



Church in Aceh shut down by the government in 2012
Photo: Firdaus Mubarik

INDONESIA

FREEDOM OF RELIGION OR BELIEF

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INTRODUCTION

Indonesia, the world's largest Muslim-majority nation, is founded on a tradition of pluralism and freedom of religion, enshrined in the state philosophy known as 'Pancasila'. Indonesia has made a remarkable transition to democracy from authoritarian rule, and is celebrated as a successful Muslim-majority democracy. Both these achievements are, however, increasingly under threat.

Over the past decade, violence and discrimination against religious minorities have increased significantly, year on year, and there are increasing causes for concern. Violations of freedom of religion are occurring throughout the country, affecting all communities. Christian churches have been forced to close, or have been destroyed; Ahmadi and Shi'a Muslims have been attacked; Sufi Muslims, Baha'is, Buddhists, Confucians, adherents of indigenous traditional religions and atheists have faced discrimination and, in some cases, imprisonment. The use of Indonesia's blasphemy laws, shari'a-inspired regulations, the 2006 Joint Ministerial Decree on construction of houses of worship and the 2008 anti-Ahmadiyya decree, as well as discrimination resulting from the religion column on identity cards, have all contributed to the deteriorating situation. Ahmad Suaedy of the Abdurrahman Wahid Centre for Inter-faith Dialogue claims, "We are seeing the mainstreaming of intolerance." CSW has documented these in many reports, notably in an in depth study published in 2014, *Indonesia: Pluralism in Peril – The rise of religious intolerance across the archipelago*, available on request.

Increasing violations of freedom of religion or belief throughout Indonesia have drawn attention from the international community. On 26 April 2011 the UN High Commissioner for Human Rights, Navanethem Pillay, wrote to the Indonesian Minister of Foreign Affairs to express her concerns about violations of religious freedom. While praising Indonesian human rights and civil society organisations as "among the most proactive in the region", she said that recent incidents of violence and repression

against religious minorities "put at risk the human rights guaranteed in Indonesia's constitution, including the prohibition of discrimination and the right to freedom of religion and expression". She called for a review of all laws, particularly those restricting religious expression and practice, to ensure they comply with standards set out in the constitution and in the International Covenant on Civil and Political Rights (ICCPR). She urged Indonesia to accept a request from the UN Special Rapporteur on freedom of religion or belief to visit the country. She repeated many of these concerns at a press conference at the end of her visit to Indonesia in November 2012. In July 2011 the European Parliament adopted a resolution which expresses "grave concern at the incidents of violence against religious minorities" and the abuses under "blasphemy, heresy and religious defamation by-laws". Members of the US Congress have also written to the Indonesian government, and resolutions have been passed in the British and Swedish Parliaments.

In 2012 the UN conducted its second Universal Periodic Review (UPR) of Indonesia's human rights record, and highlighted violations of freedom of religion or belief. In 2013 the Human Rights Committee of the UN reviewed Indonesia's compliance with the ICCPR and expressed particular concerns about Indonesia's blasphemy law, questioning its compatibility with Articles 18, 19 and 20 of the ICCPR, which cover freedom of religion, freedom of expression and hate speech. The committee recommended the repeal of Law No. 1 of 1965 on Defamation of Religion.

In 2014 a new president of Indonesia, Joko Widodo, was elected. President Widodo has a strong track record



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for standing up for religious pluralism, as Governor of Jakarta and Mayor of Solo, so there is now hope that the new government of Indonesia will find ways to address rising religious intolerance. CSW urges the international community to raise these concerns with the new government at every opportunity, and to encourage the government of Indonesia to take concrete steps, detailed in our recommendations set out in the report *Indonesia: Pluralism in Peril – The rise of religious intolerance across the archipelago* and summarised below.

VIOLENCE, DISCRIMINATION, HARASSMENT AND INTIMIDATION

The Ahmadiyya Muslim community experienced perhaps the most violent persecution in 2011. On 6 February 2011 a community of 21 Ahmadi Muslims in Cikeusik, Banten province, West Java was attacked by a mob of 1,500, resulting in the deaths of three people. Many more were seriously injured. CSW met four survivors of the attack in Jakarta three months later. One man told CSW, "When the attackers caught me, they stripped me naked on the road, dragged me through a river, beat me with sticks and machetes and tried to cut off my penis. They bashed stones on my head, and dragged me around the village. One man used a bamboo spear to hit my eye. They shouted that I was an 'infidel' and should be killed. I lost consciousness." Another man escaped into the river, where he struggled to swim and was pursued by the mob who continued to throw rocks at him, shouting "Kill, kill!" He eventually escaped and hid in a bush for four hours. "We just want security," said one Ahmadi Muslim. "If the Indonesian government cannot protect us, we ask the international community to help us. We are citizens and have the same rights as other citizens."

In July 2011 three of the perpetrators of the Cikeusik attack were sentenced to between three and six months in jail. Such an astonishingly lenient sentence calls into question the integrity of Indonesia's justice system, and sends a worrying signal to extremists that will only embolden them. Furthermore, one Ahmadi Muslim who tried to defend himself and his community during the attack was jailed for six months. These sentences were soon followed by another attack on the Ahmadiyya Muslim community, in Makassar, South Sulawesi, in August 2011. In September 2010 the Minister for Religious Affairs, Suryadharma Ali, caused outrage among human rights groups when he proposed an outright ban on the Ahmadiyya Muslims, who already suffer severe restrictions and discrimination under a joint ministerial decree issued by the Indonesian government in 2008 which prohibits the propagation of their teachings.

Christians are also facing increasing pressure. At the end of 2011 the Setara Institute documented a rise in violations of religious rights to 244 cases, from 200 in 2010, a large number of which involved Christians. Increasingly churches, particularly in West Java, are coming under pressure from local authorities and extremist groups to close. Many churches have been forcibly closed and sealed, their congregations forced to worship in the street outside. Even churches whose permits are completely legitimate are affected, and in some cases where the Supreme Court has ruled in the church's favour, local authorities have ignored the Supreme Court and refused to allow the church to re-open. The most prominent examples are that of the Gereja Kristen Indonesia (GKI) Yasmin Church in Bogor, West Java and the HKBP Filadelfia church in Bekasi, West Java.

Other religious minorities are also targeted. In November 2011 an estimated 600 people burned down a Hindu centre in Sukabumi, West Java. Between 1 and 3 May 2012 the local authorities forced 17 churches to close in Aceh. In August 2012 the Shi'a community in Sampang, East Java was attacked, displacing hundreds and resulting in at least two deaths. A Shi'a cleric from the community, Tajul Muluk, is in prison on charges of blasphemy. In 2013 a low intensity bomb attack at a Buddhist temple in Jakarta, and threats of further attacks against other Buddhist sites, occurred. In May 2013 one of Indonesia's last remaining synagogues, Beth Shalom in Surabaya, was destroyed. Adherents of traditional indigenous beliefs are not able to state their religion on their identity cards, so they must either adopt one of the six recognised religions or leave the column blank. Either option results in a violation of freedom of thought, conscience and religion, and severe discrimination. These are just a few examples of a long catalogue of incidents.

Freedom of religion or belief includes the right not to believe. However, on 14 June 2012 an atheist, Alexander Aan, was sentenced to two and a half years in prison, initially charged with blasphemy and finally sentenced under the Electronic Information and Transaction Law for 'disseminating information aimed at inciting religious hatred and hostility', because he posted his views about religion on Facebook. CSW visited him in prison in West Sumatra twice, campaigned for his release, and met him again soon after his release in 2014.

RECOMMENDATIONS

To the international community, including the EU:

- Urge the government of Indonesia to take action to protect religious minorities and places of worship, prevent acts of religiously-motivated violence and bring the perpetrators of such violence to justice;
- Urge the government of Indonesia to ensure recognition, protection and equal rights for all forms of religion or belief, theistic, atheistic and non-theistic, as set out in Article 18 of the Universal Declaration of Human Rights, including for those outside the six officially recognised religions;
- Urge the government of Indonesia to consider introducing legislation to repeal the blasphemy law;
- Urge the government of Indonesia to repeal the 2008 joint ministerial decree prohibiting the propagation of Ahmadiyya Muslim teachings;
- Urge the government of Indonesia to abolish the religion column on identity cards, as recommended by the UN Committee on the Elimination of Racial Discrimination in its review of Indonesia under the International Convention on the Elimination of All Forms of Racial Discrimination, on 15 August 2007;
- Urge the government of Indonesia to revise the curriculum for religious education in schools, ensuring both that adherents of religions or beliefs not recognised officially by the state are free to practise their own beliefs and are not compelled or coerced to practise other religions, and that adherents of religions are taught the basic tenets of the different religions practised in Indonesia, in a balanced and accurate way, thus enhancing mutual understanding;
- Urge the government of Indonesia to investigate and publish information concerning the influence regarding funding and other resources, of external intolerant or Islamist elements, particularly from Saudi Arabia, Yemen, Egypt, Iran and Pakistan, and to take steps to ensure transparency regarding the number of students travelling abroad to study, the provision of scholarships, and foreign funding of mosques, *pesantren* and other religious institutions in Indonesia;
- Urge the government of Indonesia to extend an official invitation to the UN Special Rapporteur on freedom of religion or belief to visit Indonesia;
- Closely monitor the implementation of shari'a-inspired regulations in various parts of Indonesia, particularly Aceh, West Java and South Sulawesi, to raise concerns with the Government of Indonesia and local authorities where infringements on religious freedom occur, and where appropriate and necessary, to encourage repeal of such regulations;
- Provide support for the efforts of Muslim and other faith-based and secular civil society organisations working to promote pluralism, harmony and religious freedom, and counter radicalism and extremism.

Further information is available from CSW, including a detailed briefing on these and other concerns. Our report *Indonesia: Pluralism in Peril – The rise of religious intolerance across the archipelago* can be downloaded for free from www.csw.org.uk/2014-indonesia-report