

URGENT ACTION

SHI'A COMMUNITY FACE REMOVAL FROM SHELTER

The Shi'a community driven from their homes in East Java in August 2012 are now at risk of being forcibly removed from their temporary shelter. They have been denied clean drinking water and food supplies for almost two weeks.

According to local sources, the Sampang district head has agreed to demands from anti-Shi'a groups to evict the Shi'a community from their temporary shelter in a sports complex, and remove them from Madura island in East Java. The decision came after hundreds of people protested outside the office of the Sampang district House of Representatives on 7 May 2013. The Shi'a community have rejected offers from the local authorities to relocate them, saying they would prefer to return to their homes and livelihoods in safety.

The local authorities are preventing at least 168 Shi'a followers, including 51 children, from returning to their village nearly eight months after they were attacked and driven from their homes. They are still living in a temporary shelter without adequate access to basic amenities, including medical facilities. On 1 May 2013, the local authorities halted food and water supplies to the community.

The Shi'a community, from Karang Gayam village in the Sampang district on Madura island, were forced to flee their homes in August 2012 when an anti-Shi'a mob of around 500 people attacked the community with sharp weapons, including sickles, and stones, killing one person and injuring dozens. The mob also set fire to 35 houses belonging to the Shi'a community. Five people were sentenced to between eight months and four years' imprisonment in connection with the attack. A sixth person charged was acquitted.

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

- Calling on the authorities to halt immediately the threatened forced eviction of the Shi'a community from the sports complex where they are sheltering in Sampang, East Java;
- Urging them to ensure the displaced Shi'a community have immediate access to essential services such as food, clean drinking water 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 provide assistance to rebuild the homes that were damaged or destroyed; and
- 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 reparations are provided to the victims.

PLEASE SEND APPEALS BEFORE 25 JUNE 2013 TO:

Governor of East Java

Soekarwo
Jl. Pahlawan No. 110
Surabaya, East Java
Indonesia.
Fax: +62 31 355 7138
Email: kominfo@jatimprov.go.id

Salutation: Dear Governor

Head of Parliamentary Commission III on

Law, Security and Human Rights
Gede Pasek Suardika
House of People's Representatives
Kompleks Gedung DPR
Jl. Gatot Subroto, Senayan,
Jakarta, 10270, Indonesia
Email: set_komisi3@dpr.go.id
Fax: +62 21 571 5566

Salutation: Dear Gede Pasek Suardika

And copies to:

Director General for Human Rights
Harkristuti Harkrisnowo
Ministry of Law and Human Rights
Jl. H.R. Rasuna Said Kav No. 4-5
Kuningan, Jakarta Selatan 12950,
Indonesia
Fax: +62 21 525 3095

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date. This is the second update of UA 336/12. Further information: <http://www.amnesty.org/en/library/asset/ASA21/002/2013/en>

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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 addressing cases of religious intolerance. However, religious minority groups in Indonesia, including Shi'a, Ahmadiyya and Christian communities, are still facing harassment, intimidation and attacks. Those who commit acts of violence against religious minorities are rarely punished and attacks have forced some communities to flee their homes.

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

In July 2012, a religious leader from the East Java Shi'a community, Tajul Muluk, was sentenced to two years' imprisonment for blasphemy under Article 156(a) of the Indonesian Criminal Code by the Sampang District Court. 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.

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 168 people from the Shi'a community

Gender m/f: both

Further information on UA: 336/12 Index: ASA 21/0 Issue Date: 14 May 2013