

# INDONESIA

## U.S. Commission on International Religious Freedom: 2013 Annual Report

**Bottom Line:** The country's rich tradition of religious tolerance and pluralism is threatened by the arrests of individuals considered religiously deviant and by the violence of extremist groups like the Islamic Defenders Front (FPI) targeting Ahmadiyya, Christians, Shi'a, and Hindus. Federal and provincial officials, police, courts, and religious leaders often tolerate and abet the activities of FPI and other religious freedom abusers.

While Indonesia is a stable democracy with stronger human rights protections than at any time in its history, its tradition of religious tolerance and pluralism is being strained by ongoing religious freedom challenges. Although the government has addressed past sectarian violence and curtailed terrorist networks, religious minorities continue to experience intimidation, discrimination, and societal violence. The Indonesian government sometimes tolerates activities of extremist groups and national laws and provincial decrees restrict religious freedom. Based on these concerns, USCIRF places Indonesia on its Tier 2 in 2013.

### **Background**

The majority of Indonesia's diverse religious communities operate openly and with few restrictions, particularly the six recognized religious groups (Islam, Buddhism, Hinduism, Catholicism, Protestantism, and Confucianism). Over the past fifteen years, Indonesia has experienced a growth in political groups, terrorist networks, and extremist militia groups that have stoked religious tensions, sectarian conflict, societal violence, and intimidation and discrimination against religious minorities, resulting in severe and ongoing violations of religious freedom and related human rights.

Though the influence of these groups – which include the Islamic Defender Front (FPI) and dozens of other similar groups -- far exceeds their size or electoral appeal, sympathetic police and government officials too often tolerate their activities. A culture of impunity exists in some parts of Indonesia in which extremist groups operate with few consequences, harassing places of worship, extorting protection money from religious minorities, pressuring local officials and judges to detain and restrict allegedly heterodox individuals, and recruiting potential members for terrorist activities. Observers note these actions threaten religious freedom, Indonesia's tradition of tolerant pluralism, and its democratic future.

President Susilo Bambang Yudhoyono frequently has promised to protect religious minorities and hold accountable perpetrators of sectarian violence. Nevertheless, he also expressed support for a 2008 decree "freezing" Ahmadiyya activities and has refused to enforce a Supreme Court decision to re-open the GKI Yasim Church in West Java. Members of his government also have sent mixed messages about protecting religious minorities.

### **Religious Freedom Conditions**

***Restrictions and Societal Violence Targeting the Ahmadiyya:*** Since the 2008 Joint Ministerial decree "freezing" Ahmadiyya religious activity and banning them from proselytizing under threat of five- year prison sentences, at least 60 Ahmadiyya mosques have been vandalized, 43 mosques forcibly closed, and three Ahmadiyya followers killed in mob violence. Hasan Suwandi also was given a two-year sentence for saying publicly that the local police chief had given permission for an Ahmadiyya mosque to be reopened.

Provinces of West Java, South Sumatra, and South Sulawesi issued bans of Ahmadiyya activity and extremist groups pressure officials to close places of worship. Indonesian non-governmental organizations report the involvement of military officials and Muslim religious leaders in forcing Ahmadiyya to renounce their faith, sometimes through the cancellation of debt.

***Forced Closure and Vandalism of Religious Properties:*** Extremist groups and local government officials during the past year denied permits, forcibly closed, sanctioned protests at, or vandalized venues of religious minority groups other than Ahmadiyya. In February 2012, the Batak Protestant Church Kaliabang (HKBP), the Merciful Christ Church of Indonesia (GKRI), and a Pentecostal Church in Indonesia (GPdI) were closed, allegedly for lack of required permits. In May 2012, a mob threw bags of urine and feces at members of the Philadelphia Batak Christian Protestant Church. There continue to be weekly protests at this church site. In March 2012, authorities and police raided and forcibly closed down construction of St. Ignatius Church in Padang, West Sumatra, citing opposition from Muslim residents.

In February 2012, President Yudhoyono refused to enforce a Supreme Court ruling supporting re-opening of the GKI Yasim Church of Bogor, West Java, citing Indonesia's regional autonomy law, and instructed the Ministry of Religious Affairs to assist in finding a local solution so that "worship may be held at the church." Bogor authorities continue to deny it a building permit and have sealed the church. Since March, 2011 extremist groups have protested the church's weekly outdoor worship services.

***New Violence Targeting the Shi'a Community:*** Tensions increased between Sunni religious leaders and officials and the small Shi'i communities on the island of Madura, East Java. Violence escalated as government officials, including the Religious Affairs Minister, and government-supported religious institutions, such as the MUI and *Bakor Pacem*, labeled Shi'i teachings as "heresy." In January 2012, police arrested Tajul Muluk, the communities Shi'i cleric, after a local MUI fatwa declared his teachings to be "deviant." In August 2012, a mob again attacked the same Shi'i village, burning down the remaining homes, killing one man, and injuring another. Police officers at the scene did not intervene to stop the attack and no arrests have been made. At least 500 Shi'a were displaced to a local sports pavilion where they were reportedly asked to sign statements saying they would "return to the right path" of Sunni Islam before receiving humanitarian assistance.

***Enforcement of the Law against "Deviancy":*** In the past year, local authorities continued to enforce Indonesia's "deviancy" or blasphemy law (Article 156(a) of the criminal code), which punishes "hostility, hatred or contempt against religions" or "disgracing a religion" with up to five years in prison. Despite efforts by Indonesian parliamentarians and NGOs to challenge it, the Supreme Court upheld the law in 2010, based on fears of increased societal violence from "a proliferation of sects." Since 2003, Indonesia has detained over 150 individuals under Article 156(a), and dozens of others were sentenced. Most cases are brought against allegedly heterodox Muslims, and some Christian groups.

In March 2012, Andreas Guntur, the leader of the spiritual group *Amanat Keagungan Ilahi*, was sentenced to four years' imprisonment for blasphemy, allegedly because of his heterodox Islamic teachings. In February 2012, Alexander Aan, a civil servant in West Sumatra, was arrested on charges of blasphemy for starting a Facebook page advocating atheism. A Sijunjung district court in West Sumatra gave him a two-year sentence for "incitement," allegedly because a local FPI group attacked and beat Aan for his Facebook postings.

***Shari'ah Law in Aceh:*** Presidential Decree 11/2003 allows the Aceh provincial government to implement a local interpretation of Shari'ah law, establish Shari'ah courts, and operate a vice patrol known as *Wilayatul Hisbah* (WH). Christians and other non-Muslims are exempted. WH patrols enforce dress codes and bans on alcohol consumption, gambling, and unchaperoned male-female liaisons. Punishments include canings and fines. Most of those fined and detained are women.

In the past year, the provincial government forcibly closed 29 churches and 5 Buddhist temples, including a Catholic chapel that had been in operation since 1974. In November 2012, Acehnese villagers attacked an allegedly "heretical" Muslim sect in Bireuen, Aceh, targeting the house of Muslim teacher Tengku Aiyub Syakuban, who was killed in the attack along with one of his students. No villager was arrested for taking part in the attack.

## **Recommendations for U.S. Policy**

As part of the U.S.-Indonesia Comprehensive Partnership and Counterterrorism Cooperation efforts, the U.S. government should:

- Create a regular bilateral mechanism to discuss religious freedom and related human rights. In those discussions, urge the Indonesian government to:
  - overturn the Joint Ministerial Decree on the Ahmadiyya community and any provincial bans on Ahmadiyya religious practice;
  - protect fully the rights of religious minorities under the Indonesian constitution and international law;
  - hold accountable any individual who organizes or carries out violence targeting the Ahmadiyya or other religious minorities;
  - amend or repeal Article 156(a) of the Penal Code; and
  - release anyone sentenced for “deviancy,” “denigrating religion,” or “blasphemy;”
- Prioritize programs that support groups that promote religious freedom and counter extremism; build interfaith alliances; expand the capacity, training, and reporting ability of human rights defenders; train members of provincial Joint Forums for Religious Tolerance (FKUBs) to mediate sectarian disputes; and build capacity for legal reform advocates, judicial officials, and human rights organizations; and
- Help train Indonesian police and counter-terrorism officials to address sectarian conflict and religiously-related violence through practices consistent with international human rights standards, while ensuring none those officers have not been implicated in human rights abuses.

**Please see USCIRF’s 2013 Annual Report for a more extensive review and recommendations on Indonesia.**