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# FROM STAGNATION TO PICK THE NEW HOPES

The Condition of Freedom of Religion/Belief  
in Indonesia 2014



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# Foreword

1945 Indonesian Constitution has been giving the constitutional guarantee to all citizens to embrace religion or belief, and to worship in accordance to that current religion or belief. Some of policy products and its derivative also state the guarantee like stipulated in Constitution. The Act No. 12/2005 about Ratification of Civil and Politic Covenant, which one of its clause containing the guarantee on freedom of religion/belief has become the anvil that international law products has been being the part of Indonesian law which binding the state to guaranteeing and to fulfilling it.

However, the legal and constitutional guarantee which available in Indonesia constitution, is not quiet able to protect that basic freedom. Some violations against freedom are precisely triggered by the state that continues to product restrictive constitution against citizens who embrace religion/belief that considered different to the mainstream one. Likewise, the lack of public knowledge on citizen's civil freedom, which is then trigger intolerance and criminal action against another citizen. These both problems that become serious challenge on civil freedom guarantee fulfillment, particularly the freedom of religion/belief in Indonesia.

As an organization which aims to create equal society, SETARA Institute pays serious attention to the latest conditions that relating to unequal treatment that experienced by citizen and some religious adherents/belief holder in Indonesia. This annual report is an action

form of SETARA Institute to inform and to promote the public about the latest and regular conditions of Freedom of Religion/Belief in Indonesia.

The annual report of 2014 is the eighth report which published by SETARA Institute, which is the result of monitoring about condition on freedom of religion/belief. This publication is being expected to be a concern of many parties, especially the state, which in the human rights perspective is having obligation to respect, to promote, and to fulfill human rights.

Monitoring and publication of this annual report aims to [1] to documenting and to publishing the violation facts and breakthrough/progress on freedom of religion/belief in Indonesia; [2] to encourage the country to fulfilling guarantee on freedom of religion/belief including to perform some legislation products that confines freedom of religion/belief and victims' right recovery; and [3] to strengthen the civil society network and to expand the constituent to push them to encourage guarantee of freedom of religion/belief.

This monitoring uses citizens' constitutional rights parameter that guaranteed by the Constitution and human right parameter, especially the International Covenant about Politics and Civil Rights which has been ratified by the Act. No. 12/ 2005. Another parameter that is used also is the Declaration of Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief which was initiated through the Resolution of United Nation General Assembly No. 36/55 on 25 November 1981.

In the eighth year SETARA Institute conduct monitoring, freedom of religion / belief find a hope for progress after stagnating and even a setback in the previous seven years. Even we realized that the hope of refinement is still being an idea, and the politic platform of the new leadership for Joko Widodo-Jusuf Kalla's regime, but from that national leadership willingness aspect, it precisely initiates that new hope emerged.

Finally, SETARA Institute hopes this Annual Report can be useful

for all, especially for policy makers, to rush to make improvements which guarantee the freedom of religion/belief in Indonesia.

To all, who support the work of the monitoring and publication of this report, I thank you.

Jakarta, 22 January 2015

H E N D A R D I

The Chairman of Executive Board of SETARA Institute



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