

URGENT ACTION

SHI'AS AT RISK OF FORCED RELOCATION

The authorities have threatened to relocate a Shi'a community by force, in March. The community are living in temporary shelter in East Java, in deteriorating conditions. The community had been displaced in August 2012 after a mob attacked their village.

Since 1 January the East Java provincial police have withdrawn the officers who had been protecting the community. The East Java and Sampang district authorities have, according to a credible local source, given the Shi'a followers until March to convert to Sunni Islam if they want to return to their homes. Otherwise, they will be forcibly relocated either to another part of the province or to somewhere outside Java island. The displaced community have rejected being relocated, preferring to return to their homes and livelihoods in safety.

An estimated 165 displaced people, including 48 children are still living in inadequate conditions at a sports complex in Sampang, East Java, more than four months after their village was attacked by a mob.

Conditions in their temporary shelter have continued to deteriorate. In late December, the local authorities halted food supplies and medical services to the displaced community. They had cut off food supplies on 22 November but resumed supply on 4 December. Some of the children in the shelter have fallen sick.

The Shi'a community, from Karang Gayam village in the Sampang district on Madura island, were displaced in August 2012 when an anti-Shi'a mob of around 500 people attacked the community with sharp weapons and stones. One person was killed and dozens were injured. The mob also set fire to 35 houses belonging to the Shi'a community. Five people have so far been charged for the attack.

Please write immediately in English, Indonesian or your own language:

- Calling on the authorities to ensure the displaced Shi'a community has immediate access to essential services such as food and health services;
- Urging them to guarantee the safe, voluntary and dignified return of the Shi'a community to their homes, according to their wishes, and help them to rebuild the homes that were damaged or destroyed;
- Urging them to investigate reports that the local and provincial authorities are coercing Shi'a followers to renounce their faith before they are allowed to return to their homes;
- Calling on them to ensure that all those involved in the attack on the Shi'a community are speedily brought to justice in proceedings which meet international standards of fairness, without the imposition of the death penalty, and that victims are provided reparations.

PLEASE SEND APPEALS BEFORE 26 FEBRUARY 2013 TO:

Minister of Justice and Human Rights

Amir Syamsuddin
Jl. H.R. Rasuna Said Kav No. 4-5
Kuningan, Jakarta Selatan 12950,
Indonesia
Fax: +62 21 525 3095

Salutation: Dear Minister

Head of Parliamentary Commission VIII

Dra. Ida Fauziyah
House of People's Representatives
Kompleks Gedung DPR
Jl. Gatot Subroto, Senayan, Jakarta,
10270, Indonesia
Email: set_komisi8@dpr.go.id
Fax: +62 21 571 5512

Salutation: Dear Dra. Ida Fauziyah

And copies to:

Chairperson

Otto Nur Abdullah
National Human Rights Commission
(Komnas HAM)
Jl Latuharhary, No.4 Menteng
Jakarta Pusat 10310, Indonesia
Fax: +62 21 39 25 227

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 336/12. Further information:

www.amnesty.org/en/library/info/asa21/043/2012

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ADDITIONAL INFORMATION

In May 2012, during its Universal Periodic Review at the Human Rights Council, the Indonesian government reaffirmed its commitment to ensuring the protection of freedom of religion and to address cases of religious intolerance. However religious minority groups in Indonesia, including Shi'a, Ahmadiyya and Christian communities, still face harassment, intimidation and attacks. Those who commit acts of violence against religious minorities are rarely punished and communities have been displaced by attacks.

In a similar case, in Lombok, East Nusa Tenggara province, an Ahmadiyya community have been living for six years in inadequate housing after their homes were attacked and burnt by a mob in February 2006. The authorities have failed to resolve their situation or bring those responsible to justice.

The Shi'a community on Madura island has been intimidated and attacked before. On 29 December 2011, a mob set fire to a place of worship, a boarding school and a number of homes in the vicinity. Police did not take adequate measures to protect the community and instead of intervening to stop the attack, some recorded it on their phones. Only one person was eventually charged and sentenced to three months' imprisonment for the attack.

In July 2012 Tajul Muluk, a religious leader from the East Java Shi'a community, was arrested and sentenced to two years' imprisonment for blasphemy under Article 156(a) of the Indonesian Criminal Code by the Sampang District Court, East Java. His arrest followed reports that on 1 January 2012, a religious decree (*fatwa*) had been issued by the Sampang branch of the Indonesia Ulema Council (MUI) related to what was described as Tajul Muluk's "deviant teachings". The East Java High Court increased his sentence to four years in September 2012 upon appeal. Amnesty International considers him a prisoner of conscience and is calling for his immediate and unconditional release.

The right to freedom of religion is guaranteed in the Indonesian Constitution. Article 18 of the International Covenant on Civil and Political Rights (ICCPR), to which Indonesia is a state party, states that "this right shall include freedom to have or to adopt a religion or belief of his choice" and that "no one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice".

As a state party to the International Covenant on Economic, Social and Cultural Rights (ICESCR), the government has an obligation to ensure the right of everyone to enjoy an adequate standard of living including adequate housing (Article 11.1) and the right to enjoy the highest attainable standard of physical and mental health (Article 12).

Name: At least 165 people from the Shi'a community
Gender m/f: both

Further information on UA: 336/12 Index: ASA 21/002/2013 Issue Date: 15 January 2013