

Legal framework

Although Indonesia is the world's largest Muslim-majority nation, it is not constitutionally an Islamic state. Indonesia's constitution enshrines protection for religious pluralism under the state ideology known as 'Pancasila', based on a belief in God and a guarantee for the right to practice the religion of one's choice. Indonesia has also signed and ratified the International Covenant on Civil and Political Rights (ICCPR) which contains provisions for freedom of religion or belief (FoRB). The country has made a remarkable transition from authoritarianism to democracy over the past two decades.

However, while the principle of religious pluralism is at the heart of Indonesia's constitution, it is limited. Religious beliefs and practices outside the six officially recognised faiths are not protected, and nor is the right to atheism. The Ministry of Religious Affairs (MORA) recognises six religions: Islam, Catholicism, Protestantism, Buddhism, Hinduism, and Confucianism.

Some joint Ministerial decrees fuel ongoing FoRB violations. These include the 2006 Joint Regulation of the Minister of Religious Affairs and the Minister of Home Affairs No. 8 and 9/2006, on the construction of places of worship; the 2008 Joint Decree of the Minister of Religious Affairs, the Attorney General and the Minister of Home Affairs restricting the activities of the Ahmadiyya community; and the 1965 blasphemy law, set out in Articles 156 and 156 (a) of Indonesia's criminal code and in Presidential Decree No. 1/PNPS/1965.

Improvements in recent years include a November 2017 Constitutional Court ruling which made it legal for indigenous faith groups to identify their faith on identity cards, a decision hailed by activists as a "new chapter for religious freedom."

Blasphemy laws

Blasphemy laws in Indonesia are misused for political reasons, to silence dissent, and to target religious minorities. The threshold of requirements for evidence or proof of intent is very low. The most significant example is the former governor of Jakarta, Basuki Tjahaja Purnama (known as 'Ahok'), who was sentenced to two years in prison on charges of blasphemy in 2017. In April 2020, a man from Surabaya was charged with blasphemy for altering the lyrics to an Islamic song.

In 2019, proposals were made for revisions to Indonesia's Criminal Code, which would include an expansion of blasphemy laws to criminalise acts such as defaming a religion, persuading someone to be a non-believer, disturbing a religious ritual or making noise near a house of worship, insulting a cleric while leading a ritual, stealing religious artefacts and damaging a house of worship. This legislation was postponed in September 2019 on the instructions of the President, following popular protests, however in June 2021 The Jakarta Post [reported](#) that parliamentarians had resumed deliberations on the proposed revisions.

Rising religious intolerance

While Indonesia's tradition of religious pluralism does have limitations which should be addressed, including the lack of protection for adherents of religions outside the six religions recognised by the constitution and for those of other beliefs, it was designed to protect pluralism in a Muslim-majority nation.

Rising religious intolerance, however, threatens to destroy these achievements and poses a threat not only to the country's religious minorities, but to all Indonesians who value democracy, human rights, peace and stability.

There has also been a decline in state-sponsored violations of FoRB. However, there continues to be growing religious intolerance in society, with religion a major theme in the 2019 presidential elections. The Jakarta Post published an [editorial](#) on 11 May 2019 in which it argued that "Indonesia is in a deep crisis of intolerance."

Attacks on religious minorities

Incidents of violence against religious minorities, particularly Christians, Ahmadiyyas, Shi'as and adherents of religions or beliefs not recognised by the state, including indigenous traditional beliefs, continue periodically within a climate of impunity.

In September 2020, UCA News [reported](#) that Reverend Yermia Zambani, a Protestant pastor and Bible translator, had been shot dead in Indonesia's restive Papua region. There was some dispute over whether he had been killed by the Indonesian military or by members of a local separatist group, however in October 2020 Indonesia's human rights commission (Komnas HAM) [reported](#) that a fact-finding team believed Pastor Zambani had been tortured and killed by the military, who were hoping to extract information on stolen military weapons.

On 30 November 2020, IS-linked Islamic militants carried out an attack on a Salvation Army outpost in Lemban Tongoa village in Indonesia's Central Sulawesi province. Four people were killed, one of whom was beheaded, and several homes were burnt down, including a house used for prayers.

Attacks on places of worship

Various places of worship are attacked, including Christian churches, Ahmadiyya mosques and Buddhist temples. One of the darkest days for religious minorities in the country occurred on 13 May 2018 when three churches in Surabaya, Indonesia's second largest city, were attacked within minutes of each other by a family of suicide bombers.

On Palm Sunday, 28 March 2021, suicide bombers [attacked](#) a Catholic Church in Makassar, South Sulawesi, leaving at least 14 people injured.

In March 2020, 15 Indonesians [filed a lawsuit](#) with the Supreme Court arguing that the closure of thousands of places of worship was being done under a discriminatory law, the 2006 Religious Harmony regulation.

Ahmadiyya Muslim community

The Ahmadiyya Muslim community has existed in Indonesia since 1925, and claims a population of approximately 500,000 across 330 branches throughout the country. The Ahmadiyya consider themselves to be Muslims but are regarded by some other Muslims as heretical.

Since 2005, the community has experienced serious violations of FoRB, including incidents of violence. A Joint Ministerial Decree introduced in 2008 by the Minister of Religious Affairs, the Attorney General and the Minister of Home Affairs prohibited promulgation of Ahmadiyya teachings. In 2011, the then Minister of Religious Affairs repeatedly called for an outright ban on the Ahmadiyya, and in 2013 the governor of West Java said that there would be no violence against the Ahmadiyya if there were no Ahmadiyya teachings or practices, describing Ahmadiyya Islam as “a deviant belief.” The “problem,” he added, “will disappear if the belief disappears.”

Although there has been, according to Ahmadi representatives, “some improvement” under the government of President Joko Widodo, intimidation of the Ahmadiyya continues and Ahmadiyya activities continue to be restricted to date.

On 14 January 2022, UCA News [reported](#) that a district chief in Indonesia’s West Kalimantan province ordered the demolition of an Ahmadi mosque that had been damaged in a September 2021 attack by Muslim extremists. The order was issued days after the perpetrators of the attack were jailed for four months.

Recommendations:

To the government of Indonesia:

- Ensure that crimes against religious minorities cannot be committed with impunity, that investigations are properly carried out and perpetrators prosecuted.
- Repeal or amend the blasphemy laws to ensure that they are not misused to settle personal scores or target religious minorities.
- Review the 2008 anti-Ahmadiyya decree and work towards its repeal.
- Invest in initiatives to protect and promote the principles of freedom of religion or belief and to promote interfaith harmony and dialogue.
- Invite the UN Special Rapporteur on freedom of religion or belief to visit the country with unhindered access.

To the United Nations and Member States:

- Urge all relevant UN mechanisms, including the Special Procedures and Treaty Bodies, to include the right to freedom of religion or belief in their reporting on Indonesia, addressing the vulnerabilities and violations faced by religion or belief communities and those seeking to defend them.
- Call for Indonesia to allow impartial and timely investigations into allegations of violations against religious or belief minorities, ensuring that perpetrators are held to account.
- Include recommendations on the protection and promotion of the right to freedom of religion or belief during the Indonesia’s Universal Periodic Review in November 2022.
- Encourage Indonesia to issue a standing invitation to UN Special Procedures.

To the government of the United States of America:

- The State Department should continue to closely monitor FoRB in Indonesia and include the country on the Special Watch List, as recommended by the US Commission for International Religious Freedom (USCIRF).
- The Ambassador for International Religious Freedom and USCIRF should request an invitation to visit Indonesia with unhindered access to all parts of the country.

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