



# **BANDUNG CHARTER OF A HUMAN RIGHTS CITY**

---

## **PREAMBLE**

Whereas the Mayor of Bandung, on behalf of the citizens of Bandung, declared Bandung as a Human Rights City on 2 April 2015,

Whereas the Government of Bandung City together with its citizens and all stakeholders are responsible for respecting, protecting and fulfilling the rights of citizens of Bandung through the application of policies, monitoring, evaluation and remediation,

Whereas every citizen is entitled to enjoy rights guaranteed by this Charter in accordance with the 1945 Constitution, laws and regulations, the Universal Declaration of Human Rights, and international and regional conventions ratified by Indonesia,

Whereas every citizen is responsible for refraining from any behaviour that would infringe on the full exercise of their rights by others,

Whereas the Charter is a result of a voluntary participatory process and open consultation among citizens and all stakeholders of Bandung City,

Therefore,

The Mayor and the citizens' representatives,

Proclaim Bandung as a Human Rights City and deliver the Bandung Charter of a Human Rights City which stipulates rights, responsibilities and the commitments of Bandung City as a human rights city that upholds the promotion, protection and fulfilment of its citizens' rights.

This Bandung Charter of a Human Rights City is signed on December 10, 2015 by

**Mochamad Ridwan Kamil, ST., M.UD**  
**Mayor of Bandung**

## **CHAPTER I PARTICIPATION AND PUBLIC SERVICES RIGHTS**

### **Article 1: Right to Public Services**

1. Every citizen is entitled to access quality public services without discrimination in respect to the right to life, right not to be tortured, right to freedom of thought and conscience, right to religious belief, right not to be subject to slavery, right to be acknowledged before the law and right not to be sued according to *ex post facto* law as human rights that cannot be diminished under any circumstances.
2. Quality public services include rights of every citizen to:
  - a. Access services according to the standard of public services;
  - b. Provide opinion on the policies and decisions of local government that have impacts on them;
  - c. File complaints about public services that are not carried out according to the standard of services;
  - d. Obtain adequate remediation in respect to public services that are not carried out according to the standard of services.

### **Article 2: Obligation of Local Government to Public Services**

1. Local Government guarantees the exercise of public services based on the following principles:
  - a. public interest;
  - b. rule of law;
  - c. rights of equality;
  - d. balance of rights and obligations;
  - e. professionalism;
  - f. participatory;
  - g. equal treatment/non-discriminatory;
  - h. transparency;
  - i. accountability;
  - j. special facilities and treatment for the vulnerable;
  - k. timeliness;
  - l. speed, accommodation and affordability.
2. Local Government shall provide reasoning for issuing each policy or decision, especially those having impacts on citizens.

### **Article 3: Right to Information**

1. Every citizen shall have the right to receive public information.
2. Every citizen shall have the right to personal data protection.
3. Every citizen shall have the right to file a lawsuit at court should they find a hindrance to access of public information.

#### **Article 4: Obligation of Local Government to Guarantee the Right to Public Information**

1. Local Government shall ensure the fulfilment of the right to information as a tool for promoting citizens' participation, strengthening democratic local governance, and facilitating effective public administration and services.
2. Local Government should establish, develop and maintain an environment of a society of knowledge to improve the quality of public participation in every decision made by Local Government.
3. Local Government shall ensure that every citizen has access to information that supports the protection and fulfilment of the rights of the citizen.

### **CHAPTER II CULTURAL AND CREATIVITY RIGHTS**

#### **Article 5: Right to Culture and Creativity**

1. Every citizen has the right to develop their culture and creativity and to participate in different forms of cultural creation.
2. Every citizen has the right to obtain benefits from diverse creativity and forms of cultural creation.
3. Every citizen has the right to improve their artistic and creative talents.
4. Every citizen has the right to preserve cultural heritage as an effort to maintain the sustainability of cultural identity across generations.

#### **Article 6: Obligation of Local Government**

1. The promotion and protection of morals and traditional values recognized by the community shall be the responsibility of the Local Government.
2. Local Government shall stipulate policies and provide facilities to develop culture and the creativity of citizens based on public standards and that are free of charge.
3. Local Government shall stipulate policies and undertake efforts to preserve cultural heritage.

### **CHAPTER III ENVIRONMENT AND DEVELOPMENT RIGHTS**

#### **Article 7: Right to Harmonious Environment and Life**

1. Every citizen has the right to a proper and healthy environment.

2. Every citizen has the right to enjoy public services within the standard of a proper and healthy environment.
3. Every citizen has the right to an adequate standard of living for themselves and their family including the right to safe, adequate and affordable food, clothing, adequate and affordable housing, medical care and necessary social services, potable drinking water and sanitation.

#### **Article 8: Obligation to Fulfil the Right to Environment**

1. Local Government has the right to manage and use natural resources for the benefit of its citizens.
2. Local Government and citizens shall take any necessary steps to prevent environmental harm and to carry out sustainable development.
3. Local Government and citizens shall develop public awareness of climate change that has clear and immediate implications for the full enjoyment of human rights including the right to life, the right to use and enjoy property, the right to food, and the right to the highest attainable standard of physical and mental health.
4. Local Government shall ensure that its citizens obtain the best recreational facilities to improve social integration, cultural identity, as well as enhance the quality of life.

#### **Article 9: Right to Development**

1. Every citizen is the main subject of development to become an active participant and receiver of benefits from the right to development.
2. Every citizen is entitled to participate in, contribute to and sustainably enjoy economic, social, cultural and political development.
3. Every citizen has the right to enjoy peace, security and stability as the main requirements of fulfilment of the right to development.

#### **Article 10: Obligation to Fulfil the Right to Development**

1. Local Government shall have the responsibility to ensure the exercise of the right to development.
2. Local Government shall adopt meaningful people-orientated and gender-responsive policies and development programmes aimed at poverty alleviation and the progressive narrowing of the gap between citizens.

## **CHAPTER IV EQUALITY AND WELFARE RIGHTS**

### **Article 11: Right to Freedom of Religion and Belief**

1. Every citizen is entitled to the right to freedom of religion and belief. All forms of intolerance, discrimination and incitement of hatred based on religion and belief shall be eliminated
2. The right to freedom of religion and belief of each citizen shall be exercised in regard to the rights of others, collective security, morality and the common interest.

### **Article 12: Obligation of Local Government to Fulfil the Right to Freedom of Religion and Belief**

1. Local Government shall ensure the elimination of discrimination against freedom of religion and belief of citizens as stipulated in the laws and regulations.
2. Local Government shall stipulate policies, laws and regulations to ensure its citizens' right to freedom of religion and belief.

### **Article 13: Rights of the Elderly and Citizens with Disabilities**

1. Every elderly citizen or those with disabilities has a right to protection against any form of exploitation.
2. The elderly and citizens with disabilities shall also have the right to special treatment and protection in keeping with their physical or moral needs.

### **Article 14: Obligation of Local Government to Fulfil the Rights of the Elderly and Citizens with Disabilities**

1. Local Government shall take all appropriate measures, including legislation, to prohibit any discriminatory practices against elderly citizens or those with disabilities.
2. Local Government shall encourage the provision of access to public facilities for elderly citizens and those with disabilities.

### **Article 15: Rights of Women**

1. Every female citizen is entitled to education and teaching for all types, levels and education tracks in accordance with the determined requirements.
2. Every female citizen has the right to elect, be elected or be appointed to any occupation, position or profession according to the requirements and legislation.

### **Article 16: Rights of Children**

1. Every child citizen is entitled to education and teaching for all types, levels and formal and informal education tracks in accordance with the determined requirements.
2. Every child citizen is entitled to medical treatment and social guarantee to meet their physical, mental, spiritual and social needs.
3. Every child citizen is entitled to have an identity.

### **Article 17: Obligation of Local Government to Fulfil the Rights of Women**

1. Local Government shall ensure the elimination of discrimination against women, and also assure the protection of the rights of women as stipulated in laws and regulations.
2. Local Government shall take all appropriate measures, in particular in the political, social, economic and cultural fields, including legislation, to develop and promote the fulfilment of women's rights based on gender equality.

### **Article 18: Obligation of Local Government to Fulfil the Rights of Children**

1. Local Government shall take all appropriate measures, in particular in the political, social, economic and cultural fields, including legislation, to develop and promote the fulfilment of children's rights according to the principles of the best interest for children.
2. The principles of the best interest for children must be a primary consideration in every action concerning children whether conducted by public or private social welfare institutions, and local working units of the Government of Bandung City.
3. Local Government must ensure that children, who due to certain conditions must work, can still enjoy the basic rights as stipulated in laws and regulations.

## **CHAPTER V IMPLEMENTATION OF THE CHARTER**

### **Article 19: Scope and Interpretation**

1. This Charter shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Bandung City.

2. The implementation of the human rights stipulated in this Charter is based on the following principles:
  - a. justice;
  - b. impartiality;
  - c. non-discrimination;
  - d. inclusivity;
  - e. freedom from confrontation;
  - f. freedom from double standards; and
  - g. freedom from politicization.
3. Local Government shall, within the framework of its specific mandate and responsibilities, integrate the rights recognized in the Charter into its local laws, regulations and practice, as well as dedicate the maximum amount of its available resources to ensure their fulfilment.

#### **Article 20: Mechanism and Procedure for Rights Fulfilment and Remediation**

1. Local Government conducts human rights education and various programmes for developing a human rights culture in Bandung City in cooperation with independent institutions and human rights organizations.
2. Local Government stipulates policies and regulations and establishes institutions necessary for the implementation of the Charter.
3. Local Government, in partnership with independent institutions and human rights organizations, develops human rights indicators based on the Charter and employs them for the promotion, protection and fulfilment of human rights in Bandung City.
4. An independent institution will conduct an audit of the promotion, protection and fulfilment of human rights based on the Charter and the indicators. Further provisions on the independent institutions and indicators based on the Charter are stipulated in the local laws and regulations.
5. Local Government publishes the implementation of the Charter on a regular basis according to the prevailing mechanism of Government of Bandung City.
6. Every citizen has the right to an effective and enforceable remedy, to be determined by a court or other competent authority, for acts violating the rights granted to that citizen by the Charter or by laws and regulations

#### **Article 21: Amendment of the Charter**

1. The Charter may be amended only through a transparent and accountable mechanism that involves the citizens of Bandung City.

\*\*\*\*\*