

KEY FINDINGS

In 2023, Indonesia’s religious freedom conditions remained poor. The country maintains several regulations that either constitute blasphemy laws or effectively function as such: [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). Blasphemy, hate speech, and other religious freedom violations were further codified in Indonesia’s new criminal code (known as RUU KUHP) Chapter VII, which was signed into law on January 2, 2023, by President Joko Widodo (Jokowi) to be implemented in 2026. In February 2024, after the reporting period, Indonesia held presidential elections. Observers [noted](#) the three leading candidates have troubling human rights records. Additionally, President Jokowi [maneuvered](#) to have his son placed as the vice presidential candidate alongside Prabowo Subianto—the presumptive [winner](#) as of February 2024—likely as an [attempt](#) to ensure the continuation of his policies and his role in politics.

Throughout the year, the 2006 Joint Decree on Houses of Worship continued to enable ongoing and systematic violations of religious freedom against minority religious communities. Unrecognized houses of worship are more vulnerable to closure by the authorities. In February 2023, authorities in Bogor, West Java, [disbanded](#) the worship service of a Pentecostal church, stating it did not have a permit to hold services. The law also enables local actors and authorities to block or slow the construction of new houses of worship. Houses of worship in rural locations continued to be particularly vulnerable to social hostility and attacks. In August, around 30 people in Riau Islands Province [blocked](#) a church community from gathering and then severely damaged another church under construction. In Padang, West Sumatra Province, a machete-wielding man [threatened](#) a gathering at a house church. In a positive development, in April, authorities in Bogor permitted a

Christian church to [open](#) after a 15-year dispute. In June, authorities in Pinang, Riau Islands Province, finally permitted the local Catholic community to [open](#) a new church after a 33-year struggle, despite Catholicism’s status as an official religion.

The government promotes [Pancasila](#), an ideology that comprises five principles, one of which—monotheism—pertains to religion. Its promotion of this ideology extends only to officially recognized religions and does not include indigenous religious communities or nontheists. As a result, members of unrecognized religions face legal hurdles in acquiring government jobs and having their marriages officially recognized. Throughout 2023, members of indigenous faith communities [continued](#) to push for government recognition of their religions and for the ability to label their religious identity on official identification cards. In a positive development after the reporting period, the government [added](#) a seventh category of recognized religions to the cards, [kepercayaan](#) (belief), for smaller religious groups that are not part of the other six recognized religions.

In 2023, 73 hijab mandates [remained](#) in effect throughout the country, particularly in the educational system. In some cases, the authorities prevented students who do not comply from attending class and did not address incidences of bullying by teachers and other students. In August 2023, the National Commission on Violence against Women [held](#) a hearing to gather information on the country’s mandatory hijab regulations. At the hearing, two Christian men with daughters noted that non-Muslim female students were not exempt from the regulations, and others testified that Muslim students with a different interpretation of Islam are also forced to comply.

In 2023, Indonesia held the chairmanship of the Association of Southeast Asian Nations (ASEAN) and made some [efforts](#) in expanding the conversation on religious freedom.

RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Include Indonesia on the 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 repeal or amend existing laws to comply with international human rights standards specific to freedom of religion or belief, including Chapter VII of the Criminal Code (RUU KUHP), blasphemy laws, and Indonesia’s ITE law—for example, eliminating the requirement set forth in the 2006 Joint Decree on Houses of Worship mandating that faith groups obtain signatures from members of other religious communities to receive approval for constructing a house of worship; and
- Incorporate training on international religious freedom standards into the bilateral partnership.

The U.S. Congress should:

- Hold public hearings to amplify congressional concerns over religious freedom violations, including to advocate for the release of religious prisoners of conscience in Indonesia.

KEY USCIRF RESOURCES & ACTIVITIES

- **Event:** [Rising Authoritarianism in ASEAN Member States](#)
- **Special Report:** [The Bureaucratization of Religion in Southeast Asia](#)
- **Country Update:** [Legal Impediments to Religious Freedom in Indonesia](#)
- **Frank R. Wolf Freedom of Religion or Belief Victims List:** [Indonesia](#)

Background

Indonesia is the world's most populous Muslim-majority country. Muslims [comprise](#) 87.2 percent of the country's 267 million citizens, with around 99 percent identifying as Sunni, less than one percent identifying as Shi'a, and 0.2 percent identifying as Ahmadiyya Muslim. Protestant Christians comprise seven percent of the population, Roman Catholics 2.9 percent, and Hindus 1.7 percent, and 0.9 percent identify with other minority religions such as Buddhism and Confucianism.

Indonesia has a long tradition of religious pluralism, and the government promotes tolerance and religious freedom through religious literacy and education. Article 29 of its constitution "guarantees the independence of each resident to embrace religion and worship according to their respective religions and beliefs." During 2023, the United Nations Educational, Scientific, and Cultural Organization [partnered](#) with an Indonesian organization to train religious leaders for promoting peacebuilding narratives. Religious literacy is also a key [component](#) of Indonesia's counterterrorism strategy to rehabilitate and reintegrate former terrorists. The threat of violent extremism from designated terrorist organizations like Jamaah Ansharut Daulah [persists](#), particularly for Christians [perceived](#) to be proselytizing.

Throughout 2023, Indonesia continued to experience decentralization and greater [autocratization](#) that [contributed](#) to a general decline in human rights, including religious freedom. Meanwhile, the country experienced accelerated [economic growth](#) and expanded its [engagement](#) on human rights in the UN. In 2023, Indonesia held the ASEAN chairmanship and made some efforts in expanding the conversation on religious freedom. However, under Indonesia's leadership, ASEAN continues to be ineffective in providing an effective regional approach to the situation in Burma and in coordinating humanitarian efforts to aid the predominantly Muslim Rohingya fleeing violence and religious persecution there. Moreover, Indonesia repeatedly [prevented](#) Rohingya refugees from landing in Aceh Province.

Blasphemy and the New Criminal Code

In 2023, the government investigated and, in some cases, prosecuted blasphemy allegations made by individuals and organizations. In March, social media influencer [Lina Lutfiawati](#) posted a video of herself saying an Islamic prayer before eating a meal that included pork. The Indonesia Ulema Council (MUI) lodged blasphemy charges against her. In September, Lutfiawati was [sentenced](#) to a two-year imprisonment and fined approximately \$16,000 (250 million rupiah). In West Java, authorities [charged](#) the head of an Islamic school, Panji Gumilang, with blasphemy for his religious teachings after he had taught students that men and women should be allowed to pray alongside each other and that women should be allowed to become preachers. In November, the Indramayu District Court [held](#) its first session on Gumilang's trial.

Indonesia's new criminal code could expand human rights violations when implemented in 2026. Chapter VII [consists](#) of six articles on "Crimes against Religion, Belief, and Religious/Belief Life." Article 300 criminalizes any person who publicly "commits an act of hostility, makes a statement of hate or hostility, or incites hostility, violence, or

discrimination against a religion, belief, classes of people or groups on the basis of religion or belief." When implemented, this article could further criminalize blasphemy. Article 301 effectively expands and further codifies the ITE Law Article 28(2) to permit blasphemy allegations made on the basis of a person's social media and online presence. Article 302 criminalizes incitement toward apostasy. Articles 303–305 criminalize disturbances or attacks on religious services, houses of worship, and hate speech directed at religious leaders.

Expansion of Provincial Laws Impacting Religious Freedom

The central government currently exempts [Aceh](#) Province from certain national laws and permits its own implementation of a Shari'a-based legal system enforced through a religious police force. Laws include mandating that women wear hijabs and banning them from straddling motorcycles, among other restrictions, regardless of an individual's faith or personal choice. In August, Aceh further implemented laws based on its state-sponsored interpretation of Islam by [banning](#) men and women from appearing together in public unless they are family members or married.

Government officials and politicians throughout Indonesia increasingly engaged in rhetoric and passed local laws and regulations citing Islamic values that target or ostracize religious, gender, and sexual minorities. In January, the mayor of Medan, North Sumatra, [declared](#) the city "LGBT-free" [lesbian, gay, bisexual, transgender] in an effort to appeal to certain religious actors. In West Java, politicians [inspired](#) by the MUI and other similar religious organizations promulgated municipal- and regency-level laws that used language around "morality" and religion to exclude minorities from the public space.

Key U.S. Policy

The United States and Indonesia maintain strong bilateral ties through their [Strategic Partnership](#). In fiscal year 2023, the U.S. government [obligated](#) \$210 million for programs in Indonesia.

In February 2023, U.S. Secretary of State Antony J. Blinken [expressed](#) the administration's concerns over Indonesia's criminal code. In September, Vice President Kamala Harris [joined](#) leaders of ASEAN for the annual U.S.-ASEAN Summit in Jakarta. Some observers [noted](#) that the absence of President Joseph R. Biden may have been interpreted negatively by ASEAN leaders, especially Indonesia as the chair. In April, Senator Jeff Merkley (D-OR) [led](#) a bicameral congressional delegation to Indonesia to discuss bilateral relations and multilateral engagement with ASEAN, including on human rights.

In October, the United States and Indonesia [held](#) their first Senior Officials' Foreign Policy and Defense Dialogue between diplomatic and military counterparts, which included reaffirming their commitment to the Indo-Pacific Economic Framework for Prosperity. In November, President Biden [hosted](#) President Jokowi at the White House to discuss shared values of democracy and pluralism but did not publicly mention religious freedom. Also in November, President Biden [nominated](#) Kamala Lakhdir as U.S. Ambassador to Indonesia.