

KEY FINDINGS

In 2021, Indonesia's religious freedom conditions trended the same as in 2020. Despite ongoing rhetoric from national leaders—including President Joko Widodo (Jokowi)—promoting Indonesia's moderate version of Islam, there was minimal to no progress in addressing parts of the legal system that conflict with international standards of freedom of religion or belief. These include laws utilized to hinder faith communities' right to build and maintain houses of worship, such as the 2006 joint regulation on houses of worship, as well as blasphemy laws, such as Presidential Decree No. 1/PNPS/1965, Criminal Code Article 156(a), and Law No. 11/2008 on Electronic Information and Transaction (known as the ITE law) Articles 27(3) and 28(2).

Authorities actively enforced blasphemy laws, with a majority of charges and allegations stemming from perceived insults to Islam. Minister of Religious Affairs Cholil Qoumas [asked](#) the police "to equally" crack down on people from different religions who commit blasphemy. In May, Desak Made Darmawati, a professor in Jakarta, was [questioned](#) for blasphemy after making an online video declaring that Hinduism had many deities and Hindu cremation rituals were strange. In July, the Singaraja District Court in Bali [sentenced](#) a Danish citizen to two years imprisonment for blasphemy after he kicked a temple. In August, police [arrested](#) Muhammad Kece in Bali for blasphemy under the ITE law after he made a YouTube video that criticized the Islamic religious curriculum used in Indonesia and allegedly insulted the Prophet Muhammad. In August, police [arrested](#) preacher Yahya Waloni in East Jakarta for blasphemy and hate speech under the ITE law for a sermon stating the Bible was fiction and for statements on social media that Jesus was a failed prophet and that the Prophet Muhammad did not instruct people to pray.

Efforts continued to replace the existing Criminal Code, which dates to the Dutch colonial era. In 2019, a draft Criminal Code was introduced, infringing on the [rights](#) of religious minorities. The draft code also expanded the criminalization of blasphemy to include insulting a religious leader during a religious service, persuading someone to become an atheist, and defiling or unlawfully destroying houses of worship or religious artifacts. Following protests, the 2019 draft was [withdrawn](#) in September 2019, but revising the Criminal Code remained on the legislative agenda throughout 2020 and 2021. Reports from the nongovernmental organization (NGO) community continue to indicate that the government has failed to revise the problematic provisions in the 2019 draft that would violate international human rights standards, including religious freedom.

Throughout 2021, Islamist extremist attacks remained a threat to minority faith communities in certain regions. In March, a suicide bombing [occurred](#) outside a Catholic cathedral in Makassar, Sulawesi, injuring 21 parishioners and killing the two bombers. In June, suspects linked to the Islamic State in Iraq and Syria (ISIS) were arrested for targeting a Papuan bishop. In July, Indonesia security forces [killed](#) two suspected ISIS members in Sulawesi following the murder of Christian farmers. There is some [evidence](#) that regional Islamist organization Jemaah Islamiyah (JI) is attempting to evolve into a militant-political force to pursue its goal of an Islamic state in Southeast Asia through militancy. In November, Detachment 88, Indonesia's counterterrorism squad, [arrested](#) Farid Okbah, the head of the political party People's Da'wah Party, alleging the party was operating as a political cover for JI.

RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Include Indonesia on the U.S. Department of State's Special Watch List for engaging in or tolerating severe violations of religious freedom pursuant to the International Religious Freedom Act (IRFA);
- Work with the Indonesian government to revise the draft Criminal Code bill to comply with international human rights standards, including by removing criminal sanctions for blasphemy; to repeal or amend the existing blasphemy laws, including Indonesia's ITE law; and to release all individuals currently detained or imprisoned on blasphemy charges;
- Urge the Indonesian government to repeal or revise the 2006 Joint Regulation on houses of worship;
- Incorporate training on international human rights standards related to religious freedom—including concerns regarding enforcement of blasphemy laws—into U.S.-funded programs, such as the U.S. Agency for International Development's (USAID) Harmoni and MAJu projects, and work with the Ministry of Education to incorporate programming on tolerance and inclusivity into compulsory education courses on religion; and
- Urge the Indonesian government to use its relationships and upcoming leadership in regional organizations, particularly in the Association of Southeast Asian Nations (ASEAN) and ASEAN's Intergovernmental Commission on Human Rights, to publicly advocate for religious tolerance, plurality, and inclusion throughout the region.

The U.S. Congress should:

- Raise Indonesia's ongoing religious freedom issues through hearings, meetings, letters, congressional delegation trips abroad, or other actions.

KEY USCIRF RESOURCES & ACTIVITIES

- **Podcast:** [Indonesia's State Ideology of Pancasila](#)
- **Event:** [USCIRF Conversation: Democracy and Religious Freedom](#)
- **Podcast:** [Enforcing Blasphemy Laws Have Dire Consequences](#)

Background

Indonesia is the world's most populous Muslim-majority country. Muslims comprise 87.2 percent of Indonesia's 267 million citizens, while Protestant Christians comprise seven percent, Roman Catholics 2.9 percent, and Hindus 1.7 percent; 0.9 percent identify as adhering to another minority religion such as Buddhism or Confucianism.

In light of this diversity, Indonesia has a long tradition of religious pluralism. Article 29 of its constitution "guarantees the independence of each resident to embrace religion and worship according to their respective religions and beliefs." The government has long promoted Pancasila, an ideology that comprises five principles: monotheism (broadly defined as any religion with a supreme deity, holy figure, scripture, and established rituals), civilized humanity, national unity, deliberative democracy, and social justice. However, in recent years, the country has experienced a simultaneous increase in religious intolerance and a democratic backsliding. In the last two decades, more than 700 Shari'a-inspired [regulations](#) have been put in place across the 34 provinces of Indonesia.

The government requires all citizens to list their religious affiliation on their identification cards—a practice that has historically forced nonbelievers and members of unrecognized religious minorities to misrepresent their faith or leave the field blank. This omission can impact access to licenses and permits, education, and government jobs.

Shari'a in Aceh

The autonomous province of Aceh remains a site of significant religious freedom violations. Religious police enforce a strict interpretation of Shari'a that includes and administers corporal punishment. Muslims have no ability to opt out of this official interpretation, and their behavior is heavily regulated within its framework. In July, a woman was [caned](#) for being "too close" to her boyfriend. Women are also prevented from straddling motorbikes and are forced to wear hijabs. Religious minorities are not exempt from the Shari'a criminal system. In February, two Christians were publicly [flogged](#) for drinking and gambling.

The 2006 Joint Regulation on Houses of Worship

The 2006 joint regulation on houses of worship continued to prevent the construction and renovation of faith centers, especially for minority communities. In March, the Ministry of Religion [explored](#) the idea to update the regulation, but at the end of the calendar year no changes had been applied.

Throughout 2021, the application of the regulation continued to restrict minority faith communities' ability to maintain houses of worship and emboldened violence and harassment against them. In June in Ponorogo, East Java, residents [appealed](#) against the plans for a new church. In July, residents protested in Banyuwangi [against](#) the construction of a Muhammadiyah mosque, attempting to use the joint regulation to prevent the faith center. In West Java, Bogor, the [ongoing dispute](#) over the construction of the Yasmin church continued without resolution.

In September in Balai Harapan, West Kalimantan, 10 people were [arrested](#) for attacking an Ahmadiyah Muslim mosque and burning

a nearby building. In January 2022, just after the reporting period, these men were [sentenced](#) to four months, 15 days imprisonment in what local activists decried as a lenient sentence for the attack on the house of worship.

In December, Jakarta governor Anies Baswedan [granted](#) permission to a Catholic community to build a church in Kampung Duri, noting the need for all faith communities to have the impartial opportunity to obtain building permits.

Promotion of State Interpretation of Islam and Religious Tolerance

The government of President Jokowi has emphasized tolerance, Indonesia's moderate form of Islam, and mutual respect for faith communities, including through the promotion of its favored interpretation of Islam and the revamping of Pancasila. Minister Qoumas [continued](#) to advocate for tolerance and mutual respect. In September, he [condemned](#) mob attacks on an Ahmadiyah mosque in Sintag, West Kalimantan. Minister Qoumas has consistently spoken of the need to protect the rights of all citizens, regardless of their faith identity. In 2021, there were also displays of intercommunal harmony as Indonesian Muslims and Hindus [celebrated](#) religious holidays in the same month, and Christian communities in [Bali](#) went silent in celebration of the Hindu Day of Silence. However, these efforts to promote tolerance exclusively among officially recognized religions have not resulted in greater religious freedom or expanded recognition of other religious minorities.

Mandatory Religious Attire in Schools

Ongoing struggles over what women and girls can wear have led schools to enact over 60 mandatory religious attire [regulations](#) since 2001. In May, the Supreme Court [revoked](#) a ban on mandatory religious attire in state schools, despite outcry after a Christian girl was [forced](#) to wear the hijab in school. [Reportedly](#), women have also been denied access to government services because of their decision not to wear the hijab.

Key U.S. Policy

The United States and Indonesia recently [celebrated](#) 70 years of bilateral relations. On November 1, [President Joseph R. Biden](#) met with President Jokowi, and on December 13 [Secretary of State Antony J. Blinken](#) traveled to Indonesia and also met with President Jokowi. The United States continued to engage on several initiatives and commitments, such as combating climate change and maintaining a free and open Indo-Pacific region.

Throughout 2021, the USAID-funded Harmoni program continued to support the Ministry of Social Affairs and local organizations. Harmoni funding was applied to strengthen Inter-Religious Harmony Forums; counter extremist narratives through community, university, and school-based campaigns; and rehabilitate women and children returning from conflict zones in the Middle East and Philippines. The United States also maintains exchange programs such as the International Visitor Leadership Program to host Indonesian leaders in the United States.