

# AMNESTY INTERNATIONAL INDONESIA

## PUBLIC STATEMENT

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### Indonesia: Arrest of 51 people fuels hostile environment for LGBTI people

The arrest of 51 people, including seven foreign nationals, in a Central Jakarta sauna on 6 October 2017 is a symptom of the increasingly hostile environment faced by LGBTI people in Indonesia. Most of the customers of the sauna were released the following day, while five of the employees are still being detained by the police. The police charged six people with providing pornography and prostitution services.

The police raided a sauna in Jakarta at 8pm on 6 October and arrested 51 people for taking part in an alleged gay sex party. After releasing most of those arrested the following day, the police charged six people, five employees of the sauna as well as the owner - who has not been detained - with pornography and prostitution act. These charges are under Articles 4 and 30 of the 2008 Pornography Law and Article 296 of the Criminal Code related to prostitution.

The Pornography Law defines 'pornography' broadly, encompassing material that "contravenes norms of community morality", and provides a punishment of between four and 15 years imprisonment for those who produce, provide services, disseminate, fund or use such material. Ambiguously worded laws on pornography are often exploited to deliberately target LGBTI people, denying them the basic right to privacy and the right to enter into consensual relationships.

With the exception in Aceh province, homosexuality is not illegal under the national Indonesian law. In Aceh province, which applies Islamic Criminal Code (*Qanun Jinayat*), two men were caned 83 times in May 2017 after being detained for two months. This is the first time gay men have been caned under *Qanun Jinayat's* provisions on *liwat* in the province. However in May, 141 men in Jakarta were arrested after attending what police described as a 'gay sex party'. There have been at least three raids as that have targeted LGBTI people in Indonesia this year.

Amnesty International is also concerned about the increasing discrimination against LGBTI people fueled by a series of reckless, inflammatory and inaccurate statements and restrictions from officials under the guise of 'defending public morality' over the past two years. In February 2016, police disbanded a workshop organized by a leading LGBTI NGO in Jakarta and prevented a pro-LGBTI rally from taking place in Yogyakarta. In the same month, the Indonesian Broadcasting Commission issued a letter calling for a ban on any television or radio broadcasts promoting LGBTI activities, to "protect the children". Also in February, amid increasing anti-LGBTI rhetoric, the Islamic school for transgender people, Al Fatah in Yogyakarta, was forced to close following intimidation and threats by the Islamic Jihadist Front.

Amnesty International urges the Indonesian authorities to end discriminatory practice against the LGBTI people. In September 2017, during the Universal Periodic Review of Indonesia at the UN Human Rights Council, the government accepted the recommendations to "ensure that existing legal and constitutional provisions protecting human rights, repeal discriminatory local by-law contrary to the Constitution of Indonesia, and prioritize progress on equality and non-discriminatory, including in relation to lesbian, gay bisexual and transgender persons". Following this positive step, the Indonesian government should ensure protection for LGBTI people and create a safer and more inclusive environment for them.