

## AMNESTY INTERNATIONAL PUBLIC STATEMENT

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# INDONESIA: INTERFAITH TENSIONS SURFACE OVER CHURCH RENOVATIONS

Amnesty International Indonesia expresses deep concern on the recent tensions between faith-based groups in Karimun District, Riau Islands, over the proposed renovation of a local Catholic Church.

The Saint Joseph Catholic Church was built on 1928 and services around 700 worshippers. In Karimun District there are only 8 Catholic churches and 0.99% of the population are Catholics<sup>1</sup>. Recent plans of renovation has received a backlash from a different faith-based group which named itself United Muslim Forum (*Forum Umat Islam Bersatu, FUIB*)<sup>2</sup> and also the Karimun District Caring Alliance (*Aliansi Peduli Kabupaten Karimun, APKK*) that protested the renovations on the grounds that Karimun is a Muslim majority region. The local Muslims in the area proposed the district administration to relocate the church, turn it into a historical site or revoking the permit issued for the renovation.

The church had been granted the building permit (*Izin Mendirikan Bangunan, IMB*) to renovate by the local government on 2 October 2019.

On 25 October 2019, a group of people came to protest when the ceremony to start the construction was supposed to take place. Around 20 people yelled from outside the building and demanded to stop the renovation work. In order to prevent further tensions, the Head of Karimun District requested the Church to delay the ceremony and the renovations for three months, to which the church agreed. The next day, on Saturday 26 October 2019, during a church service, the protest continued and disrupted the church services. The protest was even attended by a member of the district parliament, who called for the Church renovation to be halted because it was a minority religion's house of worship.

The issuance of the permit to renovate the church is being challenged by a community group named Karimun District Caring Alliance (*Aliansi Peduli Kabupaten Karimun, APKK*) before the State Administrative Court (*Pengadilan Tata Usaha Negara, PTUN*) in Tanjung Pinang. The legal challenge is based on APKK's misunderstanding that the permit was for building a new structure rather than for renovating the church. In a meeting between APKK and representatives of the Ministry of Religion on 11 February 2020, the Government of Karimun District proposed the relocation of the Saint Joseph Church congregation and to convert the current Church as a cultural heritage. This proposal (supported by those who oppose the church renovations and the District Government) was made without consulting the Saint Joseph Church and the people who worship there. This proposal, made without even waiting for the Court's decision, highlights a failure by the District Government to protect the right to religious freedom and non-discrimination based on religious beliefs.

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<sup>1</sup> Indonesian Statistic Agency of Karimun District (BPS Kabupaten Karimun), *Kabupaten Karimun dalam Angka 2019 [Karimun District in Numbers 2019]*, 2019, p. 95

<sup>2</sup> United Muslim Forum (Forum Umat Islam Bersatu, FUIB) is an Islamic organization that exist in a number of regions in Indonesia, that has been previously known to engage in actions related to religion. These include reporting Sukmawati, daughter of Indonesia's first president, Sukarno and former Governor of West Kalimantan, Cornelis for blasphemy. They also organized an anti-Ahok (former Jakarta Governor convicted and imprisoned for blasphemy) rally in South Sulawesi

Presently, the construction has not resumed due to the abovementioned legal challenge against the permit. Amidst these tensions, Romesko Purba, a member of the church administrator, was reported to the police for his social media post that was deemed as offending Muslims. He was reported to the police by FUIB and APKK for blasphemy and hate speech.

The use of overly broad laws and regulations to violate the right to freedom of religion of religious minorities are very prevalent in Indonesia. Rejection against building permits already issued has also been used to target religious minorities before, with the ultimate effect of denying the right to freedom of religion and further marginalising religious minorities.

In order to protect the right for the people to practice their religions and beliefs, the authorities should proactively address religious discrimination and intolerance. Indonesia must take steps to ensure that religious minorities are protected and allowed to practice their faith free from fear, intimidation, harassment and attack, in accordance with international human rights law which Indonesia has an obligation to comply with. We urge the government to take adequate measures to guarantee the safety of people who practice their religion at the Saint Joseph Church, in accordance with its international obligation to respect, protect, promote and fulfil the right to freedom of thought, conscience and religion. This include for the authorities to conduct prompt, independent and impartial investigations into all reports of intimidation, harassment against members of the church congregations, and to cease all forms of intimidation through criminalization.

## Background

The regulation to establish house of worship is found in the Joint Ministerial Decree of the Minister of Religious Affairs and Home Affairs on the Construction of Houses of Worship One (2006) which has been criticised as being very restrictive as it imposed, among others, the obligation for a religious community to collect 60 signatures from the surrounding households, prove that the house of worship will serve 90 believers, and secure written recommendation from the district religious affairs office and local interfaith community. All of these are on top of the conditionalities attached to the issuance of a permit for any building. Human rights groups including Amnesty International have found the regulation as discriminatory against religious minorities, and a clear violation of the right of every person to practice their religion as they place too restrictive conditions that will be difficult to fulfil by minority religions.

Even when the restrictive conditions can be fulfilled, litigation may be used to deprive religious minorities' right to a place of worship. One of the most famous examples of this is the Yasmin Church case. Even when the Church won the case that contested the legality of its permit before the Supreme Court, the authorities in Bogor refused to comply with the ruling to re-open the church, citing fears that it would spark social unrest. Saint Joseph Church's demonstrates a more egregious breach of the right to freedom of religion, because the building itself already exists and people have been practicing their religion there since 1928.

The use of blasphemy articles to silence religious minorities has also been noted by Amnesty International reports. *Prosecuting Beliefs: Indonesia's Blasphemy Laws*, outlines how blasphemy laws constitute a violation of Indonesia's international obligations to respect and protect the right to freedom of thought, conscience and religion or belief, freedom of opinion and expression; equality before the law; and the prohibition of discrimination. Ahok and Meliana,<sup>3</sup> fell victim to the use of law to criminalize the expressions of individuals who belong to minority religions. The law is incompatible with international human rights law and fails to guarantee freedom of beliefs and religion as provided in Indonesia's Constitution Article 28E (2) and 29 (2) that supposedly guarantees that right.

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<sup>3</sup> See Amnesty International, *Indonesia: Blasphemy conviction demonstrates intolerance: Basuki Tjahaja Purnama (Ahok)*, (Index: ASA 21/6213/2017) and *Indonesia: 18 months in prison for mosque noise complaint: Meliana*, (Index: ASA 21/9007/2018).

As a state party to the International Covenant on Civil and Political Rights (ICCPR), Indonesia has the obligation to respect, protect, promote and fulfil the human rights guaranteed under the ICCPR. Specifically, Article 18 (3) of the ICCPR states that everyone shall have the right to practice and manifest the freedom of thought, conscience and religion. Protests against the renovation of the church jeopardize this right, where according to article 20 (2), state parties are under the obligation to enact laws to prohibit acts of advocacy of religious hatred directed at discrimination, hostility, or violence.

Amnesty International calls upon the authorities to ensure that the Saint Joseph Church will not be a recurrence of the human rights violations against religious minorities. We recall that the State is duty bound to protect freedom of religion of religious communities, and the existing hindrance of the renovation violates the right of Saint Joseph Church congregation to manifest their religion.