Indonesia: two men publicly flogged 77 times for same-sex 'offences'

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Two men caned 77 times each in ‘cruel’ punishment in front of 100-strong crowd

Aceh is only province of Indonesia where floggings take place, with at least 254 people flogged last year

‘No-one deserves to be brutalised and humiliated in this way’ - Usman Hamid

Two men in the city of Banda Aceh in Indonesia’s Aceh province were each flogged 77 times yesterday (28 January) for alleged consensual same-sex relations, said Amnesty International Indonesia.

The canings were reportedly carried out in front of a crowd of around 100 onlookers.

The two men were arrested in November after local residents reported them to the Municipal Police for allegedly having sex in a rented room in Banda Aceh.

Aceh is the only province of Indonesia where floggings take place (see Islamic Criminal Code below). Amnesty International Indonesia’s monitoring suggests that Aceh carried out at least 60 public floggings against 254 people last year, 52 of which were conducted after the COVID-19 outbreak in Indonesia began.

So far this year eight people have already been flogged, with four others flogged yesterday. Two men were flogged 40 times each for consuming alcohol, while a man and a woman were flogged 17 times each for having sexual relations outside of

marriage.

Under international human rights law, all forms of corporal punishment are prohibited, while consensual sexual relationships should not be treated as a criminal offence. The UN Human Rights Committee and other expert human rights bodies have also raised concerns about laws criminalising “adultery” or other consensual sexual relations outside of marriage.

“No-one deserves to be brutalised and humiliated in this way. “The fact that the flogging was conducted in front of a large crowd of people in the midst of an escalating COVID-19 outbreak shows the distorted priorities of the Aceh authorities. “Flogging constitutes cruel, inhuman and degrading treatment and can amount to torture. “Targeting and criminalising people because of their real or perceived sexual orientation is inhumane. “We strongly urge both the Aceh and central government authorities to take immediate action to halt this cruel practice and revoke the bylaws that allow them to take place.”

Aceh is the only province in Indonesia that implements Islamic bylaws. The Aceh Islamic Criminal Code was passed by the Aceh parliament in 2014 and came into effect throughout the province on 23 October 2015.

In some cases, these laws provide for up to 200 lashes as punishment. Punishable offences include same-sex sexual relations, premarital sex and other sexual relations outside of marriage, consumption of alcohol, gambling, “being alone with someone of the opposite sex who is not a marriage partner or relative”, and accusing a person of adultery without providing four witnesses.

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Press Contacts

1. **Press Office**
   press@amnesty.org
   +44 (0) 20 7413 5566

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