

## June 11, 2008: Indonesia: USCIRF Concerned Over Decree Curtailing Religious Practice of Ahmadiyah Community

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Contact: Judith Ingram

Communications Director

(202) 523-3240, ext. 127

[communications@uscirf.gov](mailto:communications@uscirf.gov)

WASHINGTON—The United States Commission on International Religious Freedom is concerned that a recent joint ministerial decree will significantly curtail the religious practice and may criminalize the religious activities of the Ahmadiyah Muslim community in Indonesia. The Commission recommends that the U.S. government urge President Susilo Bambang Yudhoyono to reverse the decree and prosecute anyone using violence to intimidate the Ahmadiyah community or other religious minorities in Indonesia.

The joint decree was issued by the Home Minister, the Minister of Religious Affairs, and the Attorney General and permits criminal prosecutions of up to five years in prison for “spreading interpretations and activities which deviate from the principal teachings of Islam,” including belief in the teachings of any prophet following Prophet Mohammed. Adherents of Ahmadiyah Islam believe that their nineteenth-century founder, Mirza Ghulam Ahmad, was a prophet. There are an estimated 200,000 Ahmadiyah community members in Indonesia.

“The joint ministerial decree contradicts Indonesia’s constitutional guarantees of religious freedom and violates religious freedom protections in international human rights instruments to which Indonesia is a party, including the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights,” said Commission Chair Michael Cromartie. “The decree also seems to violate the principles of religious tolerance and pluralism on which the modern state of Indonesia was founded.”

Mob violence against and the imposition of local legal restrictions on the Ahmadiyah community in Indonesia have mounted since July 2005, when the Indonesian Ulema Council (MUI) issued a fatwa condemning Ahmadiyah Islam as a “heretical” sect. Extremist groups have attacked mosques and other properties as well as individuals associated with the Ahmadiyah community. Vice President Jusuf Kalla condemned violence against the Ahmadiyah and President Yudhoyono’s own spokesman said that a ban on Ahmadiyah Islam would set a “bad precedent.” However, mobs continue to attack Ahmadiyah venues and supporters of the Ahmadiyah. In one June 1 attack during an interfaith rally in support of religious tolerance in the Indonesian capital, Jakarta, extremists punched,

kicked, and beat participants with sticks. Dozens reportedly were injured.

In May, the UN Committee Against Torture warned against the then-impending announcement of the joint ministerial decree. "The Committee is especially concerned that State party officials who may authorize a decree banning the Ahmadiyah, thereby putting members of this community at further risk of ill-treatment and physical abuse, are also expressing the view that the Ahmadiyah must refrain from "provoking" members of the community—in effect blaming the group at risk," the Committee said. It reiterated that the Indonesian government should ensure protection of groups particularly at risk of abuse, guarantee investigations into all ethnically motivated violence and discrimination, "including that directed against persons belonging to ethnic and religious minorities," and work to eliminate incitement including public officials' participation or acquiescence in it.

The decree also reflects a larger, troubling trend in Indonesia. Under the banner of promoting Islamic orthodoxy, a growing number of groups are vandalizing or destroying religious venues and pressing for the arrest and detention of allegedly heterodox Muslims and some non-Muslims. Meanwhile, provincial governments detain, arrest and sentence allegedly heterodox Muslims and some Protestant Christians for "denigrating religion," "deviancy," or "blasphemy" under Articles 156 and 156a of the Indonesian criminal code. The articles state that "expressing feelings of hostility, hatred or contempt against religions" and "disgracing a religion" are punishable by up to five years in jail.

Islam in Indonesia is known historically for its tolerance and accommodation of a variety of indigenous cultural traditions. If radical religious groups were to build a unified political base, there would be legitimate fears that Indonesia's culture of pluralism, moderation, and tolerance would be eroded. "Indonesia's commitment to democracy, religious tolerance and pluralism is harmed by the decree issued Monday," Cromartie said. "The Commission calls on the U.S. government and its allies to forcefully raise this issue with the Indonesian government, with the aim of overturning the decree and allowing members of the Ahmadiyah Muslim community, as well as of other religious groups, to exercise full freedom of religion and experience freedom from fear of being attacked by extremist groups."