



**NOTES
BY
THE HUMAN RIGHTS NATIONAL COMMISSION
(KOMNAS HAM) OF INDONESIA**

1. The right to education, recognized by the Universal Declaration of Human Rights (UDHR) (Article 26 (1)) and reiterated by ICESCR (Article 13 (1)), have been reaffirmed, as far as Indonesia is concerned, by the Indonesian Constitution (Article 31(1)) and Act No. 39 of 1999 on Human Rights (Articles 12, 48 and 60 (1)).
2. Article 31 (4) of the Indonesian Constitution stipulates that the State shall accord priority to the budget for education at least 20 per cent of the state and regional budgets to meet the needs of national education.
3. The allotment of minimum 20 per cent of the State and regional budgets for national education purposes stipulated in the constitution is, naturally, very significant in the fulfillment of right to education. To be recognized, however, that such a proportion of national and regional budgets would need time to materialize.
4. As stated by Komnas HAM during the 10th Annual Meeting of the APF in Ulaanbaatar (24 – 26 August 2005) and the workshop for the Asia – Pacific Regional Cooperation for the Promotion and Protection of Human Rights (Beijing, 30 August – 2 September 2005), human rights education should be carried out in parallel with the implementation of the right to

education. The right to education itself should be enjoyed not only by those at the school age in cities and in locations easily accessible but also by those living in remote areas with inadequate facilities and infrastructures. As far as Indonesia is concerned this is one of the biggest challenge in the implementation of the right to education in view of its geographical feature (over 17,000 islands, of which some 6,000 are inhabited, difficult access in a large number of regions, low level income of the large part of the population, etc). Every effort has to be made to meet this challenge. Komnas HAM in of the view that the future of a nation will depend on the fulfillment of the right to education. The government should therefore accord the highest priority in this field.

Jakarta, 19 July 2006