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February 10, 2016

H. E. Joko Widodo
President of the Republic of Indonesia
Istana Merdeka
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Dear President Joko Widodo,

We write to express our grave concerns regarding the recent spate of hateful rhetoric by public officials against lesbian, gay, bisexual, and transgender (LGBT) people in Indonesia, and urge you to send an unambiguous message that your administration will defend the fundamental rights of all Indonesians.

Human Rights Watch is an international nongovernmental organization that investigates and reports on human rights abuses in over 90 countries, including Indonesia. We have worked on a range of human rights issues in Indonesia for nearly three decades.

Human Rights Watch researchers in January 2016 documented arbitrary arrests, harassment, threats, and violence against LGBT people in Indonesia's Aceh province.¹ However, those disturbing patterns of abuse have in recent weeks emerged in other parts of Indonesia and affect a growing proportion of the country's LGBT population.

As you may be aware, on January 24, the minister of research, technology, and higher education, Mohammad Nasir, denounced the Support Group and Resource Center on Gender and Sexuality Studies at the University of Indonesia² for not being "in accordance with the values and morals of Indonesia."³ Nasir added that he forbade the existence of LGBT-oriented

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¹ Human Rights Watch, "Indonesia: 'Suspected Lesbians' Detained," October 2, 2015,

<https://www.hrw.org/news/2015/10/02/indonesia-suspected-lesbians-detained>

² Website of Support Group and Resource Center on Gender and Sexuality Studies at the University of Indonesia,

<https://sgrcui.wordpress.com/> (accessed February 10, 2016).

³ Hendri Yulius, "LGBT Indonesians on campus: too hot to handle," Indonesia At Melbourne, January 26, 2016.

<http://indonesiaatmelbourne.unimelb.edu.au/lgbt-indonesians-on-campus-too-hot-to-handle/> (accessed February 5, 2016).

academic groups at universities.⁴ Although Nasir later withdrew this assertion via social media, he has failed to make an unequivocal statement of support for the fundamental rights – including the rights to security and freedom of assembly and expression – of LGBT students.⁵

The minister’s statement was followed by a series of similar comments from other public officials that undermined or outright denied the rights of LGBT Indonesians. These public comments include:

- On January 24, the chairman of the People’s Consultative Assembly, Zulkifli Hasan, said in reference to homosexuality: “It does not fit with our culture, should be banned because it does not fit with the culture of Indonesia.”⁶
- M. Nasir Djamil, a member of Commission III of the House of Representatives, said: “The LGBT community should not be allowed to grow or be given room to conduct its activities. Even more serious is those LGBT members who go into universities with scientific studies, or hold discussion groups.”⁷ Djamil later reiterated his stance against the rights of LGBT people, saying he was not concerned about the complaint that LGBT rights activists had filed against him at the National Human Rights Commission.⁸
- House of Representatives member Reni Marlinawati, in reference to homosexuality, said: “This practice in addition to violating religious norms is also contrary to positive law. We unequivocally reject and oppose this practice.”⁹
- On February 7, the governor of East Java condemned an event aimed to promote awareness of HIV prevention among men who have sex with men (MSM) in

⁴ Jakarta Post, “LGBT Not Welcome At University,” January 24, 2016. <http://www.thejakartapost.com/news/2016/01/25/lgbt-not-welcome-university-minister.html> (accessed February 10, 2016).

⁵ Felix Utama Kosasih, “The LGBT Stigma in Indonesia,” February 2, 2016. <http://www.globalindonesianvoices.com/24799/the-lgbt-stigma-in-indonesia/> (accessed February 10, 2016).

⁶ Detik, “Ketua MPR: Kelompok LGBT Harus Dilarang Masuk Kampus!,” January 24, 2016. <http://news.detik.com/berita/3125816/ketua-mpr-kelompok-lgbt-harus-dilarang-masuk-kampus> (Accessed February 5, 2016).

⁷ Jakarta Post, “LGBT Not Welcome At University,” January 24, 2016. <http://www.thejakartapost.com/news/2016/01/25/lgbt-not-welcome-university-minister.html> (accessed February 10, 2016).

⁸ Republika, “Nasir Djamil tak Takut dengan Pengaduan LGBT,” February 2, 2016. <http://nasional.republika.co.id/berita/nasional/umum/16/02/02/01wulr361-nasir-djamil-tak-takut-dengan-pengaduan-lgbt> (accessed February 10, 2016).

⁹ Republika, “DPR Ingatkan LGBT Dilarang di Indonesia,” January 24, 2016, <http://nasional.republika.co.id/berita/nasional/umum/16/01/24/01gm95365-dpr-ingatkan-lgbt-dilarang-di-indonesia> (accessed February 10, 2016).

Surabaya.¹⁰ Police informed organizers they would not be able to provide protection for the event if it were to take place, so it was canceled.¹¹

Surge of Anti-LGBT Incidents

Such discriminatory comments by public officials – including some appointed by your administration – follow crackdowns on free expression for LGBT student groups at education institutions across Indonesia in recent months. In November 2015, Brawijaya University authorities cancelled an LGBT-themed event claiming they received threats of an attack from unnamed sources.¹² That same month, the rector of the University of Lampung threatened to expel any students or lecturers involved in LGBT organizing or academic work.¹³

These actions at state institutions violate the internationally protected rights to education, health, and access to information.

Government and educational authorities who stifle the rights of LGBT people can have a far-reaching malign impact. For LGBT people and people questioning their gender and sexuality, accurate information about sexual orientation and gender identity are vital to a healthy sense of self, the promotion of understanding among peers, and access to other information such as health-related information.

Concerning the right to education, the United Nations Special Rapporteur on the right to education noted in 2010 that sexuality, health, and education are “interdependent rights,” explaining, “We must be able to look after our health, deal positively, responsibly, and respectfully with our sexuality, and must therefore be aware of our needs and rights.”¹⁴

Concerning the right to health, the World Health Organization makes clear that “sexual health cannot be defined, understood or made operational without a broad consideration

¹⁰ Kompasiana, “Soekarwo Gagal Paham Maksud G-Nite Party Di Surabaya,” February 8, 2016, http://www.kompasiana.com/weloveardi/soekarwo-gagal-paham-maksud-g-nite-party-di-surabaya_56b7b72ab27e61a908e20025 (accessed February 10, 2016).

¹¹ Jakarta Post, “Ulema Council to ban Muslims from LGBT advocacy,” February 9, 2016, <http://www.thejakartapost.com/news/2016/02/09/ulema-council-ban-muslims-lgbt-advocacy.html> (accessed February 10, 2016).

¹² Tempo, “Larang Diskusi LGBT, Universitas Brawijaya Dikecam,” November 13, 2015, <http://nasional.tempo.co/read/news/2015/11/13/079718690/larang-diskusi-lgbt-universitas-brawijaya-dikecam> (accessed February 10, 2016).

¹³ Tempo, “Diskusi Gay Lesbian Dilarang di Undip, Ini Kronologinya,” November 13, 2015, <http://nasional.tempo.co/read/news/2015/11/13/058718486/diskusi-gay-lesbian-dilarang-di-undip-ini-kronologinya> (accessed February 10, 2016).

¹⁴ Report of the United Nations Special Rapporteur on the right to education. July 23, 2010. A/65/162. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N10/462/13/PDF/N1046213.pdf?OpenElement> (accessed February 10, 2016).

of sexuality, which underlies important behaviors and outcomes related to sexual health,” and includes in its definition of sexuality “sex, gender identities and roles, [and] sexual orientation.”¹⁵

Hateful rhetoric from public officials can also provide social sanction for threats and violence.

In the wake of Minister Nasir’s anti-LGBT remarks, Islamic Defenders Front (FPI) groups, reportedly with the help of local police, raided boarding houses in Bandung to search for suspected lesbians.¹⁶ The government’s response was to demand silence, with the mayor of Bandung ordering the FPI to remove banners that read “gays forbidden to enter,” and instructing LGBT people to not express their identities on social media or risk government censorship.¹⁷ The following week on February 3, FPI members harassed a gathering of LGBT activists in Jakarta with police present – subsequently claiming it as a victory on social media.¹⁸

The Urgency of Your Leadership

In September 2015, 12 UN agencies issued a joint statement calling violence and discrimination against LGBT people, “cause for alarm – and action.”¹⁹ The agencies stated that:

Failure to uphold the human rights of LGBTI people and protect them against abuses such as violence and discriminatory laws and practices, constitute serious violations of international human rights law and have a far-reaching impact on society ... impacting negatively on economic growth, decent work and progress towards achievement of the future Sustainable Development Goals.

¹⁵ World Health Organization. “Developing sexual health programmes: A framework for action,” 2010: http://whqlibdoc.who.int/hq/2010/WHO_RHR_HRP_10.22_eng.pdf?ua=1 (accessed February 10, 2016).

¹⁶ Tempo, “Cari Kaum LGBT, FPI Sweeping Rumah Kos di Bandung,” January 27, 2016, <https://nasional.tempo.co/read/news/2016/01/27/058739964/cari-kaum-lgbt-fpi-sweeping-rumah-kos-di-bandung> (accessed February 10, 2016).

¹⁷ Reuters, “Indonesian city reprimands Muslim hardliners for harassing gays,” January 29, 2016, <http://uk.reuters.com/article/uk-indonesia-gay-idUKKCN0V7oWQ:Tempo.‘Publikasikan LGBT di Media Sosial, Ridwan Kamil: Saya Blokir.’ January 26, 2016. http://nasional.tempo.co/read/news/2016/01/26/058739451/publikasikan-lgbt-di-media-sosial-ridwan-kamil-saya-blokir> (accessed February 10, 2016).

¹⁸ Islamedia, “FPI dan Polisi Berhasil Membubarkan Acara Seminar LGBT Jakarta,” February 4, 2016, <http://islamedia.id/fpi-dan-polisi-berhasil-membubarkan-acara-seminar-lgbt-jakarta/> (accessed February 10, 2016).

¹⁹ United Nations entities call on States to act urgently to end violence and discrimination against lesbian, gay, bisexual, transgender and intersex (LGBTI) adults, adolescents and children. http://www.ohchr.org/Documents/Issues/Discrimination/Joint_LGBTI_Statement_ENG.PDF (accessed February 10, 2016).

A 2014 UN Development Programme Indonesia country report called on you to mainstream human rights protections for LGBT people across all state institutions and to “officially recognize the existence of LGBT people ... as an integral part of Indonesian society.”²⁰ Given the recent surge of anti-LGBT rhetoric and harassment from public officials, an unambiguous message of support for LGBT people from your office would signal that you intend to pursue the UN’s recommendations.

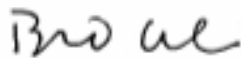
On February 5 Indonesia’s National Human Rights Commission said that statements such as Minister Nasir’s are not in line with your administration’s development principles of Nawa Cita, in which the government affirms Indonesia’s pluralism and outlines the strengthening of social restoration through policies aimed at developing education in favor of diversity and creating space for dialogue among citizens.²¹

Human Rights Watch calls on your government to take a leadership position by stating publicly that the rights of all Indonesians need to be respected, including those of LGBT people, and by committing to reforms that protect instead of persecute this marginalized minority.

Sincerely,



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²⁰ UNDP, “Being LGBT in Asia: Indonesia Country Report,” 2014, http://www.asia-pacific.undp.org/content/dam/rbap/docs/Research%20&%20Publications/hiv_aids/rbap-hhd-2014-blia-indonesia-country-report-english.pdf (accessed February 10, 2016).

²¹ Jakarta Post, “Komnas HAM slams vilification of LGBT by officials,” February 5, 2016, <http://www.thejakartapost.com/news/2016/02/05/komnas-ham-slams-vilification-lgbt-officials.html#sthash.xRWYvOPu.dpuf> (accessed February 10, 2016).