



Australian Government
Refugee Review Tribunal

Country Advice

Indonesia

Indonesia – IDN38636 – Buddhist –
Chinese – Denpasar
20 May 2011

1. What is the position of Chinese Buddhists in Denpasar? Have there been any recent reports of Chinese women being raped or burning and looting of Chinese homes? If so, when?

No information was located on the situation of Chinese Buddhists in Denpasar. More broadly, country-wide reports indicate that conditions have improved markedly for Chinese-Indonesians since the 1998 violence, although some discrimination and low-level violence continues.

Since the 1998 attacks, there has been no significant anti-Chinese violence. There have, however been a few isolated incidents although none in Denpasar.¹ In February 2010, the Islamic Defenders Front attacked Chinese dancers in Pontianak, Borneo.² No information was located to suggest that anyone was seriously injured.³ In October 2010, local Muslim groups in North Sumatra forced the removal of a Buddhist statue that had been approved by local authorities.⁴ Overall, however, there have been very few reported attacks on the Chinese community. In 2006, the Immigration and Refugee Board (IRB) of Canada reported there was a complete absence of attacks between 2004 and 2006. Drawing on information provided in *The Encyclopedia of Diasporas*, the IRB noted that “[s]ince the end of the repressive Soeharto regime, aside from localized incidents, the ethnic Chinese have been left more or less alone”.⁵

The Government’s reforms have significantly improved the situation of Indonesia’s ethnic Chinese community. As Minority Rights International noted in 2008, “the government of Indonesia has abolished many of the laws which previously restricted the use of Chinese languages and other discriminatory laws”.⁶ This includes the “cancellation in 2005 of the Indonesian Citizenship Certificate (SBKRI) decree, under which ethnic Chinese were given a special code in their ID which identified them as Chinese and gave the bureaucracy the

¹ Purdey, J. 2009, “A common destiny. Challenges remain for Chinese Indonesians 10 years after reformasi”, *Inside Indonesia*, March <http://www.insideindonesia.org/index.php/component/content/1168?task=view> – Accessed 5 May 2010 – Attachment 1

² “Indonesia: Islamist Group Attacks Chinese Dragon Dancers in West Kalimantan” 2010, *Banjarmasin Post Online* (in Indonesian) February <http://www.banjarmasinpost.co.id> – Accessed 20 May 2011 – Attachment 2

³ “Indonesia: Islamist Group Attacks Chinese Dragon Dancers in West Kalimantan” 2010, *Banjarmasin Post Online* (in Indonesian) February <http://www.banjarmasinpost.co.id> – Accessed 20 May 2011 – Attachment 2

⁴ “Buddhist statue draws Islamists’ ire” 2010, *Jakarta Globe*, 22 October <http://www.thejakartaglobe.com/news/buddhist-statue-draws-islamists-ire/402844> – Accessed 19 May 2011 – Attachment 3

⁵ Immigration and Refugee Board of Canada 2006, *Indonesia: Reports of attacks against ethnic Chinese, Christians and non-Christians alike; state protection available (2004 - 2006)*, 28 March <http://www.unhcr.org/refworld/docid/45f147482f.html> – Accessed 18 February 2011 – Attachment 4

⁶ Minority Rights Group International 2008, *World Directory of Minorities and Indigenous Peoples - Indonesia : Chinese* <http://www.unhcr.org/refworld/docid/49749d0e2d.html> – Accessed 18 February 2011 – Attachment 5. For further information on the religious practice and experience in Indonesia, see for example, United States Department of State 2010, *2010 Report on International Religious Freedom - Indonesia*, 17 November <http://www.unhcr.org/refworld/docid/4cf2d09264.html> – Accessed 18 February 2011 – Attachment 6

opportunity to discriminate against them”.⁷ In 2008, the Indonesian Assembly bolstered anti-discrimination laws by legislating a minimum jail term for discriminatory acts.⁸ As a result of the reforms, the representation of Chinese Indonesians in public office has greatly increased; Chinese-Indonesians have been encouraged to apply to join the police force; and Chinese holidays are no longer banned – indeed Chinese New Year is now a national holiday.⁹ According to a March 2007 report commissioned by the UN’s High Commissioner for Refugees:

[S]ince 1999, Indonesia’s ethnic-Chinese minority has enjoyed unprecedented gains in terms of its emancipation from previous forms of discrimination, harassment, and persecution. Restrictions on the public use of Chinese characters, on the public display of Chinese culture, on Chinese-language education, and on Chinese forms of religious worship were eliminated. Confucianism was accorded official state recognition, and the Chinese New Year was made into a public holiday. Direct participation in politics by ethnic-Chinese Indonesians became possible and attracted the energies of many members of this small but disproportionately wealthy and well-educated community. The turn of the twentyfirst century saw the proliferation of new associations, NGOs, and political parties founded and led by ethnic-Chinese Indonesians. The establishment of competitive elections as the mechanism for gaining control over local and national state office, moreover, increased the leverage of private businessmen – including those of Chinese descent – vis-à-vis politicians, civil servants, military and police officers. In both formal and informal terms, in politics and society, the position of the ethnic-Chinese minority has thus been considerably improved.¹⁰

In spite of these improvements, some discriminatory laws and practices remain.¹¹ In April 2011, the US Department of State reported that “public servants still discriminated against [ethnic Chinese] when issuing marriage licenses and in other services and often demanded bribes for a citizenship certificate, although such certificates were no longer legally required”.¹² The report adds that a “number of articles of law, regulation, or decree discriminated against ethnic Chinese citizens” but does not provide further detail.¹³ A study by the Indonesian Foundation for Legal Studies in late 2008 found that 107 out of 114 Chinese-Indonesians surveyed still presented their citizenship certificate when applying for identity cards, passports and other official documents, although this is not required.¹⁴ More broadly, Chinese-Buddhist and other religious minorities

⁷ Minority Rights Group International 2008, *World Directory of Minorities and Indigenous Peoples - Indonesia : Chinese* <http://www.unhcr.org/refworld/docid/49749d0e2d.html> – Accessed 18 February 2011 – Attachment 5.

⁸ “Bill against racial discrimination passed” 2008, *The Jakarta Post*, 29 October <http://www.thejakartapost.com/news/2008/10/29/bill-against-racial-discrimination-passed.html> – Accessed 3 November 2008 – Attachment 7

⁹ Sidel, J.T. 2007, “Indonesia: Minorities, Migrant Workers, Refugees, and the new citizenship law”, March <http://www.unhcr.org/home/RSDCOI/461b52df4.pdf> – Accessed 19 May 2011 – Attachment 8

¹⁰ Sidel, J.T. 2007, “Indonesia: Minorities, Migrant Workers, Refugees, and the new citizenship law”, March <http://www.unhcr.org/home/RSDCOI/461b52df4.pdf> – Accessed 19 May 2011 – Attachment 8

¹¹ “Law failing to protect religious freedom and pluralism, forum told” 2010, *Jakarta Globe*, 13 October <http://www.thejakartaglobe.com/home/law-failing-to-protect-religious-freedom-and-pluralism-forum-told/401252> – Accessed 19 May 2011 – Attachment 9

¹² US Department of State 2011, “2010 Human Rights Report: Indonesia” 8 April <http://www.state.gov/g/drl/rls/hrrpt/2010/eap/154385.htm> – Accessed 16 May 2011 – Attachment 10

¹² Purdey, J. 2009, “A common destiny. Challenges remain for Chinese Indonesians 10 years after reformasi”, *Inside Indonesia*, March <http://www.insideindonesia.org/index.php/component/content/1168?task=view> – Accessed 5 May 2010 – Attachment 1

¹³ US Department of State 2011, “2010 Human Rights Report: Indonesia” 8 April <http://www.state.gov/g/drl/rls/hrrpt/2010/eap/154385.htm> – Accessed 16 May 2011 – Attachment 10

¹⁴ “Ethnic Chinese still face hurdles to get ID cards: Survey” 2008, *Jakarta Post*, 15 December <http://www.thejakartapost.com/news/2008/12/15/ethnic-chinese-still-face-hurdles-get-id-cards-survey.html> – Accessed 19 May 2011 – Attachment 11

may be disadvantaged by the 2006 Joint Ministerial Decree on Houses of Worship, which requires the consent of the surrounding community for building churches, temples and mosques.¹⁵ According to Human Rights Watch “[s]everal minority congregations alleged that local government officials arbitrarily refused to issue them permits required by law to build a “house of worship” and “[t]hose who attempted to worship without a permit faced harassment and violence”.¹⁶

2. Is there any indication that the 1998 riots could re-occur?

Reports indicate that the Chinese-Indonesian community remains concerned that violence similar to the 1998 riots could re-occur, given ongoing violent targeting of religious minorities and the Government’s failure to punish perpetrators of the 1998 attacks.¹⁷ A 2011 survey by the Chinese Indonesian Association of over 1000 Chinese-Indonesians found that 80 per cent feared that the 1998 riots could occur again because of poor protection of minorities.¹⁸ Despite these concerns, no advice was located that indicates a large-scale attack on Indonesia’s Chinese community is imminent. As discussed above, no evidence was found of systematic violent targeting of the Chinese community since the 1998 attacks. However, violent attacks on minorities do occur and according to reports, religious intolerance and violence is an increasing problem in Indonesia.

Extensive reporting from the past two years indicates that religious intolerance is a growing problem in Indonesia.¹⁹ In February 2011, about 1500 people attacked members of the Muslim Ahmadiyah sect, killing three people.²⁰ Also in February, locals burnt three Christian churches in Java and attacked a priest.²¹ In the same month, locals in East Java attacked a Shia religious school, injuring six students.²² In discussion of these attacks, Minority Rights International said “[t]hese most recent attacks are appalling and unfortunately don’t stand alone”. Rather, “[t]hey

¹⁵ “Law failing to protect religious freedom and pluralism, forum told” 2010, Jakarta Globe, 13 October <http://www.thejakartaglobe.com/home/law-failing-to-protect-religious-freedom-and-pluralism-forum-told/401252> – Accessed 19 May 2011 – Attachment 9; “2010 Review: Wave of religious intolerance intensifies” 2010, Jakarta Globe, 30 December <http://www.thejakartaglobe.com/news/2010-review-wave-of-religious-intolerance-intensifies/414418> – Accessed 19 May 2011 – Attachment 12

¹⁶ Human Rights Watch 2011, *World Report 2011*, 24 January <http://www.hrw.org/en/world-report-2011/indonesia> – Accessed 19 May 2011 – Attachment 13

¹⁷ Purdey, J. 2009, “A common destiny. Challenges remain for Chinese Indonesians 10 years after reformasi”, *Inside Indonesia*, March <http://www.insideindonesia.org/index.php/component/content/1168?task=view> – Accessed 5 May 2010 – Attachment 1

¹⁸ Osman, N. 2011 “Repeat Of May 1998 Violence a Likelihood, Poll Claims”, Jakarta Globe, 11 May <http://www.thejakartaglobe.com/home/repeat-of-may-1998-violence-a-likelihood-poll-claims/440542> – Accessed 19 May 2011 – Attachment 14

¹⁹ See media compilation by Khan, L.M. 2011, “Religious intolerance in Indonesia print media: January- February 2011” <http://renaissancedelislam.files.wordpress.com/2011/05/religious-intolerance-in-indonesia-print-media.pdf> – Accessed 19 May 2011 – Attachment 15; Kusmiran, T. 2010, “Temple and mosque: silent witnesses of religious tolerance in Indonesia” 19 October <http://www.commongroundnews.org/article.php?id=28661&lan=en&sid=1&sp=0&isNew=1> – Accessed 19 May 2011 – Attachment 16; International Crisis Group 2010, “Indonesia: “Christianisation” and Intolerance” 24 November [http://www.reliefweb.int/rw/rwb.nsf/db900sid/JALR-8BHGQE/\\$File/full_report.pdf?bcsi_scan_A4C9E8056B19D97F=e2KxVrweHx2uSNGM9PuXOpmuGwAHAAAAcf6Fw==&bcsi_scan_filename=full_report.pdf](http://www.reliefweb.int/rw/rwb.nsf/db900sid/JALR-8BHGQE/$File/full_report.pdf?bcsi_scan_A4C9E8056B19D97F=e2KxVrweHx2uSNGM9PuXOpmuGwAHAAAAAcf6Fw==&bcsi_scan_filename=full_report.pdf) – Accessed 19 May 2011 – Attachment 17

²⁰ Minority Rights Group 2011 “MRG condemns attacks on religious minorities in Indonesia” 10 February <http://www.minorityrights.org/10524/minorities-in-the-news/mrg-condemns-attacks-on-religious-minorities-in-indonesia.html> – Accessed 19 May 2011 – Attachment 18

²¹ Minority Rights Group 2011 “MRG condemns attacks on religious minorities in Indonesia” 10 February <http://www.minorityrights.org/10524/minorities-in-the-news/mrg-condemns-attacks-on-religious-minorities-in-indonesia.html> – Accessed 19 May 2011 – Attachment 18

²² “Religious Violence in Indonesia” 2011, *VOA News*, 23 February <http://www.voanews.com/policy/editorials/Religious-Violence-In-Indonesia-116753624.html> – Accessed 19 May 2011 – Attachment 19

come amidst reports of rising extremism and intolerance in Indonesia, trends that pose a serious threat to minorities”.²³ In 2010, several Indonesian civil society organisations separately released research demonstrating a significant increase in the number of religiously motivated attacks against minority religious groups.²⁴ According to the International Crisis Group (ICG), “[c]redible public opinion surveys indicate that religious tolerance in Indonesia is slowly decreasing, as measured by the unwillingness of Muslims to have churches built in their neighbourhoods or their children taught by non-Muslim teachers”.²⁵ A December 2010 article in the *Jakarta Globe* elaborated saying:

The Setara Institute for Peace and Democracy recorded 28 attacks and violations of Christians’ right to worship in the first seven months of the year alone, up from 18 in all of 2009 and 17 in 2008.

In a separate report, the Wahid Institute said it had recorded 196 cases of violence based on intolerance and religious discrimination in 2010, an increase of almost 50 percent from a year earlier. The Moderate Muslim Society, on the other hand, says Indonesia saw at least 81 cases of interreligious conflict in 2010 — an increase of more than 30 percent from 2009.

...
A survey released in September by the Center for the Study of Islam and Society found that among 1,200 adult Muslim men and women surveyed nationwide, 57.8 percent said they were against the construction of churches and other non-Muslim places of worship – the highest rate the study center has recorded since 2001. More than a quarter, 27.6 percent, said they minded if non-Muslims taught their children, up from 21.4 percent in 2008.²⁶

Although there is little indication that the Indonesia Government is actively fermenting this hostility, critics claim that its failure to adequately respond thereby creating a permissive environment. In 2011, the ICG wrote, “[t]he Indonesian government needs a strategy to address growing religious intolerance, because without one, mob rule prevails”.²⁷ According to the ICG, “[l]ocal officials address each incident only when it gets out of hand and usually by capitulating to whoever makes the most noise”.²⁸ In an April 2011 article, Human Rights Watch reported that

²³ Minority Rights Group 2011 “MRG condemns attacks on religious minorities in Indonesia” 10 February <http://www.minorityrights.org/10524/minorities-in-the-news/mrg-condemns-attacks-on-religious-minorities-in-indonesia.html> – Accessed 19 May 2011 – Attachment 18

²⁴ “2010 Review: Wave of religious intolerance intensifies” 2010, *Jakarta Globe*, 30 December <http://www.thejakartaglobe.com/news/2010-review-wave-of-religious-intolerance-intensifies/414418> – Accessed 19 May 2011 – Attachment 12

²⁵ International Crisis Group 2010, “Indonesia: “Christianisation” and Intolerance” 24 November [http://www.reliefweb.int/rw/rwb.nsf/db900sid/JALR-8BHGQE/\\$File/full_report.pdf?bcsi_scan_A4C9E8056B19D97F=e2KxVrweHx2uSNGM9PuXOpmuGwAHAAAAAcf6Fw==&bcsi_scan_filename=full_report.pdf](http://www.reliefweb.int/rw/rwb.nsf/db900sid/JALR-8BHGQE/$File/full_report.pdf?bcsi_scan_A4C9E8056B19D97F=e2KxVrweHx2uSNGM9PuXOpmuGwAHAAAAAcf6Fw==&bcsi_scan_filename=full_report.pdf) – Accessed 19 May 2011 – Attachment 17

²⁶ “2010 Review: Wave of religious intolerance intensifies” 2010, *Jakarta Globe*, 30 December <http://www.thejakartaglobe.com/news/2010-review-wave-of-religious-intolerance-intensifies/414418> – Accessed 19 May 2011 – Attachment 12

²⁷ International Crisis Group 2010, “Indonesia: “Christianisation” and Intolerance” 24 November [http://www.reliefweb.int/rw/rwb.nsf/db900sid/JALR-8BHGQE/\\$File/full_report.pdf?bcsi_scan_A4C9E8056B19D97F=e2KxVrweHx2uSNGM9PuXOpmuGwAHAAAAAcf6Fw==&bcsi_scan_filename=full_report.pdf](http://www.reliefweb.int/rw/rwb.nsf/db900sid/JALR-8BHGQE/$File/full_report.pdf?bcsi_scan_A4C9E8056B19D97F=e2KxVrweHx2uSNGM9PuXOpmuGwAHAAAAAcf6Fw==&bcsi_scan_filename=full_report.pdf) – Accessed 19 May 2011 – Attachment 17

²⁸ International Crisis Group 2010, “Indonesia: “Christianisation” and Intolerance” 24 November [http://www.reliefweb.int/rw/rwb.nsf/db900sid/JALR-8BHGQE/\\$File/full_report.pdf?bcsi_scan_A4C9E8056B19D97F=e2KxVrweHx2uSNGM9PuXOpmuGwAHAAAAAcf6Fw==&bcsi_scan_filename=full_report.pdf](http://www.reliefweb.int/rw/rwb.nsf/db900sid/JALR-8BHGQE/$File/full_report.pdf?bcsi_scan_A4C9E8056B19D97F=e2KxVrweHx2uSNGM9PuXOpmuGwAHAAAAAcf6Fw==&bcsi_scan_filename=full_report.pdf) – Accessed 19 May 2011 – Attachment 17

the “[l]ongstanding impunity for religious violence in Indonesia has fostered larger and more brutal attacks by Islamist militants against religious minorities”.²⁹

3. Would a Chinese person who was being harassed or badly treated by local Indonesians be able to get assistance from local authorities?

The Indonesia Government has reportedly sought to improve police protection for Chinese-Indonesians but the willingness and ability of the police to protect Indonesia’s minorities – including ethnic Chinese – is unclear. Historically, the Indonesian security forces have not provided adequate protection to the ethnic Chinese but some reports claim the Government has sought to redress this problem. According to a 2003 research response by the US Citizenship and Immigration Service “Indonesia specialists at the U.S. Department of State and at Boston University both [advised] that the police in Jakarta have made a significant attempt over the past two years to improve protection of Chinese Christians”.³⁰ Reports also indicate that the Government has encouraged ethnic Chinese to enter the police force but overall numbers remain very low.³¹

No recent instances of police failing to protect the Chinese community were located but over the past year the Indonesian police have failed to protect other minority groups.³² According to Human Rights Watch, “[o]n several occasions militant Islamist groups mobilized large groups of private citizens and attacked places of worship of minority religious communities” and the “[p]olice frequently failed to arrest the perpetrators of the violence”.³³ Recent attacks on the Ahmadiyah sect show that the police will not always intervene to protect minorities from community violence, even when they have forewarning.³⁴ Dr. Andy Fuller, a research fellow at Freedom Institute Jakarta and researcher at the University of Melbourne wrote in the *Jakarta Post* that the “National Commission on Human Rights (Komnas HAM) has stated that there was as much as two days warning of an impending attack of some 1-2,000 people”.³⁵ According to the BBC, during the attacks the “police either fled or stood by watching”.³⁶ Similarly, the Economist reported that “footage of the attack shows that the police’s attempts to stop the mob were half-

²⁹ International Crisis Group 2010, “Indonesia: “Christianisation” and Intolerance” 24 November [http://www.reliefweb.int/rw/rwb.nsf/db900sid/JALR-8BHGQE/\\$File/full_report.pdf?bcsi_scan_A4C9E8056B19D97F=e2KxVrweHx2uSNGM9PuXOpmuGwAHAAAAAcf6Fw==&bcsi_scan_filename=full_report.pdf](http://www.reliefweb.int/rw/rwb.nsf/db900sid/JALR-8BHGQE/$File/full_report.pdf?bcsi_scan_A4C9E8056B19D97F=e2KxVrweHx2uSNGM9PuXOpmuGwAHAAAAAcf6Fw==&bcsi_scan_filename=full_report.pdf) – Accessed 19 May 2011 – Attachment 17

³⁰ US Citizenship and Immigration Service 2003, *Indonesia: Information on Attacks by Muslims Against a Chinese Christian Neighborhood in Jakarta in September 2002, and Police Protection of Chinese Christians in Jakarta*, 14 November. <http://uscis.gov/graphics/services/asylum/ric/documentation/IDN04001.htm> – Accessed 2 December 2005 – Attachment 20

³¹ On 14 April 2010, Jakarta Globe reported the first Chinese Indonesian graduated from the Indonesian Police Academy. However this report highlights the how under-represented Chinese remain in the police force. Dante, D. 2010, ‘Officer Happy Makes History for Chinese Indonesians’, *Jakarta Globe*, 14 April <http://www.thejakartaglobe.com/culture/officer-happy-makes-history-for-chinese-indonesians/369442/> - Accessed 5 May 2010 - Attachment 21.

³² Human Right Watch 2011, *World Report 2011* , 24 January <http://www.hrw.org/en/world-report-2011/indonesia> – Accessed 19 May 2011 – Attachment 13

³³ Human Right Watch 2011, *World Report 2011* , 24 January <http://www.hrw.org/en/world-report-2011/indonesia> – Accessed 19 May 2011 – Attachment 13

³⁴ Fuller, A. 2011, “Freedom of religion and Islam in Indonesia” *Jakarta Post*, 19 February <http://www.thejakartapost.com/news/2011/02/19/freedom-religion-and-islam-indonesia.html/> –Accessed 19 May 2011 – Attachment 22

³⁵ Fuller, A. 2011, “Freedom of religion and Islam in Indonesia” *Jakarta Post*, 19 February <http://www.thejakartapost.com/news/2011/02/19/freedom-religion-and-islam-indonesia.html/> –Accessed 19 May 2011 – Attachment 22

³⁶ BBC 2011 “Indonesia pressured over Ahmadiyah Muslim sect killings”, 8 February <http://www.bbc.co.uk/news/world-asia-pacific-12389097> – Accessed 19 May 2011 – Attachment 23

hearted at best”, and that “yet again the state has proven itself to be weak and ineffective when it comes to upholding laws concerning the freedom of religion”.³⁷ This recent police inaction highlights that Indonesia’s minorities are not guaranteed police assistance.

³⁷ The Economist 2011, “Religious persecution in Indonesia: Murder in God’s name” 8 February
http://www.economist.com/blogs/banyan/2011/02/religious_persecution_indonesia?page=1 – Accessed 19 May 2011
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