



**ATTACKS ON LGBT
RIGHTS DEFENDERS
ESCALATING IN
INDONESIA**

**f FRONT LINE
DEFENDERS**



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So some of us [HRDs] put our own bodies between the attackers and our friends. The police showed up at the very end and watched us be beaten.



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Terminology

LGBT and SOGIE

The majority of HRDs Front Line Defenders met with in Indonesia identify their work as the defence of rights related to sexual orientation, gender identity and expression (SOGIE).¹ The term “LGBT,” referring to lesbian, gay, bisexual and transgender, respectively, is assessed by HRDs in many countries to be problematic for a number of reasons. In Indonesia, many HRDs explain that LGBT has a strong “Western” connotation and is therefore used to further stigmatize and demonize their work as “foreign” and dangerous to the Indonesian identity. For example, several HRDs reported that following the United States Supreme Court marriage equality ruling in 2015 they received a barrage of threats related to their alleged support for “gay marriage in Indonesia,” despite having never advocated for or worked on this issue.

In addition to risks related to using alleged Western terminology, many defenders in Indonesia prefer to speak of SOGIE rights because it is a more expansive, inclusive acronym. It encompasses gender identity, expression and sexuality as categories of identity, rather than delineating four concretely defined and labeled groups (lesbian, gay, bisexual, transgender) which do not always accurately capture the range of identities present in society.

To best reflect and respect the work of HRDs in Indonesia, Front Line Defenders will use the phrase “SOGIE rights” throughout this report when referring to the work of defenders, and will also refer to “the LGBT community” as it correlates to HRDs’ own deployment of the phrase.

Extremist Groups

When civil society groups and HRDs in Indonesia speak of “threats from extremist groups,” they typically refer to threats received from an individual known to be a member of one or more religiously conservative political or militant organisations. These include the Islamic Defenders Front, Jaringan Islamia, Hizbul Tahrir Islam, or the Muslim Brotherhood, among others.



"First 100, then 200, then more than
500 violent comments on my blog.
That's 15 pages of death threats."

1. In June 2016, the UN Human Rights Council mandated “an Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity” (resolution 32/2). The use of the SOGI terminology, which has come to be more commonly referred to as SOGIE (with the addition of “expression”) is meant to be a more inclusive and descriptive term.

Executive Summary

Human rights defenders (HRDs) working on issues related to sexual orientation, gender identity and expression (SOGIE) have long operated in a threatening environment in Indonesia. Today they are facing more risks than they have in decades, according to 25 HRDs interviewed by Front Line Defenders in July 2017.

Indonesia has no national laws specifically protecting lesbian, gay, bisexual, and transgender (LGBT) communities from discrimination and violence perpetrated by both police and religious extremist groups. As recently as October 2017, Indonesian police detained more than 50 men in a raid on a “gay sauna,” the latest incident in a more than two-year long backlash against the LGBT community. However, despite ongoing incidents of violence and harassment, the national government has never criminalized same-sex behaviour, and for decades SOGIE defenders and civil society organisations grew in number and capacity across Indonesia. In some regions, SOGIE activists have secured office space, legal victories, and organised large public events, though limitations and risks associated with their work vary greatly by province.

In early 2016, HRDs began reporting unprecedented attacks on SOGIE rights. A firestorm of violent, anti-LGBT rhetoric from government officials and religious bodies flooded the news. Authorities ranging from the Vice President to the Minister of Higher Education to the National Broadcasting Commission issued

statements condemning same-sex behavior, while the Minister of Defence said LGBT activism was more “dangerous” than a nuclear bomb.

The outpouring of high-level anti-LGBT sentiment preceded a wave of police raids and physical attacks from religious extremists on LGBT gatherings and events. HRDs representing these communities began to report receiving significantly more death threats than ever before.

Local and state police forces systematically denied HRDs' requests for protection, even when extremist groups made it known publicly that they planned to attack a SOGIE activist or LGBT gathering. Lacking any state protection, activists were forced to decrease public engagement and community-building activities they previously led. HRDs say this refusal to protect SOGIE activities and events is a noticeable change over the past few years; when Islamists threatened to burn down a queer film festival in Jakarta in 2010, police arrived on scene to protect the HRDs and artists hosting the event.

Throughout 2016, HRDs expressed concern primarily about violations of their rights to freedom of assembly and association: police raids, attacks by extremists groups on LGBT gatherings, and the government's failure to protect activist spaces from planned, publicized attacks. In 2017, this has shifted to a significant increase in threats to individuals. HRDs say the threats they receive are becoming more targeted and personal.

Defenders now say arrests and police raids present one of the greatest risks to LGBT communities, and that violent homophobia in state security institutions is increasing.

Threats to HRDs via phone calls, social media, and in-person verbal abuse have become more personal, targeted and violent. **All but two of the 25 HRDs interviewed by Front Line Defenders in July 2017 received a direct death threat in the past year.**

Many HRDs reported a rising number of anonymous, threatening phone calls at night. One had received more than 500 violent comments on a poem she wrote condemning a minister's violent anti-LGBT tweet.

As threats to defenders increased in 2016 and 2017, civil society groups have been severely limited in their capacity to respond to attacks on their community. Defenders in Aceh, Jakarta, Makassar, and Yogyakarta reported a range of negative effects on their work related to the threats, including reduced activism for security reasons, decreased trust and engagement from their communities, burnout as the number of active HRDs decreased, and the need to spend greater resources on security and protection, including relocation, at the expense (and detriment) of advocacy initiatives.



Yogyakarta

Key Findings

- 23 of the 25 HRDs Front Line Defenders met with across four provinces had received death threats since the start of 2016. These included threats received online (sometimes by the hundreds on blog posts, Facebook, etc) but also included extremist groups attacking LGBT events and verbally threatening to hang them.
- HRDs noted a marked increase in the use of religious terminology during threatening phone calls or online attacks, such as “your blood is halal,” meaning that to kill them is religiously sanctioned in Islam.
- At least 3 SOGIE rights groups were forced to move their offices in the previous two years following a raid or physical intimidation. The raids and threats were perpetrated both by extremist groups, with police ignoring requests for help, and by the local religious police. Most HRDs now prefer to meet in hotels and cafes, limiting privacy and access to services for their communities.
- Lack of secure meeting space is a high-priority risk for SOGIE defenders across the country, particularly in Aceh province, the only area of Indonesia governed by Sharia law. Front Line Defenders met with more than a dozen active HRDs in the province’s capital city, Banda Aceh, and all cited severe fears over weekly sweeps conducted on Fridays by the local religious police.
- Defamation in the media and violent rhetoric from high-level government officials (such as the Minister of Defence and Chief of Police of West Java) is a key cause of decreased activism amongst SOGIE rights defenders, who report feeling caught between a desire to continue their work and complaints from family and friends about endangering them.
- SOGIE rights defenders report that social media accounts known to be affiliated with Islamist groups increasingly post photos or videos of activists with public calls to attack them. Several HRDs have been forced to delete, deactivate, or rename their social media profiles, a critical hinderance to the work of activists from some LGBT communities which organize primarily in online forums for security reasons.
- For transgender sex workers who also work to develop protection strategies for their community, food and housing insecurity is reported as the foremost risk. Pervasive homelessness, poverty and food insecurity mean that the need to make money at night limits the number of hours they can devote to protection work during the same hours, when their communities are most at risk.
- Sex worker rights defenders in Yogyakarta cited increased targeting by police “at night” (while working as sex workers) due to their visibility as activists “during the day.”
- Transgender HRDs in Aceh and Yogyakarta provinces reported severe threats related to their transition process, including being publicly harassed by religious police for failure to wear conservative Islamic clothing (said to a female transitioning to male, for example), or for meeting in public in mixed sex or gender groups.
- Deteriorating security has caused a loss of trust from the communities they work to support. In some instances, the LGBT community has even blamed HRDs for “causing” the crackdown. By the same token, HRDs are also criticized by community members when implementing new security and privacy measures, on the basis that those measures make gathering complicated.
- Many HRDs interviewed reported that the most difficult impact of the violence (and the main factor contributing to burnout) has been the loss of trust from their communities – what many refer to as a “second crackdown”. Every HRD interviewed by Front Line Defenders reported that at least one of their colleagues had stopped or greatly reduced their activism as a result of the crackdown, threats to activists and families, and impunity for attacks.

Front Line Defenders Mission

Front Line Defenders conducted a mission in July 2017 to examine threats against LGBT rights defenders, risks they are facing, and government responses. Front Line Defenders met with more than two dozen HRDs working for the advancement and protection of SOGIE rights and LGBT-identifying communities in four provinces: Aceh, Makassar, Yogyakarta and Jakarta.²

Key Recommendations

Despite the negative trends for SOGIE rights defenders, the consultations carried out by Front Line Defenders clearly indicated an almost universal desire amongst HRDs to continue their work. They also identified targeted recommendations from HRDs about what they need in order to continue their work safely. Capacity-building, increased security measures, advocacy at national and local levels, media engagement and public awareness were all activities that HRDs suggested would improve their work and security.

HRDs have also identified clear demands for reform at the national level, including:

- ending politicians' deployment of LGBT hatred to garner populist support and draw attention away from government scandals;
- ceasing the defamatory language used by national government officials to describe SOGIE rights defenders;
- increasing police and other national institutions responsiveness to attacks against the LGBT community;
- implement the recently adopted Universal Periodic Review recommendations related to protection of LGBT defenders and non-discrimination;

At-risk defenders also identified several actionable forms of support that the international community – specifically the representatives of the US and EU member states embassies in Jakarta – could provide to enhance their security. These include:

- providing secure event and meeting space to LGBT rights defenders and organisations working outside of Jakarta;
- informing HRDs about available support and emergency assistance available to them from the EU, (ProtectDefenders.eu grants, discretionary funding, transportation, etc);
- pressing for the protection of SOGIE rights defenders in both public and private meetings with Indonesian officials, holding them accountable for the full implementation of the recently adopted UPR recommendations related to protection of SOGIE defenders and nondiscriminatory laws;
- inviting HRDs to consultations and meeting with SOGIE rights defenders when traveling throughout the country to learn about their security needs;
- publicly monitoring queerphobic verbal and physical abuse in the run up to the 2019 election, and to alert the Indonesian government to its intention to do so.

For the complete list of recommendations for the Indonesian government, EU and its member states, and the US, see Recommendations section, page 24.

2. One group Front Line Defenders met, Arus Pelangi, is based in Jakarta and represents a network of more than 30 Indonesian LGBT and SOGIE rights organisations across the country.

I. More Dangerous Than “Nuclear War”

High-Level Hatred

In March 2015, Indonesia's most prominent Islamic clerical body, the Indonesian Ulema Council (MUI), issued a fatwa, or religious edict, calling for same-sex acts to be punished by caning or the death penalty. The fatwa deemed homosexuality a curable disease and said homosexual sex acts “must be heavily punished” – one of the strongest anti-LGBT statements made by an Indonesian religious institution in the past decade.

Some defenders say the trend towards a more conservative Islam in Indonesia – one that is less tolerant of traditional Indonesian norms and religious and ethnic minorities – is a contributing factor to the rise in the anti-LGBT rhetoric emanating from government sources. In January 2016, a series of high-level, anti-LGBT comments made by Cabinet ministers and other officials began to mirror the anti-LGBT fatwa of the MUI. HRDs say these high-level comments marked the beginning of more than 18-months of violence, mass arrests, canings, raids by police, and attacks on SOGIE rights defenders. HRDs also identified various elections and political debates which deployed anti-LGBT rhetoric to garner popular support among increasingly conservative communities, in a similar manner to the way Christian or Chinese minorities were attacked for political gain in the past.

“Minority groups are always under attack in our country,” explained a woman human rights defender (WHRD) in Jakarta. “But unlike Christian or Chinese minority groups, for example, LGBT people in Indonesia do not have economic or political bases of power. This makes us easier to target as part of a political game, and also makes us more vulnerable.”

On 24 January 2016, Minister of Research, Technology and Higher Education Muhammad Nasir announced his intention to ban LGBT student organizations from university campuses. A student group at the University of Indonesia in Jakarta that led scholarly discussions on gender and sexuality had recently drawn national headlines when fliers were posted across town defaming their work. The minister said such student organisations contradicted the “values and morals” of Indonesia.

A student activist and former leader of the group told Front Line Defenders, “at first, we couldn't believe the government was paying any attention to a small discussion group happening in a little room on campus. But we realized our work scared them because it encouraged reading and engaging with sexuality and gender at a higher level than most Indonesians have access to. It was about educating ourselves, and that threatened them. That was the start of the crackdown.”



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In the following months, dozens of high-level attacks on LGBT rights and activism followed. Vice President Jusuf Kalla requested the United Nations Development Programme to cease financing of LGBT rights groups. Other international groups have also been pressured into stopping projects related to SOGIE rights. The National Broadcasting Commission and the National Child Protection Commission banned programs, broadcasts, and publicly available materials that portrayed queer sexualities and lives as “normal.” The Indonesian Psychiatrists Association classified queer identities as a “mental disorder” in need of curing. Maternal health clinics featured talks by politicians warning mothers about dangers of allowing their children to “be gay.”

Mainstream groups began openly calling for the government to criminalize SOGIE activism. These groups included the Nadhlatul Ulama (NU), the country's largest Muslim organization, which also called for the forced “rehabilitation” of LGBT people. The NU had previously accepted funding from the Global Fund to run HIV/AIDS programmes, including to provide services for transwomen (Waria) persons and men who have sex with men (MSM).

In February 2016, Minister of Defence, Ryamizard Ryacudu, stated that in his view LGBT activism was more dangerous than a nuclear bomb:

“It's dangerous as we can't see who our foes are, but out of the blue everyone is brainwashed - now the (LGBT) community is demanding more freedom, it really is a threat ... In a proxy war - another state might have occupied the minds of the nation without anyone realising it. In a nuclear war, if a bomb is dropped over Jakarta, Semarang will not be affected - but in a proxy war, everything we know could disappear in an instant - it's dangerous.”

Sharia Law & Canings in Aceh

Aceh was granted autonomy from the rest of Indonesia in 2001 as a means of bringing to an end a decades-long separatist uprising. Since the enactment of the Special Autonomy Law in 2001, religious police and Islamic courts have enforced Sharia (Islamic) bylaws. Sweeps, raids, and arrests related to violations of Sharia are common.

The Aceh provincial government passed two bylaws in September 2014 that afford punishments for “crimes” which do not exist in the Indonesian national criminal code. The bylaws criminalise sexual relations outside of marriage and consensual same-sex acts. The province's criminal code now permits up to 200 lashes as punishment for sexual relations between same-sex or unmarried couples, gambling, and selling alcohol. More than 200 people were caned between 2015 and 2016. In March 2017, two men were arrested and charged with consensual same-sex sexual relations under the Aceh Islamic Criminal Code. The Banda Aceh Shari'a Court sentenced the men to 85 strokes each, later reduced because they had spent two months in detention. The was first caning related to alleged homosexual acts, which are not treated as crimes under the Indonesian Criminal Code.

Canings are typically carried out in public spaces and draw large crowds taking photos and videos, which are then widely shared on social media. A 2016 caning in Aceh was live streamed on Facebook. HRDs report renewed risks to both the victims and the defenders working to support them when these videos are shared. Since this incident, a new governor of Aceh has been elected, and he offered to reform the law – not in terms of banning this form of punishment, but only to move the physical act behind closed doors.

In June and November of 2016, the Indonesian government voted against a resolution by the UN Human Rights Council and at the UN General Assembly to appoint an independent expert on violence and discrimination related to SOGIE rights.

All of these comments and actions are a dramatic shift in the government's public stance towards SOGIE rights. Just a decade earlier, Indonesia hosted a group of international rights experts in Yogyakarta to discuss the implementation of international law with regard to SOGIE rights. Although the meeting was not organised by the Indonesian government, the group produced the Yogyakarta Principles, known as one of the most critical documents affirming States responsibility to implement binding international laws in a manner that upholds SOGIE rights.

Lip Service & Scapegoating

In October 2016, following nearly eight months of consistent high level anti-LGBT rhetoric and policy changes, President Joko Widodo spoke out against the attacks, telling the BBC “there should be no discrimination against anyone.” Yet he remained silent in national media regarding the attacks. HRDs regard his vague comments as wholly inadequate given the intensification of attacks and the fact that other Cabinet ministers were among the worst perpetrators of inciting hatred against the LGBT community.

This juxtaposition of seemingly tolerant comments with a complete failure to protect activists from attack was mirrored at the provincial level. In Yogyakarta, religious extremists had stepped up attacks against the LGBT community and targeted SOGIE HRDs. The Sultan of Yogyakarta and his family made repeated statements of support for the LGBT community, but in practice extremist groups were permitted to attack events organized by SOGIE defenders, whose calls to the police for protection went unanswered.

HRDs told Front Line Defenders that throughout the country, the LGBT community and SOGIE HRDs were scapegoated by various political actors to distract public attention from other scandals – usually corruption scandals – or to secure votes. HRDs suggested that there was a direct relationship between the announcement of a corruption investigation and some form of attack on the LGBT community.

The combination of government officials attacking the LGBT community at the national level, presenting themselves as tolerant on the international stage, and refusing to protect at-risk SOGIE defenders highlights the failure of the state to meaningfully address threats to HRDs and the communities they protect. And according to HRDs, it has emboldened and empowered those who target them.

II. Raids & Attacks

HRDs across the country told Front Line Defenders that the violent rhetoric quickly escalated to a marked increase in threats and physical attacks by extremist groups. In all four cities in which Front Line Defenders met HRDs, activists named at least one LGBT community event that had been attacked or raided in 2016, or where participants had been intimidated by members of extremists groups, who often carried weapons.

As attacks and threats increased, however, authorities and police proved unwilling to protect at-risk LGBT groups, a failure that HRDs say emboldened extremists and encouraged further attacks.

Tama, a leading SOGIE rights defender in Yogyakarta, told Front Line Defenders:

"We knew ahead of our event that it would be attacked – the extremists called and told us they planned to attack. We called the police beforehand, they wouldn't come. We called them during the event, they wouldn't come. So some of us [HRDs] put our own bodies between the attackers and our friends. The police showed up at the very end and watched us be beaten."

a. Extremist Attacks

Front Line Defenders visited the offices of four local organisations working on gender and sexuality rights. Three had moved office locations in the previous two years, forced to relocate following raids or intimidation by both extremist groups and police. Many SOGIE defenders and NGOs now prefer to hold meetings with each other, their communities, and international rights groups outside of their offices for security purposes. HRDs reported a range of issues related to the relocations, including being less accessible to the communities they serve. One group reported feeling less aware of and connected to neighbours since it moved, while another had chosen its new location to be closer to legal aid groups in the event of further raids or police intimidation.



Testimony: Yuli, Jakarta

"We held an Access to Justice training for LGBT victims of discrimination and violence in February [2016]. It was disbanded by the police following complaints and pressure made by Islamic militant groups. There were 25 of us inside the hotel conference room where we held the training, then 9 members of an extremist group came and started threatening us. Within minutes more than 40 police arrived – we never called them, they had already planned to come. We had to quickly evacuate all the participants to a different hotel."





Transgender rights defender Ibu Shinta reads Quran at an Islamic school for transgender students, located in her home in Yogyakarta. Police violently raided and shut down the school in 2016, but Ibu Shinta has reopened her home for Islamic lessons and prayer.

Photo: Front Line Defenders

Testimony: Agustine, Jakarta

Agustine is a SOGIE rights defender and Executive Director of Adhanary Institute, which advocates for the rights of lesbian, bisexual, and transgender women. Agustine told Front Line Defenders that her organisation had been forced to move office numerous times since 2010 following a series of threats and intimidation from extremist groups. In 2016, it relocated to a building surrounded by other legal aid groups and NGOs, to ensure support in the event of a raid. Adhanary no longer publicizes its location as an organisation, which has the effect of limiting the organisation's ability to serve people who need emergency support.



b. Police Violence

In addition to refusing to respond to HRDs' requests for protection when extremist groups threaten or raid SOGIE rights gatherings, police across Indonesia have harassed, raided, and detained HRDs working on SOGIE rights. When raiding what authorities call "gatherings" in 2016 and 2017, police often targeted the activists who are present with verbal abuse and threats.

In July 2016, local police conducted a "sweep" at Makassar port, detaining more than 10 LGBT-identifying people. HRDs from the organisation Sehati went to the police station to seek the release of the detainees. Officers present refused to speak with the HRDs, instead calling more officials and authorities into the room to mock and harass the defenders. "They called everyone into the room and took our photos, made offensive remarks about our appearances and gender expressions," recalled HRD Booboo. The officers began to delineate which gender identities and expressions were accepted for public life in Makassar, using the HRDs as props, pointing at various HRDs as examples. One officer told the HRDs that transwomen should "no longer appear in public," but clarified that transmen, or those identified as women with masculine gender expressions, were "allowed." The head of the local religious police pointed at Booboo, a transman with a masculine gender expression, and said "this is fine. But feminine men will not be allowed."

In April 2017, police raided a hotel in Surabaya over an alleged "sex party" and detained the participants, and then threatened HRDs who arrived at the police station to advocate for the rights of the detainees. They forced 14 detained men to undergo HIV tests and publicly released the results, a tactic that police across the country have replicated since, according to HRDs. A month later, in May 2017, police detained 141 men at a Jakarta sauna, accusing them of involvement in a "gay prostitution ring." In West Java, Indonesia's most populous province, officials announced the creation of an anti-LGBT task force, which HRDs fear may be used to target lawyers and activists who take on the cases of people rounded up in the raids.

In Aceh, religious police conduct weekly “sweeps” on Fridays, harassing and arresting those deemed to be violating the province’s conservative laws, which limits HRDs’ ability to meet in-person with victims or community members in need of support.

Police have also targeted specific HRDs at their offices and homes, raiding and interrogating HRDs about their work. HRDs report that they and their partners or family members have been beaten, tortured, and sexually assaulted in detention in an attempt to intimidate them into stopping their work.

Testimony: Hartoyo, Aceh & Jakarta

Hartoyo is a SOGIE rights defender from Aceh and founder of OurVoice in Jakarta. Originally from Aceh, Hartoyo moved to the capital in 2007, when a group of men broke into the flat he shared with his male partner and assaulted them. One of the attackers called the local religious police, who arrested Hartoyo and his partner. In police custody, they were denied access to lawyers, phone calls and bathrooms and were physically and sexually assaulted.

Hartoyo returned to Aceh on the day of the public caning of two men in 2016 to assist them in seeking medical care and relocation following the abuse. Attendees at the public caning reported that religious police were “looking for Hartoyo by name.” One HRD told Front Line Defenders, “word got out that he was coming back to support the victims – he is the most qualified to help. But the religious police were circling the crowds, asking people where Hartoyo was. They knew he was back.”

III. Threats & Harassment

a. Death threats

HRDs across Indonesia report a significant increase in targeted, personalised threats, including death threats, in 2017.

Front Line Defenders met with more than two dozen HRDs; all but two had received death threats since the start of 2016. These include online threats, sometimes by the hundreds, on blog posts, Facebook statuses, and online magazines that publish rights-related poetry or writings of SOGIE rights defenders.

Many received multiple phone calls, especially at night, telling the defenders that they would be murdered “soon.”

Some verbal threats also occurred during physical attacks. In one incident, members of multiple extremist groups attacked an LGBT event in 2016 and threatened to hang the HRDs and community members present, forcing them to immediately flee the scene.

Several activists reported that “outing” of SOGIE rights defenders working anonymously or quietly to protect their communities was a common form of harassment used by extremist groups. HRDs from the Jakarta-based Arus Pelangi network told Front Line Defenders that since 2016 they evacuated at least five SOGIE rights defenders from Aceh province after their photos and alleged sexual or gender identities were posted online with calls to attack them.



Testimony: Agustine, Jakarta

From January to March of 2017, Agustine, the Executive Director of Adhanary Institute, received multiple threatening phone calls each night. Callers claimed to know where she lived, and that her “blood is halal.” For much of 2016, she had been an outspoken critic of the crackdown on LGBT communities which began in early 2016, and was frequently quoted in local and international news outlets. By early 2017, however, her phone number had been publicized online by an extremist group who received it from a journalist, and her criticism of the 2016 crackdown resulted in personalized threats in 2017.

In 2015, she published a poem on Facebook condemning a tweet from a government minister that claimed that killing LGBT people is “halal [religiously sanctioned] in Islam.” The poem was republished by an online magazine, and within a day the comments section of the poem contained more than 500 public death threats directed at Agustine.

“The word ‘kill’ appeared so many times; kill kill kill. Things like ‘When I see her I will kill her,’ ‘I will attack her if I ever see her.’ We counted throughout the day – first 100, then 200, then more than 500 violent comments. I was terrified at first, and considered never writing again... but when you get to the 15th page of death threats...you just have to start ignoring it.”



"The word 'kill' appeared so many times; KILL KILL **KILL.**"

Testimony: Hartoyo, Aceh & Jakarta

Nearly a decade after relocating to Jakarta, Hartoyo reports continued online harassment and death threats. His family still receives threatening phone calls warning them about their son's activism, as do his close friends. Hartoyo told Front Line Defenders that the "high-risk environment" in which he works has a significant impact on his personal life, and that "friends, colleagues, even potential partners have avoided relationships with [him] fearing some kind of risk by association."

"My biggest fear is that the threats to my family will manifest. The ones to me, well, they already did come true. And I'm pretty sure they will become physical again – the comments are so violent and so common it's hard to imagine someone won't act on it. I've accepted being hurt or killed for trying to protect LGBT people. But my family didn't ask for this. I want to make this country better, safer for queer people – but what if that makes it less safe for my family?"

Hartoyo says despite the near daily threats of violence he, his family, and his friends receive because of his activism, he does not report them to the police. "The worst, most disgusting, types of violence I experienced were perpetrated by the police. Who could I report new threats to?"



Testimony: Tunggal, Jakarta

WHRD Tunggal has received threats on Twitter from accounts with unidentifiable photos and nondescript names. These include graphic threats of death, rape, and violent, religiously-themed statements such as “Your blood is halal”. Tunggal noticed a spike in such comments after she posted online about SOGIE rights, reporting that “at this point [in July 2017], every post or comment I make about LGBT rights brings harsh, open, and usually violent criticism from conservative groups.” Men known to be affiliated with multiple extremist groups visited her office in Jakarta to intimidate Tunggal and other staff, forcing the organisation to remove their logo and sign from the building for security.

b. Surveillance

HRDs, especially those working in Aceh, report being followed, usually by one or more men on motorcycles, as they travel around the city and province to support LGBT people at risk. Defenders have employed a range of strategies to counter this, including varying their routes and traveling less frequently outside of the city. However, this has severely limited their ability to respond to emergencies, and to meet with at-risk members of their community. The reduction of face-to-face meetings further erodes the sense of community and trust and increases the sense of vulnerability among all members of the community.

c. Food and housing insecurity

HRDs working on SOGIE rights across the country, in particular transwomen engaged in sex work, report severe risks at the intersection of activism and sex work. In Aceh, transwomen are active in the beauty salon sector, which provides alternative means of income and job security compared to sex work. Yet, because of the crackdown by the authorities, potential clients are scared off from hiring transwomen for these services, thus making it more difficult to maintain wages and income. Furthermore, in March 2016, an Islamic body in the Bireun district issued a directive to local salons instructing them not to hire LGBT-identifying applicants.

Faisal, Aceh

Faisal is a LGBT rights defender in Banda Aceh, where he has led much of the grassroots work of supporting both closeted



and open LGBT people. He responds to and supports people who have been evicted from their family homes, creating security plans for those receiving threats, doing outreach to LGBT people in more rural neighbourhoods, and most recently, helping the victims of public canings receive medical care.

In 2017, after local religious authorities caned two young gay men, Faisal went to the home of one of the men and ensured he could access adequate medical care. Faisal also helped him move to another university so he could complete his education.

Faisal and other LGBT defenders and members of the community meet regularly, sometimes multiple times a week, to foster community, discuss family difficulties and risks, and share strategies for protection. He has faced years of threats, including death threats, and harassment for his work. In 2016, as he was leaving a LGBT gathering in Jakarta, he was threatened with hanging by a group of Islamic Defenders Front supporters.

Members of the Arus Pelangi network also receive reports from around the country from transwomen and transgender rights organisations who have been unable to rent home and office space due to their gender identity and expression. This has impacted their ability to live and work with any degree of stability and security, and increased issues of homelessness within transgender activist communities across Indonesia.

d. Transition-Related Threats

Transgender HRDs report a number of risks directly related to their gender expression and transition process, including targeting by police, surveillance, and a restricted number of times and places they can openly meet members of their community.

Testimony: Ines, Yogyakarta

Ines, a transwoman, WHRD, and sex worker in Yogyakarta founded an unregistered sex worker organisation in 2013. She and her colleagues used their platform to advocate for services that individual sex workers are usually denied. They sought government housing, pooled their wages to meet “stable salary” requirements set by many landlords, and accompanied each other to the hospital to collectively advocate for medical attention. Ines reported frequently having to “choose” between her security as an activist and her ability to earn enough to eat.

“If I didn’t have to focus completely on clients, on making enough money to eat tomorrow, I could devote more time, and brain space, to security and protection for the other women. If I had a bit more money, I’d still go to the street. This is where my community is. But I’d be able to take much better care of them.”

Ines told Front Line Defenders that for the majority of the past 15 years, she “dressed, walked, applied makeup, and styled [her] hair like a girl.” Due to police intimidation, however, she has been forced to alter her clothing style. Ines is a transwoman who wore elaborate dresses most days, using the same outfit for advocacy meetings and community organizing in the afternoons and for sex work later that night. As she became better known across Yogyakarta for her advocacy, police began to follow her more closely at night. In 2016, she was arrested and detained overnight. Authorities claim the detention was related to sex work, but Ines and other HRDs in Yogyakarta say she was clearly targeted by police because of her activism.

“Because I looked the same at community meetings as I did on the street, police recognized me immediately among the other transwomen. They singled me out, took my photo, and followed me. It went on for months. Then they detained me.”

Ines told Front Line Defenders that because she wore the same clothes “as a human rights defender during the day” and “on the street at night,” she was significantly “easier to catch.” In 2016, in an attempt to evade police abuse, she cut her hair and began wearing men’s clothing during the day, changing into dresses only at night. She says that “splitting herself in two” is the biggest security precaution she’s taken as an HRD.

Some sex workers appreciate the sacrifice she made for security, but others have begun to openly resent her daytime male appearance. Some call her a “gay man” and say she does not represent them anymore.

“I did this to survive. It’s a security measure. But they hate me for it.”

Testimony: Rais, Aceh

Rais is a HRD and newly transitioned transman in Aceh. He assists LGBT people and other HRDs to create personalized security strategies, which take into account their gender expression and Aceh's high-risk environment. As a female-to-male transperson, Rais has received threats, intimidation, and risks related to this process.

Earlier in his transition, when his voice sounded "more feminine," he avoided speaking in public for fear of revealing his trans identity, which limited the fieldwork he could do. He told Front Line Defenders he struggles to meet with LGBT people who need help because if he is seen in public with a woman, they are assumed to be an unmarried heterosexual couple and are harassed by religious police. When he responds to police, however, and his voice presents as female, they threaten to arrest him for not wearing a headscarf. People on the street also threaten him saying, "You are a woman, and you aren't wearing a veil out on the streets. You will be punished for this."

Rais is also often perceived to be a gay man and threatened with slurs more typical to that identity group. Gay men are particularly at risk in Aceh following the authorities first public caning of gay men in May 2017.

Whether perceived to be a male or female activist, the dangers associated with each severely limits his ability to meet with people to work on protection strategies in-person, leaving him to resort to insecure means of communication. It also limits his ability to respond to emergencies, because travel and working in public put him at greater risk of police harassment.

"The religious police cannot seem to decide how, or for what, they want to target me. Once, before I started taking hormones to make my voice more masculine, I visited a public park with a colleague to discuss our work. Because I was dressed like this [in men's trousers and dress shirt] the religious police threatened us – they thought we were an unmarried heterosexual couple. But when I spoke, they heard my feminine voice. Then they threatened me for not wearing a veil. Since that day, I've been a target for the religious police."

IV. Effects

Increased threats and attacks means that SOGIE rights HRDs are spending more time and resources on protection. As a result, advocacy efforts are curtailed, and the community has fewer people and resources available to defend it in this time of increased need. Additionally, HRDs are being forced to change locations or to remove themselves from public space, making them less accessible to the community, which in turn erodes trust. And while the LGBT community faces great need, it is starting to blame HRDs both for the current environment and the complications that security precautions necessarily entail.

a. Loss of trust from community

As violence against LGBT communities increased in 2016 and 2017, community members looked to SOGIE rights defenders for assurances of safety before attending events and activities. The lack of protection afforded by the state to LGBT gatherings from attacks by extremists, as well as raids by police themselves, have left defenders to answer impossible security questions posed by their threatened communities. Some explicitly asked defenders, “can you keep us safe if we come today?”

At the same time, HRDs have received criticism from within their communities for implementing new security and privacy measures – such as RSVPing via encrypted messaging apps – which some previous attendees say make meeting overly complicated.

As a result, in many provinces, fewer people are attending SOGIE rights events either because they do not feel safe or because they feel the new security measures are burdensome.

The lack of government protection, which forces HRDs to spend more time on security, does not just limit their ability to do advocacy: it also changes the dynamic between them and their community.

In Makassar, HRDs from the organisation Sehati say the authorities’ failure to protect the community against known and reported threats has led to HRDs themselves being blamed for “inviting” attacks. Following a recent event for transwomen in Soppeng, which police failed to protect when a mob attacked, throwing bottles at the women, community members told some of the organisers, “you keep bringing disasters to us” and “you’re too vocal,” both critiques the activists had never heard from their communities prior to 2016.

As one defender from Makassar put it, “We plan the same events now that we planned years ago. The difference is the violence. The authorities’ refusal to protect us leaves the community with no one else to blame. Of course they will turn on us.”

Calling it the “second crackdown,” many told Front Line Defenders that the loss of trust and blame from their communities was proving harder emotionally and psychologically than the physical attacks experienced in 2016.



Human rights defenders meet with Front Line Defenders in Makassar, Indonesia.

Photo: Front Line Defenders

Testimony: Santaru, Makassar

Santaru is a leading SOGIE rights defender and head of Sehati, an organisation focusing on advocacy and movement building for queer communities in Makassar. Santaru told Front Line Defenders that the spate of anti-LGBT violent acts and rhetoric from public officials had created tensions between HRDs and their communities, with community members no longer feeling safe at gatherings.

Following the Aceh canings in 2017, HRDs in Makassar began planning an annual LGBT gathering in their area. For the first time, they were contacted by community members wanting to know if “the organisers would be able to protect everyone” should an attack happen. Because state and religious police are often the perpetrators of anti-LGBT violence, HRDs attempting to organise the community reported having no “good response” to community members seeking such security assurances.

b. Self-censorship

The majority of HRDs Front Line Defenders spoke with across the country report censoring themselves online and in public spaces as a result of the lack of protection granted by the state to address threats and attacks. This included changing their wording away from a rights-based approach (instead framing their work in terms of health or development), cutting ties with community groups, and limiting time spent in public spaces. HRDs say this makes them less available to community members who need their support, and has an overall silencing effect on previously thriving SOGIE rights movements across Indonesia.

Testimony: Tunggal, Jakarta

Since the crackdown began in 2016, Tunggal censors her online posts related to human rights, fearing attack against herself, her colleagues or her family. She reports that she now tempers her criticism of extremist groups, refraining from naming them individually or calling out specific acts of violence and intimidation against her community.

“You feel like someone is chasing you for your opinion. Before 2016, I was full-on in my activism. I was open, honest and harsh in my criticism of conservative religious groups. Now, I choose my words wisely because I know they can be used against me.”

c. Burnout & Reduced Capacity

As a result of the anti-LGBT violence, fewer and fewer activists are openly organising and participating as before. The “over reliance on fewer and fewer HRDs,” as one defender explained, causes remaining activists to be even more psychologically and physically exhausted. In some cases, HRDs report reduced ability to implement security precautions recommended to them by colleagues and security experts.

Testimony: Rais, Aceh

HRD and transman Rais reduced his online activism as a result of the crackdown and increasing threats on social media to report him to the religious police for his activism. He now interacts very little with transgender and queer social media forums, which were previously an important venue for LGBT-identifying people in Aceh to contact him for support. The risks associated with how his gender is perceived also limit his ability to meet with people to work on protection strategies in-person, and to respond to emergencies.

Testimony: Tunggal, Jakarta

WHRD Tunggal, who through her work with various international organisations is well-placed to assist other HRDs with requests for security support, reports that HRDs she works with have significantly less capacity to implement the security recommendations she makes. She cited burnout and feelings of guilt as key barriers to HRDs implementing security precautions. For rural groups she assists, language and literacy barriers also hinder their access to support.

"Activists I work with are so overloaded with work and requests for support from victims that they can't always follow through on security precautions for themselves – or they feel guilty taking time away to do so. One organisation didn't have backdoor on their office, and was located in cramped neighbourhood with no real escape route if a raid occurred. Another didn't have CCTV, and even after I connected them to a grant opportunity they couldn't find time to apply."

V. Recommendations

At-risk HRDs working on SOGIE rights in Indonesia have identified several critical reforms for the Indonesian government, as well as actionable support that the international community – specifically the representatives of the US and EU member states in Jakarta – could provide to enhance their security.

For the Indonesian government:

- Immediately cease all public statements stigmatising the critical work of SOGIE rights defenders and the LGBT communities they represent, and publicly rescind and condemn past statements demonising them;
- Implement the recently adopted recommendations from Norway and Ireland during the September 2017 Universal Periodic Review related to protection of LGBT defenders and non-discrimination. These include Recommendation 141.56, ensure a safe and enabling environment for all human rights defenders, including those representing the LGBT communities, and 141.58 regarding nondiscriminatory laws;
- Make more public pronouncements denouncing violence against LGBT communities and in support of police protection for SOGIE rights defenders;
- Invest in the training of police and security forces in gender identity and sexuality issues, including gender identity and sexuality training for the specialized Violence Against Women unit;
- Take the lead in pressing public officials and politicians to cease from relying on the targeting of the LGBT community for political purposes.

For the EU and EU Member States:

- Press for the protection of SOGIE rights defenders in both public and private meetings with Indonesian officials, holding them accountable for the full implementation of the recently adopted UPR recommendations related to protection of SOGIE defenders and nondiscriminatory laws;
- Invite HRDs to consultations at the EU Delegation and with relevant EUMS, and meet with SOGIE rights defenders when traveling throughout the country to learn about their security needs;
- Inform HRDs about available support and emergency assistance available to them from the EU, (ProtectDefenders.eu grants, discretionary funding, transportation, etc);
- Provide secure event and meeting space to SOGIE rights defenders and organisations working outside of Jakarta;
- Establish a protocol for follow-up with HRDs with whom the EU and its member states meet, so that HRDs are better informed on advocacy efforts, especially those related to specific HRD goals such as UPR implementation;
- Invite SOGIE rights defenders to represent their work at a range of social and cultural events, to reinforce queer life as a component of Indonesian culture;
- Support the training of Indonesia police and security forces in gender and sexuality issues;
- Actively condemn discriminatory laws, policies and practices, including the criminalisation of consenting same-sex relations between adults or transgender identities, in particular the use of the death penalty,

torture or ill-treatment in this respect;

- Support civil society and governmental initiatives to monitor cases of violence, educate law enforcement personnel and seek assistance and redress for victims of such violence;
- Publicly monitor queerphobic verbal and physical abuse in the run up to the 2019 election, and alert the Indonesian government to its intention to do so;
- Ensure that all diplomatic personnel has received training on the EU Guidelines on Human Rights Defenders and the EU LGBT Guidelines.

For the United States Embassy in Jakarta:

- Make explicit its commitments to HRDs, based on the US State Department's fact sheet on human rights defenders, and regularly consult with SOGIE rights defenders about their protection needs;
- Ensure the guidelines are readily available in both English and Bahasa Indonesia on the Embassy's website, and that all Embassy have received related training on the guidelines;
- Organize an official visit for the US Special Envoy for LGBT Rights in 2018, to press upon the Indonesian government the need to immediately cease raids, arrests, and surveillance of SOGIE rights defenders, and to meet with SOGIE rights defenders;
- Push for reform in police interaction with SOGIE rights defenders and their communities, particularly in terms of community policing and responding to incidents of violence.

DECEMBER 2017

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DUBLIN

Front Line Defenders - Head Office
Second Floor, Grattan House
Temple Road, Blackrock, A94 FA39
Co. Dublin, Ireland

Tel: 00 353 1 212 37 50
Fax: 00 353 1 212 10 01
Email: info@frontlinedefenders.org

BRUSSELS

Front Line Defenders – EU Office
Square Marie-Louise 72
1000 Brussels
Belgium

Tel: 00 32 230 93 83
Fax: 00 32 230 00 28
Email: euoffice@frontlinedefenders.org

WWW.FRONTLINEDEFENDERS.ORG



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