

Written statement submitted by the International NGO Forum on Indonesia Development (INFID), a non-Governmental organization on special consultative status

Written Statement

Item: 11 e

RELIGIOUS INTOLERANCE

Religious life in Indonesia does not run as smooth as it should. This matter is caused by so many interferences by the government and religious institutions like Indonesian ulama's council (MUI) that unfortunately make the practice of religion and believing run quite poorly and in disharmony. As a matter of fact, Indonesian constitution guaranteed the right of each citizen to have believes and to pray according to their own respective religion and believes; yet to this moment, it is far from being true.

There are so many problems happening in Indonesia in the matter of practicing and beliefs, such as the act of violence and destruction of religious facilities belongs to minority groups in the name of other certain religion. To make matters worst, neither the central government nor regional governments and the police department acted proactively to stop the violence and destruction. Some of the cases noted to this day are mainly happens to the Christians, various customary traditional beliefs, the Ahmadiyahs, the Parmalins and some other minority groups.

The report of the Jakarta based Legal Aid Institute (LBH Jakarta), stated that in years 2005 there were 20 cases of church destructions happened in Bekasi, Tangerang and Bandung area.

In the conflict situations, minor religious groups are becoming the target of violence. In Poso, in July 18 2004, Priest Susanti was being shot while preaching. Two days later, the Bala Keselamatan (Savior Forces) church was bombed while a religious ceremony took place.

Similar thing happened to Jamaah Ahmadiyah (the Ahmadiyahs). Before the Indonesian Ulama's Council (MUI) Fatwa or statement in 1980 and it's resolution in 2005, the life of Ahmadiyah Moslems and their surrounding neighborhood is in harmony. However, after the Indonesian Ulama's Council (MUI) statement, there are many violent cases done by groups of people who do not like the Ahmadiyahs. Several mosques, constructions and homes belongs to the Ahmadiyahs was destructed, eliminated and burned.

The followings are some cases of act of violence suffered by the groups of Jamaah Ahmadiyah in some regions:

In Bogor region, West Java

In July 9 2005, about 400 peoples wearing certain Islamic organization attributes charged the Mubarak Campus, the central of Ahmadiyah activity in Parung, Bogor, West Java. Four members of Jamaah Ahmadiyah were injured and several vehicles were destructed. In July 15 2005, thousands of people calling themselves the Moslem People Movement (Gerakan Umat Islam) surrounds the Mubarak Campus. The act of eviction and violence took place. In January 6 2006, the Ahmadiyah mosque Qodian and a Majelis Taklim in RT. 01/03, Leuwisadeng village, Kabupaten Bogor, were attacked by more than a hundred peoples.

In Cianjur region, West Java

In August 6 2005, a house and a small mosque belong to Jamaah Ahmadiyah in Kecamatan Cijati, Kabupaten Cianjur, were destroyed and burned to the ground.

In September 19 2005, thousands of people attack a religious site and a home of a member of Jamaah Ahmadiyah in four locations in South Cianjur. Six mosques were destructed, 70 houses were also destructed and some were burned, and one Madrasah (Islamic School) were destroyed. In August 19 2005, an Ahmadiyah mosque in Sadasari village, Kecamatan Argapura, Kabupaten Majalengka was destructed by hundreds of people.

In Lombok region, West Nusa Tenggara

In October 19 2005, three homes of the members of Jamaah Ahmadiyah in BTN Bumi Asri area, Dusun Ketapang, Gegerung village, Kecamatan Lingsar, Kabupaten Lombok Barat, were destructed by hundreds of people. In February 4 2006, the destruction was repeated, this time to 26 houses. By this moment, the Jamaah Ahmadiyah members are forced to flee to Mataram and are afraid to go back to West Lombok. They are currently requesting political asylum to Australia and Canada.

Up to this moment, the state's intervention in to the privacy is too far. This can be seen in the legalization of the Religious Control Committee (Badan Pengendalian Kepercayaan) in the

Attorney Jenderal Office. It should have been removed because it is no longer relevant with the ratification of the Civil and Political Convention (ICCPR). Besides, up to this moment, the government as stated in UU No.1 year 1974 has not legally recognized the inter-religion marriage about marriage. That caused any marriage done among different religion could not get the Legal Marriage Document (Surat Akta Nikah) and is not registered in the Civil Records (Catatan Sipil). As a result, any children born in the status of inter-religion marriage is not recognized by the government and could not get the Legal Born Document (Akta Lahir). This thing would greatly disadvantage the child for the loss of some children rights like education for the difficulties in enrolling school and the loss of the right to have an identity.

Based on those problems, we request the United Nations' Human Rights Commission to urge the government of the Republic of Indonesia :

1. To ensure the safe and security of every citizen to hold believe and pray according to their own religions and believes as stated in the Constitution.
2. To compose a particular Constitution on the Freedom of Religion and Believing as an explanatory of the 1945 Constitution that has been amended and removing 2 Ministerial SKB No. 1 year 1969 that becoming the master for inter-religious riot and Human Rights violation.
3. To remove or revise any constitutional products portents to any Human Rights violation to religion and believes holder and to the disharmony of inter-religious society.
4. To split tasks and authorities that working the matters of Governmental Institutions with the matters of Religion and Believes, and to reposition the duty of Indonesia Department of Religion that is not uncommonly making policies that clearly support certain religion, acting unfairly and becoming the worst corrupt department.
5. To do any law process possible for many acts of violence and destruction to churches and any other facilities belongs to Jamaah Ahmadiyah.

Written by PGI and HRWG