NDPA Regulation 7/2018.[179] Meanwhile in the Minister of NDP / Head of NDPA Decision 127/M. PPN/HK/11/2018, the NCHR is only involved in the Working Sub-Group for Goal 16.[180] The NCHR is not included as a member even in the Goal 5 where the President Regulation included the NCHR as the executing institution.[181]

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172 Minister of NDP / Head of NDPA Regulation 7/2018 (n. 164), Preamble.

173 See in general: ibid.

174 Ibid., Annex II (129, 210, and 254-255). See also: footnote numbers 71 and 83.

175 Ibid., Sub-Annex I (448-449), Sub-Annex II (851-852), and Sub-Annex III (1319 and 1324-1325). See also: footnote numbers 49, 71 and 83.

176 Compare: (1) President Regulation 59/2017 (n. 1), Annex, 30, 77, 79-80, and 90; and (2) Ibid., Minister of NDP / Head of NDPA Regulation 7/2018 (n. 164), Sub-Annex I (448-449) and Sub-Annex III (1319).

177 Compare: (1) Ibid., President Regulation 59/2017; and (2) Ibid., Minister of NDP / Head of NDPA Regulation 7/2018 (n. 164), Sub-Annex II (851-852) and Sub-Annex III (1324-1325).

178 Compare: (1) Ibid., President Regulation 59/2017; and (2) Ibid., Minister of NDP / Head of NDPA Regulation 7/2018 (n. 164), Annex II (210 and 255).

179 Compare: (1) Ibid., President Regulation 59/2017; and (2) Ibid., Minister of NDP / Head of NDPA Regulation 7/2018 (n. 164), Annex II (254).

180 Minister of NDP / Head of NDPA Decision 127/M.PPN/HK/11/2018 (n. 164), Annex, 49.

181 Compare: (1) President Regulation 59/2017 (n. 1), Annex, 30, 77, 79-80, and 90; and (2) Ibid.

It is important to note that the President Regulation 59/2017 and the Minister of NDP / Head of NDPA Regulation 7/2018 are actually in urgent need of revision. The reason is vital, President Regulation 59/2017 and the Minister of NDP / Head of NDPA Regulation 7/2018 discussed the implementation of the SDGs in its relation to the integration to the National Middle Term Development Plan 2015-2019 (hereinafter: NMTDP 2015-2019), whereas the National Middle Term Development Plan 2020-2024 (NMTDP 2020-2024) has been enforced, hence, it is more accurate if Indonesia's SDGs are connected to the NMTDP 2020-2024 instead of the NMTDP 2015-2019.[182] Minister of NDP / Head of NDPA Decision 127/M.PPN/HK/11/2018 also in need of revision as it only regulates the structure of membership of the executing team, working group as well as the special expert team for the period of 2017-2019—while at the time this research was conducted, it was already 2021.[183]

In a webinar in December 2020, a representative from the Ministry of NDP / Head of NDPA, Diani Sadiawati stated that NDPA has related the SDGs with the NMTDP 2020-2024.[184] Indriana Nugraheni in the NCHR External FGD and in her written statement responding to the key question in the NCHR External FGD has given the information that the President Regulation 59/2017 and also the Minister of NDP / Head of NDPA Decision 127/M.PPN/HK/11/2018 are in the process of revision.[185] Aside from the said president regulation and minister decision, the Minister of NDP / Head of NDPA Regulation 7/2018 is also in need of adjustment as elaborated above.

The matters important to be noted is that the revision of regulation and decision above can become the entrance for the reinforcement of human rights aspect in achieving the SDGs which could be executed by the NCHR. It is necessary to also note, that the representative of the Ministry of NDP / NDPA is actually acknowledging that the NCHR could take roles in all parts of the SDGs, not only limited to Goal 16.[186] The integration of the SDGs implementation to the NCHR activities is also encouraged by the representative of the Ministry of NDP / NDPA.[187] Diani Sadiawati and Indriana Nugraheni in their written statement for the interest of the NCHR External FGD stated the importance for the NCHR

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182 (1) Ibid., President Regulation 59/2017, Article 2 and Annex, See also Article 16; (2) See in general: Minister of NDP / Head of NDPA Regulation 7/2018 (n. 164), and (3) President Regulation Number 18 of 2020 concerning the National Middle Term Development Plan 2020-2024 (stipulated on 17 January 2020, promulgated on 20 January 2020) (hereinafter: President Regulation 18/2020).

183 Minister of NDP / Head of NDPA Decision 127/M.PPN/HK/11/2018 (n. 164), Annex.

184 (1) Expert Staff to the Minister on Institutional Interrelation Ministry of National Development Planning / National Development Planning Agency / Head of SDGs Pillar on Law and Governance, "Covid-19 Pandemic: Impact on National Development and SDGs" (PowerPoint Presentation on the Webinar Side Event 3 Human Rights Festival 2020 with the theme of "NHRI's Role and SDGs' Achievements During Covid-19 Pandemic", 17 [16] December 2020); and (2) Komnas HAM, Side Event 3 Festival HAM 2020 Webinar NHRI's Role and SDGs' Achievements During Covid-19 Pandemic (n. 134).

185 (1) NCHR External FGD (n. 8); and (2) Written Statement from the National Secretariat of the SDGs (n. 162).

186 (1) "NCHR 2019 Annual Report" (n. 88), 95; and (2) MDH, "Sharing Pengetahuan SDGs dan HAM" [The SDGs and Human Rights Knowledge Sharing], Komnas HAM, published on 28 February 2019, https://www.komnasham.go.id/index.php/news/2019./2/28/747/sharing-pengetahuan-sdgs-dan-ham.html.

187 MDH, "Anggaran Komnas HAM Semestinya Ditambah" [NCHR Budget Should Be Increased], Komnas HAM, published 2 May 2018, https://www.komnasham.go.id/index.php/news/2018/5/2/527/anggaran-komnas-ham-semestinya-ditambah.html.

to be involved in all of the goals.[188] However, the approach of being involved in all goals as explained by Diani Sadiawati and Indriana Nugraheni is leaning towards the optimization of the NCHR roles in the Goal 16 which could encourage the implementation of other goals in the SDGs.[189] Beka Ulung Hapsara reminded that human rights actually have a broader scope than the law and justice. However, it is also important to note that in the NCHR External FGD, Indriana Nugraheni stated her openness if the NCHR is formally positioned in all goals, provided that it comes with several notes.[190]

In the NCHR External FGD, the respondents were asked through the questionnaires, whether they think that the NCHR needs to be actively involved in achieving all goals in the SDGs by correlating them with human rights. From ten respondents who answered the questionnaire, nine answered yes (90%), and only one respondent answered no (10%). The respondent who answered no was Theresia Iswarini National Commission on the Violence Against Women, she stated that it cannot be construed as the NCHR's area of work and rather direct the responsibility of the SDGs to the government—although Theresia Iswarini also stated that the NCHR is ideally placed in a position to be involved in all goals of the SDGs.[191] Furthermore, she also questioned the NCHR's capability in the event that the NCHR is involved in all of the goals.[192]

With respect to the question on whether or not the NCHR will be capable in handling the responsibility, Indriana Nugraheni stated that the inclusion of the NCHR to all of the goals of the SDGs comes with consequences, hence, the NCHR must also be prepared, for instance to execute programs deriving from those goals.[193] Indriana Nugraheni also affirmed the importance of internal reinforcement in the NCHR towards the SDGs and human rights.[194] Muhamad Isnur from the Indonesian Legal Aid Foundation (YLBHI) also said a similar statement, the NCHR needs to measure its own capacity if they were to handle all goals in the SDGs and he reminded to refer to the strategic plan.[195]

Wahyu Susilo from the Migrant CARE delivered an interesting point based on his experience in managing matters related to the SDGs, in practice, the human rights aspect is not the priority in the discussion of certain SDGs, for instance, matters related to maritime issues.[196] Wahyu Susilo stated that the NCHR could be involved in this gap by providing technical supports.[197] The involvement of the NCHR in the gap of human rights was also endorsed by Shevierra Danmadiyah from ELSAM.[198]

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188 (1) Letter Number: 022/SA.04.ND/01/2021 from Diani Sadiawati (Expert Staff for the Minister of National Development Planning) (n. 162); and (2) Written Statement from the National Secretariat of the SDGs (n. 162).

189 (1) Ibid; and (2) NCHR External FGD (n. 8).

190 NCHR External FGD (n. 8).

191 Ibid.

192 Ibid.

193 Ibid.

194 (1) Written Statement from the National Secretariat of the SDGs (n. 162); and (2) NCHR External FGD (n. 8).

195 Ibid.

196 Ibid.

197 Ibid.

198 Ibid.

From the internal perspective of the NCHR, Sandrayati Moniaga stated that the NCHR does not intend to request a role.[199] What the NCHR desires, according to her, is for the NDPA to understand the NCHR's work if it is connected to the SDGs.[200] Sandrayati Moniaga also expresses the importance of the NCHR to improve communication with the NDPA in this regard.[201] Comprehension on the NCHR work will help the government to place the NCHR in the appropriate position, and this surely will strengthen the implementation of the SDGs based on human rights in Indonesia.

Beka Ulung Hapsara also stated the situation where the NCHR has not yet to be properly involved by the ministries or other institutions in the implementation of the SDGs.[202] He also said that the NDPA has not yet to see the NCHR's role in its entirety that has demonstrated a broad range of human rights aspect towards the SDGs.[203] Hairansyah (Coordinator of Sub-Commission on the Human Rights Enforcement / Commissioner for Mediation in the NCHR) agreed with the statement from Beka Ulung Hapsara on the broad nature of human rights that could be related to the SDGs.[204] Mimin Dwi Hartono (Coordinator for Study and Research of the National Commission on Human Rights) also mentioned about the NCHR's authority, which is large but has not yet been involved in a broader role with respect to the SDGs.[205]

Concerns on whether the NCHR is capable of supporting the achievement of all goals in the SDGs were expressed by Kurniasari Novita Dewi.[206] Asri Oktavianty Wahono, Kurniasari Novita Dewi, and Nur Afifa Fauzia (Secretary for the NCHR's SDGs Team) stipulates the SDGs had not yet been proliferated internally within the NCHR.[207]

Although the NCHR is indirectly supported by Law 39/1999 in achieving the SDGs, however, it is undeniable that the rules and decisions concerning the SDGs become very strategic legal products in maximizing the NCHR's roles in achieving the SDGs in terms of technical implementation. In order to maximize the NCHR's potential in achieving the SDGs, according to this preliminary research, it is indeed that ideally, the NCHR needs to be included in the rules and decisions to be revised as mentioned above. The inclusion of the NCHR in the rules and decisions needs to focus on the functions that the NCHR will exercise, particularly in ensuring the respect to human rights in all goals of the SDGs. According to Sandrayati Moniaga, it shall be more accurate to position the NCHR as the supervisor, instead of as an executing institution. Indeed, if the name remains to use executing institution, it is feared that it will present multi-interpretation on the NCHR's role outside of the monitoring function.

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199 NCHR Internal FGD (n. 7).

200 Ibid.

201 Ibid.

202 Ibid.

203 Ibid.

204 Ibid.

205 Ibid.

206 Ibid.

207 Ibid.

The NCHR's opportunity to be involved as a supervising institution and within a membership in the SDGs National Coordination Team which supervise the human rights aspects must be seen not as an additional burden for neither the NCHR nor the government, instead, it must be seen as a chance to integrate the advancement and the enforcement of human rights in a systematic and un-sporadic manner through very strategic sectors in the national level.

The correlation between human rights, the SDGs, and the NMTDP was stated by Sandrayati Moniaga and Asri Oktavianty Wahono.[208] It is true that the SDGs are related to the NMTDP.[209] The NMTDP is related to the budget.[210] The NCHR's presence in the said regulations and decision will strengthen the human rights budget for the NCHR.[211] Furthermore, the NCHR has the potential to receive the SDGs budget from other resources in the context of regulations on the SDGs at the national level under the umbrella of the presidential regulations.[212] The existence of the NCHR in supporting the government to achieve the SDGs by taking into account the human rights aspects, is an important matter, bearing in mind that the SDGs have a very close connection to human rights, as elaborated in Chapter 2. As a reminder, as elaborated in Chapter 2, not all targets are relevant to the NCHR, however all goals are relevant to the NCHR.

It is necessary to emphasize, that the spirit of the NCHR's involvement must be in accordance with the objectives and functions of the NCHR and to be more specific, it must be related to its duties and authorities. President regulation, minister regulation, minister decision, and legal products and policies regulating or comprising the SDGs must also comply with such matter and must not be in contrary to Law 39/1999. The NCHR does not need to work on issues that are not under its functions neither its duties and authorities. One of the strategic activities that could be immediately conducted by the NCHR is the analytical approach to the activities planning documents related to Goals 1-17 in the SDGs, and to ensure that the planning does not violate human rights. Other activities and technical discussion on such activity could be discussed more in-depth in the next research.

It is important to note that we all must remember is that the government actually has a significant interest in supporting the NCHR to execute this role. As elaborated previously, the government is responsible for the implementation of human rights in Indonesia.[213] The strengthening of the NCHR which is formally integrated into the SDGs and the NMTDP is expected to support the performance of the government's obligation towards human rights.

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208 Ibid.

209 Ibid.

210 See: (1) President Regulation 59/2017 (n. 1)., Article 2 and Annex, see also Article 16; (2) See in general: Minister of NDP / Head of NDPA Regulation 7/2018 (n. 164), and (3) President Regulation 18/2020.

211 See: ibid.

212 See: ibid., President Regulation 59/2017, Article 19.

213 See footnote number 160.

PRELIMINARY RECOMMENDATIONS

For the NCHR and the Government:

- The NCHR needs to immediately communicate with the President as the Head of Steering Board in the National Coordination Team of the SDGs and also with the Ministry of NDP / Head of NDPA as the Executing Coordinator for the National Coordination Team of the SDGs on the strengthening of the NCHR's position and roles.[214] The government needs to embrace the communication in the spirit to strengthen human rights within the SDGs and optimizing the purpose, function, as well as duties and authority of the NCHR regulated under the Law 39/1999.
- The government needs to include the NCHR as the supervisor to human rights in all goals of the SDGs in the new regulations and decisions that will replace the President Regulation 59/2017, the Minister of NDP / Head of NDPA Regulation 7/2018, and the Minister of NDP / Head of NDPA Decision 127/M.PPN/HK/11/2018.
- The NCHR needs to immediately improve its internal capacity in relation to human rights and the SDGs, hence it could optimally perform its role regardless of whether or not the recommendation in the second point above is accepted.

For the DIHR:

The DIHR could support the strengthening of the NCHR's internal capacity according to the third point above through various activities. For example, through strengthening the knowledge of the SDGs and human rights based on international standard for their internal parties. The planning of the activities for the strengthening needs to be made systematically to maximize the NCHR's role in the SDGs and human rights regardless of whether or not the NCHR is placed as a supervisory institution. We completely agree with Stidsen's comment that states "capacity building followed by cooperation on specific products is more fruitful than capacity-building alone".

214 See: President Regulation 59/2017 (n. 1), Article 9.

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