

INDONESIA

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 again places Indonesia on its Watch List in 2012.

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). Nevertheless, political forces, terrorist networks, and extremist groups continue to stoke societal violence and perpetrate ongoing violations of religious freedom and related human rights.

The activities of extremist organizations have increased religious tensions and societal violence in recent years. These activities include harassing and forcibly closing places of worship, extorting protection money from religious minorities, pressuring local officials to detain, disband, harass and urge the arrest of allegedly heterodox religious groups, and recruiting potential members for terrorist groups. Police and government officials sometimes tolerate these actions and perpetuate impunity, most prominently regarding the Ahmadiyah community. More than a religious freedom concern, this is a threat to Indonesia's democratic future.

President Susilo Bambang Yudhoyono frequently has promised to protect religious minorities and hold perpetrators of sectarian violence accountable. Nevertheless, he also expressed support for a 2008 decree "freezing" Ahmadiyah 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 Ahmadiyah: Since the 2008 Joint Ministerial decree "freezing" their religious activity, at least 50 Ahmadiyah mosques have been vandalized, 36 mosques and meeting points forcibly closed, and three Ahmadiyah followers killed in mob violence. Ahmadiyah reportedly are allowed to gather for worship in most parts of the country, but in some parts of the country extremist groups consider any visible Ahmadiyah activity "proselytizing" and pressure officials to close places of worship. Indonesian non-governmental organizations report the involvement of military officials and Muslim religious leaders in forcing Ahmadiyah to renounce their faith, sometimes through the cancellation of debt. In South Sulawesi, several persons are on trial for a mob attack in the past year on an Ahmadiyah mosque. Officials in East Jakarta closed an Ahmadiyah place of worship for violating local zoning rules.

Forced Closure and Vandalism of Religious Minorities' Properties: During the past year, extremist groups forcibly closed or vandalized as many as 60 religious minority (other than Ahmadiyah) venues, an increase from the previous year. Most cases were reported in West Java. In September 2011, the mayor of Cirebon stopped construction of the GBI Bethel Church and hundreds of Muslims protested the church's weekly worship activities. In November 2011, about 600 people burned down a Hindu center in West Java because they believed it was being used illegally. In August 2011, mobs burned three churches in Sumatra, and in February a mob destroyed a Shi'a boarding school and mosque in East Java. In January, looters attacked the homes and shops of Shi'a families and burned a Shi'a school in East Java, displacing at least 300 Shi'a. Police detained suspected perpetrators and the East Javan governor promised to restore Shi'a properties.

The situation of the GKI Yasim Church of Bogor, West Java has gained international attention. Despite a January 2011 Supreme Court decision and a National Ombudsman ruling favoring the church, Bogor authorities continue to deny it a building permit and have sealed the church. Since March, extremist groups have protested the church's weekly outdoor worship services. In February 2012, President Yudhoyono refused to enforce the Supreme Court ruling, 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."

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 the past year, police reportedly sought to disband groups such as *Nurul Amal* and *Jamaah Islam Suci* based on recommendations from local religious leaders. In February 2011, a court sentenced a Christian man to five years’ imprisonment for distributing material allegedly mocking Islamic symbols. Although he was given the maximum sentence, a mob rioted, targeting churches and church properties, because they viewed the verdict as too lenient. In addition, in March 2012, a mob attacked a civil servant who later was arrested for blasphemy for creating a Facebook page titled *Ateis Minang* (Minang Atheist).

Terrorist Violence Targeting Religious Minorities: In September, a suicide bomber attacked a church in Solo, Central Java, killing himself and wounding 30. Pipe bombs were found and diffused outside churches in Ambon, the site of massive sectarian violence from 1999 to 2001. Since June, police have captured or killed more than 20 suspected militants in Central Java and West Lombok and sentenced the leader of *Jemmah Anshorut Tauhid* (JAT) to 15 years. In February 2012, the U.S. designated JAT a terrorist organization.

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. Government oversight of WH has improved since the 2009 provincial elections.

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 and in those discussions, urge the Indonesian government to: overturn the Joint Ministerial Decree on the Ahmadiyah community and any provincial bans on Ahmadiyah 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 Ahmadiyah or other religious minorities; amend or repeal Article 156(a) of the Penal Code, release anyone sentenced for “deviancy,” “denigrating religion,” or “blasphemy;”
- Amend the Joint Ministerial Decree No. 1/2006 (Regulation on Building Houses of Worship) to comply with the Indonesian constitution and international standards, remove restrictions on building and refurbishing places of worship, and provide restitution to religious communities whose venues have been destroyed or closed due to mob violence or protests;
- Prioritize programs that support groups that promote religious freedom and counter extremism, and build interfaith alliances, including by: expanding the capacity, training, and reporting ability of human rights defenders; training members of provincial Joint Forums for Religious Tolerance (FKUBs) to mediate sectarian disputes; and building capacity for legal reform advocates, judicial officials, and human rights organizations;
- 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 2012 Annual Report for a more extensive review and recommendations on Indonesia.