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Indonesia: Implement recommendations by UN Special Rapporteur on Adequate Housing around forcible eviction of religious minorities

Amnesty International calls on the Indonesian authorities to implement the recommendations of the UN Special Rapporteur on Adequate Housing to guarantee that religious minorities who have been forcibly displaced are able to return safely to their homes and to ensure that the authorities take steps to protect religious minorities from forced evictions and violence.

In a report presented to the UN Human Rights Council on 10 March 2014, the UN Special Rapporteur on Adequate Housing highlighted her concerns about the “forced relocation of religious minorities, particularly Shi’a and Ahmadiyya communities, which were instigated by mobs and based on religious incitement”. The Special Rapporteur found during her visit in June 2013 that “homes, schools and places of worship have been burnt or destroyed in these attacks, forcing hundreds of families in different communities out of their homes into temporary shelters and accommodation without access to basic facilities, services and security”

The Special Rapporteur highlighted two specific cases in her report that Amnesty International has raised consistently with the Indonesian government. In both cases, the authorities have lacked the political will to seek a comprehensive solution for the communities affected or bring all the perpetrators involved to justice.

In Lombok, West Nusa Tenggara, about 130 people, including women and children, from the Ahmadiyya community have been living in a temporary shelter in Mataram for over eight years. On 4 February 2006 they were forced to flee their homes in Ketapang, West Lombok sub-district after mobs destroyed their houses, attacking the community because of their religious beliefs. No one involved in the attacks has been brought to justice.

The forcibly evicted families have been unable to return to their homes and rebuild their lives. Dozens of adults in the shelter do not have identity cards and have faced various obstacles in obtaining them from the local authorities because of their beliefs. An investigation by the Indonesian National Commission of Human Rights (Komnas HAM) in July 2013 found that their living conditions were inadequate and that the authorities have systematically neglected the community.

More recently, on 26 August 2012, at least 168 Shi'a followers from Sampang district in East Java were forcibly evicted after an anti-Shi'a mob attacked their village. Since then, the local authorities have prevented the community from returning to the village. They were first moved to a temporary shelter with minimal facilities at a sports complex in Sampang, where they lived for ten months. The community faced intimidation and harassment by local government officials to convert to Sunni Islam if they wanted to return to their homes. On 21 June 2013, the Sampang district authorities forcibly moved the community to a housing facility in Sidoarjo, East Java.

As a State Party, Indonesia has an obligation under Article 11 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) to protect and fulfil the right to adequate housing for all its people, including preventing forced evictions by third parties and providing victims with an effective remedy. The Indonesian authorities must also guarantee the safe, voluntary and dignified return of displaced minority religious communities to their homes or to permanent resettlement and adequate alternative housing elsewhere in the country, according to their wishes.

Attacks on religious minorities, in particularly the Ahmadiyya, have been fuelled by discriminatory laws and regulations at the national and local level, many legislated during President Susilo Bambang Yudhoyono's administration, including the Joint Ministerial Decree (No. 3/2008), issued in 2008 forbidding the Ahmadiyya from promoting their activities and spreading their religious teachings.

Amnesty International urges President Susilo Bambang Yudhoyono, in his last few months in office,

to implement the recommendations by the UN Special Rapporteur on Adequate Housing and to develop a concrete strategy to ensure that all religious minorities are protected and allowed to practice their faith free from fear, intimidation and attack. This should include the review and repeal of all laws and regulations that discriminate against or restrict the activities of religious minorities, and efforts to bring to justice all those involved in the intimidation, harassment and attacks them. By doing so, the President would highlight his commitment to religious tolerance and lay the groundwork for the new administration to better protect religious minorities in Indonesia.

The Report of the UN Special Rapporteur on Adequate Housing of her visit to Indonesia can be accessed via the following link:

http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session25/Documents/A-HRC-25-54-Add1_en.doc

Webcast of Amnesty International's oral statement to the UN Human Rights Council can be accessed via the following link:

<http://webtv.un.org/search/hcsg-thematic-reports-and-general-debate-contd-29th-meeting-25th-regular-session-of-human-rights-council/3339582064001?term=Amnesty%20International#>