

URGENT ACTION

SHI'A COMMUNITY AT RISK OF NEW FORCED EVICTION

At least 168 people from a Shi'a community in East Java are at risk of being forcibly removed again from their temporary shelter. The community was displaced in August 2012 after a mob attacked their village.

On 10 November, East Java province local government officials led by the Ministry of Religion and assisted by the police and military, attempted to forcibly move around **20 families of a Shi'a community** from their temporary shelter in Sidoarjo, East Java. They intended to place them in the Haji Sukolilo dormitory in Surabaya, which is used to temporarily house Muslims before their pilgrimage to Mecca. The Shi'a community and human rights groups believe that the move is a way to further pressure members of the community to convert to Sunni Islam, by restricting their movement and limiting their access to the outside world. The Shi'a followers object to the relocation, saying they would prefer to return safely to their homes and livelihoods with adequate state protection.

Nearly 15 months since they were attacked and displaced, at least 168 Shi'a followers from Sampang district in East Java have been prevented from returning to their village by the local authorities. They were first moved to temporary shelter at a sports complex in Sampang (with minimal facilities) where they lived for 10 months. On 21 June they were forcibly moved by the Sampang district authorities to a housing facility in Sidoarjo, East Java. The community had previously faced intimidation and harassment by local government officials to convert, at their temporary shelter in Sampang, if they wanted to return to their homes. The Shi'a community, originally 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 were sentenced to between eight months and four years' imprisonment in connection with the attack. A sixth accused person was acquitted.

Please write immediately in English, Indonesian or your own language calling on authorities in Indonesia:

- To immediately halt the threatened forced eviction of the Shi'a community in Sidoarjo, East Java;
- To guarantee the safe, voluntary and dignified return of the Shi'a community to their homes, according to their wishes, and to provide assistance so as to enable them to rebuild the homes that were damaged or destroyed;
- To investigate reports that central and local government officials are involved in the intimidation of Shi'a followers forcing them to renounce their faith;
- To ensure that all those involved in the attack against the Shi'a community are speedily brought to justice in proceedings which meet international standards of fairness and without the imposition of the death penalty and that victims are provided reparations.

PLEASE SEND APPEALS BEFORE 25 DECEMBER 2013 TO:

Governor of East Java

Soekarwo
Jl. Pahlawan No. 110,
Surabaya, East Java,
Indonesia.

Fax: +62 31 355 7138

Salutation: Dear Governor

Minister of Religion

Drs. H. Suryadharna Ali.
Jalan Lapangan Banteng Barat No. 3 – 4
Jakarta 10710, Indonesia
Fax: +62 21 3811436

Email: pinmas@kemenag.go.id

Salutation: Dear Minister

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 fourth update of UA 336/12. Further information:

<http://www.amnesty.org/en/library/info/ASA21/022/2013/en>

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SHI'A COMMUNITY FACE FURTHER FORCED EVICTION

ADDITIONAL INFORMATION

The Indonesian government has made numerous public commitments about the protection of freedom of religion in Indonesia and to address cases of religious intolerance. However, the authorities continue to retain laws and decrees which are incompatible with the right to freedom of religion and freedom of expression. Article 156(a) of the Criminal Code criminalizes blasphemy. This provision has been used to publically condemn members of minority faith and beliefs as being "deviant" and to criminalize these individuals. Further, a Joint Ministerial Decree (No. 3/2008) was issued in 2008 by the Minister of Religious Affairs, the Attorney General, and Minister of Home Affairs forbidding the Ahmadiyya from promoting their activities and spreading their religious teachings.

Over the past few years, religious minority groups in Indonesia, including Shi'a, Ahmadiyya and Christian communities have been at risk of harassment, intimidation and attacks by non state actors. Yet, those who commit acts of violence against them are rarely punished and some minority religious communities have been displaced for months - and in some cases years - following violent attacks.

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 to various homes in the vicinity. Police did not take adequate measures to protect the community and instead of intervening to stop the attack, some police officials 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. His arrest followed reports that on 1 January 2012, a religious decree (fatwa) was 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 to be a prisoner of conscience and calls for his immediate and unconditional release.

The right to freedom of religion is guaranteed in the Indonesian Constitution. Moreover, 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".

In July 2013 the UN Human Rights Committee, an independent body of experts tasked with reviewing the implementation of the ICCPR expressed concern about the failure of the authorities to protect religious minorities against violent attacks. It urged the Indonesian authorities to take adequate steps to protect them as well as to investigate and bring the perpetrators to justice.

As a state party to the International Covenant on Economic, Social and Cultural Rights (ICESCR), the government has also 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 21/036/2013 Issue Date: 13 November 2013