

INDONESIA

TIER 2

KEY FINDINGS

Indonesia is often characterized as a model of majority-Muslim democracy. Yet in some parts of the country, discrimination and violence against religious minorities continue, often instigated or inspired by hardline individuals and groups. The Indonesian government often intervenes when abuses arise, particularly if they involve violence; yet by many accounts, violations of the freedom of religion or belief continue to rise and/or increase in

intensity, and experts believe many incidents go unreported. Non-Muslims and non-Sunni Muslims endure ongoing difficulties obtaining official permission to build houses of worship, experience vandalism at existing houses of worship, and are subject to sometimes violent protests that interfere with their ability to practice their faith. In 2017, USCIRF again places Indonesia on its Tier 2, where it has been since 2004.

RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Urge the Indonesian government at central, provincial, and local levels to comply with the Indonesian constitution and international human rights standards by:
 - Overturning the 2008 Joint Ministerial Decree on the Ahmadiyya community and any provincial bans on Ahmadi religious practice;
 - Amending or repealing article 156(a) of the Penal Code and unconditionally releasing anyone sentenced for “deviancy,” “denigrating religion,” or “blasphemy;” and
 - Amending the 2006 Joint Regulation on Houses of Worship to allow religious communities the right to build and maintain their places of worship free from discrimination and threats;
- Offer technical assistance and guidance to the Indonesian government as it drafts legislation protecting religious freedom, as appropriate;
- Raise in public and private with Indonesian officials the need to protect Indonesia’s tradition of religious tolerance and pluralism by investigating and prosecuting individuals or groups who discriminate or incite or perpetrate acts of violence against religious communities;
- Prioritize funding for governmental, civil society, and media programs that promote religious freedom, counter extremism, build intra-faith and inter-faith alliances, expand the reporting ability of human rights defenders, train government and religious officials to mediate sectarian disputes, and enhance rule of law and build capacity for legal reform advocates, judicial officials, and parliamentarians to better fulfill Indonesia’s obligations under international human rights law; and
- Help to train Indonesian police and counterterrorism officials at all levels to better address sectarian conflict, religion-related violence, and terrorism, including violence against places of worship, through practices consistent with international human rights standards, while ensuring those officers have not been implicated in past human rights abuses pursuant to Leahy Amendment vetting procedures.

BACKGROUND

Indonesia is the world's most populous Muslim-majority country: more than 87 percent of its 258 million people identify as Muslim. The majority of Indonesia's Muslims are Sunni, although up to three million are Shi'a and up to 400,000 Ahmadis. Protestant Christians make up 7 percent of the population, Catholics approximately 3 percent, and Hindus less than 2 percent. In some parts of the country, Christians or Hindus comprise the majority, which means that even though Muslims are the majority overall, in certain areas they are in the demographic minority. Indonesia is secular and recognizes six religions: Islam, Catholicism, Protestantism, Buddhism, Hinduism, and Confucianism. Smaller segments of the population practice unrecognized faiths, such as Baha'ism, Sikhism, Judaism, Falun Gong, and traditional belief systems.

Individuals of many faiths—even beyond the six officially recognized religions—have the ability to practice, worship, and teach freely, although this varies from province to province across Indonesia's vast archipelago. Some religiously diverse neighborhoods have long traditions of interfaith interaction and cooperation, and the government is believed to be working on legislation intended to strengthen religious freedom, although the contents are unknown. Even so, throughout its history, less tolerant attitudes have been present in Indonesia and continue today in some parts of the country. For

example, in West Papua, non-Muslims feel increasing pressure and discrimination from Muslims. Some Indonesians are concerned by what they perceive is the "Arabization" or "creeping Islamization" of the country's more pluralistic form of Islam. Hardline groups such as the Islamic Defenders Front (FPI) and the country's top Muslim clerical body, the Indonesian Council of Ulema (MUI), have long held their own views of the proper ways to practice Islam. This perspective shuns

non-Sunni Muslims, such as Shi'a Muslims and Ahmadis. Some Indonesians attribute this increasingly conservative, less tolerant brand of Islam to the growing influence of Saudi Arabia, including that country's plans to expand its

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Institute for the Study of Islam and Arabic (LIPIA). Based in Jakarta, Indonesia's capital, LIPIA offers all-expense-paid education to Indonesian students, which for some could lead to the opportunity to study in Saudi Arabia. But this Saudi-funded education adheres to strict, Salafi Islam, which considerably differs from the style of Islam prevalent in Indonesia.

Tensions ran high during the last few months of the reporting period because of politically charged blasphemy accusations against Jakarta Governor Basuki "Ahok" Tjahaja Purnama. (For more information, see the Blasphemy section below.) Thousands of Muslims, including hardliners, accused Ahok of insulting the Qur'an and staged several protests and rallies in Jakarta. The Indonesian government urged calm and

understanding and also respected the right of individuals to protest peacefully. Furthermore, President Joko “Jokowi” Widodo ordered additional security forces to maintain public order and deter violence. Prominent Muslims, including from the two largest Muslim organizations, Nahdlatul Ulama (NU) and Muhammadiyah, discouraged their members from participating in protests. However, some critics blamed the new government for not doing enough to control hardline individuals and groups in the first place. At the end of the reporting period, Ahok garnered the most votes in Jakarta’s three-way gubernatorial election on February 15, 2017, but failed to secure more than 50 percent of the vote that would have prevented a second-round election in April.

In 2016, Indonesia’s independent National Human Rights Commission, Komisi Nasional Hak Asasi Manusia (Komnas HAM), continued to focus on freedom of religion or belief. In January 2017, Komnas HAM issued its findings of religious freedom violations for 2016. Komnas HAM found that some provinces, such as West Java, experience far more religious intolerance than others, and that regional government officials often are responsible for either tolerating or directly perpetrating abuses, an observation echoed by the Setara Institute, a local nongovernmental organization. In December 2016, NU echoed the findings about rising religious intolerance.

RELIGIOUS FREEDOM CONDITIONS 2016–2017

Forced Closures of and Violence against Religious Properties

Local authorities and hardliners often rely on the 2006 Joint Regulation on Houses of Worship to deny or restrict parishioners’ access to houses of worship. Under the 2006 regulation, houses of worship are required to obtain a list of 90 congregation members; signatures from 60 local households of a different faith; recommendations from the local religious affairs office and local Religious Harmony Forum, Forum Kerukunan Umat Beragama (FKUB); and approval from the sub-district head. The regulation provides local governments the latitude to deny permits to smaller congregations and the authority to close or tear down houses of worship built prior to 2006. Hardliners, typically those belonging to the majority faith in a particular area, cite alleged

faulty or missing permits or other regulation-related paperwork as justification to protest houses of worship or to pressure local officials to deny or revoke permissions or close the structures. At times, mob violence leads to significant property damage and displacement of affected religious communities, such as in 2015 at Christian churches in Aceh Singkil District in Aceh and at a Muslim mosque in Tolikara, Papua.

In July 2016, a mob attacked and burned down several Buddhist temples and other property in North Sumatra. In recent years, closures of and threats and attacks against Buddhist sites have occurred in other parts of the country. Reports indicated the July violence may have started when a woman of Chinese descent expressed her frustration at the loud microphone volume from a nearby mosque. Police were able to prevent some of the attacks from spreading to other structures, and authorities later detained seven individuals and named several others as suspects. Muhammadiyah, Indonesia’s second-largest Muslim group, called for tolerance and calm after the incident, and President Jokowi instructed the National Police to apprehend the perpetrators.

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In April 2016, Muslim hardliners in Bekasi, West Java, closed the Santa Clara Catholic Church only weeks after the new building opened. The previous month, the local FKUB confirmed the validity of the church’s permit after many of these same hardliners prevented access to church construction and demanded the permit be revoked. The church’s effort to obtain the permit, which was granted in 2015 under the 2006 regulation, reportedly took nearly two decades. Despite support for the church’s construction by Bekasi’s mayor, Rahmat Effendi, critics accused the local government and police of failing to protect the Catholic church from closure.

In September 2016, hardline protestors, including from FPI, gathered to object to local authorities’ decision to renew permits for a Protestant church in Makassar.

Led by the protests of nearby residents who opposed the Pasar Minggu Protestant Church in South Jakarta, local officials declared in September 2016 that the church would close for lacking the proper permits. Religious Affairs Minister Lukman Hakim Saifuddin intervened to request that the local government assist the congregation in moving the church to a different location.

In November 2016, a single attacker set off an explosion at the Protestant Oikumene Church in Samarinda, East Kalimantan Province, killing a two-year-old girl and injuring three other children. Police ultimately arrested seven men in connection with the attack, all suspected of having links to or aspirations of joining the Islamic State of Iraq and Syria (ISIS). In a separate incident in August 2016, a man attempted and failed to detonate a bomb at a Catholic church in Medan, North Sumatra. After finding a paper with an ISIS symbol in the man's possession, police looked at possible terrorist links.

At the end of the reporting period, the Indonesian Christian Church (GKI) Yasmin in Bogor, West Java, had reportedly reached an agreement with Bogor Mayor Bima Arya Sugiarto to reopen the church. Local government officials succumbed to pressure from hardliners and suspended the church's permit in 2008; it has remained closed despite a 2010 Supreme Court ruling ordering the church be reopened. The compromise would allow the church to reopen if it agrees that a mosque can be built on church grounds.

Ahmadis

The government's 2008 Joint Ministerial Decree bans Ahmadis from spreading their faith—a crime punishable by up to five years in prison. Additionally, the MUI issued a *fatwa* (religious edict) declaring the Ahmadiyya faith to be deviant and heretical. Since then, some religious leaders and entire provinces, through the force of law, have expanded upon MUI's *fatwa* by restricting Ahmadis even further, banning all Ahmadi activities. As a result, authorities have closed approximately 100 Ahmadi mosques and failed to properly investigate the destruction of several others. Ahmadis living throughout the country have reported difficulties obtaining ID cards or marriage licenses. Also, more than 100 Ahmadis remain internally displaced in Mataram, West Nusa Tenggara, after sectarian violence forced their eviction more than 10 years ago. The year 2016

marked five years since a violent mob attacked several Ahmadis in Cikeusik, Banten Province, killing three men and wounding several others. An Indonesian court convicted 12 men in the attacks but issued lenient sentences, the longest of which was only five and a half months; none of the men were charged with murder.

In February 2016, police and military forces evicted women and children of the Ahmadiyya faith from Sungailiat District in Bangka Regency. Acting on some Sunni Muslim residents' objections to the Ahmadiyya faith, local officials tried to force the Ahmadis to leave their faith and "return to Islam" or face expulsion. The eviction occurred after local residents harassed and threatened the Ahmadis.

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In May 2016, unknown vandals attacked and destroyed the Ahmadi Al Kautsar Mosque in Central Java. The mosque reportedly had previously obtained the proper permits under the 2006 Joint Regulation on Houses of Worship. In July 2016, officials closed another Ahmadi house of worship, the Al-Furqan Mosque in West Java. Throughout 2016, Ahmadis in South Jakarta were forced to pray outside the An Nur Mosque after the local government sealed the building in July 2015. In February 2017, authorities closed the Al-Hidayah Mosque in Depok, West Java, and posted notice that all Ahmadi activities were "illegal" after the FPI and other hardliners threatened both the mosque and Ahmadis.

Shi'a Muslims

Some Shi'a Muslims practice Sunni Islam in public to avoid being discriminated against or singled out as different. Although hardliners and others have persecuted Shi'a Muslims for years, there is mounting suspicion about the correlation between the growing influence of Saudi Arabia in Indonesia (for more information, see the Background section) and rising anti-Shi'a sentiment.

Baha'is

Indonesia's Baha'i community still experiences government discrimination. In 2016, members of the Baha'i faith continued to report frustration at not being able to obtain state recognition of civil marriages.

Gafatar

During 2016, the government continued its attack on banned faith sect Fajar Nusantara Movement, also known as Gafatar, and some former members of the group reported various forms of discrimination. In January 2016, the government forcibly evicted thousands of individuals from their homes in East and West Kalimantan provinces, allowed mobs to set fire to the individuals' homes, and temporarily sent many followers to "reeducation" centers.

The Indonesian government disbanded the group in 2015 after declaring that its practices deviated from Islam. In February 2016, the MUI issued a *fatwa* pronouncing the group to be heretical. In March 2016, the government issued a joint decree to prevent Gafatar members from conducting activities and spreading their beliefs. Then, in May 2016 the government arrested three Gafatar founders and charged them with blasphemy and treason. In March 2017, after the reporting period, the three men were cleared of treason but found guilty of blasphemy: Mahful Muis Tumanurung and Ahmad Musadeq received five-year prison sentences, and Andi Cahya received three years.

Blasphemy

In addition to the trials against Gafatar members mentioned above, blasphemy charges were brought against Ahok for allegedly insulting Islam and the Qur'an. The case originated in a September 2016 speech in which Ahok encouraged voters not to be dissuaded from voting for him in the February 2017 gubernatorial election because the Qur'an tells Muslims not to align with Christians or Jews. Ahok, who is a Christian of Chinese descent, later apologized for his remarks. Muslim hardliners, such as the MUI and FPI, called on authorities to arrest or imprison Ahok, or even sentence him to death.

Many upset by the speech viewed a video recording online that had edited Ahok's remarks to suggest he insulted the Qur'an and Islam rather than his political opponents. At the end of the reporting period, Ahok's trial was ongoing, and he advanced to the second-round election in his bid to remain Jakarta's governor.

There is strong evidence to suggest the attacks on Ahok are politically motivated. Muslim hardliners who believe it is not appropriate for a Christian to lead a Muslim city protested his ascension to the governorship after his predecessor, Jokowi, was elected president in 2014. Some oppose Ahok because he is Chinese,

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harkening back to the widespread discrimination ethnic Chinese experienced under the dictatorial rule of former President Suharto. Also, one of Ahok's first-round election opponents, Agus Harimurti Yudhoyono, is

the son of former President Susilo Bambang Yudhoyono, who openly supported the MUI and its *fatwas*, as well as hardline groups like FPI.

During the high-profile investigation and trial, many officials—including President Jokowi, members of the military, political party leaders, and representatives from the two largest Muslim organizations, NU and Muhammadiyah—spoke publicly about Indonesia's tradition of pluralism and urged calm. Ahok's critics and supporters held several protests and rallies, drawing crowds of tens of thousands in largely peaceful demonstrations. However, a November 2016 protest turned violent, leaving one man dead and approximately 100 people wounded.

Another blasphemy case developed late in the reporting period after police announced they would investigate FPI leader Rizieq Shihab for alleged blasphemy. Shihab had a prominent role organizing the protests against Ahok. In January 2017, police formally named Shihab a suspect for 2014 comments in which he allegedly insulted the state ideology, known as Pancasila, as well as Sukarno, one of the country's founding fathers. Police were reportedly investigating Shihab for other possibly blasphemous comments, including allegedly insulting Christianity.

U.S. POLICY

The United States and Indonesia have strong bilateral relations that extend to other areas of shared regional and global concern. The two countries cooperate on a number of sectors, including education; maritime issues; trade and investment; energy, climate, and the environment; science and technology; and regional security.

In August 2016, the two countries launched the Indonesia-U.S. Council on Religion and Pluralism, a venture endorsed by President Jokowi and then President Barack Obama in October 2015 when the countries elevated their relationship from a Comprehensive Partnership to a Strategic Partnership. The independent, binational, nongovernmental body identified three priorities at its initial meeting in Yogyakarta, Indonesia: (1) “increase religious understanding, mutual respect, and collaboration;” (2) “identify and foster positive civic and religious education models that promote analytical thinking and respect;” and (3) “empower civil society to deter violent extremism.” The council’s final report from the August launch outlined several activities for the 2017 calendar year, including proposed plans to collaborate with Indonesia’s Ministry of Religious Affairs.

During the reporting period, the United States addressed growing concerns of radicalism among Indonesia’s homegrown terrorists by designating several Indonesian individuals and groups as “Specially Designated Global Terrorists” (SDGTs). On March 22, 2016, the State Department designated a man named Santoso—also known as Abu Wardah and described as Indonesia’s most wanted terrorist—as an SDGT. Before Indonesian security forces killed him in July 2016, Santoso led the Mujahidin Indonesia Timur (an entity on the SDGT list) and, according to the State Department’s announcement, “pledged his allegiance to ISIL/Daesh.” On January 10, 2017, the State Department designated the group Jammaah Anshorut Daulah (JAD), believed to be ISIS-affiliated, as an SDGT. Authorities believe JAD members were responsible for the January 2016 attack in Jakarta, in which eight people were killed.

In October 2016, then Ambassador-at-Large for International Religious Freedom David Saperstein traveled to Indonesia, visiting Jakarta, Banda Aceh, Bali, and Surabaya.