



OpenDoors

Serving persecuted **Christians** worldwide

PO Box 47
3840 AA Harderwijk
The Netherlands
E advocacy@od.org

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The Advocacy Department of Open Doors International submits this analysis of religious freedom in the Republic of Indonesia as a contribution to the Universal Periodic Review of UN member-state Indonesia.

While Christianity is one of the six religions that are recognized by Indonesia and freedom of religion is enshrined in Indonesia's charter provision, continuing and unpunished attacks on the adherents of the Christian minority question the credibility of the government's espoused religious freedom and protection of Indonesia's religious minorities.

Political and legal context

Indonesia acceded to the ICERD¹ in 1999 and to the ICCPR² in 2006. In 1998, Indonesia ratified the CAT³. Furthermore, as a member state of the UN, Indonesia is state party to the UDHR⁴. As a state party to these conventions, Indonesia is responsible to make sure that all its laws are consistent with the fundamental freedoms enshrined in the conventions it committed itself to.

Pancasila is the official philosophical foundation of the Republic of Indonesia. The first principle of the Pancasila ideology is "*belief in the one and only God*". This principle is also included in 1945 Constitution of the Republic of Indonesia. In Chapter 11, article 29, the constitution guarantees that every Indonesian has the freedom to worship, each according to his/her own religion or belief.

In cases that received much publicity, favourable sentences were handed down to Christians. However, reality still shows evidence of the different treatments on Muslims and Christians. For comparable crimes, Muslims receive far more lenient punishments and authorities opt to punish Christians to suppress the anger of Muslims believing that this will keep the society stable.

Until 2010 more than 50 regencies (which are under the hierarchy of the provincial government) 16 of the 33 Indonesian provinces have passed Shariah-inspired bylaws. According to sources, 151 Sharia-inspired bylaws were enacted in 24 provinces during the period between 1999 and 2009. These bylaws regulate the moral and religious life of Indonesia's citizens. This includes prostitution, gambling, alcohol consumption and pornography.

In Aceh in 1999, former President BJ Habibie signed a special law on the province which among other things granted the Aceh province a special status and the right to partly implement Shariah. Two years later, President Megawati Soekarnoputri signed an autonomy package that included comprehensive regulations on establishing Shariah courts and Shariah bylaws.

The lack of a clear direction and strong leadership since the 1998 coup d'état are an important cause for the thriving of Muslim fundamental groups and the enactment of the Shariah laws.

The current administration tries to have a neutral stand towards the religions in the country, but discreetly seeks to win favour and support from Muslims which make up 87 percent of the total population.

¹ International Covenant on the Elimination of all Forms of Discrimination

² International Covenant on Civil and Political Rights.

³ Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

⁴ Universal Declaration of Human Rights.



The president accepted the fact that Indonesia is confronting a rising tide of radicalism for the first time on 28 April 2011, by saying that its reputation of tolerance and pluralism is under attack by extremists. Later on in 2011, he mandated Indonesians to defend the pluralistic state of the country, while re-acknowledging that the country is indeed facing "threats" to religious harmony. Nevertheless, the statement offered little to reassure minorities which have come under frequent attacks this year. The government often tolerates extremist Muslims who discriminate, harass, and abuse Christians. Moreover, authorities often keep silent when Islamic hard-line groups use religious issues to attack other religions. Critics have charged that President Yudhoyono is remaining silent in the face of mistreatments because of his heavy reliance on Islamic parties in parliament.

Threats to the position of Christians and Ahmadiyah in Indonesia

The total population of Indonesia is estimated around 245 million, of which approximately 37 million is Christian. The Muslim population makes up about 87 percent of the Indonesian population. Three issues that hound the Indonesian Christians give a picture of the condition of the Christians in the Muslim-majority nation. Adherents of the Ahmadiyah religion equally bear the same brunt of religious attacks.

Heightening Threat of Islamic Radicalism

On 25 September 2011, 31-year old Ahmad Yosepa Hayat blew himself in the Bethel Injil Church in Solo, Central Java. Twenty-seven people were wounded. Hayat was already on the country's most wanted list in connection to the suicide attack in Cirebon in West Java, in April. He was believed to be part of a cell, which had trained six men for suicide bombings. The city of Solo has been infamously seen as refuge and meeting place for militants and their supporters. Since June 2011, at least 10 suspected militants have been captured or killed in police raids in and around the city.

In 15 April 2011, a suicide bomber detonated his explosives in a mosque inside local police headquarters compound in the city of Cirebon in West Java. He was killed instantly and 30 people were injured. The attack was the first suicide bombing inside a mosque in the world's largest Muslim-majority nation.

On 21 April 2011, anti-terror police defused five bombs placed around a church in Serpong on the outskirts of the capital. Officials said the attackers planned to activate them on the morning of Good Friday. Police added that the perpetrators behind the bombs belong to a "new cell", of which many had university degrees. The same group sent out "book bombs" to several addresses including those of liberal Muslim figures and a counter-terrorism official in the same period.

Majority of the Indonesians are moderate Muslims who remain silent to the louder voice of their extremist counterpart. While the extremists do not exceed 1.5 percent of the total Muslim population, they become the main agents of persecution. Also the International Crisis Group (ICG) has pointed to a new trend of small violent groups adopting "individual jihad" aimed at local "enemies", including police and Christians. A survey released on 5 October 2011 identified Aceh, West Java and Banten as strongholds of radicalism.

GKI Yasmin Church-Bogor Mayor Diani Budiarto Saga

The mayor of Bogor (in West Java), Diani Budiarto, defies rulings from the Supreme Court and the Ombudsman Commission to open the GKI Yasmin Church, forcing hundreds of its members to worship on the streets. However, their gatherings on pavements were not conducted without trouble as authorities, sometimes with the help of local thugs, blatantly dispersed them. In August 2011, Budiarto announced it was unlawful to build Christian places of worship on streets with Islamic names.

The mayor found an ally in the top Muslim clerical body, the Indonesian Council of Ulema (MUI), who pledged full support for the mayor during a meeting on 15 November 2011. GKI Yasmin Church representatives were



not invited by the MUI, citing the church's frequent media statements. However, the mayor insisted that the church itself refused to join dialogue with the local government and has accused the congregation of twisting the issue.

The revised Joint Ministerial Decree in 2006 allows a church to operate only under strict requirements. The church has to have at least 90 members, it has to receive consent from 60 neighbours of other faiths, and approval from the regency chief and the inter-faith harmony forum is required. In reality, many churches still find it difficult to get permission amid the completion of requirements.

New Religious Harmony Bill

Recently, the House of Representatives completed a draft of the *Religious Tolerance Bill*. According to Agung Laksono, coordinating minister for people's welfare, the bill would "legislate for better religious understanding on the ground." He added that the bill was intended to head off potential sectarian conflicts, which is on the rise. It was suggested after a meeting between Religious Affairs Minister Suryadharma Ali and Home Affairs Minister Gamawan Fauzi.

Observers however, stated that it would threaten the very essence of pluralism and tolerance in the secular country. *Setara Institute for Peace and Democracy* head Hendaradi said that if passed, the House-initiated bill would likely legitimise restrictions against minorities for the sake of harmony.

According to the chairman of the Indonesian Bishops Conference (KWI) inter-faith dialogue division, Catholic priest Benny Susetyo, "the bill is likely to nurture tyranny of the majority. We must know that there is no single majority group in Indonesia. The tyranny of the majority in a certain group might trigger vengeance toward it in the area where it is a minority,".

The Plight of the Ahmadiyah Sect

On 30 July 2011, nearly 1,500 white-robed protesters marched through the streets of Jakarta demanding the government to outlaw the Ahmadiyah religion. The gathering was held days after a court sentenced 12 men to less than six months in jail for lynching three Ahmadiyah members on 6 February 2011. On August 15, a panel of judges found Ahmadiyah member Deden Sudjana guilty of ill-treatment and ignoring an order to evacuate Ahmadiyah property in Cikeusik, western Java.

The government remains silent about the Ahmadiyah, while its adherents are awaiting the Supreme Court's decision about their existence in the country. Following a fatwa banning the Ahmadiyah in all the provinces of the country, many adherents received threats.

Over-all status of the Church

Though the Christians in Muslim-predominant areas face repercussions, many believe the number of Christians is increasing steadily, either by birth or by conversion. But the exact number remains unknown for security reason amongst others. Some of the converts are from Hindu Background, others have a Muslim background.

Compared to 2010 more cases of persecution took place in 2011. Most of the cases that occurred are church vandalism and revocation of building permits. Also *Setara Institute for Peace and Democracy* claims that religion-related conflicts and violence against minority groups are on the rise. As of July 2011, at least 99 cases of violence and conflicts had been reported, an apparent surge from 94 cases reported in the whole of 2010.



As in the case of the GKI Yasmin church, local governments that are member of the radical Islamic Party or adherents to radical Islamic doctrines are becoming the main agents of persecution. They use their power to force their doctrines to their staffs or impede construction of churches.





Recommendations

Open Doors International recommends:

1. for President Susilo Bambang Yudhoyono to be more adamant in promoting the significance and essence of exercising freedom of religion or belief for any democratic country, like Indonesia, to flourish.
2. national level officials to serve as intermediary in a constructive dialogue between local officials of known persecuted hotspots (west- and central Java, Aceh), Islamic leaders and heads of the religious minority
3. the House of Representatives to take on a consultative and democratic approach on the Religious Harmony Bill by inviting legal experts and leaders from each of the six religions to sit down and engage in a discussion on the bill's provisions.
4. President Susilo Bambang Yudhoyono to look into the plight of the Ahmadiya and the Christian community, and to strengthen the government's commitment (from the top level to the security reinforcements in the villages) to religious freedom based on the four remaining *Pancasila* ideals. These are just and civilized humanity, (*Kemanusiaan Yang Adil dan Beradab*); the unity of Indonesia, (*Persatuan Indonesia*); democracy guided by the inner wisdom in the unanimity arising out of deliberations amongst representatives (*Kerakyatan Yang Dipimpin oleh Hikmat Kebijaksanaan, Dalam Permusyawaratan dan Perwakilan*) and social justice for all of the people of Indonesia (*Keadilan Sosial bagi seluruh Rakyat Indonesia*)
5. In the last Periodic Review, Indonesia reaffirmed its commitment to combat impunity and respect those engaged in defending human rights, ensuring the promotion and protection of the citizens. We implore the executive, legislative and the judiciary branches of government to be one in administering punishment on those who utilize violent means and sow terror against each Indonesian and his rights, thereby disturbing the peace and order of the country and the ideologies that make up the very essence of the secular republic.