

Indonesia 2023 Human Rights Report

Executive Summary

Although there were no significant changes in the human rights situation in Indonesia during the year, the president acknowledged for the first time the state's role in historic incidents of gross human rights violations that claimed the lives of hundreds of thousands of Indonesians between 1965 and 2003. The government also took greater steps to recognize Indigenous land rights.

Significant human rights issues included credible reports of: arbitrary or unlawful killings; torture and cruel, inhuman, or degrading treatment by police; harsh and life-threatening prison conditions; arbitrary arrest or detention; serious problems with the independence of the judiciary; political prisoners; serious abuses in a conflict in Papua, Central Papua, Highland Papua, South Papua, Southwest Papua and West Papua Provinces (the Papua region), including unlawful civilian deaths or harm, torture, and physical abuses; serious restrictions on freedom of expression and media freedom, including unjustified arrests or prosecutions of journalists, censorship, and use of criminal libel laws; serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and freedom of association; serious government corruption; extensive gender-based violence, including the practice of female genital mutilation/cutting; crimes involving violence or threats of violence targeting

members of racial, ethnic, and religious minority groups, primarily Papuans; laws in Aceh Province criminalizing consensual same-sex sexual conduct between adults that were enforced; and crimes involving violence or threats of violence against lesbian, gay, bisexual, transgender, queer, or intersex persons.

The government did not systematically take credible steps to identify and punish officials who may have committed human rights abuses.

Violence between government forces and separatist groups continued in the Papua region. There were numerous reports of abuses by nongovernmental groups, including armed groups, against civilians including unlawful or arbitrary killings, physical abuse, and destruction of property. The government investigated and prosecuted some of these. The violence displaced thousands of residents. Outside the Papua region, there were numerous reports of unknown actors using digital harassment and intimidation against human rights activists and academics who criticized government officials, discussed government corruption, or covered the violence in the Papua region.

Section 1. Respect for the Integrity of the Person

In the second half of the year, the government offered housing, cash assistance, and free medical services to several hundred victims of historical atrocities. This followed a June 27 speech in which President Jokowi

proposed a program of nonjudicial redress measures for victims of 12 incidents of gross human rights violations between 1965 and 2003, including three that occurred during the decades-long conflict in Aceh. Activists welcomed the recognition of historic abuses and the proposal but criticized the lack of details. Moreover, the proposal did not address the de facto immunity enjoyed by alleged abusers, many of whom remained active in government service.

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were numerous reports that security officials committed arbitrary or unlawful killings. Many of these reports related to counterinsurgency operations against armed separatist groups in the Papua region, who were also responsible for arbitrary and unlawful killings. The Commission for Disappeared and Victims of Violence (KontraS), a nongovernmental organization (NGO), counted 29 deaths and 41 casualties due to unlawful shootings by police between July 2022 and June 2023.

In cases of alleged extrajudicial killings by government officials, police and the military often did not conduct investigations and when they did, failed to disclose their findings. Official statements related to abuse allegations sometimes contradicted NGO accounts, and the inaccessibility of areas where violence took place made confirming facts difficult.

On February 13, General Ferdy Sambo, former head of Internal Affairs in the Indonesian National Police, was sentenced to death for murdering his aide, Brigadier Nofriansyah Yosua Hutabarat, and disguising it as a shootout. Sambo's wife, Putri Candrawathi, was also sentenced to 20 years in prison for her role in the murder and cover-up. In August the Supreme Court commuted Sambo's sentence to life imprisonment and reduced Candrawathi's sentence to 10 years' imprisonment. While Sambo's motive was unclear, multiple media outlets reported Yosua was planning to reveal Sambo's illegal activities, including running gambling rings.

On September 5, a panel of judges in a military court acquitted Sergeant Vicente De Oliwara and Private Bahari Muhrim in the 2020 murder of two Papuans, Eden Bebari and Ronny Wandik. Acknowledging the evidence proved the defendants killed the victims, the judges determined the defendants had acted in self-defense. The verdict contradicted an earlier verdict in which two other members of the same unit were found guilty of murdering Bebari and Wandik and sentenced to six' and seven years' imprisonment, respectively. The victims, university students ages 19 and 21, were killed by members of the Yonif Raider Udayana 900/SBW Unit near the Freeport gold mine. Authorities claimed the pair were part of an armed separatist criminal group and shot in a firefight, but Bebari's father denied his son was a member of any such group or that the pair were found with firearms.

The use of excessive force during arrests, interrogations, and detention resulted in many deaths. According to KontraS, police violence led to 187 deaths between July 2022 and June 2023.

On June 30, Syamsuddin, a prisoner at Nunukan Correctional Facility, died after being assaulted by a prison guard, identified as M. According to the Nunukan Police Criminal Investigation Unit chief, M was found guilty based on closed-circuit television evidence and witness statements. The head of the prison security unit was indicted for negligence, but the case remained under investigation by Nunukan Attorney General Office Branch as of October.

In August the Supreme Court sentenced two former police officers to two and one-half years' imprisonment for their roles in the October 2022 Kanjuruhan stadium tragedy. Bambang Sidik Achmadi allegedly ordered police to fire tear gas into the stadium to deter fans from swarming the field after a soccer match, resulting in 135 deaths by stampede and asphyxiation; Wahyu Setyo Pranoto ignored regulations prohibiting the use of tear gas at soccer matches. In March three other defendants were found guilty of negligence by a lower court and received sentences between one year and 18 months in prison. Families and human rights groups criticized the sentences as too short and called for all personnel responsible for the incident to be held accountable.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities. The government and NGOs reported little progress in accounting for previous disappearances, including those during the country's occupation of Timor-Leste, which became independent in 2002. NGOs noted many officials suspected of involvement in disappearances served in the government.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses

The constitution prohibited such practices. The law criminalized the use of violence or force by officials to elicit a confession, but no law specified or defined "torture." Other laws, such as on witness and victim protection, included antitorture provisions. Officials faced imprisonment for a maximum of four years if they used violence or force illegally.

NGOs made numerous reports of police and security forces using excessive force during detention and interrogation. KontraS reported 622 violent incidents involving the national police between July 2022 and June 2023, including 46 cases of arbitrary arrests and 33 cases of alleged torture. These actions resulted in 1,362 injuries and many deaths.

Police and the military usually upheld procedures to address alleged torture.

In cases of alleged torture and other abuse, police and the military typically conducted investigations but often did not publicly disclose either the fact or the findings of these internal investigations. Official statements related to abuse allegations sometimes contradicted NGO accounts, and the frequent inaccessibility of areas where violence took place made confirming facts difficult. NGOs and other observers criticized the short prison sentences often imposed by military courts in abuse cases involving civilians or actions by off-duty soldiers.

Aceh Province had special authority to implement sharia regulations. Authorities there carried out public canings for violations of sharia in cases of sexual abuse, gambling, adultery, alcohol consumption, and sexual relations outside of marriage. Same-sex sexual conduct was a criminal offense in Aceh, punishable by caning; there were no known cases of punishment for this crime during the year. Sharia was not, by regulation, to be applied to non-Muslims, foreigners, or Muslims not resident in Aceh; however, it sometimes was. Non-Muslims in Aceh occasionally chose punishment under sharia because it was more expeditious and less expensive than secular procedures.

Canings occurred in public spaces despite the governor's 2018 order limiting them to prison facilities. Individuals sentenced to caning could receive up to 100 lashes for each crime for which they were convicted, depending on the crime and prison time served. On March 16, a man and woman accused of

adultery were each lashed 100 times in front of the sharia police office in Lhokseumawe, Aceh.

Security force impunity was a problem. Members of the army special forces' Rose Team, involved in the kidnapping, torture, and killing of students in 1997-98, served as senior officials in the government despite being convicted and serving prison sentences for their involvement in these abuses. Some of those implicated in past abuses also received promotions or were given public awards and honors.

Prison and Detention Center Conditions

Conditions in the country's 526 prisons and detention centers were often harsh and sometimes life threatening, due especially to overcrowding.

Abusive Physical Conditions: Overcrowding was a serious problem, including at immigration detention centers. According to the Ministry of Law and Human Rights, as of August there were more than 228,000 prisoners and detainees in prisons and detention centers designed to hold a maximum of 128,656. Despite the release of nearly 50,000 detainees since September 2022, overcrowding posed hygiene and ventilation problems. The degree of overcrowding at facilities varied; minimum- and medium-security prisons were often the most overcrowded; maximum-security prisons tended to be at or below capacity.

According to NGO observers, conditions in women's prisons tended to be

significantly better than in those for men. Women's cellblocks within prisons that held prisoners of both genders, however, did not always grant women prisoners access to the same amenities, such as exercise facilities, as their male counterparts.

NGOs noted authorities sometimes did not provide prisoners adequate medical care.

International and local NGOs reported that in some cases prisoners did not have ready access to clean drinking water. There were widespread reports the government did not feed prisoners adequately; family members often provided supplementary food.

Guards in detention facilities and prisons regularly extorted money from inmates. Inmates often bribed or paid corrections officers for favors, food, telephones, or narcotics. The use and production of illicit drugs in prisons were serious problems, with some drug networks basing operations within prisons.

Administration: The law allowed prisoners and detainees to submit complaints to authorities without censorship and to request investigation of alleged deficiencies. Complaints were submitted to the Ministry of Law and Human Rights where they were investigated and were subject to independent judicial review.

Independent Monitoring: Some NGOs received access to prisons after

obtaining permission, including approval from police, attorneys general, courts, the Ministry of Home Affairs, and other agencies. NGOs reported authorities rarely permitted direct access to prisoners for interviews. There was no regular independent monitoring of prisons.

d. Arbitrary Arrest or Detention

The law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court. The government generally observed these requirements, but there were notable exceptions.

Arrest Procedures and Treatment of Detainees

Security forces were required to produce warrants during an arrest. Exceptions applied, for example, if a suspect was caught in the act of committing a crime. The law allowed investigators to issue warrants, but at times authorities, especially police from the Criminal Investigation Department, made questionable arrests without warrants.

On January 26, North Lampung police arrested “FR” at his home for alleged theft, but without a warrant. The next day his body was returned to his wife, allegedly without explanation, covered in bruises and with broken legs. Media reported the village government could not explain what led to his arrest because there was no record of an arrest warrant.

By law suspects had the right to contact family promptly after arrest and to legal counsel of their choice at every stage of an investigation. Legal aid organizations reported numerous cases in which they had difficulty maintaining access to detainees, especially if physical or other abuse during or after the arrest was discovered or alleged when access was initially granted.

Court officials were required to provide free legal counsel to all persons charged with offenses that carried the death penalty or imprisonment for 15 years or more, and to destitute defendants facing charges that carried a penalty of imprisonment for five years or more. State-funded legal resources were limited, however, and free counsel occasionally depended on the availability of pro bono lawyers. NGOs reported some police and prosecutors maintained “pocket lawyers” who could be called in to provide a pro forma defense for their clients.

There was no system of bail; however, detainees could request a suspension of detention, which could be granted by investigators, prosecutors, or judges. Additionally, detainees could challenge their arrest and detention by petitioning for a pretrial hearing. The law required judges to begin pretrial hearings within three days of receipt of an application and render a decision within seven days after the beginning of the hearing. Some defense lawyers were reluctant to request these suspensions, as the paperwork their clients had to sign as a condition of release sometimes included language

that could be interpreted as an admission of guilt.

Lack of legal resources was particularly problematic for persons involved in land disputes. Local government officials and large landowners involved in land grabs reportedly accused community activists of crimes, hoping the resulting detentions or arrests and the community's lack of legal and financial resources would hamper efforts to oppose the land grab.

Arbitrary Arrest: There were reports of arbitrary arrests by police, primarily by the Criminal Investigation Department and the Mobile Brigade Corps, a police tactical unit tasked with counterterrorism, riot control, and high-risk law enforcement. There were multiple media and NGO reports of police temporarily detaining persons for criticizing the government, participating in peaceful demonstrations, other nonviolent activities, and property disputes. Reports of arbitrary arrest occurred across the country, but especially in the Papua region. Most of those detained in such cases were released within 24 hours.

On May 21, a man named Fikri was wrongfully arrested and beaten on his way to buy food by members of the Cikeas Regiment 1 Mobile Brigade Corps. According to media reports, Fikri approached a crowd to see what was causing a commotion, only to find police and gang members brawling. Police mistook Fikri for a gang member and beat him until he was critically injured and required emergency care at the Bekasi Regency Regional Hospital. The family reported the incident to the Bekasi Regency Metro

Police. The case continued as of December.

Pretrial Detention: If convicted, time in pretrial detention was counted against the sentence. Media reported, however, cases in which suspects were detained longer than allowed by law, in some cases – especially of low-level crimes with sentences less than a year – resulting in immediate release of persons found guilty because the time served in pretrial detention equaled or exceeded their sentence. Terrorism suspects were governed by special rules. The government did not report the number of individuals in pretrial detention.

e. Denial of Fair Public Trial

The law provided for an independent judiciary and the right to a fair public trial, but the judiciary was deeply and broadly corrupt and subject to influence from outside parties, including business interests, politicians, the security forces, and officials of the executive branch.

Decentralization created difficulties for the enforcement of court orders, and at times local officials ignored them.

Four district courts were authorized to adjudicate cases of systemic gross human rights violations upon recommendation of the National Human Rights Commission, but no such trials occurred during the year.

Under the sharia court system in Aceh, 20 district religious courts and one

court of appeals heard cases. The courts usually heard cases involving Muslims and based their judgments on decrees formulated by the local government rather than the national penal code.

Trial Procedures

The constitution provided for the right to a fair and public trial, but judicial corruption and misconduct hindered the enforcement of this right. The presumption of innocence was not always respected; some courts, for example, allowed the admission of forced confessions. Trials were not always timely; sharia court proceedings in Aceh and some military trials were not public.

The law gave defendants the right to an attorney from the time of arrest and at every stage of investigation and trial. By law indigent defendants had the right to public legal assistance, although they were required to prove they had no funds for private legal assistance. NGOs reported, however, that defendants in many areas of the country did not have access to legal assistance due to the lack of legal aid organizations in those areas. Where they existed, their legal staffs were often too small to represent all indigent defendants. There were consequently numerous cases in which defendants faced trial without counsel. Defendants facing offenses that carried the death penalty or imprisonment for 15 years or more were required to have legal counsel; however, NGOs reported cases in which the legal counsel provided to these defendants was associated with the prosecution.

Although suspects had the right to confront witnesses and call witnesses in their defense, judges could allow sworn affidavits when distance was excessive or the cost of transporting witnesses to the court was too expensive, hindering the possibility of cross-examination. Some courts limited the presentation of defense evidence.

Political Prisoners and Detainees

NGOs estimated that as of September, there were 28 political prisoners from the Papua region, either awaiting trial or serving time after conviction under treason and conspiracy statutes, including for the display of banned separatist symbols.

According to Amnesty International, authorities detained at least 63 Papuans between January and April for participating in peaceful protests; many were released without charge.

In May the Jayapura court sentenced Victor Yeimo, spokesperson for the proindependence National Committee for West Papua, to eight months' imprisonment for criminal conspiracy, incitement, and treason for alleged involvement in violent antiracism protests in Papua and West Papua Provinces in 2019. Yeimo delivered a speech at a peaceful protest on August 19, 2019, but declined to participate in a second protest on August 29, 2019, which turned violent. Media reported he had asked activists to cancel the event, but they moved forward despite his objections. In July the Papua

High Court rejected Yeimo's appeal and added four months to his sentence, bringing his prison term to 12 months. Yeimo's lawyers reported he was arrested without a warrant and moved to the Mobile Brigade Corps' detention center without notification to them. In 2021 the Jayapura court rejected a challenge to his detention based on these irregularities. NGOs alleged the charges against Yeimo were a baseless attempt to silence nonviolent advocacy for Papuan separatism.

Local activists and family members generally were permitted to visit political prisoners, but authorities held some prisoners on islands far from their families.

f. Transnational Repression

Not applicable.

g. Property Seizure and Restitution

An eminent domain law allowed the government to expropriate land for the public good, provided the government properly compensated owners. NGOs accused the government of abusing its authority to expropriate or facilitate private acquisition of land for development projects, often without fair compensation.

Land access and ownership were major sources of conflict. According to a report released in January by the Agrarian Reform Consortium, a farmers'

advocacy group, 212 agrarian disputes across 34 provinces in 2022 covered approximately 3,800 square miles of land and affected more than 340,000 families. Police and military sometimes evicted those involved in land disputes without due process, often siding with business-related claimants over individuals or local communities.

Contested administrative boundaries, especially in Kalimantan and the Papua regions where new provinces were created in 2022, contributed to overlapping licenses, ownership disputes, unmanaged extractive industries, and corruption.

On September 11, thousands protested in front of the Batam Enterprise Agency in the Riau Islands in response to land clearance planned for the Rempang Eco City project, a government-supported industry, trade, and tourism initiative involving foreign investments that critics said was designed without meaningful local consultation. Protesters demanded a halt to the relocation of at least six villages and claimed the evictions were occurring without due process. The protest escalated into what onlookers described as a riot, resulting in the arrest of 43 persons accused of vandalism and committing violence against officers.

h. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

In December 2022 parliament passed a new criminal code criminalizing

sexual intercourse outside of marriage and living together as husband and wife outside of marriage. Complaints could be filed only by a parent, spouse, or child of the accused. The government had until January 2026 to prepare implementation regulations, which could determine how the law would be enforced and to whom it would apply; the new code was not in effect as of December 31.

The law required judicial warrants for searches except in cases involving subversion, economic crimes, and corruption. Authorities generally respected these requirements. The law also provided for searches without warrants when circumstances were “urgent and compelling.” Police throughout the country occasionally took actions without proper authority or violated individuals’ privacy.

NGOs claimed security officials occasionally conducted warrantless surveillance on individuals and their residences and monitored telephone calls.

In July Pekanbaru community police carried out “surveillance raids” of guesthouses to deter same-sex relationships, using their authority to uphold “public order.” Chief Zulfahmi Adrian acknowledged no lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) persons were arrested but reported several unmarried heterosexual couples were. The December 2022 law raised concerns among heterosexuals and others who feared its use would legitimize such actions based on local norms.

i. Conflict-related Abuse

The Papua region was home to separatist movements advocating the creation of an independent state. The most well-known armed separatist group was the Free Papua Movement (Organisasi Papua Merdeka), which acknowledged carrying out hundreds of attacks on government officials and civilians since the 1970s. The government attempted to suppress these separatist movements primarily through a large military and police presence and through a “special autonomy” status granted to the region in 2002 and revised in 2021.

Europe-based NGO Human Rights Monitor (HRM) reported a 30 percent increase in armed clashes and attacks in the first five months of the year, compared with the same period in 2022.

On May 5, five UN special rapporteurs released a joint statement expressing serious concern regarding the deteriorating human rights situation in the Papua region. The statement cited the 2022 killings of five Indigenous Papuans and the shooting of one child and concern regarding the lack of an effective and prompt investigation. In the letter, the special rapporteurs referenced eight previous statements sent to the government since 2018 and their regret at the lack of investigations in response. They called on the government to conduct full and independent investigations into abuses to ensure those responsible, including military officials, would be held

accountable.

In August 2022 the president signed a decree establishing a team to pursue nonjudicial settlements for past violations or abuses of human rights, including in the Papua region, although activists warned this could lead to legal impunity for perpetrators. Members of the team traveled to the Papua region in November 2022 to identify potential recipients of government assistance but did not announce the settlement of any cases.

Although transparent investigations of alleged abuses by government forces were uncommon, in January military court judges convicted a member of the military for participating in the August 2022 murder and “mutilation” of four Papuans in Mimika Regency, Central Papua Province, during an illegal weapons transaction, sentenced him to lifetime imprisonment, and discharged him from the army. The sentence was significantly harsher than the four-year sentence requested by the prosecutors.

Critics claimed the 2022 creation of six new provinces from the former Papua Province strengthened central government control of development. Analysts believed the creation of new provinces would accelerate the issuance of licenses for resource extraction and could foster greater inequality, leading to increased violence. Government officials maintained the new provinces would allow for greater local control and distribution of development resources.

Killings: Restrictions on independent press and NGOs in the Papua region and on visits by international investigators made it difficult to determine the authenticity of reports of, or to attribute responsibility for, killings there. The government and separatist groups often provided conflicting accounts concerning responsibility for killings. The Armed Conflict Location and Event Data Project, a disaggregated international research NGO, reported 262 fatalities throughout the country from clashes and violence from January 1 to October 30; approximately two-thirds of the incidents occurred in the Papua region, in line with previous projections that violence in the region would rise significantly during the year.

Most human rights organizations reported continued high levels of deadly clashes in the Papua region after incidents spiked in 2018 following large demonstrations. HRM reported three civilian deaths at the hands of security forces and 32 civilian deaths and 24 security force deaths in 25 clashes between security forces and armed separatists. The West Papua National Liberation Army (TPNPB) targeted non-Papuan migrants as well as Indigenous Papuans suspected of working with security forces. In August media reported TPNPB members killed a woman social activist on suspicion of providing intelligence to the military.

Abductions: On February 7, armed Organisasi Papua Merdeka separatists attacked a private plane in the Nduga District, Highland Papua Province, and took the New Zealand citizen pilot hostage. Organisasi Papua Merdeka

demanded recognition of Papuan independence as well direct talks with President Widodo in an interview with Australian press. In the interview, the group warned it would target foreigners in the Papua region. In August a journalist claiming direct contact with the group said they asserted they were holding the pilot and that he was safe and unharmed, although they offered no proof.

In May the TPNPB reportedly abused six passengers of a plane that landed in Highland Papua Province before taking hostage four who were employees of a telecommunications company with a project in the region. After releasing the workers, the TPNPB spokesperson said the hostage-taking was to reassert their warning to non-Papuans traveling to the region.

Physical Abuse, Punishment, and Torture: Human rights organizations and media reported security forces in the Papua region often used excessive force and physically abused persons in detention.

Separatist forces publicly called for nonindigenous Papuans to leave the Papua region, and civilians targeted individuals deemed nonindigenous. Armed groups used social media to threaten migrants from other areas of the country who moved to parts of Papua.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the

Press and Other Media

The constitution provided for freedom of expression, including for members of the press and other media. The law placed various restrictions on its exercise, including criminal penalties for defamation, hate speech, blasphemy, obscenity, and spreading false information. The Alliance of Independent Journalists recorded 64 incidents involving violations of journalists' and media organizations' rights between January and August. There were numerous reports of the law being used to limit criticism of the government.

Freedom of Expression: The law criminalized obscenity, hate speech, and speech defaming a person's character or reputation; insulting a religion; spreading false information; or advocating separatism.

The Attorney General's Office had the authority to monitor written material and to request a court order to ban written material. Spreading hate speech or false information was punishable by up to six years in prison. Language in the law banning obscenity was broadly applied to restrict speech deemed as offending local morals. Blasphemy was punishable for up to five years in prison but was usually prosecuted under the Electronic Information and Transactions law, which was often used to regulate online speech and carried a maximum six-year prison sentence. NGOs reported this law was also sometimes used to prosecute government critics.

On September 19, Palembang District Court sentenced TikTok influencer Lina Luftiawati to two years in prison and fined her 250 million rupiah (IDR) (\$16,400) for “inciting hatred” against religious groups by posting a video in which she said an Islamic prayer before eating pork, an act forbidden in Islam. The video garnered more than 13 million views within a week.

Although the law permitted flying a flag symbolizing Papua’s cultural identity generally, a government regulation barring separatism specifically prohibited the display of the Morning Star flag in Papua, the Republic of South Maluku flag in Maluku, and the Free Aceh Movement Crescent Moon flag in Aceh.

Violence and Harassment: From January to August, the Alliance of Independent Journalists reported 49 cases of violence against journalists that included doxing, physical assaults, and verbal intimidation and threats perpetrated by various actors, including government officials, police and security personnel, members of mass organizations, and the public.

In May the North Jayapura Police closed their investigation into the detonation of a bomb outside the home of Papuan journalist Victor Mambor, which occurred on January 23, without notable results. Mambor reported on human rights abuses in the Papua region, advocated for press freedom in Papua, and criticized government policies. According to media reports, Mambor was only informed in October that the case had been closed through the National Human Rights Commission. NGOs and media

organizations criticized the police investigation as inadequate and unprofessional and raised concerns regarding the safety and perpetuation of fear among journalists. In 2021 Mambor's car was vandalized and his personal information was published online.

In March at a public discussion hosted by the Indonesian Environmental Journalist Society on the future of the ecosystem and orangutan population in Batang Toru, four unidentified individuals attempted to intimidate attendees and shut down the event before they were escorted out by security. The discussion continued and highlighted a collaborative report by five media outlets concerning the impact of a hydroelectric dam in North Sumatra. The Alliance of Independent Journalists described the incident as an attack on freedom of the press and a violation of democratic principles.

Members of the press occasionally faced harassment and threats when investigating cases involving the government, police, and businesses.

On August 14, police assaulted journalists Awla Rajul and Agung Eko Sutrisno who were covering a protest related to a land dispute in the Dago Elos housing complex in Bandung. As the confrontation between protesters and police escalated, Rajul and Sutrisno sought refuge in a house; police pursued them and allegedly assaulted them and threatened them with death.

Censorship or Content Restrictions for Members of the Press and Other

Media, Including Online Media: The government sometimes used regional and national regulations, including those on blasphemy, hate speech, defamation, false information, and separatism, to restrict media. Obtaining permits for travel to the Papua region was difficult for foreign journalists, who reported bureaucratic delays or denials, ostensibly for safety reasons.

NGOs reported journalistic self-censorship on controversial subjects, such as positive depictions of LGBTQI+ persons and school regulations requiring young women to wear the hijab. Some journalists said reporting on corruption and conflicts of interests involving political figures was not published. According to NGOs, journalists avoided such subjects due to fear of harassment and professional ostracism.

As of July, journalism student Yolanda Agne, former editor in chief of the student magazine *Lintas*, had not been permitted to resume her studies at the Ambon Islamic State Institute after *Lintas* published an article regarding the prevalence of sexual harassment on campus in March 2022. The article alleged eight lecturers were responsible for abuse over a six-year period. According to media reports, when Agne refused to disclose the names of the victims to school officials, she was suspended from her studies, three months shy of graduation.

Libel/Slander Laws: Criminal defamation provisions prohibited libel and slander, which were punishable with five-year prison terms. NGOs alleged government officials, including police and the judiciary, selectively used

criminal defamation to intimidate individuals and restrict freedom of expression. Proving the truth of a statement was not a defense.

The criminal defamation trial of Fatia Maulidiyanti, coordinator for KontraS, and Haris Azhar, executive director of the Lokataru Foundation, was underway as of December. The charges sprang from Maulidiyanti's 2021 interview with Azhar, posted on YouTube, during which the two discussed NGO reports that government officials had an economic interest in the situation in Papua. Coordinating Minister of Maritime and Investment Affairs Luhut Pandjaitan filed charges against them the following month. Azhar and Maulidiyanti faced a potential sentence of four years if found guilty of defamation and six years if found guilty of disseminating "uncertain" news. The public and media were excluded from a June hearing when Luhut testified.

National Security: The government used legal provisions barring advocacy of separatism to restrict the ability of individuals and media to advocate peacefully for self-determination or independence in different parts of the country.

Nongovernmental Impact: Hardline Muslim groups sometimes intimidated perceived critics of Islam or groups considered heretical. There were multiple reports of harassment of Muslim families if daughters did not cover their hair. School officials sometimes intimidated girls who did not want to comply with mandatory hijab uniform regulations or who wore their hijabs

incorrectly. In an August incident, a teacher partially shaved the heads of 14 girls in Lamongan, East Java, because their bangs were showing.

Internet Freedom

The government at times disrupted access to the internet and blocked access to some online content.

The law banned online crime broadly, including pornography, gambling, blackmail, false information, threats, hate speech, racist content, and defamation, and the government prosecuted individuals for online statements. Antipornography laws were occasionally used to threaten victims who did not realize partners had secretly filmed them and then posted the videos online. The law did not distinguish between those who were involved in pornographic production and those who disseminated material online, both of which were punishable with up to 12 years in prison.

NGOs criticized the law's vague and ambiguous provisions, which they noted had been misused by authorities and private individuals to silence and punish critics, leading to increased self-censorship by journalists and activists.

SAFEnet, an NGO focused on internet freedom, said the government used its power to shut down the internet to restrict the open flow of information.

SAFEnet detected at least 24 episodes of internet access disruption in the

Papua region between January and June, rendering the internet effectively unusable. Human rights advocates said the internet shutdowns occurred during political protests against the government in the Papua region, some of which became violent. The Jakarta State Administrative Court ruled the government could block internet access during periods of social unrest.

Human rights organizations reported progovernment hackers often used doxing, disruptions to online events, and hacking of social media accounts to threaten and intimidate government critics. SAFEnet reported that in 2022 activists experienced 302 digital attacks, a 56 percent increase from the previous year.

On May 22, University of Indonesia student executive body chairperson Melki Sedek Huang alleged the organization's Twitter (now X) account was hacked after they criticized President Widodo. According to Melki, all devices logged into their official Twitter account were locked out hours after the critique entitled "Jokowi Belongs to Political Parties, Not the Public." Melki characterized the incident as a form of silencing public criticism but acknowledged they did not know if that was the case.

NGOs and media reported paid groups of "cyberwarriors," colloquially called "buzzers," used bots and fake social media accounts to shape political discourse online. Researchers reported buzzers were frequently used by both pro and antigovernment groups. Student groups alleged the government directly financed some buzzer operations.

In addition to requesting that internet service providers block access to content containing “prohibited electronic information,” such as pornography, radical religious content, extortion, “hoax news,” and hate speech, NGOs reported the Ministry of Communication and Information Technology also sometimes requested removal of content critical of the government or containing information related to LGBTQI+ matters. The ministry blocked LGBTQI+ dating apps. The government sometimes intervened with technology companies to remove content it deemed offensive or extremist from social media platforms, app stores, and other websites and revoked the licenses of those that did not promptly comply with government demands.

b. Freedoms of Peaceful Assembly and Association

The constitution and law provided for the freedoms of peaceful assembly and association, but the government sometimes restricted these freedoms.

Freedom of Peaceful Assembly

The law provided for freedom of assembly, and outside the Papua region the government generally respected this right. The law required demonstrators to provide police with written notice three days before any planned demonstration and required police to issue a receipt for the written notification. This receipt acted as a de facto license for the demonstration.

Police in the Papua region routinely refused to issue demonstration receipts, claiming the demonstrations would include calls for independence, an act prohibited by law. A Papua provincial police decree prohibited rallies by seven organizations labeled as proindependence, including the National Committee of West Papua, the United Liberation Movement for West Papua, and the Free Papua Movement. NGOs reported police routinely disrupted protests related to Papua across the country and arrested protesters.

On August 12, the Jayapura district police arrested 21 members of the National Committee of West Papua for handing out flyers calling for a demonstration on August 15 to mark the anniversary of the 1962 New York Agreement, which led to what some Papuans described as the “forced” integration of Papua into Indonesia. Despite the arrests, demonstrators gathered in Sentani on August 15; Jayapura district police forcibly dispersed the crowd with a water cannon and beat 16 individuals, according to media reports.

Freedom of Association

The constitution and law provided for freedom of association, which the government generally respected. The regulations on registration of organizations were generally not onerous, although LGBTQI+ groups reported restrictions (see section 6).

Foreign NGOs had to have a memorandum of understanding with a government ministry to register officially. Some organizations reported difficulties obtaining these memoranda and claimed the government withheld them to block their registration; they also blamed cumbersome bureaucracy within the Ministry of Law and Human Rights. Foreign NGOs operated in the country without registration, but they were unable to work directly with government programs.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The law provided for freedom of internal movement and generally allowed for travel outside the country. The law gave the military broad powers, in a declared state of emergency, to limit land, air, and sea traffic. The government did not use these powers during the year.

In-country Movement: The government imposed administrative hurdles for travel by NGOs, journalists, foreign diplomats, and others to the Papua region.

e. Protection of Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

Access to Asylum: UNHCR officials reported 11,592 refugees and asylum seekers in the country as of October. Most refugees were from Afghanistan and originally arrived 10 or more years ago. The country did not allow permanent local settlement or naturalization of asylum seekers or persons judged to be refugees. The government allowed refugees to settle temporarily while awaiting permanent resettlement. The law acknowledged UNHCR's role in processing all refugee status determinations in the country. Regulations established a detailed refugee management process, outlining the specific responsibilities of national and subnational agencies from the time of refugee arrival to departure for resettlement or repatriation. While resettlement from the country increased, only 1,186 refugees departed for resettlement through October. In June refugees rallied in front of UNHCR offices in Jakarta calling for either citizenship or resettlement to another country. In December protests and online hate campaigns targeted Rohingya refugees who arrived by boat in Aceh Province.

Freedom of Movement: Members of the Rohingya Muslim community

claimed the government aggressively monitored them and restricted their freedom of movement.

Employment: The government prohibited refugees from working, although it did not strictly enforce this prohibition.

Access to Basic Services: The government did not prohibit refugees from accessing public elementary education, although many barriers prevented enrollment of more than a small number of refugee children, including lack of access to government-issued student identification numbers. Refugees were prohibited from obtaining secondary school diplomas or pursuing higher education. A small number of refugees enrolled in language and other classes in private, volunteer-run schools or in NGO-sponsored programs. Refugees had access to basic public health services through local health clinics, which the government subsidized. Treatment for more serious conditions or hospitalization, however, was not covered. Refugees and NGOs reported increasing mental health problems among long-term refugees.

f. Status and Treatment of Internally Displaced Persons (IDPs)

The government collected data on displacement caused by natural hazards and conflict through the National Disaster Management Authority, although the lack of systematic monitoring of return and resettlement conditions

made it difficult to estimate reliably the total number of IDPs. The Internal Displacement Monitoring Center reported there were 308,000 IDPs due to disasters and 71,000 IDPs due to violence as of December 2022. HRM reported an estimated 60,000 IDPs across the Papua region, most without access to humanitarian aid. HRM reported the significant rise in armed clashes and attacks in the first five months of the year made it increasingly difficult for IDPs to return home.

For further information about IDPs in the country, please see the materials of the Internal Displacement Monitoring Center at <https://www.internal-displacement.org>.

Section 3. Freedom to Participate in the Political Process

The constitution and law provided citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Abuses or Irregularities in Recent Elections: National elections in 2019 were widely reported to be fair and free of abuses and irregularities.

Participation of Women and Members of Marginalized or Vulnerable

Groups: Barriers to women's political participation included the high cost of running political campaigns and the voting system, which tended to place men first on ballots.

The National Commission on Human Rights stated access to polling places was a problem for some groups, especially persons with diminished mobility and agricultural workers. Sick voters could request a voting commissioner collect their ballots, but the same service was not available to persons with disabilities. Voting accessibility was difficult for agricultural workers, particularly on palm oil plantations, who were often in remote areas without regular transportation services. Their ability to vote usually depended on the initiative of their employer, who could ask the General Elections Commission to send a voting commissioner to the plantation to collect workers' ballots.

Section 4. Corruption in Government

The law provided criminal penalties for official corruption, but government efforts to enforce the law were insufficient. There were numerous reports of government corruption. Despite the arrest and conviction of many high-profile and high-ranking officials, there was a widespread perception that corruption was endemic. NGOs claimed corruption was one cause of human rights abuses, with economically powerful interests using corrupt government officials to harass and intimidate activists and groups that might

threaten their businesses.

Corruption: The Corruption Eradication Commission investigated and prosecuted many officials suspected of corruption at all levels of government. High-profile cases involved large-scale government procurement or construction programs and implicated legislators, governors, regents, judges, police, and civil servants. In the first half of the year, the commission recovered more than 16.27 trillion IDR (\$1.1 billion) of state funds, conducted 73 investigations, initiated 52 prosecutions, and obtained convictions in 63 cases.

In April the NGO Indonesia Corruption Watch reported several Corruption Eradication Commission investigations were politically motivated, undermining public trust in the agency. Many NGOs and activists maintained the commission acted on behalf of members of the governing coalition to undermine opposition presidential candidates ahead of 2024 general elections.

On October 19, former Papua Province Governor Lukas Enembe was convicted of corruption and sentenced to eight years in prison for receiving more than 46.8 billion IDR (\$3.07 million) in kickbacks and gratuities for infrastructure projects between April 2013 and January 2023. Accusations included channelling large amounts of Special Autonomy funds for the construction of a church in exchange for kickbacks, the transfer of tens of millions of dollars to overseas casinos, and other misuses of public funds.

On November 8, the Central Jakarta District Court sentenced former Minister of Communications and Informatics Johnny Plate to 15 years in prison for corruption related to the construction of communications towers intended to bring the internet to thousands of remote villages. The court also ordered Plate to pay a fine of 1 billion IDR (\$65,600) or spend an additional six months in jail and to repay the state 15.5 billion IDR (\$1.02 million), the amount of state funds he received through illicit activity.

According to NGOs and media reports, police commonly demanded bribes ranging from minor payoffs in traffic cases to large amounts in criminal investigations.

Bribes and extortion influenced prosecution, conviction, and sentencing in civil and criminal cases. Anti-corruption NGOs accused key individuals in the justice system of accepting bribes and condoning suspected corruption. Legal aid organizations reported cases often moved very slowly unless a bribe was paid, and in some cases, prosecutors demanded payments from defendants to ensure a less zealous prosecution or to make a case disappear.

For additional information about corruption in the country, please see the Department of State's *Investment Climate Statement* for Indonesia, and the Department of State's *International Narcotics Control Strategy Report*, which includes information on financial crimes.

Section 5. Governmental Posture Towards International and Nongovernmental Monitoring and Investigation of Alleged Abuses of Human Rights

Domestic and international human rights organizations generally operated without government restriction, except in the Papua region, investigating and publishing findings on human rights cases and advocating improvements to the government's human rights performance.

Government representatives were generally willing to meet with local NGOs, respond to their inquiries, and at times acted in response to NGO concerns.

Retribution against Human Rights Defenders: Human rights defenders were occasionally victims of violence, threats, and harassment, in most cases from nongovernmental actors. Amnesty International recorded 35 cases of physical and digital attacks targeting 150 human rights defenders or organizations during 2022.

On March 24, environmental activist Heri Budiawan, known as Budi Pego, was imprisoned for an additional three years and two months in Banyuwangi, East Java, for “crimes against state security” for allegedly spreading communist ideology during a peaceful demonstration against a gold mine in Tumpang Pitu in 2017. Budi Pego was originally sentenced to

10 months' imprisonment in January 2018 after a hammer and sickle symbol was allegedly displayed during the peaceful protest. Budi denied knowing who had painted the hammer and sickle, and NGOs criticized the conviction as a means of silencing human rights defenders who tried to protect local communities and the environment. While Budi was serving his sentence in 2018, both sides filed appeals. After Budi's release the Supreme Court increased his sentence to four years. Budi did not, however, receive a copy of the verdict, a prerequisite for execution of a court ruling, and authorities did not take further action until March, when Budi was returned to prison.

The United Nations or Other International Bodies: The government generally permitted UN officials to monitor the human rights situation in the country, except in the Papua region. Security forces and intelligence agencies, however, tended to regard foreign human rights observers with suspicion, especially those in the Papua region, where their operations were restricted. NGOs pressed the government to allow representatives of the Office of the UN High Commissioner on Human Rights to visit the region to assess the human rights situation there.

Government Human Rights Bodies: Many independent agencies addressed human rights problems, including the Office of the National Ombudsman, the National Commission on Violence against Women, and the National Human Rights Commission. The government was not required to adopt their recommendations and at times avoided doing so. Some agencies,

including the Human Rights and Violence against Women Commissions, could refer cases to police or prosecutors.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law prohibited rape, domestic abuse, and other forms of sexual or gender-based violence. The law, adopted in 2022, defined rape only as forced penetration of sexual organs but otherwise strengthened the legal framework and improved survivors' ability to see justice. For example, filing a case required only a single (vice two previously) witness or other corroboration, such as medical evidence, to support a survivor's testimony. Rape was punishable by four to 14 years in prison and a substantial fine. The law included rights to respectful treatment during investigation and court proceedings, protection from alleged perpetrators, restitution, and recovery services.

While the government imprisoned some perpetrators of rape and attempted rape, it did not enforce the law effectively; sentences were often light, and many convicted rapists received the minimum sentence. Marital rape was not a specific criminal offense in law but was covered under "forced sexual intercourse" in national legislation on domestic violence and could be punished with criminal penalties.

The National Commission on Violence against Women documented a significant rise in reports of gender-based violence in 2022, compared with pre-COVID-19 reports. The commission attributed the increase in part to survivors' growing confidence in the legal system following passage of the Anti-Sexual Violence Law in 2022. Nonetheless, civil society activists underscored that many cases went unreported, as many victims did not report abuse because of fear of social stigma, shame, and lack of support from friends and family.

Female Genital Mutilation/Cutting (FGM/C): FGM/C occurred regularly; 55 percent of women between the ages of 15 and 64 acknowledged being circumcised, according to an August report from the UN Population Fund. With 1.3 million girls being cut every year, the country represented 30 percent of girls at risk globally. The fund estimated 21 percent of FGM/C practices were type I as categorized by the World Health Organization, also known as a clitoridectomy (partial or total removal of the clitoris or prepuce). The second most common practice was type IV, which included other harmful procedures to the female genitalia, including pricking, piercing, incising, scraping or cauterization. While no national law explicitly prohibited FGM/C, the Ministry of Women's Empowerment and Child Protection led official efforts to prevent the practice.

Other Forms of Gender-based Violence or Harassment: The law prohibiting indecent public acts served as the basis for criminal complaints stemming

from sexual harassment and was effectively enforced. Violations were punishable by imprisonment of up to two years and eight months and a small fine. The law recognized and detailed punishments for a variety of crimes, including physical and nonphysical sexual harassment, online gender-based violence, forced contraception, forced marriage, sexual exploitation, and online sexual violence. Civil society and NGOs reported sexual harassment was a problem countrywide. In 2022 the Coalition of Safe Public Space released a survey indicating four out of five women in the country experienced sexual harassment in public spaces.

Discrimination: The law provided the same legal status and rights for women and men in family, labor, property, and nationality law but did not grant widows equal inheritance rights. The law was generally enforced effectively.

Women faced discrimination in the workplace, both in hiring and in gaining fair compensation. A gender wage gap persisted, and women earned 30 percent less than men. The law stated women's work outside the home was not to conflict with their role in improving family welfare and educating the younger generation and designated the man as the head of the household. There were no legal restrictions against women in employment. Some activists said that in manufacturing, employers relegated women to lower paying, lower-level jobs. Jobs traditionally associated with women were significantly undervalued and unregulated. NGOs reported discriminatory

behavior toward domestic workers was rampant.

Divorce was available to both men and women. The law required a divorced woman to wait 40 days before remarrying; a man could remarry immediately.

The National Commission on Violence against Women viewed many local laws and policies as discriminatory. These included “morality laws” and antiprostitution regulations.

Although the federal government sought to prohibit mandatory wearing of the hijab, it did not have jurisdiction over uniforms in elementary and secondary schools. Some provincial and district governments required hijabs as part of the school uniform; students who objected were often bullied or humiliated. Muslim parents emphasized pressure for such rules stemmed from the community, rather than religious leaders, noting the Indonesian Ulema Council had consistently stated the Quran did not require women to wear headscarves. Some observers viewed pressure to wear a hijab as a sign of diminishing gender equality, since a woman could be denied an education or a job if she chose not to wear one.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

The law recognized the basic right of couples and individuals to decide the number, spacing, and timing of their children, but various regulations

undercut its effective implementation for women. The law required the government to provide information and education in accordance with religious or moral norms, and NGOs reported some government officials attempted to restrict the provision of reproductive health information on those grounds.

While condoms were widely available, unmarried women reported difficulties obtaining other forms of birth control through health-care systems. Media and NGOs reported such women were stigmatized, including by health-care staff who repeatedly asked about marital status and sometimes turned away unmarried women seeking routine procedures such as pap smears.

NGOs reported reproductive health services were not consistently provided to survivors of sexual violence. NGOs reported rape survivors sometimes experienced difficulties obtaining emergency contraceptives from medical providers and postexposure prophylaxis was not always available.

According to 2020 World Bank data, the maternal mortality rate was 173 per 100,000 live births, down from 299 in 2000. The Ministry of Health and NGOs identified several factors contributing to the high maternal mortality rate, including lack of training for midwives and traditional birth attendants, lack of access to basic and comprehensive emergency obstetric care, and limited availability of essential maternal and neonatal medications.

Hospitals and health centers did not always properly manage complicated

procedures, and financial barriers and the limited availability of qualified health personnel caused problems for referrals in case of complications. A woman's economic status, level of education, and age at marriage also affected maternal mortality.

NGOs reported that social stigma and bullying of female students related to menstruation occurred, and that they had inadequate access to menstrual education, hygiene products, and hygienic facilities at schools. This lack frequently resulted in absenteeism during menstruation.

Systemic Racial or Ethnic Violence and Discrimination

The law contained provisions specifically aimed at eliminating racial and ethnic discrimination, providing criminal penalties for individuals who discriminated on ethnic/racial grounds, as well as sentencing enhancements for violent actions that included a racial or ethnic motivation. The government did not always enforce the law effectively. Public officials frequently spoke to the importance of tolerance and diversity in a multiethnic country, but discriminatory practices often went unpunished. The law defined hate speech as spreading hate against a race, tribe, religion, or group. The government generally applied hate speech law in cases related to race.

NGOs reported persons of Melanesian descent, predominantly from the Papua region, faced widespread discrimination throughout the country.

Persons of Melanesian descent often faced police abuse.

Papuan activists emphasized that although the Papua region was rich in natural resources, the local Melanesian population historically had not fully benefitted from these resources and much of the local economy was long controlled by non-Melanesians. Statistics Indonesia, a government agency, reported that in 2021 the Papua region had the lowest Human Development Index and highest poverty rate of the country's then 34 provinces. While the special autonomy status of the then provinces of Papua and West Papua included an increase in the yearly allocation of government funds to 2.25 percent of the national budget, opponents claimed the economic benefits of this increase would disproportionately benefit non-Melanesians.

Migrant workers were often subjected to police extortion and societal discrimination.

Indigenous Peoples

The government viewed most citizens as “Indigenous” but recognized the existence of several “isolated traditional communities” and their right to participate fully in political and social life. The Indigenous Peoples’ Alliance of the Archipelago estimated between 50 million and 70 million Indigenous persons were in the country. These communities included the Dayak tribes of Kalimantan, families living as sea nomads, and the 312 officially recognized Indigenous groups in Papua. Indigenous persons, most notably

those from the Papua region, were subjected to discrimination.

There was some improvement in respect for Indigenous persons' traditional land rights, although access to ancestral lands was a major source of tension throughout the country. The government, often in collusion with local military and police units, failed to prevent companies from encroaching on Indigenous groups' land. Central and local government officials were also alleged to have extracted kickbacks from mining and plantation companies in exchange for land access at the expense of Indigenous groups.

Mining and logging activities, many of them illegal, posed significant social, economic, and legal problems for Indigenous communities. Melanesians in Papua cited racism and discrimination as drivers of violence and economic inequality in the region.

The government recognized *hutan adat* (customary forest rights) for 141 communities, covering approximately 943 square miles of customary forest. The nonprofit Ancestral Domain Registration Agency, however, estimated customary forest rights could be claimed over more than 80,500 square miles of forested land. In September the government officially recognized the rights of 15 Indigenous Dayak communities to 270 square miles of customary forests in Kalimantan, the largest cluster of customary forests ever recognized by the state. In October 2022 the government officially granted 155 square miles of *hutan adat* rights in eastern Papua to seven Papuan Indigenous groups for the first time.

Nevertheless, large corporations and the government displaced individuals from ancestral lands. The International Work Group for Indigenous Affairs reported 19 cases of expropriation of Indigenous territories in 2022 and disputes over Indigenous territories spanning approximately 2,300 square miles. NGOs described systematic efforts to undermine Indigenous communities' customary rights. The Pargamanan-Bintang Maria people and 23 neighboring Batak Toba communities in North Sumatra remained, even after decades, in conflict with the paper company Toba Pulp Lestari over land claims. Although the government recognized the customary forest rights of six Batak Toba communities, it had not verified the claims of the Pargamanan people, who claimed 40 percent of their land was under Toba Pulp Lestari occupation.

Children

Birth Registration: The law prohibited fees for legal identity documents issued by the civil registry. Nevertheless, NGOs reported that in some districts local authorities did not provide free birth certificates. Lack of registration could result in denial of public services, such as school enrollment.

Education: Although the constitution stated the government had to provide tuition-free education up to grade nine, it did not bar fees charged for schoolbooks, uniforms, transportation, and other nontuition costs. The

Ministry of Education and Culture, representing public and private schools, and the Ministry of Religious Affairs for Islamic schools and madrassahs, operated a system giving students from low-income families a financial grant for their educational needs. Nonetheless, high poverty rates nationwide put education out of reach for many children.

Child Abuse: The law prohibited child abuse, but NGOs criticized the slow police response to such allegations. The National Strategy to Abolish Violence Against Children laid out a roadmap through 2024 to strengthen efforts to prevent and respond to forms of violence against children.

Child, Early, and Forced Marriage: The legal minimum marriage age was 21 without parental permission and 19 with parental permission. Exceptions to the minimum age requirements were allowed with court approval. The courts officially permitted more than 50,000 child marriages, down from 59,000 in 2021, with approximately one-third due to pregnancy.

The main drivers of early marriage were poverty, cultural tradition, religious norms, and lack of sexual reproductive health education. The National Commission on Violence Against Women reported that some of these child marriages involved the victims of sexual abuse marrying their abusers.

Sexual Exploitation of Children: The law forbade consensual sex outside of marriage with girls younger than 15. It did not address heterosexual conduct between women and boys but prohibited same-sex sexual conduct

between adults and minors.

The law prohibited the commercial sexual exploitation of children and the use of children in illicit activities and was enforced. It also prohibited child pornography and prescribed a maximum sentence of 12 years and a substantial fine for producing or trading in child pornography.

Observers agreed there were tens of thousands of children involved in commercial sexual activity.

Antisemitism

The country's Jewish population was extremely small, estimated at approximately 200. There were no significant reports of antisemitism, but studies in recent years indicated a high level of antisemitic sentiment, often linked with strong pro-Palestine and anti-Israel sentiment.

In March the soccer world's governing body FIFA moved the Men's Under-20 World Cup, scheduled for May, out of the country after political and religious leaders called for banning the participation of the Israeli team.

Demonstrations against Israel were common following the onset of the war in Gaza and included a few examples of high-profile antisemitic statements.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at

<https://www.state.gov/trafficking-in-persons-report/>.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: No national law criminalized consensual same-sex sexual conduct between adults; however, NGOs reported several cases where vaguely defined laws related to pornography and facilitation of prostitution were used to prosecute LGBTQI+ individuals. NGOs reported numerous local government regulations defined same-sex sexual conduct as a form of sexual deviance. Such local laws were rarely enforced.

In July Garut Regency became the fifth local government to enact anti-LGBTQI+ legislation when Regent Rudy Gunawan signed a law creating a taskforce to prevent and monitor “immorality,” including same-sex relationships.

Consensual same-sex sexual conduct was illegal in Aceh and punishable by a maximum of 100 lashes, a considerable fine, or a 100-month prison term. According to Aceh’s sharia agency chief, at least four witnesses were required to observe individuals engaging in consensual same-sex sexual conduct for them to be charged. NGOs reported that fear of prosecution under sharia in Aceh at times caused LGBTQI+ activists to flee the province,

sometimes permanently.

In July Pekanbaru community police carried out “surveillance raids” of guesthouses, seeking to deter same-sex relationships using their authority to uphold “public order.” Local police chief Zulfahmi Adrian acknowledged no LGBTQI+ persons were arrested and said it was difficult to uncover LGBTQI+ cases because there was no local prohibition against men or women sleeping in the same room or living in the same house.

Violence and Harassment: Police corruption, bias, and violence caused LGBTQI+ persons to avoid interaction with police. Officials often ignored formal complaints by victims and affected persons, including refusing to investigate bullying directed at LGBTQI+ individuals. In criminal cases with LGBTQI+ victims, police investigated the cases reasonably well. According to media and NGO reports, local authorities harassed transgender persons, including by forcing them to conform to cultural standards of behavior associated with their biological sex or to pay bribes following detention. In many cases, officials failed to protect LGBTQI+ persons from societal abuse. After local media in Kupang, East Nusa Tenggara, published a story regarding an openly gay pastor, church leaders removed him from his position and allegedly kept him from pastoring in neighboring churches.

Discrimination: National antidiscrimination law did not protect LGBTQI+ individuals, and discrimination against LGBTQI+ persons occurred.

Transgender persons faced discrimination in employment and access to

public services and health care.

In January Medan Mayor Bobby Nasution characterized same-sex relationships as counter to national culture and proclaimed Medan an “anti-LGBT” city in public remarks.

In July a police officer from the Civil Service Police Unit in Dharmasraya, West Sumatra Province, was fired on suspicion of being a lesbian. She was accused of acting immorally after a video of her hugging another woman was widely viewed on social media.

Availability of Legal Gender Recognition: The country recognized “sex” rather than “gender” on official documents. Updating sex markers on legal documents was possible but required completed medical interventions including surgery and attestation by court order. Judges had the discretion to grant a court order. NGOs reported at least one case where the petitioner presented evidence of a medical sex change and the judge denied the request due to his self-described conservative values.

Involuntary or Coercive Medical or Psychological Practices: No law or regulation prohibited or otherwise restricted so-called conversion therapy practices. According to activists, transgender individuals were at times subjected to “therapy” such as exorcism practices, religious camps, and other traumatic practices. Families often put LGBTQI+ children into therapy, confined them to their homes, or pressured them to marry persons of the

opposite sex. No known forced medical procedures were performed on children or nonconsenting adult intersex persons.

NGOs criticized a law in the city of Bogor, West Java, aimed at “rehabilitating” those perceived to suffer from abnormal sexual behavior, saying it violated rights and targeted LGBTQI+ individuals and communities.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly:

Some LGBTQI+ advocacy groups reported that when attempting to register their organizations, they were unable to state explicitly that they were LGBTQI+ advocacy groups on their registration certificate. LGBTQI+ NGOs operated but reported licenses or permits required for public events were difficult to obtain. Some were pressured by police not to hold such events to avoid creating “social unrest.”

Producing media depicting consensual same-sex sexual conduct – vaguely and broadly defined in the law – could be prosecuted as a crime. Penalties included potentially extremely large fines and imprisonment up to 15 years. NGOs reported that the Ministry of Communication and Information Technology sometimes requested removal of information related to LGBTQI+ matters from internet sites. Government bodies censored domestic and imported movies for depicting same-sex relationships and prohibited television programs from having LGBTQI+ content.

In July organizers of ASEAN Queer Advocacy Week were forced to cancel a

regional conference in Jakarta due to threats from various groups who urged the government to prohibit the event. The LGBTQI+ advocacy organization ASEAN SOGIE Caucus, in a since-deleted July 10 Instagram post, invited LGBTQI+ activists from other Southeast Asia countries to Jakarta in July for a week of discussion and advocacy. The post resulted in violent threats and a police memorandum ordering Jakarta hotels to report LGBTQI+-related gatherings. Anwar Abbas, deputy chairperson of Indonesian Ulema Council, urged the government not to grant permission to the event, claiming it would constitute “a violation of the constitution.” Similarly, the Nahdlatul Ulama National Board Chairman for Religious Affairs, KH Ahmad Fahrurrozi told media such events clearly violated the country’s religious and cultural norms. People’s Consultative Agency Deputy Chairperson Yandri Susanto also rejected the event and argued police should take necessary steps to ensure such events did not happen.

Following the ASEAN Queer Advocacy Week incident, on July 26, an LGBTQI+ NGO consortium was reported to police for hosting a capacity-building workshop at a hotel. Police arrived and insisted on monitoring the event, although they allowed it to continue. Activists reported the police memorandum directing hotels to report LGBTQI+ meetings had a chilling effect on the LGBTQI+ community and many NGOs stopped gathering in public places.

Persons with Disabilities

Persons with disabilities were not able to access education, health services, public buildings, and transportation on an equal basis with others. The law mandated accessibility to public facilities for persons with disabilities. The law applied to education, employment, health services, transportation, and other state services but was seldom enforced. Comprehensive disability rights law provisions imposed criminal sanctions for violations of the rights of persons with disabilities. The law, however, was rarely enforced.

There were no reliable data on the access of children with disabilities to education, but observers believed their attendance rate was lower than that of other children.

Despite a government ban, NGOs reported that families, traditional healers, and staff in institutions shackled individuals with psychosocial disabilities, in some cases for years. The government prioritized elimination of this practice, although approximately 4,300 persons remained shackled as of June 2022, according to the Ministry of Health.

Other Societal Violence or Discrimination

Stigmatization of and discrimination against persons with HIV or AIDS were pervasive, despite government efforts to encourage tolerance. Societal tolerance varied widely, and official fear of a backlash from religious

conservatives often resulted in muted prevention efforts. Societal barriers to accessing antiretroviral drugs and their expense put these drugs beyond the reach of many. Persons with HIV or AIDS reportedly faced employment discrimination. Closer collaboration between the Ministry of Health and NGOs increased the reach of the government's AIDS and HIV awareness campaign; however, some clinics refused to provide services to persons with HIV or AIDS.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law, with restrictions, provided for the rights of workers to join independent unions, conduct legal strikes, and bargain collectively. The law prohibited antiunion discrimination.

Private-sector workers had broad rights of association and formed and joined unions of their choice without previous authorization or excessive requirements. Although the constitution granted all citizens the right to join any professional organization of their choice, the law placed restrictions on civil servants' right to organize. All were required to join a state-regulated employee association (KOPRI) with no right to strike. Efforts to organize other employee associations, for example, a teachers' union, were rejected

on the grounds that the teachers were civil servants, not “workers.”

Employees of state-owned enterprises could form unions, but because the government treated most such enterprises as essential national interest entities, their right to strike was limited.

The law stipulated that 10 or more workers had the right to form a union, with membership open to all workers, regardless of political affiliation, religion, ethnicity, or gender. The Ministry of Manpower recorded, rather than approved, the formation of a union, federation, or confederation and provided it with a registration number.

The law allowed the government to petition the courts to dissolve a union if it conflicted with the constitution or the national ideology of *Pancasila*, which encompassed the principles of belief in one God, justice, unity, democracy, and social justice. Authorities could compel a union to dissolve if its leaders or members, in the name of the union, committed crimes against the security of the state, and they could receive a minimum of five years in prison. Once a union was dissolved, its leaders and members could not form another union for at least three years. The International Labor Organization was concerned that dissolving a union could be disproportionate to the seriousness of the violation.

The law included restrictions on collective bargaining, including a requirement that a union or unions represent more than 50 percent of the company workforce or receive a vote of more than 50 percent of all workers

to negotiate a collective labor agreement. Workers and employers had 30 days to conclude a collective labor agreement. Such agreements had a two-year lifespan that the parties could extend for one year. Unions noted the law allowed employers to delay the negotiation of collective labor agreements with few legal repercussions. The International Labor Organization noted the law allowed the presence of employers in trade unions' voting procedures, which raised concerns of employer interference in union proceedings.

The right to strike was legally restricted. By law workers had to give written notification to authorities and the employer seven days in advance for a strike to be legal. Before striking, workers were required to engage in mediation with the employer or risk having the strike declared illegal. In the case of an illegal strike, an employer could make two written requests within a period of seven days for workers to return. Workers who did not return to work after these requests were considered to have resigned. Unions noted that fulfilling the many legal requirements to strike made striking legally very difficult.

All strikes at "enterprises that cater to the interests of the general public or at enterprises whose activities would endanger the safety of human life if discontinued" were deemed illegal. Regulations did not specify the types of enterprises affected, leaving this determination to the government's discretion. Presidential and ministerial decrees enabled companies or

industrial areas to request assistance from police and the military in the event of disruption of or threat to “national vital objects” in their jurisdiction. The International Labor Organization reported the definition of “national vital objects” imposed overly broad restrictions on legitimate trade union activity, including in export processing zones. Human rights activists and unions alleged the government labelled companies and economic areas as “national vital objects” to justify the use of security forces to restrict strike activity.

On March 21, the government passed the Emergency Regulation in Lieu of Law, effectively resuscitating the 2020 Job Creation Law (aka Omnibus Law), which had been ruled conditionally unconstitutional for bypassing proper public consultation and other procedural requirements. Trade unions and other labor groups widely opposed the new law, which was viewed as eroding rights to freedom of association and collective bargaining, in particular by lifting limits to outsourcing and fixed term contracts.

Under the new law, any business could hire outsourced contract labor without limitation. Firms could hire contract workers from multiple outsourcing companies, effectively making it impossible for workers to bargain collectively. The law also made contract terms the responsibility of the outsourcing company and allowed firms to offer fewer protections and lesser working conditions to outsourced workers than to direct hire workers. The law set only vague limits on the use of fixed-term contracts for

outsourced workers, which, for example, could be used for any work that was “temporary” in nature or could be completed in “not too long a time.” Implementing regulations increased the maximum duration of fixed contracts from three to 10 years and did not limit their renewal.

The law, moreover, did not provide adequate protection against nonrenewal of a contract for antiunion reasons and dissolved previous legal requirements for written contracts.

The government did not effectively enforce provisions of the law protecting freedom of association or preventing antiunion discrimination. Bribery and judicial corruption in workers’ disputes occurred, resulting in unfavorable results for workers. While workers sometimes received severance pay or other compensation, they were rarely reinstated.

Penalties for criminal violations of the law protecting freedom of association and the right to enter into collective labor agreements included a prison sentence and fines and were generally commensurate with similar crimes. Penalties, however, were rarely applied against violators. Enforcement of collective bargaining agreements varied based on the capacity and interest of individual regional governments.

Several common practices undermined freedom of association. Antiunion intimidation most often took the form of termination, transfer, or filing of unjustified criminal charges. Unions alleged employers commonly

reassigned labor leaders deemed to be problematic. Labor activists claimed companies orchestrated the formation of multiple unions, including “yellow” (employer-controlled) unions, to weaken legitimate unions. Some employers threatened employees who contacted union organizers. Companies often sued union leaders for losses suffered in strikes.

Many strikes were unsanctioned, occurring after a failure to settle long-term grievances or when an employer refused to recognize a union. Unions reported employers also used the bureaucratic process required for a legal strike to obstruct unions’ right to strike. Unions noted employers’ delays in negotiating collective labor agreements contributed to strike activity and legal measures taken against union members in the event of a failed agreement negotiation.

b. Prohibition of Forced or Compulsory Labor

See the Department of State’s annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

See the Department of Labor’s *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

d. Discrimination (see section 6)

e. Acceptable Conditions of Work

Wage and Hour Laws: Minimum wages varied throughout the country since provincial governors had authority to set a minimum wage floor and district heads had authority to set a higher rate. The minimum wage in 19 of 34 provinces was below the national poverty income level.

Most workers were not covered by the minimum wage laws. Government regulations exempted employers in certain sectors, including small and medium enterprises and labor-intensive industries such as textiles, from minimum wage requirements. Guidelines based the minimum wage on economic conditions, with purchasing power parity, manpower absorption levels, and median wage key variables in the calculation. The implementing regulations required sectors exempt from minimum wage rules to pay workers at least 50 percent of the average public consumption or 25 percent above the poverty level of their province and make part-time workers eligible for hourly wages.

For certain sectors, the overtime rate for work more than a 40-hour workweek was 1.5 times the normal hourly rate for the first hour and twice the hourly rate for additional overtime, with a maximum of four hours of overtime per day and a maximum of 18 hours per week. The law allowed certain businesses and jobs to be exempt from the 40-hour workweek,

including those in the energy, agriculture, and fisheries sectors.

Occupational Safety and Health: The law required most employers to provide a safe and healthy workplace; however, workers in the informal sector were not covered, including domestic workers. Inspectors did not actively identify unsafe conditions as their capacity to conduct inspections was limited by resources and training. Industry sources reported labor inspectors were often bribed to underreport or completely omit occupational safety and health (OSH) violations from their inspection reports. The government was in the process of creating a separate entity that conducted OSH inspections and improve the capacity of its inspectors. Workers could remove themselves from situations that endangered health or safety without jeopardy to their employment.

On January 14, a protest over working conditions turned violent at the Chinese-owned PT Gunbuster Nickel Industry smelter in North Morowali, Central Sulawesi, resulting in the death of two workers. Three weeks earlier, two Indonesian workers were trapped and burned to death after an electrical short circuit started a fire at the smelter. The accident heightened dissatisfaction among local workers, who described poorer working conditions and lower pay compared with those of Chinese workers; at the time the company employed 11,000 Indonesian employees and 1,300 Chinese personnel. Before the protest, local workers belonging to the National Worker's Union met with the company and presented eight

demands, including the implementation of national OSH laws and the provision of personal protective equipment. After the company rejected the demands and fired the union members, the workers called for a strike for the period of January 11-14.

Plantation agriculture workers often worked long hours without government-mandated health insurance benefits. They lacked proper protective gear and training in pesticide safety. Most plantation operators paid workers by the volume of crop harvested, which resulted in some workers receiving less than minimum wage and working extended hours to meet excessive volume targets. Gig workers were not protected under wage, work hours, and occupational safety and health regulations.

Unions urged the government, especially the Ministry of Manpower, to do more to address the country's poor worker safety record and lax enforcement of health and safety regulations, particularly in the construction sector. The government sometimes responded to workers' OSH complaints.

Wage, Hour, and OSH Enforcement: Authorities enforced labor regulations, including minimum wage regulations, only for workers in the formal sector. Local officials from the Ministry of Manpower were responsible for enforcing minimum wage, work hours, and OSH regulations. Penalties for violations included fines and imprisonment (for violation of the minimum wage law), which were generally commensurate with those for similar

crimes. Government enforcement was inadequate, particularly at smaller companies and in foreign-owned enterprises, such as Chinese-owned mining sites, where reports of unsafe working conditions and concerns regarding wage payments were prevalent. Penalties were rarely applied even when violators were identified. Provincial and local officials often did not have the technical expertise needed to enforce labor law effectively and were often bribed not to enforce laws effectively. Inspectors had the authority to make unannounced inspections and could initiate sanctions in the formal sector. The number of inspectors employed by the Ministry of Manpower was inadequate to enforce compliance.

The law did not mandate that employers provide domestic workers, who were considered part of the informal workplace, with a minimum wage, health insurance, freedom of association, the right to collective bargaining, an eight-hour workday, a weekly day of rest, vacation time, or safe work conditions. In August domestic workers' unions went on a hunger strike in Jakarta and other cities throughout the country to urge parliament to pass legal protections for domestic workers.

Workers in the informal sector (an estimated 60 percent of the labor force) did not receive the same protections or benefits as workers in the formal sector, in part because they had no legal work contract that labor inspectors could examine.