

ONLINE ACTIVISM FOR LGBTIQ HUMAN RIGHTS IN INDONESIA: INTERNET GOVERNANCE

Laura Rouhan

More and more organisations and individuals are taking to the Internet to share information, campaign for rights and to create safe spaces to support LGBTIQ individuals. With online activism becoming the norm for LGBTIQ organisations across Indonesia, Internet Governance is at risk of being left behind.

Within a human rights paradigm, Internet Governance represents freedom of expression and transparency and challenges LGBTIQ activists to become greater advocates for good online governance in this intersection of rights and freedoms.

The rights of LGBTIQ (Lesbians, Gays, Bisexual, Transgender, Intersex and Queer) people have been vehemently debated across the world and throughout South East Asia, no less so than in Indonesia (Oey, 2012). Over the last ten years, the public discourse has become more open and has been closely followed by the proliferation of LGBTIQ groups throughout the region. Human rights discourses have become central to international debates over gender and sexuality during the past two decades and have now framed the focus of LGBT activism in the region. LGBTIQ activism in South East Asia has matured from one with a HIV/AIDS and health focus into a rights based movement with greater diversity and breadth. Whilst the LGBTIQ movement has created its own identity within a rights based framework, many LGBTIQ people continue to work with HIV/AIDS organisations, demanding an end to the stigmatisation and discrimination they soften face (Oey, 2012). Equally, there is also a great level of intersectionalities with other activist organisations and movements such as feminist, labour and other civil society organisations. This connection is built on the recognition of the ways in which behaviours such as homophobia and sexism are interconnected and cannot be examined separately from one another (UNDP, USAID 2014).

The end of the authoritarian rule of President Suharto in 1998 marked the beginning of the Reform Era in Indonesia, which opened up democratic spaces and the number of LGBTIQ organisations and groups in Indonesia soared (McDonald 2014; Oey 2012). For the first time, organisations began to openly identify themselves as LGBTIQ organisations too. Within this wave of global Human Rights and LGBTIQ discourse, the conversation has expanded to the use of the internet where the proliferation of LGBTIQ organisations and groups cannot be separated from emergence of the internet, which it is seen as an important tool for LGBTIQ activism and communication. Indonesia is the fourth largest country of Facebook users (after the United States, India and now Brazil) with Jakarta known as the twitter capital of the world, generating 2 per cent of the 10.6 billion tweets worldwide ('Jakarta' 2014).

More and more LGBTIQ organisations and activists in Indonesia are taking to the internet and particularly social media where they are able to build safe community spaces where people can connect and communicate, to reduce their isolation and to share information. An online community also creates a space for the LGBTIQ community to advocate for their rights and connect people to health and social support services, all whilst campaigning and advancing LGBTIQ rights as human rights in regional and global contexts (Manaf et.al, 2014).

“The growth of LGBTIQ movements in Indonesia and their advocacy involvement on an international level is inseparable from the growth of the internet. The entire movement is supported and facilitated by the growth in communication technology, which allows high speed transfer of information and communication” (Manaf et al, 2014).

The Internet is a relatively new communication media, with Internet access becoming commercially available in Indonesia in the early 1990's. With a network spanning over some 17,000 islands, ADSL, Fixed line, Mobile and Satellite services give access to over 70 million Indonesians today ('Internet Users', 2014).

Globally, the Internet has created positive spaces for the advancement of the Human Rights of LGBTIQ peoples, the proliferation of International LGBTIQ organisation websites and media demonstrates this. The Internet is a rich milieu of social and political life, so safe, positive spaces also exist with negative, anti LGBTIQ sentiment. The Internet has become a contested space for social and political issues and Indonesia is no exception. Groups and individuals who are not supportive of the advancement of the human rights of LGBTIQ people also use the space to discriminate, bully, threaten and censor the LGBTIQ peoples and organisations online (Manaf et al, 2014). Technology can also be a space where the status quo is preserved, and discrimination and violence against LGBTIQ people is evident. Harassment and homophobic bullying online happens on a regular basis and is equally concerning as off-line bullying and harassments of LGBTIQ peoples.

Bullying and harassment can target individuals or organisations on social media, or it can target websites and blogs. Organisations such as religious groups can also be perpetrators of online homophobic bullying.

It is not just societal attitudes posing challenges for LGBTIQ human rights activists, laws and institutions can also unfairly target and criminalise LGBTIQ peoples. The censorship and blocking of LGBTIQ websites by Internet Service Providers (ISPs) and the Indonesian Government has been reported in Indonesia since 2011 and presents a unique challenge for LGBTIQ organisations in Indonesia (Manaf et al, 2014).

Due to the rapid take up of mobile Internet and telecommunications in Indonesia, online activism and organising of LGBTIQ people is becoming the norm, making it imperative that Internet governance does not get left behind as there are important implications or intersections which support the human rights of LGBTIQ people in Indonesia.

Internet governance, within a human rights paradigm, is about freedom of expression, privacy and other human rights such as freedom to associate, and freedom of expression. Over the last decade, the term 'Internet governance' has been subject to varied interpretations and much conjecture, for our purposes: The online freedom and rights of LGBTIQ Indonesians, the term is understood to be the online freedom, transparency and administration of the internet by a variety of stakeholders, namely ISPs, the Indonesian Government and LGBTIQ online activists (Gelbstein & Kurbalija, 2005).

1. Indonesia Online

Published in January this year (2014), a survey by the Indonesian Internet Service Provider Association (APJII) and the Central Bureau of Statistics (BPS) reported the number of Internet users in Indonesia by the end of 2013 had reached 71.19 million people, or 28 per cent of the country's 248 million population (APJII as cited in Dony 2014). Surveys and Internet usage trend forecasts tip this number to increase over the coming years, to 33 per cent in 2014 rising to 39.8 per cent in 2016 (APJII as cited in Dony 2014).

Mobile devices are still the preferred gateway for Internet access, especially when it comes to social media sites. APJII statistics report over 300 Internet Service Providers (ISPs) currently registered as APJII members, which further illustrates the size of the market and rising demand for Internet connectivity across the Indonesian Archipelago (APJII as cited in Dony 2014).

According to APJII, Internet use is centralised in the western part of Indonesia, namely Java. This is not surprising as telecommunication and Internet infrastructure is focused here. In addition, approximately 83.4 per cent of Internet users are in urban areas (APJII as cited in Dony 2014), which presents another challenge for activists and organisations reliant on the Internet to communicate with, support and advocate for the human rights of the LGBTIQ community. The lack of reliable Internet access in regional or rural areas is best understood as the digital divide and this is of growing concern for LGBTIQ organisations across Indonesia. The digital divide is the term given to the social and economic inequality, which limits a person access to, use of, and knowledge about communication technologies (APJII as cited in Dony 2014).

2. LGBTIQ Indonesia

The Archipelago of Indonesia is the largest Muslim country by population in the world, it is a country, rich in race, culture, religion, ethnicity and diversity, which have become a signature of Indonesian culture and identity. With a population over 250 million it is the most populous nation in South East Asia. Diverse sexual behaviors and gender identities were known in the archipelago centuries ago and documented in groups and traditions such as the Warok and Gemblak in East Java and the Bissu (Transgender) in the social structure of South Sulawesi.

Not unlike other countries in the region, homosexual identity emerged in urban centers in the early twentieth century. In the late 1960s, LGBTIQ groups began to emerge and were primarily centered around transgender women, or waria, as they came to be known. It was not until the 1980s that gay and lesbian groups began to organise in small groups around the country, their mobilisation facilitated through the use of the readily available print media. During the 1990s, as was the case around the world, HIV provided an impetus for greater mobilisation and more gay and lesbian groups began to appear across the country.

During the 1990s, the LGBTIQ movement was involved in national meetings for the first time where the movement also cemented its ties with labour, feminist and pro-democracy organisations, academics and other human rights groups (UNDP, USAID 2014).

The end of the authoritarian rule of President Suharto in 1998 marked the beginning of the Reform Era in Indonesia (McDonald 2014), which opened up democratic spaces and the number of LGBTIQ organisations and groups in Indonesia soared. For the first time, organisations began to openly identify themselves as LGBTIQ too. The many LGBTIQ organisations in Indonesia work on different issues in different ways. Such as small informal support and social groups, counseling and health information organisations, to larger membership based organisations creating open spaces to support victims of homophobic violence, de-bunking myths about LGBTIQ sexuality and rights, providing legal support and LGBTIQ rights as human rights education in schools and the wider community, on and offline.

As the LGBTIQ organisations mature, their civil society connections increase and strengthen, they are able to register with the government, produce annual reports, apply for funding and develop and deliver more sophisticated services to support the LGBTIQ community, even participate in national and international human rights dialogue. For example, since 2012 LGBTIQ organisations have been working together to publish annual reports on Human Rights violations of LGBTIQ in Indonesia (Manaf et al 2014). As local LGBTIQ organisations continue to gather support and maturity, new opportunities such as participation in national and international dialogue and legislative frameworks are increasing.

Within the ASEAN member states, rights of LGBTIQ peoples vary and there are extensive networks of organisations and individuals in the region, campaigning for the protection of rights for LGBTIQ peoples.

The LGBTIQ movement was also involved in the development of the Yogyakarta Principles. The Yogyakarta Principles are human rights principles, which assert the rights of sexual and gender diverse peoples as human rights. Developed in Yogyakarta in 2006 by Indonesian and international activists and scholars, the Principles have become the benchmark of international legal standards regarding sexual orientation and gender identity. In 2011, the UN Human Rights Council adopted a resolution on 'Human Rights, Sexual Orientation and Gender Identity', which asserts human rights principles are applicable to issues of sexual orientation and gender identity. It also reaffirms the Universal Declaration of Human Rights, which was ratified by the Indonesian Government in 1999. The UN further asserted that signatories have a duty under international law to protect the rights of all persons, including LGBTIQ (Manaf et al. 2014) peoples.

3. LGBTIQ Indonesia Online

More and more LGBTIQ organisations are taking to the Internet and particularly social media with three general areas of activity.

In 2014, Indonesian NGO Institut Pelangi Perempuan with the Association for Progressive Communication and the Ford Foundation, published an extensive report on Queer Internet Governance, which used EROTICS (Exploratory Research on Internet Sexuality), a well-established research methodology (using survey techniques) used across the world in places like India, the USA, South Africa and Lebanon (Manaf et al. 2014).

For someone who is Lesbian, Gay, Bisexual, Transgender, Intersex or Queer, disclosing their gender identity or sexual orientation is not as easy, as there is often risk associated, whether it be; violence, ridicule, rejection, fear or persecution from friends, family, colleagues, school mates or neighbours (Manaf et al. 2014). Indonesian law only recognises two genders and whilst Indonesia does not have laws specifically criminalising homosexuality, there are several laws and local by-laws which target gays and lesbians and seek to portray them as criminals (such as the Anti-pornography laws). Without legal protection (despite Indonesia's ratification of the UNDHR, UN resolution on Human Rights, Sexual Orientation and Gender Identity for just two examples) it is easy for individuals to feel vulnerable to discrimination or violence based on their gender or sexual identities. There also exist the normative, religious values of a society, which places further pressure an anxiety on LGBTIQ people.

This is why the Internet has become a popular, safe space for LGBTIQ to interact. Many LGBTIQ groups use websites, twitter and Facebook as a means to organise young people. Some organisations, such as those supporting LGBTIQ youth have websites where people can sign up to online mailing lists, connect with like-minded people and seek support. Websites also publish articles and digital magazines, with its popularity evident in the high web-traffic data. This also proves it is considered a safe space for LGBTIQ to interact and facilitate meetings (Manaf et al. 2014).

Using the Internet in this way, people are able to anonymously ask questions, read reliable and accurate information, and get socially connected all from the advantage of being online. It also helps people participate from a range of ages, backgrounds and geographic locations.

3.1 Education and Advocacy

“News and publications from mainstream media more often than not are discriminative against LBT in Indonesia” (Manaf et al 2014 p. 21).

A range of LGBTIQ organisations in Indonesia encourage the publication of independent media to promote the rights of LGBTIQ people. For many organisations established in the last ten years, this has been an area of focus, producing online magazines, e-books, website content and regular e-newsletters. These publications not only give voice to LGBTIQ people, but perhaps more importantly, the community can safely access them. Digital information is private, accessible, fast to disseminate and cheap to consume and send out.

Printed publications are not discrete and cannot be openly read by someone who is afraid their parents, co-workers or family may question their sexual or gender identity. However, digital publications (online or on CD) can be accessed privately and securely so LGBTIQ people can still access information on sexual health and rights for example. This highlights, as mentioned in the 2014 report *Queering Internet Governance in Indonesia* (UNDP, USAID 2014), that the right to privacy and security must accompany the right to information.

3.2 Connecting LGBTIQ with other human rights issues

We consciously and politically choose Internet as medium of our movement. I feel that Internet gives me more freedom and it can reach out to wider audience. It also allows us to enter different holes that we have never realised before. Through Internet we can meet LGBTs, non-LGBTs, those who are aware of this issue, etc. And they all appear and interact at our website (Hartoyo, Ourvoice) (Manaf et al. 2014, p. 24).

The NGO Our voice (OV) was a pioneer in dissemination of information on LGBTIQ online, and LGBTIQ online networking. Our Voice are ardent campaigners for the rights of sexual and gender diverse Indonesians. Established in 2007, OV quickly used the Internet to build an online community and create alternative media for LGBTIQ activists across Indonesia to access. In 2009, OV's news portal for the LGBTIQ community became www.suarakita.org (Manaf et al. 2014).

OV also provides information on other Human Rights issues, highlighting the intersectionalities within online LGBTIQ and rights based activism.

OV's high Internet traffic, illustrates the popularity of the website and that it is capable of reaching a large audience. Understood as online LGBTIQ rights pioneers, OV were also at the forefront of Internet censorship when their website was blocked by the ISP, justified by the anti-pornography laws (Manaf et al. 2014).

Another application of this is evident in the #WAREASEANTOO campaign. The ASEAN SOGIE Caucus (ASC) is a network of human rights activists from the ten ASEAN countries who work to advocate for the inclusion of SOGIE (sexual orientation, gender identity and expression) rights in ASEAN Human Rights Mechanisms.

In response to the exclusion of SOGIE rights from ASEAN Human Rights Declarations and associated legislative human rights protection mechanisms (such as the Declaration on the Elimination of Violence against Women and Children), the ASC launched the #WEAREASEANTOO twitter campaign. The campaign aims to build solidarity among the LGBTIQ community, and connect that element of identity to an ASEAN identity. As the ASC website (Yi-Sheng 2013) states, the twitter campaign also seeks to expose the lack of transparency in the drafting process and raise awareness to ensure the exclusion of SOGIE rights does not continue.

Twitter is not a static online medium; it responds, builds connections quickly and allows people to participate directly in discussions and campaigns. It also allows users to share video, pictures, articles and any other content amongst networks. None of this however, makes it immune to negativity as it too can leave people and organisations vulnerable to homophobic bullying online.

4. Internet governance and LGBTIQ rights

The Internet supports the visibility of LGBTIQ movement and facilitates the advocacy of Human Rights of LGBTIQ, but it also gives voice to those who oppose the LGBTIQ movement and actualisation of the Human Rights for LGBTIQ Indonesians, demonstrating that the Internet can be a powerful tool to engage in bullying and homophobic harassment. Whilst individuals and organisations (such as hard-line Islamic groups and in some instances, the state) engage in these negative activities, the state also plays a role through Internet governance, silencing the LGBTIQ community online (Manaf et al. 2014).

The state uses the anti-pornography laws to undermine the Human Rights of LGBTIQ, where it equates LGBTIQ content with pornography, using that as justification to shut down websites. This is despite the fact that the Indonesian Constitution guarantees the rights of all people in Indonesia with no discrimination of any kind, including discrimination based on gender identity and sexual orientation. This guarantee is then strengthened by the ratification of Universal Declaration of Human Rights through the enactment of the Law Number 39 on the Ratification of the Universal Declaration of Human Rights (Manaf et al. 2014).

In 2008 the government of Indonesia decided enacted the Pornography or Act on Pornography Law. The law defines:

“Pornography is pictures, sketches, illustration, photograph, writing, sound, voice, animated picture, moving picture, cartoon, conversation, body movement or any form of message through various forms of communication and/or performance in public, which contains element of perversion, and sexual exploitation that violates the moral norm in the community” (Manaf et al. 2014, p. 26).

The law further targets LGBTIQ people by defining homosexuality as deviant sexual behavior, which in turn then deems all publications and media relating to LGBTIQ peoples as pornographic in content. This interpretation, whilst not explicitly framing LGBTIQ people or 'behavior' as illegal, it does make them vulnerable to and fearful of prosecution.

One of the implications of the anti-pornography laws, has been the establishment of resources within the Ministry of Communications and Informatics to oversee pornographic content. The Ministry of Communication and Informatics has established measure, which it uses to assess and report web content. The most active, being the 'trust Positive program', which is utilised by ISPs to regulate internet content in Indonesia and filter pornographic, gambling and other illegal contents upon request from the authorities.

The screening of Internet content is done when an Internet Service Provider is blocked, on the order of the Ministry of Communications and Informatics. The Ministry receives reports on negative-content websites, which are generated by the public via email and/or through a web-based reporting platform. The report is then assessed before it undergoes assessment, where the content is catalogued and monitored or blocked. If the ISP fails to block the websites contents, sanctions can be imposed under the legislation.

This blocking of websites is hugely problematic as it effectively equates homosexuality, LGBTIQ content as hugely negative, pornographic and even criminalises it. Homosexuality was removed from the Diagnostic and Statistical Manual of Mental Disorders (DSM) in the early 1970's, a starting point for the globalisation of the LGBTIQ human rights struggle. Across the world, this quickly led to its decriminalisation.

In recent years, several prominent LGBTIQ websites have been blocked by the Indonesian government, such as the International LGBTIQ Human Rights Commission, Our Voice (OV) and Institute Pelangi Perempuan (IPP). In each case, it was due to the 'sites pornographic content,' which was seen as contradicting the national anti-pornography laws. In each case, the blocking of these websites was done without providing transparent, clear and accountable explanations. Which in itself is in opposition to the Ministry of Communications mandate and own assurances in the activist community (Manaf et al. 2014 & UNDP, USAID 2014).

The way LGBTIQ organisations and activists respond to this online censorship is hugely important. The common response has been to change ISP and launch the website again. However, this does not engage or acknowledge the depth of this rights issue; censorship is a violation of the rights of LGBTIQ Indonesians with damaging and challenging consequences.

5. Conclusion

While the many advantages for online campaigning for LGBTIQ rights are clear, it is also undeniable that the online LGBTIQ movement in Indonesia faces a great number of internal challenges: bridging the digital divide, Local laws and by-laws attempting to criminalise LGBTIQ Indonesians and societal attitudes. With online activism by LGBTIQ groups in Indonesia taking off and becoming a norm of activist, education and information dissemination behavior, there is a risk that internet governance will get left behind and the LGBTIQ movement will suffer as a result of this.

To combat the emerging challenges of Internet governance, LGBTIQ activists need to develop a better understanding of Internet governance, how it impacts their activist work and how essential it is when advocating for the rights of LGBTIQ Indonesians.

Although most LGBTIQ organisations have started to be involved in the issue of and advocacy forum on Internet governance, the idea of integrating Human Rights of LGBTIQ to the Internet governance is still considered new many in the network of ICT advocates. The discourse on sexuality and rights to Internet access remain new in Indonesia. LGBTIQ activists need to improve their digital literacy, knowledge and skills so they can better protect themselves and their community on-and offline (IPP et al. 2014). It is essential that activist groups work together to integrate the Human Rights of LGBTIQ with digital (online) rights and Internet Governance.

Indonesia is uniquely placed to be a leader among ASEAN nations in the area of Internet Governance as a human rights issue, with early signs of this happening, such as the recent EROTICS report and the 2013 - Internet Governance Conference in Bali, Indonesia and the increase of research and discussion on the subject based in Indonesia.

As LGBTIQ activists and organisations continue to use the Internet to advocate for the rights and protections of LGBTIQ peoples, Internet Governance will need to be supported, strengthened and integrated so it does not get left behind in the fight for human rights.

References

- Donny B.U. for ICT Watch. 29 April 2014, DRAFT 3.0.A Brief Overview of Indonesia Landscape. Viewed online at <http://www.slideshare.net/internetsehat/indonesiainternetlandscape-briefoverview> Retrieved 10/08/2014.
- Gelbstein, Educarado & Kurbajia, Jordan. 2005. Internet Governance: issues, actors and divides. Diplo Foundation.
- Jakarta is the World's Largest Twitter Base: Twitter to open Office, 29 August 2014 Indonesia Investments, viewed online at <http://www.indonesia-investments.com/news/todays-headlines/jakarta-is-the-world-s-largest-twitter-base-twitter-to-open-an-office/item2364> Retrieved online 26/08/2014.
- Manaf, Kamila, Nova Wahyuni, Demi & Bhattacharjya, Ikram. 2014. Queering Internet Governance in Indonesia. Published by Institut Pelangi Perempuan with the Association for Progressive Communication and the Ford Foundation.
- McDonald, H. 2014. Demokrasi: Indonesia in the 21st Century. Black Inc. Melbourne.
- Norris. P. 2001. Digital Divide: Civic Engagement, Information Poverty and the Internet Worldwide. Cambridge University Press.
- Oey, King. 2012. When talking of LGBT, whose moral authority counts? Paper presented at the Second International Conference on Human Rights and Peace Conflict in Southeast Asia, Jakarta, viewed online at <http://aruspelangi.org> Retrieved on 2/08/2014.
- UNDP, USAID. 2014. Being LGBT in Asia: Indonesia Country Report. Bangkok.
- Yi-Sheng, Ng. 14 October 2013, Queer Tweets, The ASEAN SOGIE Caucus, viewed online at <http://aseansogie.wordpress.com/page/3/> Retrieved online on 2/08/2014.