

LGBT = NUCLEAR?  
INDONESIA'S  
PHOBIA EMERGENCY

**Series of Monitoring and Documentation  
on Human Rights Violations in Indonesia**



PERKUMPULAN  
LEMBAGA BANTUAN HUKUM  
MASYARAKAT

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## INTRODUCTION

In patriarchal culture, LGBT people are an “Other” that is exiled by the hetero-normative community. This exile causes stigma and discrimination. The prevalent view in the community, of LGBT people as unnatural and in contradiction to many religious values, contributes to the pervasiveness of homophobia and discrimination against LGBT people. In Indonesia, the situation is getting worse because of the absence of legal frameworks to protect LGBT people; this is a weakness in the Indonesian State’s approach to protecting LGBT people. The problem is made worse by the failure of the government to respond to the ongoing stigma and discrimination experienced by LGBT people.<sup>i</sup>

Article 27 section (1) of the Indonesian Constitution states that every citizen has equal standing before the law. Therefore, legal protections apply to all citizens, including LGBT people. The principle of non-discrimination is also found in Article 28I section (2). The Constitution, laws and regulations of Indonesia make no express mention of discrimination based on identity or sexual orientation,<sup>ii</sup> however, the Indonesian State still has a responsibility to protect all citizens from discrimination that infringes on their human rights; this includes LGBT people.<sup>iii</sup> Indonesia has an ongoing responsibility to defend human rights and hold firm to the principles of equality and non-discrimination in accordance with the commitment it made when it ratified International Conventions such as the International Covenant on Civil and Political Rights,<sup>iv</sup> the International Covenant on Economic, Social, and Culture,<sup>v</sup> the Convention on The Elimination of All Forms of Discrimination against Women<sup>vi</sup>, and other international agreements that guarantee protection of basic human rights.<sup>vii</sup> Based on those conventions, Indonesia has three basic responsibilities: to protect, respect and fulfill the right of all communities in Indonesia, especially those who are vulnerable and marginal.<sup>viii</sup>

Unfortunately, equality and human rights protection for LGBT people in Indonesia is still far from meeting expectations. Stigma, homophobia and discrimination are still the main problems for LGBT people. Therefore, Community Legal Aid Institute (LBH Masyarakat) decided to undertake monitoring and documentation of stigma and discrimination against LGBT people in the Indonesian press over the course of 2016. It is hoped that the results of monitoring and documentation will be used as reference material

and for advocacy in order that we can move beyond stigma and discrimination against LGBT people in Indonesia.

## MONITORING AND DOCUMENTATION METHODS

This monitoring has been undertaken using a quantitative method where data was collected and identified from a number of online-only media sources as well as from the websites of media institutions such as nu.or.id. Documentation was undertaken periodically between January 2016 and December 2016. All monitoring and media documentation used the news.google.com search engine. In searching news related to stigma and discrimination against LGBT people, keywords like "LGBT in Indonesia", "Lesbian", "Gay", "Gay in Manado", and "Gay raided" were used. The collected data has been read and grouped into some categories to see the structures of stigma/discrimination and human rights violations, victims of stigma/discrimination, suspected perpetrators of stigma/discrimination, and also the environment where stigma/discrimination happened for further analysis.

During the monitoring and online media documentation period, there were 303 news stories from 70 media sources. These media sources were of four types:

1. National news media, such as kompas.com, liputan6.com, beritasatu.com, etc.;
2. Local news media, such as kabarmakassar.com, pontianakpost.com, etc.;
3. International news media, such as bbc.co.uk, dw.com, and thetimes.co.uk;
4. Official civil society organization websites, such as nu.or.id and serambi.com.

The following table outlines the online media sources that were used in monitoring and documentation:

Number	Media	Total	Number	Media	Total
1	Kompas.com	16	36	Kupang.Tribunnews.com	1
2	Liputan6.co	6	37	Inddit.com	1

	m				
3	Beritasatu.com	6	38	Poskotanews.com	1
4	Nationmultimedia.com	1	39	Beritasemarang.net	2
5	Thetimes.com	1	40	Jitunews.com	2
6	Tempo.co	7	41	Kriminalitas.com	2
7	Jakartapost.com	3	42	Harianterbit.com	3
8	Republika.co.id	95	43	Kabar24.bisnis.com	1
9	Beritagar.id	5	44	Neraca.co.id	1
10	Bintang.com	1	45	BBC.co.uk	1
11	Okezone.com	13	46	Lensaindonesia.com	1
12	Detik.com	29	47	Suara.com	1
13	Sindonews.com	7	48	Rimanews.com	1
14	Vivanews.co.id	7	49	Rmol.com	4
15	Antarane.ws.com	3	50	Tribunnews.com	7
16	Dw.com	2	51	Jawapos.com	3
17	Hidayatullah.com	3	52	Pontianakpost.com	1
18	Pojokjabar.id	2	53	Medan.Tribunnews.com	2
19	Serambi.co.id	1	54	Surabaya.Tribunnews.com	1
20	Prokal.kalsel.co	6	55	Riaubook.com	1

21	Skalanews.com	1	56	Makassar.Tribunnews.com	2
22	Ekoran.co.id	2	57	Voaindonesia.com	4
23	Pojoksatu.id	3	58	Merdeka.com	5
24	Pos Kupang	1	59	Minangkabaunews.com	2
25	MediaIndonesia.com	1	60	Pontianak.Tribunnews.com	1
26	Tirto.id	2	61	Harianaceh.co.id	1
27	Kaltim.Tribunnews.com	1	62	Cnnindonesia.com	2
28	Kabarmakassar.com	1	63	Kapanlagi.com	4
29	Wowkereo.id	1	64	Jpnn.com	1
30	Nu.or.id	2	65	Krjogja.com	1
31	KlikSamarinda.com	1	66	Mirajnews.com	1
32	Koranjakarta.com	1	67	Waspada.co.id	1
33	Indopos.co.id	2	68	Metrotvnews.com	1
34	BBC.com	4	69	Beritaprima.com	1
35	PewartalIndonesia.com	1	70	Solopos.com	1
N = 303					

Table.1 List of Online Media Sources

There are some limitations to the monitoring and documentation undertaken. There was no variety to the keywords that were used to find related news, so

there is a possibility that some news related to LGBT people was not included. Other limitations arise from the decision to focus on online news sources: poor data accuracy and poor analysis of issues. When a news story was found that was unclear, the article was cross checked with other online news sources. This was the only practical method, although it certainly is not a qualified method for maintaining data reliability.



## DATA RESULT AND ANALYSIS

### **Stigma and Discrimination from a Human Rights Perspective**

Discrimination is defined as a form of differentiation, exclusion or restriction based on nationality, economic and social status, birth, or another status, that has the purpose or effect of nullifying or impairing the recognition, enjoyment, and enforcement of a person's human rights and liberties.<sup>ix</sup> In the case of *Toonen v Australia*, the United Nations Human Rights Committee found that discrimination on the basis of sexual orientation includes discrimination on the basis of sex.<sup>x</sup> Therefore, LGBT people have the right to be protected from discrimination against their human rights.

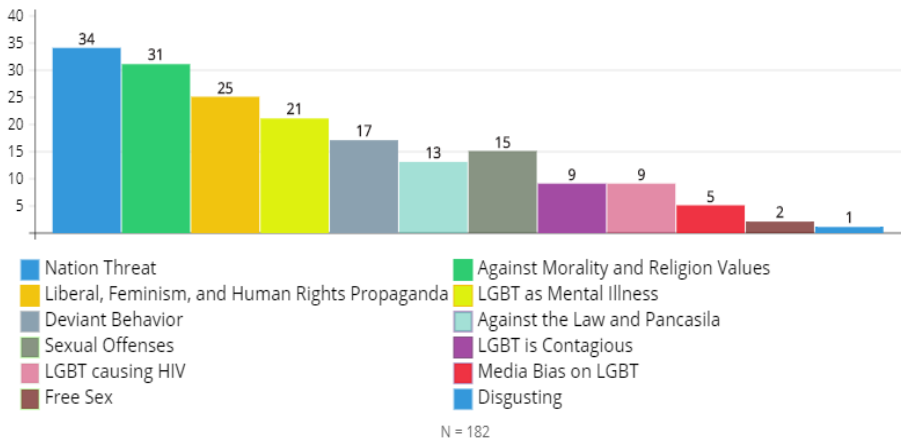
In 2006 the Yogyakarta Principles were created as a universal guide for guaranteeing the human rights of LGBT people. These principles outline when discrimination based on sexual orientation and gender identity is forbidden. The Yogyakarta Principles are motivated by the desire to remove all discrimination against LGBT people. In the introduction, it was mentioned that there are many States and communities who impose their norms, customs and religious values to control the sexuality of citizens and members of the community. Such coercion often is achieved through State instruments such as law and policies.

Stigma can be interpreted as the attitudes and beliefs of society that lead to rejection, fear, and avoidance of those who are considered different or Other. In a patriarchal and hetero-normative environment, LGBT people are considered as Others, whose existence is feared and condemned. In the current moment, this phenomenon, of fear of difference, seems to be dominating the public discourse in Indonesia. The impact of the stigma attached to LGBT people is an obstacle for the enjoyment of rights and fair treatment for the LGBT community. Such stigma often leads to expulsion and marginalization. With the existence of both stigma and discrimination against LGBT people we have accordingly categorized the monitoring analysis into those two categories.

## Misguided about LGBT

From all the news sources that we monitored, there were 182 news stories that contained some form of stigma against LGBT people. Those stigmas are varied, from the common view that LGBT people are the contemporary projection of Sodom and Gomorrah to the use of LGBT stigma as a form of proxy war in Indonesia.

### Forms of Stigma



Media monitoring demonstrates that rejection of the LGBT community is based on community disregard for tolerating diversity and religious and moral hegemony; these factors lay the groundwork for the spread of stigma against LGBT people. Even though each form of stigma is interrelated, we categorized stigma into five themes or areas.

#### a. LGBT as a Proxy War with Liberals and Feminists

The assumption that LGBT people are a national threat has arisen from the misconception that LGBT is a form of liberalization, part of a feminist agenda, and represents the influence of Western culture that hides behind the façade of human rights. Another assumption is LGBT people will never have children or families, and therefore could threaten family values and the family as the

basic social institution of a nation. The use of anti-LGBT propaganda as part of a proxy war<sup>xi</sup> is clearer when we considered the statement of the Minister of Defence, Ryamizard Ryacudu, that LGBT is more dangerous than nuclear.<sup>xii</sup> For him, "LGBT" is considered to be an ideology, an "invisible enemy", which can attack the nation secretly. These ridiculous statements had a significant impact on public opinion in relation to LGBT people. News content about LGBT as a threat to the Indonesian nation was found in 34 news stories and was the most common type of stigma encountered.

The contention that "LGBT" is form of Western ideology or culture has already been disproven through extensive empirical research about the acceptance of gender diversity in human society. The binary concept of gender has developed in Indonesia independent of other nations or cultures, even though many Indonesian cultures recognize and acknowledge diversity of gender and sexual orientation. In Makassar, Bugis tribes accepted gender diversity outside of a binary system. In the Bugis tradition, there are five recognized genders, consisting of woman (*makunrai*), man (*uruane*), feminine man (*calabai*), masculine woman (*calabai*), and an ambiguous gender called *bisu*. These five gender concepts were incorporated in the Bugis epic La Galigo.<sup>xiii</sup> Besides that, in Javanese culture, the term *wandu* refers to a feminine man. *Wandu* are accepted as part of Javanese communities. These examples break the assumption and conspiracy that acceptance of diversity in gender and sexuality represents the importation of Western liberal culture to Indonesia.

#### b. LGBT people as Amoral, Deviant, and Against Religion

The most common assumption that we encounter in society is that LGBT people are a disgraceful, despicable and disgusting group. This classification is often based on religious interpretations of gender and sexuality, for example the story of Sodom and Gomorrah. Religious leaders have not been alone in assuming that LGBT people are sinful; public servants have recently begun to label LGBT people as amoral. As noted by the media, in early 2016, the Minister for Research, Technology and Higher Education, Muhammad Nasir gave a strongly-worded statement banning LGBT activities in universities because such activities were obscene and contradicted with moral and religious values.<sup>xiv</sup> This statement represented Nasir's move against the Support Group and Resource Center (SGRC) at Universitas Indonesia. SGRC was a student organization that focused on gender and sexuality research, and

provided support to victims of sexual harassment from all gender and sexual orientations.

Nasir's reactionary attitude towards the SGRC contradicts the vision and mission of his Ministry. As the Minister responsible for research and development in universities, Nasir must support the existence of SGRC as a body whose purpose was to enrich scientific knowledge and discourse about gender diversity and sexuality. Banning particular research activities in universities not only has the potential to curtail the human rights of LGBT people, but is also a potential restriction on freedom of association, thought and opinion, and the right to information. Further explanation of human rights violations will be elaborated in the section of this report dealing with discrimination.□

The view that LGBT behavior is abnormal and contrary to the moral values of Indonesia, even a threat to the nation as some media channels suggested, is mistaken and must be clarified. Just like heterosexual people, LGBT people are part of a diverse range of sexual orientations; and there is no correlation between the moral standing of people and their sexual orientation. Besides that, we should ask *who* is permitted to judge the morality of others?

c. LGBT is a Mental Illness, Contagious and contributes to HIV

Besides moral and religious values, health issues are often related to LGBT. LGBT people are seen as suffering from an illness that can be cured and eradicated.

Health issues were prominent in early 2016, when the debate about LGBT was being given air time on private television stations. The television debates included Dr. Fidiensyah, who stated that LGBT people are mentally ill. However, the scientific literature reaches the opposite conclusion. The American Psychiatric Association (APA) removed homosexual from Diagnostic and Statistical Manual of Mental Disorder (DSM) in 1973.<sup>xv</sup> Not only that, since 1990 World Health Organization (WHO)<sup>xvi</sup> had also remove homosexuality from the International Classification of Diseases and stated that homosexuality cannot be considered a pathological condition, abnormal, or a disease.<sup>xvii</sup> Biological and physiologic research shows that sexual orientation is an intrinsic part of a human's characteristics.

Furthermore, the LGBT community is often associated with high rates of HIV transmission. This assumption arises from public misunderstanding relating to

HIV. LGBT people are regarded as sources of increased deployment I MS and HIV.<sup>xviii</sup> However, HIV transmission is caused by risky sexual behavior that could occur in heterosexual yet homosexual sexual activity, and is not linked to sexual orientation.

Another misconception about LGBT is that it is a contagious social disease.<sup>xix</sup> LGBT behavior is considered to be analogous to drug addiction and can spread socially. However, the sexuality of LGBT people, just like the heterosexual, is not a contagious illness that can be transmitted from one person to others.

#### d. LGBT: Pedophilia and Sex Crimes

Another misconception found in the media is a link between LGBT people and pedophilia and sex crimes. This issue arose in the unfolding of a prostitution case in Bogor, where the accused was alleged to be a gay online prostitute. Since a child was involved in this case, it triggered public outrage against LGBT people, especially the gay community. LGBT people have been accused of being sexual predator and exploiting children to satisfy their sexual desires.

Sexual violence can be committed by heterosexuals and homosexuals. It occurs where there is an imbalance in power and the use of coercion by one party. The idea that sexual violence can be committed by a person of any sexual orientation has not been well understood in the community; the difference between sexual orientation and sexual violence is confused. Another misconception relates to the difference between pedophilia, which is considered a mental illness, and homosexuality. Scientific research about homosexuality, heterosexuality and pedophilia has shown that there is no link between homosexuality or heterosexuality and being sexually attracted to children.<sup>xx</sup>

#### e. Media Stigma

Some of the media frame LGBT with a nuance of opposition. Often the title of an article boxes LGBT people in a corner. Indeed, some media outlets had a tendency to include negative narratives about LGBT into their news reporting. Beside provocative titles, some media outlets specifically sought comment from sources who were against LGBT people without looking for other sources as a comparison. This is totally against media principles; journalists have a professional obligation to cover all opinions in their reporting.

From the data above, we can conclude that negative perceptions about LGBT people are still strong in the community. It means that there is still a long journey to end stigma and discrimination against LGBT people. Education about gender and sexuality will be crucial.

### **Discrimination against LGBT people**

As has been explained already, the stigma around LGBT often leads to discrimination. In this documentation, we found various kinds of direct discrimination as well as discourse that discriminates against LGBT people. These are types of discrimination or discriminative discourse against LGBT people that were found:

No.	Discrimination Types	Amount
1.	Websites and applications blocked	15
2.	Ban of LGBT content on TV	13
3.	Ban of LGBT activity in university	11
4.	Anti-LGBT Bill in Parliament	10
5.	Prohibition on funding of empowerment programs	7
6.	Homosexual criminalization through examination of the Penal Code by the Constitutional Court	6
7.	Employment prohibition	5
8.	Opposing AJI (Association of Independent Journalist) award for LGBT	3
9.	Dissolution of discussion or activity on LGBT issue	4
10.	Support for LGBT criminalization	5
11.	Qanun (Islamic Criminal Code)	3
12.	Facebook content deletion	2
13.	Gay raids	2
14.	Criminalization through Penal Code draft	1
15.	Prohibition on joining Government activity	1
16.	Boarding house raids	1
17.	Transgender raids	1
18.	Violence against transgender people	1
19.	Ban LGBT campaign	1

20.	Transgender health service	1
21.	Castration	1
22.	School dropout	1
23.	Denial of LGBT rights	1
24.	Dissolution of Transgender Islamic boarding school	1
25.	Mockery	1
	Total	98

Based on the data above we categorized types of discrimination into types of human right violation, as follows:

a. Violation on the Right to Information

Blocking of gay sites and applications is the outstanding example of discrimination against LGBT people. The Ministry of Communication and Information decided to close several gay applications such as Blued and Grindr, under the pretext of community demand.<sup>xxi</sup> Aside from the Ministry of Communication and Information, Indonesia’s Broadcasting Commission was also being pressed to ban LGBT television content.<sup>xxii</sup> The Ministry of Communication and Information also attempted to unilaterally have the Facebook accounts of people with sexual orientation set as LGBT removed, for example someone with a profile picture showing them kissing their same-sex partner.<sup>xxiii</sup> This is despite Facebook having its own terms and conditions for managing user accounts, which do not discriminate based on the sexual orientation of the user.

Social media, which at first was a free space for LGBT people to express themselves without worrying about normative restrictions, is become a restricted space. LGBT people are marginalized in society and now also isolated from room for free expression online. Considering that social media has been used by HIV and LGBT activists to deliver education and outreach, attempts to block websites and application will affect the right of LGBT citizens to access adequate information about Sexual Orientation, Gender Identity and Expression and healthy reproduction.

b. Violation of the rights to Freedom of Association and Freedom of Expression

LGBT people also experience restrictions and breaking-up of their activities, whether social, cultural or academic. This was experienced by the Islamic boarding school for transgender people in Jogjakarta, which was raided and threatened with closure by a militant Islamic group.<sup>xxiv</sup> Universities also ban discussions on LGBT topics; a group of student at Universitas Gajah Mada experienced this, for example.<sup>xxv</sup> These bans have been enforced by the Minister, Rectors, and other Higher Education officials. It is ironic that where sexual education is considered taboo and disgusting, the people who wanted to remove the taboo through education are muzzled. Curtailment and prohibition of LGBT people's activities are a restraint on freedom of association and freedom of expression as guaranteed by the Indonesian Constitution.

### c. Violation of the Right of Education

LGBT people also face some discrimination in relation to the right to education. In Samarinda, for example, 15 student were expelled because it was considered that their sexual orientation was abnormal.<sup>xxvi</sup> Unfortunately, the news story does not provide an explanation about the situation of the students after being expelled, including whether they could access education. This incident is a clear example of discrimination of LGBT people's right to education. That kind of discrimination also happens at the university level. The Rector of Gorontalo University threatened to cancel current scholarships and not issue new scholarships to any student who is homosexual.<sup>xxvii</sup> That Rector also said that he will employ agents to spy on university students to determine which students are LGBT. These kinds of regulation and policies are forms of direct discrimination and a violation of the right to education.

### d. Violation of the Right to Work

There were three news stories about discrimination against LGBT people in relation to employment opportunities. These news stories related to jobs advertised by the Blued application in Indonesia. Strong opinion came from Sodik Mudjahid, a Member of Parliament, who rejected the existence of Blued and their pro-LGBT approach to hiring employees.<sup>xxviii</sup> Blued advertising of the vacancies specified that applicants for the jobs must be open minded about LGBT.<sup>xxix</sup> Blued was one of the applications that was blocked by the Ministry of Information.



The government has responsibility to ensure that LGBT people can enjoy all work rights and that workplaces are conducive to free expression by LGBT people. When the government cannot guarantee work rights, and in fact, on the contrary, opposes LGBT-friendly workplaces, we can conclude that the government has violated the right to work for LGBT people.

- e. Moves towards Criminalization: Violation of the right to freedom from torture or cruel, degrading or inhuman treatment.

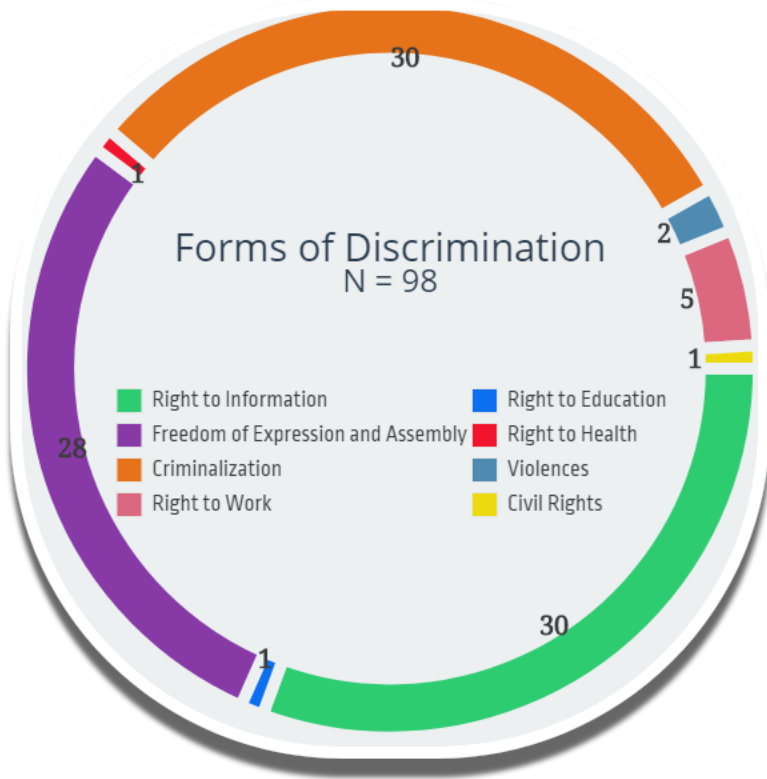
There is low understanding and community tolerance of LGBT people. Many members of the community believe that LGBT people can be cured and returned to “natural” sexual attraction to the opposite sex. So many methods have been used to reinforce this idea, including social punishment and even the anxiety arising from the threat of punishment. For example, the West Java Government proposed castration of LGBT people and application of Qanun, Sharia criminal punishment, for LGBT people.

During our monitoring and documentation, we found that the intention to criminalize LGBT people was reached through two pathways: legislation and use of the judicial process. For instance, the filing of a Review suit in the Constitutional Court relating to LGBT became a platform for fierce contestation between anti-LGBT groups, that want to criminalize LGBT people, including *Aliansi Cinta Keluarga* (AILA)- the Family Love Alliance, Majelis Ulama Indonesia (MUI)- the Indonesian Ulema Council, Peristri and YPS, and pro-LGBT groups including the National Commission on Violence Against Women, Community Legal Aid Institute, The Institute for Criminal Justice Reform, the Indonesian Broadcasting Commission and the Indonesian Legal Aid Institute Foundation. Intention to criminalize LGBT people was also evident in the draft of Criminal Code. Moreover, several political parties such as the Prosperous Justice Party (PKS), the United Development Party (PPP), the National Awakening Party (PKB) and the Hanura Party put forward a specific Anti-LGBT Bill.<sup>xxx</sup>

Attempts to “re-convert” LGBT people, in terms of their sexual orientation, is not only a violation of their rights to privacy but also violates their right to health. Having to face re-orientation measures can potentially decrease their enjoyment of the right to health. WHO has stated that some programs that aim to change the sexual orientation of non-heterosexual people have no medical justification, and that there is no scientific proof relating to the effectiveness of such programs.<sup>xxxi</sup> The United Nations Special Rapporteur on

torture and other cruel, inhuman or degrading treatment, has categorized re-orientation as a type of torture and degrading treatment.<sup>xxxii</sup>

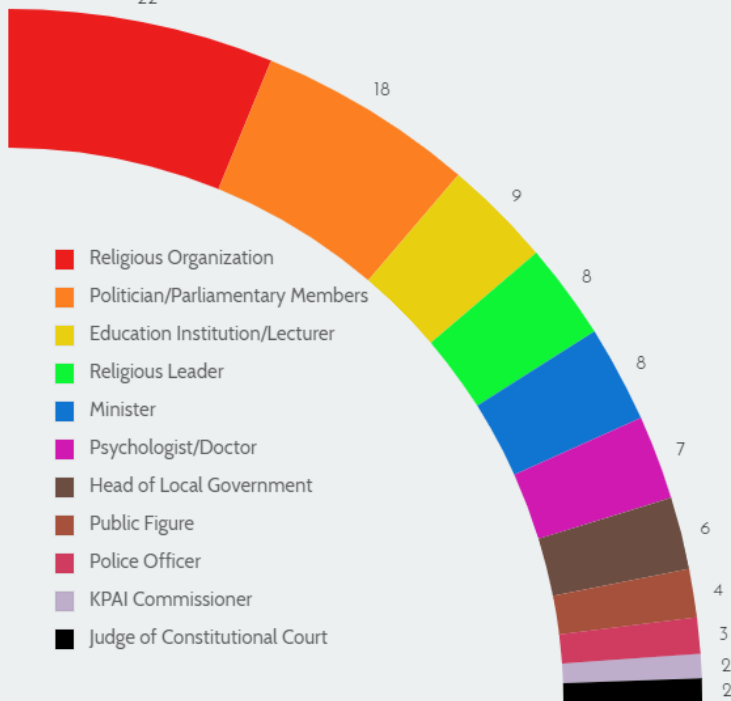
Types of discrimination experienced by LGBT people:



### Perpetrators of Stigma and Discrimination

Based on the monitoring result, it looked like the perpetrators of stigma and discrimination are varied. Perpetrators do not come only from certain religious groups who believe LGBT people contravene religious and moral values, but even from public servants who should act in the interest of all citizens, especially vulnerable groups like the LGBT community. The following graphic shows the different perpetrators of stigma and discrimination against LGBT people:

## Perpetrators of Discrimination



N = 89

The data shows that religious organizations, politicians, and educational institutions lead the way in perpetrating ongoing stigma and discrimination against LGBT people. The significant negative public sentiment towards LGBT people has increased since the media reported the view of the Minister of Research, Technology and Higher Education that LGBT people are destroying the national morality. The Minister also threatened LGBT people in universities. Every group, from religious leaders, politicians, to psychologists, have taken the stage together to judge LGBT communities. Even in educational institutions, which are supposed to be neutral and secular, judgment of LGBT communities has still occurred. At not less than eight universities, including Universitas Indonesia, Universitas Gajah Mada, and Universitas Negeri Gorontalo,<sup>xxxiii</sup> both administrators and academics contributed to the marginalization of LGBT people.

Another public official who also reinforced stigma is former Constitutional Court judge Patrialis Akbar. In some news stories, Patrialis Akbar was reported as citing sections of Al-Qur'an in his judgment in a Criminal Code Judicial Review Appeal which want to criminalize homosexuality.<sup>xxxiv</sup> District Heads have also given negative statements relating to LGBT people. One example is Ahmad Heryawan, the West Java Governor, who suggested that LGBT people should be castrated.<sup>xxxv</sup> Even the Commissioner for Child Protection has given statements that reinforce LGBT stigma, for example, by linking LGBT people with pedophilia.<sup>xxxvi</sup>

## **Opposition to Stigma and Discrimination**

Alongside the documentation of news stories that reinforce stigma and discrimination against LGBT, we also documented news stories that contained critiques of discriminatory policies or LGBT stigma, as well as any stories that were generally supportive of LGBT people. There were 23 news stories in these categories. Support for LGBT people came from human rights and gender rights organizations. From civil society, Arus Pelangi presented demands to the government to abandon LGBT people to the discrimination they are experiencing.<sup>xxxvii</sup> Moreover, politicians were also recorded giving some support and protection to LGBT people. One example was Luhut Panjaitan; while serving as Coordinating Minister for Political, Legal and Security Affairs stated that LGBT people are also citizens with equal rights.<sup>xxxviii</sup> The Minister for Religious Affairs, Lukman Saifuddin, delivered a speech at the Award Night of the Alliance of Independent Journalists (AJI), which crowned LGBTIQ Forum as the most militant movement in 2016. In his speech Lukman pledged to guarantee the lives of LGBT people, but on the other side hand, he still declared LGBT to be against religion.<sup>xxxix</sup>

## CLOSING REMARK

The results of monitoring and documentation outlined in this report do not give us a perfect understanding of the extent of stigma and discrimination against LGBT people. However, this report can give some indication of the situation faced by LGBT people during 2016. Based on the results of monitoring and documentation, we have drawn the following conclusions:

1. Stigma and discrimination are still the main problems faced by LGBT people. There were 12 types of stigma found in 182 news stories over a one year period. Similarly, discrimination was also often faced by LGBT people in 2016. From 98 news stories documented, there were 25 types of discrimination experienced by LGBT people.
2. The misconceptions about LGBT people seem to have found more room in 2016. The traction of views that LGBT people are a threat to the nation was made possible by the accumulation of misconceptions relating to LGBT people. Morality and religion are always used as a tool to stigmatize and discriminate against LGBT people. Health issues have also been used to justify discriminative action and stigma against LGBT people.
3. There has been a systematic attempt by the government, politicians and some parts of the community to marginalize LGBT people. Government was the most significant contributor to discrimination by through violations of the right to information for LGBT people. Some Members of Parliament and religious groups also contributed through a push to criminalize LGBT people.
4. Media has played an important role in terms of building public opinion towards LGBT people. By undertaking this monitoring we can see that there are many media outlets that have contributed to the stigmatization of LGBT people through use of negative narratives and a failure to report the opinion of both sides.

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## END NOTES

<sup>i</sup> Arus Pelangi research in 2014 stated that 89% of LGBT people in Jakarta, Yogyakarta, and Makassar have experienced rights violations and discrimination. See

[http://www.bbc.com/indonesia/berita\\_indonesia/2014/08/140814\\_lgbt\\_indonesia](http://www.bbc.com/indonesia/berita_indonesia/2014/08/140814_lgbt_indonesia)

<sup>ii</sup> Article 1 number 3 Law Number 39 of 1999 about Human Rights does not mention identity and sexual orientation as bases of discriminatory acts.

<sup>iii</sup> Article 28I section (2) of the Indonesian Constitution guarantees the protection of citizens without discrimination. <sup>2</sup>

<sup>iv</sup> Article 26 of ICCPR

<sup>v</sup> Article 2 Paragraph 2 of ICESCR

<sup>vi</sup> This Convention provides for the ending of every form of discrimination against women, including women with LGBT (lesbian, Bisexual, and Transgender) orientation.

<sup>vii</sup> For example the Convention on the Rights of the Child and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

<sup>viii</sup> Article 2 ICCPR and Article 2 Paragraph 1 ICESCR.

<sup>ix</sup> Human Rights Committee, General Comment Number 18, Non-Discrimination, para. 7

<sup>x</sup> *Toonen v Australia*, Communication Number 488/1992, U.N. Doc CCPR/C/50/D/488/1992 (1994).

<sup>xi</sup> Wikipedia defines a proxy war as a conflict where the parties do not directly engage with each other.<sup>2</sup>

<sup>xii</sup> <http://www.antaraneews.com/berita/546668/menhan-lgbt-bagian-proxy-war>

<sup>xiii</sup> Lily Sugianto, Eksistensi Calalai dalam Budaya Sulawesi Selatan, Ardhany Institute: 2015. Hal. 87.

<sup>xiv</sup> <http://news.detik.com/berita/3125654/menristek-saya-larang-lgbt-di-semua-kampus-itu-tak-sesuai-nilai-kesuksesan>

<sup>xv</sup> [http://www.aglp.org/gap/1\\_history/](http://www.aglp.org/gap/1_history/)

<sup>xvi</sup> International Statistical Classification of Diseases and Related Health Problems (10th Revision) World Health Organization.

<sup>xvii</sup> PAHO/WHO, *Cures for an Illness that Does Not Exist*, PAHO/WHO, 2012. Hal. 2.

<sup>xviii</sup> <http://surabaya.tribunnews.com/2016/04/18/pakar-kesehatan-jumlah-lgbt-meningkat-masalah-infeksi-menular-seksual-semakin-pelik>

<sup>xix</sup> <https://nasional.tempo.co/read/news/2016/01/31/078740930/pks-lgbt-penyakit-sosial-menular>

<sup>xx</sup> Surat Terbuka Peneliti, Akademisi, Ilmuan, Psikolog, Psikiatris, dan Dokter untuk Presiden Uganda, hal. 2.

<sup>xxi</sup> <http://nasional.republika.co.id/berita/nasional/umum/16/09/15/odjvp0335-kominfo-blokir-tiga-aplikasi-gay>

<sup>xxii</sup> <http://www.cnnindonesia.com/teknologi/20160213123910-213-110694/kpi-larang-tv-dan-radio-kampanyekan-lgbt/>

<sup>xxiii</sup> <http://news.detik.com/berita/d-3318032/foto-pasangan-gay-viral-kominfo-minta-facebook-hapus-konten>

<sup>xxiv</sup>

[http://nasional.kompas.com/read/2016/04/04/20341881/Ironis.Kepolisian.Kini.Berdiri.di.Pihak.Kelompok.Intoleran?utm\\_source=WP&utm\\_medium=box&utm\\_campaign=Kknwp](http://nasional.kompas.com/read/2016/04/04/20341881/Ironis.Kepolisian.Kini.Berdiri.di.Pihak.Kelompok.Intoleran?utm_source=WP&utm_medium=box&utm_campaign=Kknwp)

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- <sup>xxv</sup> <http://www.republika.co.id/berita/nasional/politik/16/10/24/ofg7ol415-diskusi-lgbt-di-ugm-gagal-digelar>
- <sup>xxvi</sup> <http://kaltim.prokal.co/read/news/279669-fenomena-pelajar-berperilaku-lgbt-pekerja-dan-mahasiswa-jadi-incaran.html>
- <sup>xxvii</sup> <http://kabarmakassar.com/pencegahan-dini-ung-terhadap-mahasiswa-lgbt/>
- <sup>xxviii</sup> <http://nasional.republika.co.id/berita/nasional/hukum/16/09/16/odlclg361-pengawasan-kemenkominfo-dinilai-lemah-terhadap-aplikasi-lgbt>
- <sup>xxix</sup> <http://inet.detik.com/read/2016/09/15/112456/3298470/398/menantang-aplikasi-lgbt-malah-buka-lowongan-di-jakarta>
- <sup>xxx</sup> <http://www.republika.co.id/berita/nasional/umum/16/03/10/o3sw24361-ruu-lgbt-penting-untuk-melindungi-rakyat-indonesia>
- <sup>xxxi</sup> PAHO/WHO, *Cares for an Illness that Does Not Exist*, PAHO/WHO, 2012. Hal. 2.
- <sup>xxxii</sup> *The UN Special Rapporteur on Torture is concerned about the mental and physical health dangers arising from forced gender or sexual re-orientation. Report of the Special Rapporteur on the question of torture and other cruel, inhuman or degrading treatment or punishment A/56/156, para.24, 2001.*
- <sup>xxxiii</sup> The other five Universities are Universitas Sumatra Utara, Universitas Mercubuana, Universitas Islam Negeri Syarifhidayatullah, Universitas Ibnu Chaldun, and Universitas Andalas.
- <sup>xxxiv</sup> <https://news.detik.com/berita/3356989/hakim-konstitusi-patrialis-akbar-soal-lgbt-jaman-nabi-luth-dibinasakan>
- <sup>xxxv</sup> <http://plus.kapanlagi.com/gubernur-jabar-minta-gay-dihukum-kebiri-setuju-nggak-cb0412.html>
- <sup>xxxvi</sup> <https://nasional.tempo.co/read/news/2016/08/24/173798352/ini-empat-alasan-lgbt-diancam-bakal-dipidanakan>
- <sup>xxxvii</sup> <http://kupang.tribunnews.com/2016/08/22/diskriminasi-kelompok-lgbt-dan-pemerintah-indonesia-yang-tutup-mata>
- <sup>xxxviii</sup> <https://nasional.tempo.co/read/news/2016/02/15/078745161/menkopolhukam-sebut-lgbt-penyakit-tapi-tetap-hak-asasi>
- <sup>xxxix</sup> <http://www.republika.co.id/berita/nasional/umum/16/08/30/ocpqxr282-menag-harus-jelaskan-pidatonya-bukan-untuk-apresiasi-lgbt>