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February 20, 2018

Prof. Dr Ilham Oetama Marsis, SpOG
President, Indonesian Medical Association
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Jakarta 10350
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Email : dr.ihsanoetama@idionline.org

Re: “Virginity Testing” in the Indonesian Police and Military

Dear Dr. Marsis,

Human Rights Watch is an independent nongovernmental organization that investigates and reports on violations of international human rights law in more than 90 countries. Since the late 1980s, Human Rights Watch has worked on human rights issues in Indonesia and provided input to the Indonesian government.

We are writing now to express our deep concerns about the requirement of both the Indonesian National Police and the Indonesian National Armed Forces (TNI) that all female applicants undergo so-called virginity tests. Senior police and military officers with knowledge of the “virginity testing” policies told Human Rights Watch that the security forces continue to impose these “tests,” which are officially classified as “psychological” examinations, for “mental health and morality reasons.”

“Virginity tests” are cruel, degrading, and discriminatory. In November 2014, the World Health Organization stated unambiguously: “There is no place for virginity (or ‘two-finger’) testing; it has no scientific validity.”

Several security force officers told Human Rights Watch that the police and military have also sought to justify the “two-finger test” as means of determining if applicants are pregnant. The “two-finger test” cannot determine either virginity or pregnancy status, and employment discrimination based on pregnancy status is in any event a form of sex discrimination prohibited by Indonesia’s international legal obligations.

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All branches of the Indonesian military—army, air force, and navy—have used “virginity tests” for decades and, in certain circumstances, extended the requirement to the fiancées of military officers. In May 2015, then-commander of Indonesia’s armed forces, General Moeldoko, responded to criticism of “virginity tests,” by telling the media: “So what’s the problem? It’s a good thing, so why criticize it?” Indonesian Military Spokesperson Fuad Basya that same month asserted that “virginity tests” are a means of screening out inappropriate female recruits. “If they are no longer virgins, if they are naughty, it means their mentality is not good,” Basya told the Guardian. The current Indonesian National Armed Forces commander, Air Chief Marshal Hadi Tjahjanto, has not acted to ban the practice or educate military leaders about its harms.

“Virginity tests” have been recognized internationally as a violation of human rights, notably the prohibition against cruel, inhuman or degrading treatment under article 7 of the International Covenant on Civil and Political Rights and article 16 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, both of which Indonesia has ratified.

Human Rights Watch has documented the use of abusive “virginity tests” in several other countries including Egypt, India, and Afghanistan. Human Rights Watch has previously criticized calls for “virginity tests” for school girls and policewomen in Indonesia, both as human rights violations and for being subjective and unscientific.

Furthermore, subjecting female applicants to “virginity tests” is discriminatory and has no bearing on their ability to perform their job. We hope that you agree that “virginity tests” have no place in any military organization.

In order to protect women’s rights to privacy, dignity, and freedom from violence and discrimination, we respectfully ask that you, as president of the Indonesian Medical Association, issue a public statement condemning the practice. Your voice and influence can have a profound impact by helping to convince Marshal Tjahjanto and Indonesian National Police Chief Gen. Tito Karnavian to put an end to this abusive practice.

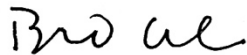
We ask your statement call on the Indonesian National Armed Forces and the Indonesian National Police to do the following:

- Order an immediate cessation of all “virginity tests,” including for female applicants and the fiancées of military officers.
- Order the removal of any reference to “virginity tests” in procedures and protocols, and ensure that supervising officers are aware of the change in policy.

- Issue a clear public statement that the armed forces and national police will no longer subject female applicants to “virginity tests.”
- Issue explanatory materials to leaders in the armed forces and national police to educate them on the lack of scientific validity of “virginity tests” and explain how they are cruel and discriminatory to women.
- Ensure that female military and police personnel and wives of military officers who have been subjected to humiliating and invasive “virginity tests” have access to psychological trauma counseling.

Thank you for your consideration of these important matters. We would appreciate the opportunity to discuss these and other human rights issues with you. Please contact me via my San Francisco-based colleague Seashia Vang by email at vangs@hrw.org or by fax at +1-415-362-3255 so that we can arrange a meeting at your convenience.

Sincerely,

A handwritten signature in black ink that reads "Brad Adams". The signature is written in a cursive, flowing style.

Brad Adams
Asia Director
Human Rights Watch