Introduction

Indonesia is, by population, the world's largest Muslim-majority nation and yet it is not constitutionally an Islamic state. The most recent 2010 census showed that approximately 87.2% of the population is Muslim (the majority, Sunni), 7% is Protestant, just under 3% is Catholic and 1.7% is Hindu.

Indonesia's 1945 constitution (as amended) enshrines protection for religious pluralism under the state ideology known as 'Pancasila', based on a belief in God, as the first of its five principles, 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 (Article 18). The country has made a remarkable transition from authoritarianism to democracy over the past two decades, but the path has not been a smooth one and significant barriers to human rights, particularly in regard to freedom of religion or belief (FoRB) remain.

Legal framework

While the principle of religious pluralism is at the heart of Indonesia's constitution, and there is no state religion, it is limited by the official recognition of only six religions: Buddhism, Catholicism, Confucianism, Hinduism, Islam and Protestantism. Religious beliefs and practices outside the six officially recognised faiths are not protected, nor is the right to atheism, putting religious minorities and local belief systems that fall outside of this framework at risk of systemic exclusion and legal uncertainty.

Religion-related policy and religious life in Indonesia is regulated through the Ministry of Religious Affairs and the Indonesian Ulema Council (MUI), a semi-official clerical body whose fatwas are not legally binding but hold significant social and political weight. Religion or belief groups that are not officially recognised must obtain approval by registering as civil society organisations with the Ministry of Home Affairs. Operating without the ministry's authorisation can lead to criminal charges. This has particularly affected indigenous spiritual traditions (aliran kepercayaan) and other faiths, such as the Bahái and Jewish communities, as well as newer religious movements.

Several joint ministerial decrees have contributed to ongoing FoRB violations. These include the 1996 decree by Indonesia's Provisional People's Consultative Assembly (MPRS), along with the 2003 National Education System Act on mandatory religious education at all levels of schooling; the 2006 Joint Regulation of the Minister of Religious Affairs and the Minister of Home Affairs 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 reiterated in a Presidential Decree.

Limitations on places of worship

The joint ministerial decree of 2006 prohibits religious groups from holding services in private residences, and requires registered religious groups to build new houses of worship through the collecting of at least 90 signatures from adherents and a minimum of 60 signatures from members of the surrounding community alongside recommendations from a local interfaith council, called the Religious Harmony Forum (FKUB), and district officials. In practice, these requirements, create opportunities for obstruction, intimidation, and discrimination, particularly against religious minority communities seeking approval to build or renovate places of worship, particularly in areas predominantly inhabited by those of another faith. This often leads to prolonged delays or denials of construction permits. In West Java and Sumatra, several churches have experienced sealing or demolition as a result of alleged permit issues.

Blasphemy laws

Indonesia's blasphemy laws continue to be used to prosecute religious minorities, political dissidents and social media users. The blasphemy legal framework refers to a variety of legislation that make actions perceived as offensive or insulting to religious belief, such as the 1965 Blasphemy Law and several provisions under Indonesian Criminal Code.

The criminalisation of blasphemy was introduced and enshrined in Indonesian law in 1965 and has been used disproportionately to prosecute those from religious minorities and those who are said to have criticised or insulted Islam. Human Rights Watch reports that over 150 people have faced prosecution under this law since its introduction in 1965.[1]

In recent years, digital content perceived as offensive or harmful to recognised religion has increasingly been addressed through the Electronic Information and Transactions (EIT) law, which regulates internet content and has been used in conjunction with other laws, such as the blasphemy laws. In September 2023 a social media influencer, Lina Lutfiawati, was sentenced to two years imprisonment and fined 250 million rupiah (around GBP 12,000) after posting a video to TikTok in which she recited an Islamic prayer before consuming pork. She was accused of 'spreading information that was intended to incite hate or individual/ group enmity based on religion'.

A controversial new criminal code passed in December 2022 includes provisions that further restrict FoRB and free expression. It broadens the existing blasphemy laws from one to six articles and criminalises the defamation of religion and leaving a religion or belief as apostasy, with sentences of up to five years in prison. The changes to the law also allow for the enforcement of 'living laws', a vaguely defined category, which, in practice, is likely to formally legitimise the provincial implementation and regulation of Islamic by-laws, or 'shari'a law'. This development risks compounding

1 Human Rights Watch, 'Indonesia: Draft Criminal Code Disastrous for Rights', 18 September 2019 https://www.hrw.org/news/2019/09/18/indonesia-draft-criminal-code-disastrous-rights

the existing oppression of non-Muslim religious minorities and may further enable weaponising the 'protection' of religion as a political tool. The new criminal code is pending approval of implementing regulations and is scheduled to come into effect in 2026.

Implementation of local Islamic by-laws and regulations

In various provinces and districts, including Aceh, local Islamic by-laws are enforced by Islamic courts, which conflict with national commitments to FoRB and equality. These include forced compliance of dress codes such as mandatory hijab wearing in schools, moral policing, and penalties under Islamic criminal law. These by-laws have a disproportionate effect on women, members of the LGBTQ+ community and religious minorities. The family law, which is influenced by Islamic legal norms, often fails to protect the rights of women who do not practice the majority faith, further limiting their autonomy in personal and family matters. The establishment of these laws and practices under the notion of 'living laws' in the new criminal code may reinforce legal discrimination against vulnerable groups in the country.

Implementation of shari'a law in Aceh

Aceh remains the only province in Indonesia with special autonomy granted since 2001 to enforce shari'a law. Shari'a law is also enforced by Islamic courts, and since 2015 Aceh has applied the Islamic Criminal Code, including the criminalisation of consensual same-sex conduct. Citizen's arrests are common in Aceh, with locals empowered to detain individuals and hand them over to the shari'a police, which often results in corporal punishment such as flogging, despite this violating Indonesia's international human rights law obligation to protect individuals from all forms of cruel, inhuman, or degrading treatment.

Religious violence and harassment by non-state actors

Extremist Islamist groups such as the Islamic Defenders Front (FPI) and various vigilante organisations continue to carry out attacks on Ahmadiyya communities, Christian churches and Shi'a mosques. Despite the FPI's official disbandment in 2020, in practice, its networks and ideology are still in effect. In most cases, law enforcement fails to adequately protect victims and religious minority groups from societal hostilities, which further grants the perpetrators a sense of impunity.

Christian communities often experience societal discrimination, which includes disruptions to their worship services and limitations on their gatherings. For example, in March 2024 members of the Thessalonika Church in Teluknaga, Tangerang Regency faced eviction and were prohibited from gathering for worship by a local mob after conducting services in a rented residential following the lease expiration of their previous venue.[2] In December 2024 Christians in Cibinong, Bogor Regency, experienced resistance from residents who opposed the use of residential properties as places of worship while trying to organise their Christmas worship services in a residential housing complex.[3] As a result, the Christians were coerced into relocating their service to an open space behind the housing complex.

Ahmadiyya Muslims

The Ahmadiyya community has existed in Indonesia since 1925 and has a population of approximately 500,000 across 330 branches throughout the country. Despite identifying as Muslim, they are perceived as heretics by the majority Sunni Muslim population.

Since 2005, the Ahmadiyya community has experienced serious violations of FoRB, including incidents of violence against followers and their properties with impunity. In 2008, a Joint Ministerial Decree prohibited members of the community from disseminating their teachings, resulting in official restrictions and social hostility.

Some government officials have responded to violence with anti-Ahmadiyya rhetoric. For instance, 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.'[4] The 'problem,' he added, 'will disappear if the belief disappears.'

Some Ahmadi representatives noted a slight improvement in engagement under President Joko Widodo who was in office from 2014 to 2024. However, the intimidation of the Ahmadiyya continues and Ahmadiyya activities continue to be restricted. For example, on 14 January 2022 UCANews reported that a district chief in Indonesia's Sintang, West Kalimantan province had ordered the demolition of an Ahmadi Mosque that had been damaged in a September 2021 attack by Muslim extremists.[5] The perpetrators of the attack were sentenced to just four months in prison

Christians

There are 34.2 million Christians, comprising both Catholic and Protestant communities, in Indonesia, accounting for around 10-12% of the total population. Christians face various obstacles to practising their faith freely, including through intimidation, violence, and the denial of permits for building churches from local communities and authorities.

2 LicAS News, 'Indonesian authorities react to church disruption video, offer temporary worship site', 30 July 2024 https://www.licas.news/2024/07/30/indonesian-authorities-react-to-church-disruption-video-offer-temporary-worship-site/

3 detikNews, 'Viral Christmas Service in Bogor Housing Rejected by Residents, Here is the Police Explanation', 11 December 2024 (Indonesian) https://news.detik.com/berita/d-7681384/viral-ibadah-natal-di-perumahan-bogor-ditolak-warga-ini-penjelasan-polisi

4 UCANews, 'Governor's comment on Ahmadiya sect sparks outrage', 8 May 2013 https://www.ucanews.com/news/governors-comment-on-ahmadiya-sect-sparks-outrage/68208

5 UCANews, 'Indonesian district to demolish Ahmadi house of worship', 14 January 2022 https://www.ucanews.com/news/indonesian-district-to-demolish-ahmadi-house-of-worship/95731

For example, in Cilegon, Banten Province, which has a Christian population of around 7,000, including over 1,000 Catholics, there are no churches and Christians have to drive 45 minutes to reach the nearest church. In 2022 plans to build a church on land belonging to Batak Protestant Christian Church in the city were halted by regional officials despite the fact that the church had gathered far more than the minimum required signatures from those within their faith and from the local community to proceed.

Indonesian Christians have also suffered deadly violence at the hands of Islamic extremists in recent years. On 30 November 2020 IS-linked Islamic militants carried out an attack on a Salvation Army outpost in Lemban Tongoa village in Central Sulawesi Province. Four people were killed, one of whom was beheaded, and several buildings were burnt down, including a house used for prayers.

Similar to the experience of other religious minorities, Christians also frequently face accusations and are charged under Indonesia's blasphemy laws. The most significant case was the conviction of former governor of Jakarta, Basuki Tjahaja Purnama (known as 'Ahok'), a Chinese Christian, who was sentenced to two years imprisonment for allegedly insulting Islam in 2017. As a Chinese Christian, Ahok was Indonesia's most prominent ethnic minority politician and the first non-Muslim governor of Jakarta for over 50 years. He was released from prison three months early on 24 January 2019. His prosecution highlighted both religious and racial intolerance.

In April 2022 a Christian YouTuber, Muhammed Kece, was sentenced to 10 years in prison for posting a video that allegedly insulted the Prophet Mohammad. It was reported that whilst in jail following his arrest, Kece was beaten and tortured by fellow inmates.

Members of unrecognised religions

While a 2017 Constitutional Court ruling allowed followers of minority religious groups, including those of indigenous faiths, that are not part of the officially recognised six to list their belief as non-specified 'believers' on their national identity cards (ID), practical implementation remains limited for many. Communities such as the Baha'is continue to experience difficulties accessing civil services, including marriage registration and burial rights. Despite this progress, individuals identifying as atheists are left with no option to register their belief on ID cards.

Recommendations

To the government of Indonesia:

- Ensure that crimes against religious minorities cannot be committed with impunity, that impartial and timely 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 government of the United Kingdom:

- Prioritise FoRB in UK-Indonesia Strategic Dialogue in all bilateral talks including trade, to ensure human rights clauses are tied to economic cooperation.
- Use the UK's influence at the UN to urge Indonesia to repeal or revise blasphemy laws and the anti-Ahmadiyya decree.
- Provide targeted funding and capacity-building through UK human rights funds to local organisations supporting persecuted religious minorities and promoting interfaith tolerance.
- Urge the government of Indonesia, at every appropriate opportunity, to make the reforms highlighted in the recommendation section above 'To the government of Indonesia'.

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 minority religion or belief communities and those seeking to defend them.
- Utilise the Universal Periodic Review process, Human Rights Council sessions and other key international human rights instruments to hold Indonesia accountable for freedom of religion or belief violations and to offer recommendations to advance freedom of religion or belief.
- Encourage Indonesia to issue a standing invitation to UN Special Procedures.
- Urge the government of Indonesia, at every appropriate opportunity, to make the reforms highlighted in the recommendation section above 'To the government of Indonesia'.

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