



UNHCR

United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés



Excerpts of Concluding Observations and Recommendations from UN Treaty Bodies

- Universal Periodic Review:

INDONESIA

We would like to bring your attention to the following excerpts from UN Treaty Monitoring Bodies' Concluding Observations and Recommendations and the Human Rights Council's Special Procedure Reports, relating to issues of interest and persons of concern to UNHCR with regards to Indonesia.

1. Treaty Body Reports

**CAT/C/IDN/CO/2
COMMITTEE AGAINST TORTURE, 40th session
2 July 2008**

Non-refoulement and risk of torture (art. 3)

28. The Committee is concerned by the failure of the State party to clarify how it includes in its national laws or practice the prohibition on returning a person to a country where he or she faces a substantial risk of torture, and hence how the State party ensures that its obligations under article 3 of the Convention are fulfilled (art. 3). **Under no circumstances should the State party expel, return or extradite a person to a State where there are substantial grounds for believing that the person would be in danger of being subjected to torture.**

When determining the applicability of its obligations under article 3 of the Convention, the State party should examine thoroughly the merits of each individual case, ensure that adequate judicial mechanisms for the review of the decision are in place and sufficient legal defence available for each person subject to extradition, and ensure effective post-return monitoring arrangements.

The State party should adopt appropriate legislation to incorporate into domestic law its obligation under article 3 of the Convention, thereby preventing any persons from being expelled, returned or extradited to another State where there are substantial grounds for believing that he or she would be in danger of being subject to torture.

CRC/C/15/Add.223

COMMITTEE ON THE RIGHTS OF THE CHILD, 35th session

26 February 2004

66. The Committee recommends that the State party:

(a) Take immediate steps to ensure that all displaced and refugee children and their families have access to basic health and education services, and that all their rights contained in the Convention are protected, including the right to be registered at birth; (...)

(c) Accede to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, the Convention on the Status of Stateless Persons and the Convention on the Reduction of Statelessness;

(d) Continue its collaboration with, among others, UNHCR.

**Human Rights Liaison Unit
Division of International Protection
UNHCR
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