

June 1, 2010

The President
The White House
Washington, DC 20500

Dear President Obama,

On behalf of the U.S. Commission on International Religious Freedom (USCIRF), allow me to wish you a safe and productive visit to Indonesia. A USCIRF delegation visited Indonesia two weeks ago and found that many Indonesians eagerly await your upcoming trip. We understand that your visit will inaugurate the U.S.-Indonesia Comprehensive Partnership, a framework we trust will solidify a growing bilateral relationship and expand Indonesia's capacity to protect religious freedom and related human rights. Your visit also offers a unique opportunity to frankly discuss, in a spirit of friendship and better relations, ongoing religious freedom problems that weaken Indonesia's democratic foundations and undermine its reputation for religious tolerance and pluralism.

We concur with the National Security Strategy's assessment of Indonesia as an "emerging nation...with tolerance, resilience, and multiculturalism as core values." We were able to witness firsthand Indonesia's democratic vitality, strength of civil society, and depth of religious devotion. We were impressed by the commitments made, at many different levels, to advancing religious freedom and related human rights as essential to Indonesia's democratic future. Nevertheless, there continue to be strong political forces, terrorist networks, and extremist groups which constitute obstacles to Indonesia's democratic trajectory and are a source of ongoing, serious violations of religious freedom and related human rights in that country. Religious organizations, religious political parties, religious leaders, as well as religious

extremist groups will continue to play a prominent role in shaping Indonesia's future. U.S. policy and programs should take into account this reality in seeking to bolster Jakarta's ability to address past religious freedom problems and face new ones. A creative and sustained diplomacy focusing on religious freedom can positively affect a whole range of issues, from the rule of law to the rights of women, the protection of religious minorities from societal violence, to the development of the social capital needed to strengthen democratic institutions and ensure economic expansion. Therefore, we urge the Administration to see religious freedom as being deeply intertwined with U.S. security, economic, and political interests in Indonesia and as an indispensable component of the U.S.-Indonesia Comprehensive Partnership.

We would also like to highlight a few observations about current religious freedom conditions in Indonesia and offer some recommendations for U.S. policy.

Rise in Societal Violence Perpetuated by Religious Extremists

USCIRF remains concerned about the troubling rise in societal violence against religious minorities and human rights defenders at the hands of extremist groups seeking to enforce a single, hegemonic version of Islam. Too often, the police and local government officials tolerate or aid this violence. We understand that the influence of extremist groups far exceeds their size or electoral appeal. Nevertheless, religious leaders and other civil society representatives expressed to us their lack of confidence in the Indonesian government's will and capacity to address ongoing issues of police impunity and societal violence. In some parts of Indonesia, a culture of impunity exists in which religious extremists operate with little or no consequences, forcibly closing places of worship, extorting protection money from religious minorities, and pressuring local officials to detain and restrict allegedly heterodox religious groups. Such situations are the main source of religious freedom abuses in Indonesia.

Need to Reform Laws Restricting Religious Freedom

Extremist groups too often justify violence with reference to vague and problematic national and provincial laws or decrees. Indonesia's Constitution contains strong language protecting freedom of religion and belief, but laws, police practices, and judicial process frequently fail to uphold constitutional protections. For example, provincial level perda syariah laws often restrict the rights of women and some non-Muslims, vague laws governing the building of religious venues often lead to forced closures or destruction of properties and, national blasphemy and defamation laws curtail freedom of expression and are used to detain or disband "deviant" religious groups, such as the Ahmadiyah.

During your visit, we hope you will discuss issues of impunity, legal reform, and societal violence with Indonesia's political leaders and representatives of civil society groups. We also urge you to speak out publicly about why religious freedom protections, particularly as they relate to the rule of law, are a critical element of U.S.-Indonesia bilateral relations and are pivotal to the development of free, prosperous, and peaceful societies. We believe that the vast majority of Indonesians will warmly receive this message.

Priorities for the U.S.-Indonesia Comprehensive Partnership

As part of the Comprehensive Partnership, we also urge the Administration to develop a results based human rights dialogue with Indonesia consistent with a broader set of proposals contained in our just-released 2010 Annual Report. Such a dialogue would establish a structure through which human rights problems and ongoing religious freedom violations could be addressed. We also believe a dialogue should aim to strengthen the legal institutions and civil society practices needed to protect religious minorities, end discrimination based on religious affiliation, provide training to end human rights and religious freedom abuses by police and local officials and counter religious extremism. We recommend that future technical assistance funds should be tied to the establishment of measurable benchmarks for improvements in religious freedom

and

related human rights, and should work with civil society groups and religious organizations alike

that undertake such work.

We hope your trip is successful in further strengthening U.S.-Indonesia relations.

Sincerely,
Leonard Leo
Chair

cc: Secretary of State Hillary Rodham Clinton

USCIRF is an independent, bipartisan U.S. federal government commission. USCIRF Commissioners are appointed by the President and the leadership of both political parties in the Senate and the House of Representatives. USCIRF's principal responsibilities are to review the facts and circumstances of violations of religious freedom internationally and to make policy recommendations to the President, the Secretary of State and Congress.

To interview a USCIRF Commissioner contact Tom Carter, Communications Director at 202-538-2044 or tcarter@uscirf.gov.