

## インドネシア

2021年3月29日作成

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1. 一般情報

(1) 人口・地理等

ア 外務省「[インドネシア基礎データ](#)」(2020年12月4日)

4	民族	大半がマレー系 (ジャワ、スンダ等約 300 種族)
5	言語	インドネシア語
6	宗教	イスラム教 87.21%、キリスト教 9.87% (プロテスタント 6.96%、カトリック 2.91%)、ヒンズー教 1.69%、仏教 0.72%、儒教 0.05%、その他 0.50% (2016年、宗教省統計)

イ ●CIA「[ワールド・ファクトブック-インドネシア](#)」(2021年3月25日閲覧)

<b><u>Ethnic groups</u></b>	
Javanese 40.1%, Sundanese 15.5%, Malay 3.7%, Batak 3.6%, Madurese 3%, Betawi 2.9%, Minangkabau 2.7%, Buginese 2.7%, Bantenese 2%, Banjarese 1.7%, Balinese 1.7%, Acehnese 1.4%, Dayak 1.4%, Sasak 1.3%, Chinese 1.2%, other 15% (2010 est.)	
...	
<b><u>Religions</u></b>	
Muslim 87.2%, Protestant 7%, Roman Catholic 2.9%, Hindu 1.7%, other 0.9% (includes Buddhist and Confucian), unspecified 0.4% (2010 est.)	

(2) 内政

ア 外務省「[インドネシア基礎データ](#)」(2020年12月4日)

略史	
...	
1998年	アジア通貨危機をきっかけに、ジャカルタを中心に全国で暴動が発生。ハビビ大統領就任 (第3代大統領)。
1999年	住民投票により東ティモールの独立が決定。ワヒッド大統領就任 (第4代大統領)。
2001年	メガワティ大統領就任 (第5代大統領)。
2004年	国民による初の直接投票によりユドヨノが大統領に選出。ユドヨノ大統領
2005年	ヘルシンキ和平合意 (独立アチェ運動 (GAM) との和平成立)。
2009年	ユドヨノ大統領再任。
2014年	ジョコ・ウィドド大統領就任 (第7代大統領)

2019年	ジョコ・ウィドド大統領再任
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イ ●CIA [「ワールド・ファクトブック-インドネシア」](#) (2021年3月25日閲覧)

**elections:** Regional Representative Council - last held 17 April 2019 (next to be held 2024)  
House of Representatives - last held on 17 April 2019 (next to be held 2024) (2019)

**election results:** Regional Representative Council - all seats elected on a non-partisan basis; composition – NA

House of Representatives - percent of vote by party - PDI-P 19.3%, Gerindra 12.6%, Golkar 12.3%, PKB 9.7%, Nasdem 9.1%, PKS 8.2%, PD 7.8%, PAN 6.8%, PPP 4.5%, other 9.6%; seats by party - PDI-P 128, Golkar 85, Gerindra 78, Nasdem 59, PKB 58, PD 54, PKS 50, PAN 44, PPP 19; composition - men 475, women 100, percent of women 17.9%; total People's Consultative Assembly percent of women NA (2019)

2. 人権状況および治安状況

ア ●米国国務省 [「人権状況報告 2019年 - インドネシア」](#) (2020年3月13日)

Executive Summary

...

In Papua Province the government increased security operations following December 2018 attacks by members of the separatist Free Papua Movement (OPM), which killed 19 civilians and one army soldier at a Trans Papua road project construction site in the remote highlands district of Nduga, Papua. Ongoing clashes between the OPM and security forces displaced thousands of civilians and created serious humanitarian concerns.

Significant human rights issues included: reports of arbitrary or unlawful killings by government security forces; reports of torture by police; arbitrary detention by the government; political prisoners; censorship, including laws addressing treason, blasphemy, defamation, decency, site blocking, and criminal libel; corruption; violence against lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons; criminalization of same-sex sexual activities at the local level; and forced or compulsory labor.

While the government took steps to investigate and prosecute some officials who committed human rights abuses, impunity for serious human rights abuses remained a concern. At times the courts meted out disparate and more severe punishment for civilians than for government officials found guilty of the same crimes.

3. 関連する政治組織等、政治活動／政府批判（労働運動含む）の取扱い

(1) 野党の取扱い等

ア ●フリーダムハウス [「世界の自由 2019 - インドネシア」](#) (2019年)

**B Political Pluralism and Participation**

B1 The right to organize political parties is respected, and the system features competition among several major parties. However, recently the election laws have been amended to favor large parties by increasing eligibility requirements. Only 12 parties passed verification processes for the 2014 national elections, down from 48 in 1999. The 2017 General Elections Law requires new parties to undergo a “factual verification” process which involves confirming the accuracy of submitted documents on parties’ management, membership, and operations.

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Communist parties are banned, and those who disseminate communist symbols or promote communism can face punishment under laws carrying as many as 12 years’ imprisonment.

**(2) 政府批判者等の取扱い**

ア ●フリーダムハウス [「世界の自由 2019 - インドネシア」](#) (2019年)

**D Freedom of Expression and Belief**

...

D4 Laws against blasphemy, defamation, and certain other forms of speech may sometimes inhibit the expression of personal views on sensitive topics, including on social media. ...In January, an 18-year-old student was found guilty of defaming the president on Facebook and sentenced to 18 months in jail.

**E Associational and Organizational Rights**

...

E2 While nongovernmental organizations (NGOs) are active in Indonesia, they are subject to government monitoring and interference. A 2013 law requires all NGOs to register with the government and submit to regular reviews of their activities. It limits the types of activities NGOs can undertake and bars them from committing blasphemy or espousing ideas that conflict with the official Pancasila ideology, such as atheism and communism. The government is empowered to dissolve noncompliant organizations without judicial oversight.

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Separately, in January 2018, an environmental activist was sentenced to 10 months in jail under an anticommunism law, after he displayed a hammer and sickle icon at a protest against a gold mining company in east Java.

## (3) パプアおよびモルッカの権利活動家

ア ●DFAT「[出身国情報報告 インドネシア](#)」(2019年1月25日)**Secessionists**

3.73 Individuals engaging in separatist activities can be charged with ‘rebellion’ or ‘treason’ under Article 106 of the Criminal Code, which may carry a life prison sentence. Government Regulation 77/2007 on ‘Regional Symbols’ bans the display of separatist symbols, and specifically lists the flags used by separatist movements in Aceh, South Maluku and the Papua provinces.

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イ ●米国国務省「[人権状況報告 2019年 - インドネシア](#)」(2020年3月13日)**POLITICAL PRISONERS AND DETAINEES**

NGOs estimated that fewer than six political prisoners from the provinces of Papua and West Papua remained incarcerated under treason and conspiracy statutes for actions related to the display of banned separatist symbols. Eight Moluccan political prisoners remained in prison, according to Human Rights Watch.

Authorities temporarily detained hundreds of Papuans during the year for peacefully expressing their political views, although the vast majority were released within 24 hours. A small number were charged with treason or other criminal offenses. Seven National Committee for West Papua and United Liberation Movement for West Papua activists faced trial under treason articles and were also accused of inciting recent violent protests in Papua. In September police named human rights lawyer and activist Veronica Koman as a suspect in connection with Twitter posts relating to unrest in Papua, alleging she intentionally spread information that could lead to hatred based on ethnicity, religion, race, or groups. At year’s end she resided in Australia and faced up to six years in prison if convicted.

...

**A. FREEDOM OF EXPRESSION, INCLUDING FOR THE PRESS**

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Although the law permits flying a flag symbolizing Papua’s cultural identity generally, a government regulation specifically prohibits the display of the Morning Star flag in Papua, as well as the Republic of South Maluku flag in Molucca and the Free Aceh Movement Crescent Moon flag in Aceh. NGOs reported that on August 31, police arrested six activists, including five Papuan students in Jakarta and Surya Anta Ginting, for flying the Morning Star flag outside the state palace. On September 3, police arrested an activist, Sayang Mandabayan, at the Manokwari airport for traveling with 1,500 small Morning Star flags.

**FREEDOM OF PEACEFUL ASSEMBLY**

The law provides for freedom of assembly, and outside Papua the government generally respected this right. The law requires demonstrators to provide police with a written notification three days before any planned demonstration and requires police to issue a receipt for the written notification. This receipt acts as a de facto license for the demonstration. Police in Papua routinely refused to issue such receipts to would-be demonstrators out of concern the demonstrations would include calls for independence, an act prohibited by law. A 2016 Papua provincial police decree prohibits rallies by seven organizations labeled as proindependence groups, including the National Committee of West Papua, United Liberation Movement for West Papua, and Free Papua Movement.

ウ ●HRW [「ワールドレポート 2021 - インドネシア」](#) (2021年1月13日)**Papua, West Papua, and the Moluccas Islands**

Indonesian courts tried more than 70 Papuan activists in eight cities, including Jakarta, for participation in anti-racism rallies at which they unfurled the Papuan Morning Star flag. The courts found them guilty of “treason” and sentenced them maximum to 11 months in prison, the amount of time already served.

On July 18 in Papua soldiers shot and killed father and son Elias and Selu Karunggu in an apparent extrajudicial execution after they pulled the son aside for interrogation as the two were waiting for a boat. On July 24, Indonesian soldiers from Raider 516/Caraka Yudha battalion allegedly assaulted and killed Papuan teenager Oktovianus Betera after he got into a verbal dispute with a shop owner who claimed he was trying to shoplift.

Rev. Yerima Zanambani of the Gospel Tabernacle Church of Indonesia was shot dead when feeding his pigs near his house in Hitadipa village, Intan Jaya district, Papua, on September 19. Hostilities were ongoing in the area between Indonesian soldiers and a Free West Papua group during which two soldiers and two non-Papuan Indonesians were killed.

...

In April in Ambon police arrested 23 activists, who participated in flag-raising ceremonies commemorating the 70th anniversary of the declaration of independence of the Republic of South Moluccas (Republik Maluku Selatan, RMS). The Ambon court found three of them guilty, sentencing two to two years and a third to three years in prison.

...

エ ●HRW [「パプア人活動家 3 人を釈放せよ : 平和的抗議への逮捕が警察による反逆法の濫用を浮き彫りにする - Arrests for Peaceful Protest Highlights Police Abuse of Treason Laws」](#) (2019年2月8日)

...

Police in Timika arrested Yanto Awerkion, Sem Asso, and Edo Dogopia of the West Papua National Committee (Komite Nasional Papua Barat, KNPB), a student association, on December 31, 2018 when they were organizing a prayer gathering to commemorate the group's fifth anniversary. Papuan human rights groups reported that the police arrested and beat nine KNPB members. On January 7, charges were only brought against the three for treason (makar) under articles 106 and 110 of the Criminal Code. Article 106 carries a maximum sentence of life imprisonment. They are currently being held in Papua's capital, Jayapura.

...

The KNPB, perhaps the largest indigenous youth organization in Papua and West Papua provinces, advocates for independence of their homeland through a United Nations-sponsored referendum. In 2017, Awerkion organized a petition calling on the UN to organize a referendum in Papua. ...

On January 3, 2019, more than 80 police without a warrant used batons to forcibly remove KNPB members from their office in Timika, dismantling their sign board, taking down a wall with a mural painted with pro-independence symbols, and repainting the entire building with the red-and-white color of the Indonesian flag. The police said that Papuans were not allowed to use any Free West Papua insignia or anything with the Morning Star flag, long a symbol of opposition to Indonesian rule.

Since the raid, the office has been used as a joint military-police post. The KNPB filed a lawsuit against the forced removal, contending that the police removed them without a court order to remove them. The police claim that the office was used for "shouting about freedom."

...

Over the last decade, the Indonesian government has released dozens of people imprisoned in Papua and the Moluccas Islands for peacefully expressing their political aspirations. In December, the Indonesian government released two Moluccan political prisoners, Johan Teterisa and Jonathan Riri, who had been imprisoned for treason for more than 11 years. They were among more than 60 activists arrested and imprisoned for treason since June 2007 after 28 of them staged a protest dance with the South Moluccan Republic flag in front of then-President Susilo Bambang Yudhoyono in Ambon stadium. Now only six political prisoners, all Moluccan activists, are still imprisoned in Ambon, the Moluccas Islands, since their 2007 arrests with Teterisa and Riri.

In January 2018, Indonesia's Constitutional Court rejected a judicial review to annul five treason articles, including articles 106 and 110, but found that those articles were often disproportionately applied against political activists raising the Morning Star flag in Papua. In its ruling, the court considered the 2011 ruling from the United Nations Working Group on Arbitrary Detention on the arbitrary detention of Papuan activist Filep Karma, who was

then serving a 15-year prison term for his 2004 peaceful protest against Indonesian rule. The working group concluded that articles 106 and 110 were applied disproportionately in the Karma trial.

...

#### 4. ジェンダー、DV および子ども

##### (1) 女性器切除 (FGM/C)

ア ●ACCORD [「インドネシアに関するクエリー回答：FGMの広まり、法的な規制と組織」](#) (2020年3月27日)

(Google 訳)

The spread within the country varies greatly between the provinces: in the east of the country it is less than 10 percent (UNICEF, January 2020), the lowest distribution is at 3 percent in the province of East Nusa Tenggara (WHO, 2017, p. 34), while in other provinces it would reach more than 80 percent. In the province of Gorontalo, for example, it is 83 percent (WHO, 2017, S 34, S. 41).

...

According to UNICEF, RISKESDAS data showed that as many girls up to the age of 12 living in an urban environment were affected by FGM than those living in rural areas: girls living in urban areas were 56 percent affected by FGM, according to their mothers, while girls in rural areas were 47 percent affected by FGM. Furthermore, girls with higher economic status are 53 percent more likely to be affected by FGM than girls who were attributed to the population with the lowest economic status (47 percent of those affected by FGM). According to their mothers, girls up to the age of 12 are most likely to be affected by FGM when the head of household has completed primary or secondary education, according to their mothers. The percentage of girls affected is lower if there is either no formal education or tertiary education. (UNICEF, January 2020)

...

According to the organization Terre Des Femmes, FGM is religiously justified in Indonesia. Among other things, it is said that an uncircumcised woman cannot be a Muslim and that FGM is understood in Indonesia as a religious ritual. Many Muslim leaders believe that the Koran prescribes female genital mutilation. (Terre Des Femmes, December 2019)

...

#### 5. LGBT

ア ●HRW [「ワールドレポート 2021 - インドネシア」](#) (2021年1月13日)

Sexual Orientation and Gender Identity



In Jakarta, police arrested three men after a transgender woman was burned alive on April 7. On Madura Island, police arrested three male suspects after a transgender woman was robbed and killed in her salon on September 3.

Indonesian authorities continued their assault on the basic rights of LGBT people. On August 29, police forcibly broke up a party at a hotel, arresting nine men and charging them with the crime of “facilitating obscene acts” under the pornography law, which discriminates against LGBT people. East Java police arrested a police officer in Probolinggo who allegedly had a relationship with another man. In October, the Supreme Court announced that it had rejected appeals and dismissed at least 16 gay soldiers in several court cases including in Bandung, Jayapura, Medan, Semarang, and Surabaya.

イ ●フリーダムハウス「[世界の自由 2019 - インドネシア](#)」(2019年)

**E Associational and Organizational Rights**

...

E2 ...

Authorities and influential Muslim organizations have continued to intimidate and harass LGBT people and activists. In recent years, authorities have closed a transgender boarding school, raided a gym and sauna that also functioned as a health center for gay and bisexual men, and banned or attempted to ban foreign funding for LGBT groups. Nahdlatul Ulama, Indonesia’s largest Muslim organization, has called for LGBT activism to be criminalized. The cumulative effect of this campaign has been to drive the LGBT activist community underground, and to hamper groups seeking to provide services to LGBT people.

6. 汚職、非国家主体による犯罪、国家による被害者の保護

(1) パプアおよび西パプアの過激派勢力等による攻撃

ア ●米国国務省「[人権状況報告 2019年 - インドネシア](#)」(2020年3月13日)

**A. ARBITRARY DEPRIVATION OF LIFE AND OTHER UNLAWFUL OR POLITICALLY MOTIVATED KILLINGS**

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August and September saw a significant spike in violence in Papua and West Papua Provinces. In August conservative Islamic groups clashed with Papuan students in Surabaya and Malang, triggering an outbreak of rioting and clashes with the TNI and police throughout Papua and West Papua. The NGO Human Rights Defenders claimed that at least six protesters were killed during clashes on August 28 in the town of Waghete, Deiyai Regency, Papua. The government maintained that security forces acted lawfully after protests turned violent when a group of approximately 1,000 persons armed with machetes

and arrows attacked security forces, stole firearms and ammunition, and killed one soldier and two civilians.

On September 23, 33 individuals were killed in riots in Papua, after rioters set buildings and shops on fire. The riots were reportedly triggered by rumors on social media of a non-Papuan high school teacher racially taunting Papuan students in Wamena.

In December 2018 members of the OPM killed 19 civilians and one soldier at a road project construction site in the remote highlands district of Nduga, Papua. In response the government increased police and TNI operations in Papua to pursue the perpetrators of the attacks, resulting in a prolonged series of clashes and attacks involving both government forces and the OPM. There is limited information available on the number of civilians, security forces, and separatists killed and injured in these clashes and attacks. Officials estimated 53 deaths relating to the conflict, although CSOs estimated the figure was much higher. The Ministry of Social Affairs confirmed that 3,000 residents were displaced, although media reported figures as high as 20,000. Security forces restricted access to Nduga, complicating efforts to verify civilian casualties and assess the needs of displaced residents.

イ ●HRW [「ワールドレポート 2021 - インドネシア」](#) (2021年1月13日)

**Papua, West Papua, and the Moluccas Islands**

...

No one was arrested for the killing of at least 52 Papuans and migrants from other parts of Indonesia in Deiyai and Wamena during 2019 anti-racism protests. The precise number of deaths is unknown because the government continued to limit access to Papua in 2020.

(2) イスラム教過激派勢力等による攻撃

ア ●HRW [「インドネシアで ISIS が 4 回の自爆攻撃に子どもを使う」](#) (2018年5月15日)

Coordinated suicide bombings of three Christian churches and the police headquarters in Surabaya, Indonesia's second largest city, on May 13-14, 2018, were repugnant acts of violence, Human Rights Watch said today. The attackers intentionally used their own children, who were between the ages of 9 and 18, to either carry and detonate explosives or to accompany their parents carrying out the attacks.

...

イ 記事 [「インドネシア、テロ対策で二正面作戦 法改正で予備軍摘発／脱過激へ思想教育 子供を洗脳、新種事件への対応急務」](#) (会員記事) 日本経済新聞 (2018年6月4日)

インドネシアのジョコ政権はテロ対策を拡大する。反テロ法改正によりテロリスト予備軍の取り締まりを強化する一方、若者らが過激な思想に染まらないような思想教育に力を入れる。5月中旬以降に生じた連続自爆テロ事件では子供まで過激思想に洗脳されて犯行に加わっていた。政権は再発防止に全力をあげる。

...

ウ 記事「[インドネシア、抗議デモで「6人死亡」 ジャカルタ州知事](#)」日本経済新聞 (2019年5月22日)

インドネシア大統領選の開票結果を巡り野党支持者が実施した抗議デモで、首都ジャカルタのアニス州知事は22日午前、6人が死亡し、約200人が負傷したことを明らかにした。野党支持者は22日午後にも大規模なデモを予告しており、混乱が広がる可能性もある。

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抗議デモは総選挙監視庁前で発生した。22日未明に少数の野党支持者が暴徒化して投石や放火を開始し、治安部隊と衝突した。治安部隊は催涙弾を使用し、デモ隊を強制的に解散させた。警察車両が燃やされる被害も出た。

国家警察は22日の記者会見で、69人を拘束したと発表した。「火炎瓶などで武装していた」として、デモに集まった野党支持者とは別に、計画的に争乱を起こす目的で集まった集団による犯行の可能性を示唆した。「死傷者数は調査中」としている。地方でも、ボルネオ(カリマンタン)島西部のポンティアナクで交番が放火された。

(3) 土地の強制収用

ア ●米国国務省「[人権状況報告2019年 - インドネシア](#)」(2020年3月13日)

**PROPERTY RESTITUTION**

An eminent domain law allows the government to expropriate land for the public good against the owner's wishes, provided the government properly compensates owners. NGOs accused the government of abusing its authority to expropriate or facilitate private acquisition of land for development projects, often without fair compensation. In other cases state-owned companies were accused of endangering resources upon which citizens' livelihoods depended.

...

(4) 土地争い

ア ●米国国務省「[人権状況報告2019年 - インドネシア](#)」(2020年3月13日)

**PROPERTY RESTITUTION**

...

Land access and ownership were major sources of conflict. Lack of credible maps and titles, traditional rights, and numerous competing laws and regulations on land ownership allow multiple parties to hold legitimate claims to the same piece of land. Security forces sometimes evicted those involved in land disputes without due process, often siding with business claimants over poorer residents. The National Ombudsman Commission reported it received 1,014 land- and property-related complaints between December 2018 and March 2019.

In February a resident of Sanggau Regency, West Kalimantan, alleged that state-owned enterprise PT Aneka Tambang unlawfully claimed approximately 12 acres of his land. In May a Sanggau court ordered the government to return the land and pay compensation.

## 7. 兵役、強制徴集（非国家主体の）

ア ●CIA [「ワールド・ファクトブック-インドネシア」](#)（2021年3月25日閲覧）

### **Military service age and obligation**

18-45 years of age for voluntary military service, with selective conscription authorized; 2-year service obligation, with reserve obligation to age 45 (officers); Indonesian citizens only (2019)

## 8. 司法制度・刑事手続

### (1) 名誉棄損による訴追

ア ●HRW [「WhatsApp 上のメッセージを理由に投獄 - Repeal Criminal Defamation Provisions in Internet Law」](#)（2019年3月8日）

On February 26, 2019, the court sentenced Syamlan to 10 months in jail for defamation for allegedly sending four WhatsApp messages to two banks regarding a company's performance. She denies sending the messages. The Indonesian government should repeal criminal provisions that restrict peaceful free expression online.

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Syamlan's husband, Aziz Hamedan had long been the finance director of Pisma Textile but retired in 2016. The WhatsApp messages are four short sentences, in Javanese language, sent on June 23, 2017, separately to two bankers in Jakarta – Eximbank Indonesia and Bank Negara Indonesia officials – that questioned the credibility of Pista Textile, a well-known textile company that makes sarongs.

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## 9. 警察・治安部隊（刑務所等の状況含む）

ア ●米国国務省「[人権状況報告 2019年 - インドネシア](#)」(2020年3月13日)**PRISON AND DETENTION CENTER CONDITIONS**

Conditions in the country's 522 prisons and detention centers were often harsh and sometimes life threatening, due especially to overcrowding.

Physical Conditions: Overcrowding was a serious problem, including at immigration detention centers. According to the Ministry of Law and Human Rights, as of January there were 265,231 prisoners and detainees in prisons and detention centers designed to hold a maximum of 127,290. Overcrowded prisons faced hygiene and ventilation problems, which worsened living conditions of convicts.

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## 10. 報道の自由

ア ●米国国務省「[人権状況報告 2019年 - インドネシア](#)」(2020年3月13日)**A. FREEDOM OF EXPRESSION, INCLUDING FOR THE PRESS**

...

Violence and Harassment: The Alliance of Independent Journalists (AJI) reported 20 cases of violence directed at journalists and media offices between January and April. The AJI also reported that at least seven journalists were victims of violence during postelection riots in Jakarta. Police and protesters allegedly restrained journalists forcefully, confiscated their devices, and forced them to delete pictures and videos. Some journalists reported other instances of physical intimidation during the incidents.

イ ●HRW「[ワールドレポート 2021 - インドネシア](#)」(2021年1月13日)**Freedom of Media**

...

Journalist Diananta Sumedi served three months in jail in Kotabaru, South Kalimantan, until August after writing stories about a land dispute between Dayak Indigenous people and the Jhonlin palm oil company.

...

In September police arrested three student journalists after they joined fishermen on their boat to protest sand mining on Kodingareng Island, off Makassar. In October, at least 56 journalists were beaten, threatened, and arbitrarily arrested in Malang, Jakarta, and Surabaya, when covering protests against the new job creation law.

ウ ●フリーダムハウス「[世界の自由 2019 - インドネシア](#)」(2019年)

**D Freedom of Expression and Belief**

D1 ...

Dozens of assaults, threats, arrests, and other forms of obstruction were directed against journalists during 2018, with perpetrators including politicians, police, and military officials. In June, journalist Muhammad Yusuf of the local news website *Kemajuan Rakyat* died in police custody, after being detained for weeks on charges of defamation and hate speech in connection with articles implicating a palm oil company in illegal land grabs. His family accused authorities of medical neglect.

**11. 宗教の自由****(1) イスラム教に対する冒瀆罪による訴追等**ア ●DFAT [「出身国情報報告 インドネシア」](#) (2019年1月25日)**Blasphemy and Defamation of Religion**

3.23 Indonesia's Criminal Code prohibits acts or words that insult religion or prevent a person from adhering to one of the official recognised religions. The Electronic Information and Transaction Law also makes it an offence to deliberately disseminate information aimed at inciting hatred towards individuals or groups based on ethnicity, religion or race.

3.24 Since the end of the Suharto era, Indonesia has seen a rise in the number of blasphemy cases. Between 2005 and 2014, 106 people were convicted and imprisoned for blasphemy. The majority of these cases involved blasphemy against Islam. Commentators have identified a range of reasons for the rise in blasphemy cases. These include political utilisation of religion, a general trend towards legal regulation of religion and an increased legitimacy of blasphemy laws.

3.25 Indonesia's highest profile recent blasphemy case involved former governor of Jakarta, Basuki Tjahaja Purnama ('Ahok'), an ethnically Chinese Christian, in 2017. Ahok received a two-year prison sentence in May 2017 for suggesting in September 2016 that some Islamic clerics had deceived people by claiming a Koranic verse prohibited Muslims from electing a non-Muslim leader. An edited video of his speech made him appear to insult the Koran. This led to a series of mass demonstrations across the country in following months demanding Ahok's arrest; up to 500,000 people assembled in Jakarta at the largest of these in December 2016. Several hard-line groups played a prominent role in organising the rallies.

3.26 In 2018, courts have so far convicted six people for blasphemy. Notably, in August 2018, an ethnically Chinese Indonesian Buddhist woman called Meiliana received an 18 month prison sentence for blasphemy, after complaining about the volume of the call to prayer broadcast from speakers at a local mosque in North Sumatra. In response to the perceived affront to Islam, a mob attacked Meiliana's home, Buddhist temples and

several other ethnically Chinese Indonesians' homes.. In January 2017 several of the rioters were sentenced to prison, the majority for under four months. A later decision to prosecute Meiliana in August 2017 came after sustained community pressure, including from hard-line Muslim groups, and coincided with the high-profile Ahok case.

...

#### イ ●Bertelsmann Stiftung [「BTI 2020 Country Report – Indonesia」](#) (2020年)

As with the debate on state identity, Islamic conservatives have in recent years increased their influence over the workings of political and legal institutions. Given that 87% of its population are Muslim, Indonesia has traditionally struggled to maintain a balance between promoting Islamic values and the rights of non-Muslim minorities. While the Indonesian constitution guarantees the freedom of religion, this right has been increasingly hollowed out. One indication of this is the rise in the number of blasphemy cases, both against elites and ordinary citizens. The Chinese-Christian governor of Jakarta, Basuki Tjahaja Purnama (or “Ahok”), was sentenced to two years in prison in May 2017, following large Islamist demonstrations against him. In August 2018, a Chinese-Christian woman was convicted of blasphemy after her complaint about the noise of a mosque loudspeaker triggered a riot in her hometown of Tanjung Balai on Sumatra. At the same time, LGBTI citizens have faced the worst attacks on them in living memory, with local state officials since 2018 introducing a range of local discriminatory regulations and conducting raids aimed at publicly shaming them. These local regulations add to other, already existing bylaws that enforce Islamic dress or behavioral codes. These bylaws threaten women’s rights and the ability of religious minorities to practice their faith, and the acquisition of licenses for non-Muslim places of worship continues to be difficult. Since 2014, it is reported that approximately 32 churches and five Ahmadi mosques were closed by Islamist conservative groups or by the government under the pressure of such conservative groups across the Indonesia.

#### ウ ●フリーダムハウス [「世界の自由 2019 - インドネシア」](#) (2019年)

##### **D Freedom of Expression and Belief**

...

D4 Laws against blasphemy, defamation, and certain other forms of speech may sometimes inhibit the expression of personal views on sensitive topics, including on social media. In a 2018 blasphemy case in North Sumatra, an ethnic Chinese woman was sentenced in August to 18 months in prison after complaining that the call to prayer at a nearby mosque was too loud....

##### **E Associational and Organizational Rights**



...

E2 While nongovernmental organizations (NGOs) are active in Indonesia, they are subject to government monitoring and interference. A 2013 law requires all NGOs to register with the government and submit to regular reviews of their activities. It limits the types of activities NGOs can undertake and bars them from committing blasphemy or espousing ideas that conflict with the official Pancasila ideology, such as atheism and communism. The government is empowered to dissolve noncompliant organizations without judicial oversight.

※前掲

## (2) アチェ

ア ●米国国務省「[人権状況報告 2019年 - インドネシア](#)」(2020年3月13日)**C. TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT**

...

Under terms of the 2005 peace agreement that ended a separatist conflict in Aceh, the province has special authority to implement sharia regulations. Authorities in Aceh carried out public canings for violations of sharia in cases of gambling, adultery, alcohol consumption, consensual same-sex activities, and sexual relations outside of marriage.

Sharia does not apply to non-Muslims, foreigners, or Muslim Indonesians not resident in Aceh. Non-Muslims in Aceh occasionally chose punishment under sharia because it was more expeditious and less expensive than civil procedure

イ 記事「[婚外交渉の男女に公開むち打ち刑、インドネシア・アチェ州](#)」AFP (2019年3月4日)

インドネシアのアチェ (Aceh) 州で4日、婚外交渉を持った男女12人に対する公開むち打ち刑が執行された。

6組のカップルは昨年末、州都バンダアチェ (Banda Aceh) のホテルで行われた強制捜査で、婚姻関係のない異性と会っていた、あるいは親密な関係を持ったとして、シャリア (イスラム法) 違反で逮捕された。

スマトラ (Sumatra) 島の最北端に位置する保守的なアチェ州では、賭博や飲酒、同性愛者間の性行為などが犯罪とみなされ、罰としてむち打ち刑が適用される。

世界最大のイスラム人口を持つインドネシアの中でも、シャリアが施行されているのはアチェ州だけ。公開むち打ち刑については、人権団体が残酷な刑罰だと非難しており、ジョコ・ウィドド (Joko Widodo) 大統領も中止を求めている。



## 12. 国籍、民族および人種

### (1) 中華系

#### ア ●DFAT「[出身国情報報告 インドネシア](#)」(2019年1月25日)

3.7 Since the end of the New Order regime in 1998, successive governments have removed most official policy measures discriminating against ethnically Chinese Indonesians.

3.8 Some anti-Chinese sentiment remains at a societal level. Although many Chinese Indonesians are not wealthy, most of the country's richest and most prominent businesspeople are ethnically Chinese Indonesian, which is a source of resentment for some non-Chinese Indonesians.

3.9 In 2012, President Widodo faced strong criticism from conservative Islamist groups in his campaign for the Governorship of Jakarta for having a Chinese Indonesian and Christian running mate, Basuki Tjahaja Purnama, popularly known as 'Ahok', who later succeeded him. After succeeding Widodo as governor, some of Ahok's policies were controversial and politically divisive, such as slum-clearing, which was perceived as anti-poor. Later, after he was accused of blasphemy in late 2016, a range of groups with complex agendas united to use Ahok's ethnic and religious background as a means to mobilise large crowds of demonstrators (see Blasphemy and Defamation of Religion). Ahok was later convicted of blasphemy and imprisoned.

...

3.11 Small-scale local riots took place in a town in North Sumatra in 2016, following an allegation of blasphemy against a Chinese Indonesian woman (see Blasphemy and Defamation of Religion). While the riots were ostensibly anti-Buddhist, most Indonesian Buddhists are ethnically Chinese and local media described the riots as anti-Chinese and stated that some Chinese families had fled the region. A number of youths were arrested, prosecuted and imprisoned in the wake of the riots.

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### (2) 先住民

#### ア ●HRW「[ワールドレポート 2021 - インドネシア](#)」(2021年1月13日)

##### **Indigenous Rights**

Major Indonesian companies continued to cut old growth forests with impunity. Yet on May 19, a court sentenced Bongku of the Sakai Indigenous group in Riau to a year in jail for cutting down 20 trees in a forest that his tribe has claimed in a longstanding dispute with the Asia Pulp & Paper Group.

On April 26, Hermanus, a Dayak Indigenous farmer, died in a Sampit hospital while still facing trial for defending his land against Best Agro oil palm plantation. The land dispute

began in 2003. On June 15, his colleagues, James Watt and Dilik, were sentenced respectively to 10 and 8 months in jail for “stealing” oil palm fruits from land the National Land Agency had declared in 2011 belonged to the village.

On August 18, police raided the Pubabu Indigenous community on Timor Island, displacing more than 600 people and destroying 47 homes in a long-lasting land dispute.

...

### (3) 国籍

ア ●CIA [「ワールド・ファクトブック-インドネシア」](#) (2021年3月25日閲覧)

#### **Citizenship**

citizenship by birth: no

citizenship by descent only: at least one parent must be a citizen of Indonesia

dual citizenship recognized: no

residency requirement for naturalization: 5 continuous years

### 13. 出入国および移動の自由

ア ●米国国務省 [「人権状況報告 2019年 - インドネシア」](#) (2020年3月13日)

#### **D. FREEDOM OF MOVEMENT**

The law provides for freedom of internal movement and generally allows for travel outside of the country, but the constitution allows the government to prevent persons from entering or leaving the country. The law gives the military broad powers in a declared state of emergency, including the power to limit land, air, and sea traffic. The government did not use these powers during the year.

#### 略称

ACCORD	オーストラリア出身国・庇護研究ドキュメンテーションセンター
ACLED	武力紛争位置・事件データプロジェクト
AI	アムネスティ・インターナショナル
ARC	難民調査センター
BAMF	ドイツ連邦移民難民庁
CGRS	ベルギー難民及び無国籍者庁
CIA	米国中央情報局
CNDA	フランス庇護権裁判所
CRS	米国議会調査局
DFAT	オーストラリア外務貿易省

DIS	デンマーク移民庁
DRC	デンマーク・レフュジー・カウンセル
EASO	欧州難民支援局
HRW	ヒューマン・ライツ・ウォッチ
ICG	インターナショナル・クライシス・グループ
IDMC	国内避難民監視センター
IRBC	カナダ移民難民局
IRDC	アイルランド難民ドキュメンテーションセンター
ジェトロ	日本貿易振興機構
Landinfo	ノルウェー政府出身国情報センター
MRGI	マイノリティ・ライツ・グループ・インターナショナル
OECD	経済協力開発機構
OFPRA	フランス難民・無国籍庇護局
OHCHR	国連人権高等弁務官事務所
OSAC	米国海外安全保障評議会
RRTA	オーストラリア難民再審査審判所
RSAA	ニュージーランド難民地位不服申立機関
RSF	国境なき記者団
UKIAT	イギリス移民難民審判所
UNHCR	国連難民高等弁務官事務所
USCIRF	米国連邦政府国際宗教自由に関する委員会