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**CIVIL AND POLITICAL RIGHTS, INCLUDING THE QUESTIONS OF:
RELIGIOUS INTOLERANCE**

**Written statement* submitted by the Asian Legal Resource Centre (ALRC),
a non-governmental organisation in general consultative status**

The Secretary-General has received the following written statement which is
circulated in accordance with Economic and Social Council resolution 1996/31.

[10 February 2006]

* This written statement is issued, unedited, in the language(s) received from the
submitting non-governmental organization(s).

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Religious intolerance in Indonesia

1. The Constitution of Indonesia guarantees "all persons the freedom of worship, each according to his/her own religion and belief" (article 29). Despite this constitutional guarantee, religious minorities in Indonesia suffer multiple forms of discrimination. The government for its part has failed to protect their constitutional right. As the freedom of religious belief and expression is a fundamental human right that is linked to many other rights, violations of this right are very much interlinked with those of other rights, all of which in turn relate to the failure of the rule of law in Indonesia.

2. The Asian Legal Resource Centre (ALRC) has received information throughout 2005 of numerous violent attacks on religious minorities in Indonesia. Several of these have been suffered by Islamic group Jammah Ahmadiyah, since a religious decree was issued banning the group in 1984. The decree was reaffirmed by the Majelis Ulama Indonesia, the formal organization of the Islamic Clergy in Indonesia comprising of many of the Islamic organizations, on 29 July 2005. In the same month, a statement made by the Bogor city government, police, prosecutor's office and the Bogor Council of Ulema outlawed Ahmadiyah in the regency. This was followed by an order for the Mubarak campus in Pondok Udik village, Kemang District to be closed down. The regional government's decree was made contrary to a law stipulating that the central government is responsible for managing religious affairs. However, as the central government fails to take action in such cases, regional authorities feel free to issue their own orders and take action with guarantees of impunity for persons violating the national law. In this case, as a consequence of the July statements thousands of people attacked Ahmadiyah's headquarters in Parung, forcing its members to leave the area. The Bogor authorities later sealed off the group's compound to avoid further violence, but refused to take any action against the alleged perpetrators. The failure to prosecute encouraged further violence. On October 19, 50-100 villagers in Ketapang, West Lombok attacked houses belonging to Ahmadiyah members, causing injuries to at least one person. The Ahmadiyah members were told to leave the village before the holy day of Eid Mubarrak, November 3.

3. Indonesia's Christian community too suffered repeated attacks throughout 2005, for much the same reasons. Over fifty places of worship were closed due to threats or violence by various groups, including the Islamic Defenders Front and Anti-Apostasy Movement Alliance or Anti-Apostasy Parade. Most of the attacks have followed a familiar pattern. A large number of persons assemble in front of a church or other place of worship, making noisy denunciations. They threaten worshippers in front of the police, who then warn the worshippers to vacate or close the place of worship to safeguard peace and harmony in the community. Some of these places of worship that are being forced to close are in fact houses or schools, due to difficulties that Christians have under existing laws in establishing places of worship, which require consent from all parts of a community.

4. The Asian Legal Resource Centre calls on the Commission to remind the Government of Indonesian of its obligations under the International Covenant on Civil and Political Rights, to which it is a party, to respect the freedom of belief, worship and the right to redress by victims in case of violations, as envisaged by its article 2. Moreover, the government must create an effective inter-religious body with a mandate to conduct investigations and give recommendations to the prosecutor general to take legal action against perpetrators of abuses, where necessary, as well as on how to revise legislation that

is offensive to the right to freedom of religion. The Commission should take all steps necessary to engage the Government of Indonesia on these concerns and sincerely believes that its input could lead to positive developments intended to reverse the serious decline in enjoyment of religious freedom in Indonesia during recent times.
