

URGENT ACTION

MINORITY RELIGIOUS LEADERS CONVICTED OF BLASPHEMY

Three followers of the 'Millah Abraham' religious belief have been convicted of blasphemy and sentenced to between three and five years' imprisonment. They have all been convicted for peacefully manifesting their right to freedom of thought, conscience and religion, and must be immediately and unconditionally released.

Ahmad Mushaddeq, Mahful Muis Tumanurung, and Andry Cahya were convicted for blasphemy by the East Jakarta District Court on 7 March 2017. They were first arrested and detained on 25 May 2016 and were later charged with blasphemy under Article 156(a) of the Criminal Code, and with "rebellion (*makar*)" under Articles 107 and 110 of the Code. All were acquitted of the "rebellion" charges by the court.

The three individuals are all leaders of, the now disbanded, Fajar Nusantara Movement (Gafatar) adhering to 'Millah Abraham' religious belief that was considered by the Indonesian authorities of being 'heretic' because it intermixes the religious teachings of Islam, Christianity and Judaism.

In addition to Article 18 of the International Convention on Civil and Political Rights (ICCPR), to which Indonesia is a state party, the right to freedom of religion and belief is guaranteed in Articles 28E and 28I of the Indonesian Constitution. Nevertheless, the blasphemy provisions in Articles 156 and 156(a) of the Criminal Code criminalize "any person who in public deliberately expresses his/her feelings or engages in actions that in principle is hostile and considered as abuse or defamation of a religion embraced in Indonesia".

Ahmad Mushaddeq and Mahful Muis Tumanurung were sentenced to five years in prison, while Andry Cahya was sentenced to three years in prison.

Please write immediately in Bahasa Indonesia, English or your own language urging authorities to:

- Immediately and unconditionally release Ahmad Mushaddeq, Andry Cahya and Mahful Muis Tumanurung as they have been imprisoned solely for peacefully exercising their human right to freedom of religion;
- Repeal Articles 156 and 156(a) of the Indonesia's Criminal Code and all other provisions set out in laws and regulations which impose restrictions, beyond those permitted under international human rights law, on the right to freedom of expression and thought, conscience and religion.

PLEASE SEND APPEALS BEFORE 21 APRIL 2017 TO:

Minister of Law and Human Rights

Mr. Yasonna Laoly
Ministry of Law and Human Rights
Jl. HR Rasuna Said Kav. 6-7, Kuningan
Jakarta Selatan, Indonesia 12940
Twitter: @Kemenkumham_RI
Fax: +62 (0)21 525 3004
Email: rohumas@kemenkumham.go.id
Salutation: **Dear Minister**

Head of Presidential Staff Office (KSP)

Mr. Teten Masduki
Gedung Bina Graha
Jl. Veteran No. 16
Jakarta Pusat, Indonesia 10110
Twitter: @KSPgoid
Fax: +62 (0)21 345 0009
Email: webmaster@ksp.go.id
Salutation: **Dear Mr**

And copies to:

Chairperson of the National Human Rights Commission (Komnas HAM)
Mr. Imdadun Rahmat
Jl. Latuharhary No.4, Menteng
Jakarta Pusat, Indonesia 10310
Twitter: @komnasham
Fax: +62 (0)21 392 5227
Email: pengaduan@komnasham.go.id

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY DR RIZAL SUKMA, Embassy of the Republic of Indonesia, 38 Grosvenor Square W1K 2HW, 02074997661, Fax 02074914993, kbri@btconnect.com, www.indonesianembassy.org.uk, Salutation: Your Excellency

Please check with your section office if sending appeals after the above date. This is the first update of UA 131/16. Further information: <https://www.amnesty.org/en/documents/asa21/4135/2016/en/>

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ADDITIONAL INFORMATION

The Fajar Nusantara Movement (Gafatar) religious organization was founded in January 2012 with branches in 14 provinces. However, the organization was disbanded by its members in August 2015 after they were not able to get a registration permit from the Ministry of Home Affairs. On 29 February 2016, a Joint Ministerial Decree (No. 93/2016) was issued by the Minister of Religious Affairs, the Attorney General and the Minister of Home Affairs forbidding the 'Millah Abraham' religious belief, adhered to by former members of Gafatar.

Followers of the 'Millah Abraham' and former members of the Gafatar community have previously faced attacks and imprisonment solely because of their religious beliefs. In January 2016 a mob attacked and set alight nine houses belonging to members of the community in Mempawah District, West Kalimantan. After the attacks at least 2,000 members of the community were forcibly moved by the local security forces to temporary shelters in Kubu Raya District and Pontianak City, West Kalimantan, and then transferred to several locations on Java Island without prior consultation. In April 2008 al-Qiyadah leader, Ahmad Mushaddeq, was found guilty under Article 156(a) of the Indonesian Criminal Code and sentenced to four years' imprisonment by the South Jakarta District Court for leading a "heretical sect" and claiming to be a prophet. In June 2008 the Makassar District Court in South Sulawesi convicted 21 members of al-Qiyadah for blasphemy under Article 156(a) of the Criminal Code. In June 2015, six members of the Gafatar community in Aceh Province were convicted for insulting religion under Article 156 of the Criminal Code and sentenced to four years' imprisonment by the Banda Aceh District Court

Article 18 of the International Convention 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 [or her] choice" and that "no one shall be subject to coercion which would impair his [or her] freedom to have or to adopt a religion or belief of his [or her] choice".

Amnesty International has previously called on the Indonesian authorities to repeal all provisions set out in laws and regulations which impose restrictions on the right to freedom of expression and thought, conscience and religion which go beyond those permitted under international human rights law, or amend such provisions to bring them into compliance with Indonesia's international human rights obligations.

Further information on UA: 131/16 Index: ASA 21/5851/2017 Issue Date: 10 March 2017