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**HAUT COMMISSARIAT DES NATIONS UNIES**  
**AUX DROITS DE L'HOMME**

**PROCEDURES SPECIALES DU**  
**CONSEIL DES DROITS DE L'HOMME**

**Mandates of the Special Rapporteur on freedom of religion or belief and the Independent Expert on minority issues.**

**UNITED NATIONS**  
**OFFICE OF THE UNITED NATIONS**  
**HIGH COMMISSIONER FOR HUMAN RIGHTS**

**SPECIAL PROCEDURES OF THE**  
**HUMAN RIGHTS COUNCIL**

Téléfax: (41-22) 917 9006  
Télégrammes: UNATIONS, GENEVE  
Téléc: 41 29 62  
Téléphone: (41-22) 917 9359  
Internet www.ohchr.org  
E-mail: urgent-action@ohchr.org

Address:  
Palais des Nations  
CH-1211 GENEVE 10

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Excellency,

We have the honour to address you in our capacities as Special Rapporteur on freedom of religion or belief and Independent Expert on minority issues pursuant to Human Rights Council resolution 14/11 and 16/6.

In this connection, we would like to bring to your Excellency's Government's attention information we have received regarding the **attack on the Ahmadiyah place of worship and the harassment of Ahmadiyah followers by the Islamic Defenders Front (FPI) in Singaparna and Batam, Indonesia.**

According to the information received:

*Attack of the Baitul Rahim Mosque case in Singaparna*

It is alleged that on 19 April 2012, the police and other state officials were aware about the plan of the Islamic Defenders Front (FPI) to visit the Ahmadiyah mosque, Baitul Rahim, in Singaparna, Tasikmalaya of West Java the following day. The villagers were informed about the visit. FPI's intention to visit the mosque was allegedly to put a banner which read that the local residents rejected the presence of the Ahmadiyah community and all their activities in the area.

Reportedly, around 8:00 a.m. on 20 April 2010, one platoon of police was deployed to the Baitul Rahim mosque. Nonetheless, the members of FPI attacked the mosque after the leader of the FPI delivered a speech at the Baitul Rahim mosque asserting that the mosque should be closed down in accordance with the 2008 Joint Regulation of the Indonesian Minister of Religious Affairs, the Attorney General and the Indonesian Home Minister as well as the West Java Governor's Regulation concerning the prohibition of Ahmadiyah's religious activities.

It is reported that after the speech, the leader ordered the sealing of the Baitul Rahim mosque. However, the members of FPI started smashing the windows and

destroyed other items such as the lamp, water tap and the television aerial. The leader tried to persuade the group to stop the violence but was ignored. It is further reported that three Molotov cocktail bombs were thrown at the mosque and started a fire. During the attack, the police was allegedly present but did not take any measures until the mosque had been severely damaged.

*Harassment case of the Ahmadiyah followers in Batam*

On 27 April 2012, the members of the FPI went to Ruko Nagoya, a place where some Ahmadiyah members in Batam conducted their religious and organizational activities, and took away all the books, Qurans and pictures of the fourth Ahmadiyah's Khalifah. The FPI members reportedly assaulted Mubaligh Nasrun, the Ahmadiyah leader in that location, hitting his head with a broomstick until the stick broke. Mr. Nasrun suffered other beatings and threats.

It is also reported that the FPI members later took Mr. Nasrun along with two other Ahmadiyah members who were present at Ruko Nagoya, Messrs. Suwadi and Arief, to the Bareleng District Police Station demanding the police to detain them, close down Ruko Nagoya to stop the Ahmadiyah from conducting their religious activities, or make Messrs. Nasrun, Suwadi and Arief to denounce their faith and no longer be part of the Ahmadiyah. It was alleged that the Deputy Head of Community Empowerment of Bareleng District Police, Kumpol Suyanto, was present during the incident but did not take measures to stop the intimidation. Other representatives from the Batam Religious Tolerance Forum (FKUB), Indonesian Ulema Council (MUI) and Jamaat Ahmadiyah Indonesia (JAI) in Batam were reportedly called to the police station. The intimidation against the Ahmadiyah members continued until the representative from JAI signed an agreement to ensure that the Ahmadiyah members would stop their activities in the Ruko Nagoya area.

Concerns are expressed for the continuous acts of religious intolerance towards the Ahmadiyah community in Indonesia and the violation of their rights to freedom of religion and belief. Concern is also expressed at the lack of protection over the religious minorities, as in the case of the Ahmadiyahs. Grave concern is further expressed for the 2008 Joint Decree and West Java Governor's Regulation No.12 Year 2011 that prohibit any religious activities of the Ahmadiyah community.

While we do not wish to prejudge the accuracy of these allegations, we would like to appeal to your Excellency's Government to ensure the right to freedom of religion or belief of the members of Ahmadiyah community in accordance with the principles set forth in the Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion or Belief and article 18 of the Universal Declaration on Human Rights (UDHR) and of the International Covenant on Civil and Political Rights (ICCPR) that your Excellency's Government acceded on 23 February 2006.

We would like to draw your attention to Human Rights Committee General Comment 22 Para. 4 which provides that “[t]he freedom to manifest religion or belief in worship, observance, practice and teaching encompasses a broad range of acts. The concept of worship extends to [...] the building of places of worship”. It is important to recognize that the places of worship are an essential element of the manifestation of the right to freedom of religion or belief to the extent that the great majority of religious communities or communities of belief need the existence of a place of worship where their members can manifest their faith.

We would also refer to the Human Rights Council resolution 6/37 9 (e) and (g) which urges States, "To exert the utmost efforts, in accordance with their national legislation and in conformity with international human rights and humanitarian law, to ensure that religious places, sites, shrines and symbols are fully respected and protected and to take additional measures in cases where they are vulnerable to desecration or destruction;" and "To ensure, in particular, the right of all persons to worship or assemble in connection with a religion or belief and to establish and maintain places for these purposes [...];".

We would like to draw your attention to resolution 64/164, the General Assembly regarding religious intolerance which urged “States to take all necessary and appropriate action, in conformity with international human rights standards, to combat hatred, discrimination, intolerance and acts of violence, intimidation and coercion motivated by intolerance based on religion or belief, as well as incitement to hostility and violence, with particular regard to members of religious minorities in all parts of the world.”

Furthermore, we would like to recall that the General Assembly, in its resolution 63/181, urges “(j) To ensure that all public officials and civil servants, including members of law enforcement bodies, the military and educators, in the course of fulfilling their official duties, respect all religions or beliefs and do not discriminate for reasons based on religion or belief, and that all necessary and appropriate education or training is provided”.

We wish to draw the attention of your Excellency’s Government to international standards relevant to the protection and promotion of the rights of minorities. Article 27 of the ICCPR establishes that “In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.” The 1992 United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities requires under article 1.1 that “States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories and shall encourage conditions for the promotion of that identity.” Article 2 establishes that “Persons belonging to national or ethnic, religious and linguistic minorities have the right to enjoy their own culture, to profess and practise their own religion, and to use their own language, in private and in public, freely and without interference or any form of discrimination.” Minorities also have the right to establish

and maintain their own associations and to maintain, without any discrimination, free and peaceful contacts with other members of their group. In addition, article 4.1 establishes that: “States shall take measures where required to ensure that persons belonging to minorities may exercise fully and effectively all their human rights and fundamental freedoms without any discrimination and in full equality before the law.” Article 4.2 requires that “States shall take measures to create favourable conditions to enable persons belonging to minorities to express their characteristics and to develop their culture, language, religion, traditions and customs.”

Moreover, it is our responsibility under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention. Since we are expected to report on these cases to the Human Rights Council, we would be grateful for your cooperation and your observations on the following matters:

1. Are the facts alleged in the summary of the cases accurate?
2. Have complaints been lodged with regard to the incidents mentioned?
3. Please provide the details, and where available the results, of any investigation, and judicial or other inquiries or any criminal charges to the perpetrators in relation to these incidents. If no inquiries have taken place, or if they have been inconclusive, please explain why.
4. Please indicate which measures that your Excellency’s Government has taken to prevent the acts of violence against the members and places of worship of the Ahmadiyah community in Indonesia.
5. Please illustrate how the 2008 Joint Decree and West Java Governor’s Regulation No.12 Year 2011 that prohibit any religious activities of the Ahmadiyah community are compatible with Article 18 of the UDHR and ICCPR.
6. Please provide details of any legislation and policy that exists to protect and promote the rights of persons belonging to religious minorities.

We would appreciate a response within sixty days. Your Excellency’s Government’s response will be made available in a report to the Human Rights Council for its consideration.

While waiting for your response, we urge your Excellency’s Government to take all necessary measures to guarantee that the rights and freedoms of the members of Ahmadiyah community in Indonesia are respected and, in the event that your investigations support or suggest the above allegations to be correct, the accountability of any person responsible of the alleged violations should be ensured. We also request that your Excellency’s Government adopt effective measures to prevent the recurrence of these acts.

Please accept, Excellency, the assurances of our highest consideration.

Heiner Bielefeldt  
Special Rapporteur on freedom of religion or belief

IZSÁK Rita  
Independent Expert on minority issues