

URGENT ACTION

SHI'A COMMUNITY EVICTED FROM SHELTER

A Shi'a community in Indonesia have been forcibly evicted from their temporary shelter and have been relocated to an area at least four hours drive from their homes.

At least 160 Shia followers were forcibly evicted from their temporary shelter at a sports complex in Sampang, Madura Island on 20 June by the Sampang district police and local authorities. They were loaded onto buses and police trucks and have reportedly been taken to a refugee facility in Sidoarjo, East Java, around four hours by road. They are uncertain how long they will be placed there or what kind of support and protection they will receive from the authorities.

The eviction took place after around 1,000 people, including religious leaders and students who were taking part in a religious event nearby, organized a mass protest outside the sports complex demanding that the Shi'a community leave the area. The Shi'a community had been facing intimidation and pressure from local authorities to relocate but rejected this, hoping they would be able to safely return to their homes and livelihoods.

This is the second time the community have been forcibly evicted in less than a year. In August 2012, the community were evicted from their homes in Karang Gayam village in Sampang district on Madura Island, after an anti-Shi'a mob attacked their village. Since then they had been living in the temporary shelter in Sampang and have been prevented from returning to their village by the local authorities.

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

- Urging the authorities to ensure the Shi'a community have immediate access to adequate housing and essential services such as food, clean drinking water and health services;
- Urging them to provide the affected community with complete information and engage in genuine consultation with them on the terms and period of their current relocation to Sidoarjo;
- Urging them to guarantee the rights of all those forcibly evicted to an effective remedy, including access to justice and the right to reparation including guarantees of safe, voluntary and dignified return of the Shi'a community to their homes, compensation for the harm suffered including damage and destruction of their homes, and guarantees of non-repetition; and
- Urging them to ensure that all religious minorities are protected and allowed to practise their faith free from fear, intimidation and attack.

PLEASE SEND APPEALS BEFORE 02 AUGUST 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

Co-ordinating Minister of Politics, Law
and Security

Djoko Suyanto

Jl. Merdeka Barat No.15

Jakarta Pusat

10110

Indonesia

Fax: +62 21 345 0918

Salutation: Dear Minister

And copies to:

Presidential Advisor

Dr. Albert Hasibuan

Jl. Veteran III

Jakarta

10110

Indonesia

Fax: +62 21 386 8240

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 third update of UA 336/12. Further information: <http://amnesty.org/en/library/info/ASA21/014/2013/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 addressing cases of religious intolerance. However, religious minority groups in Indonesia, including Shi'a, Ahmadiyya and Christian communities, continue to face 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. Following the August 2012 attack on 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.

In January 2013 the East Java and Sampang district authorities told the community that they would have to convert to Sunni Islam if they wanted to return to their homes. If they did not they would be forcibly relocated either to another part of the province or to somewhere outside Java island. In early May 2013, the authorities halted clean drinking water and food supplies to the displaced community.

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 on appeal. He is 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: Shi'a community

Gender m/f: both

Further information on UA: 336/16 ASA 21/022/2013 Issue Date: 21 June 2013