

CANADIANS CONCERNED ABOUT ETHNIC VIOLENCE IN INDONESIA

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Canadians Concerned About Ethnic Violence in Indonesia (CCEVI) is a coalition of concerned individuals and community groups formed to create public awareness about the current human rights situation in Indonesia, particularly as it relates to the situation of Indonesia's ethnic Chinese minority. The following is a position paper which discusses the following issues:

- the historical context of anti-Chinese discrimination and violence
- the events of mid-May, 1998;
- recent developments; and
- CCEVI's recommendations.

1. The Historical Context of Anti-Chinese Discrimination and Violence

Pre-Suharto

Under the Dutch "colonial caste structure", the population of the Netherlands East Indies was divided into "Europeans", "foreign Orientals", and "natives", in roughly descending order of legal and social privilege. The Dutch restricted the Chinese, as "foreign Orientals", to living in specified urban areas, and required them to have passes to legally travel outside these areas; thus severely limiting contact with the non-Chinese Indonesians. In addition, the Chinese were steered into mercantile and commercial functions, while the *pribumi*, or "native" Indonesians were steered into either agriculture, or into working for the colonial administration. The result of this colonial segregation was that most politically active Chinese did not support the Indonesian nationalist struggle; nor were Indonesian nationalist parties willing to accept even sympathetic Chinese as equal partners in their struggle.¹ There were, however, several Chinese Indonesian intellectuals who supported the Indonesian struggle for independence.

During the decade after Indonesia gained full sovereignty from the Dutch in 1949, the Indonesian government implemented economic policies which discriminated against the ethnic Chinese, in an attempt to curtail their perceived economic dominance. For example, in 1959 the government prohibited Chinese from engaging in retail trade in rural areas.² While the poorer Chinese were hard hit, other Chinese businessmen were still able to prosper by forming

¹ Charles A. Coppel, *Indonesian Chinese in Crisis* (Kuala Lumpur, Malaysia: Oxford University Press, 1983) at 13-16 (Coppel)

² Leo Suryadinata, *Pribumi Indonesians, the Chinese Minority and China* (Kuala Lumpur, Malaysia: Heinemann, 1978) at 85 (Suryadinata)

relationships with military officers. They acted "as financiers for army commands and individual generals, and *de facto* managers for corporations owned by the military."³

In 1959, the Sukarno regime implemented the Guided Democracy, which stressed nationalism, socialism and autonomy for Indonesia. Chinese Indonesian citizens were explicitly included as one of the "suku" or ethnic groups of the Indonesian nation. In addition, President Sukarno also supported the socialist-leaning Chinese Indonesian organization Baperki (Consultative Body for Indonesian Citizenship), which demanded that Chinese Indonesian citizens be given the same right as *pribumi* Indonesians.⁴

In 1965, a coup attempt against Sukarno resulted in an army-sponsored, anti-communist backlash. For two years, wide-spread anti-Chinese violence occurred, anti-Chinese themes filled the popular press, and *pribumi* businessmen began to agitate once again for anti-Chinese economic measures.⁵ In light of the coup attempt, Baperki was banned because it was considered to be under the umbrella of the Communist Party. Its leaders were jailed and many of its members in the countryside were killed.

The Suharto Years

After Suharto came to power in 1965, the government's policy was to forcibly assimilate Chinese Indonesians through openly discriminatory policies. Numerous pieces of legislation and executive branch decrees were implemented, which aimed to eradicate all traces of Chinese ethnic identity. These included:

- prohibitions on further residency or work permits issued to new Chinese immigrants, their wives, or children; prohibitions on any capital raised by "foreigners" in Indonesia being transferred abroad; no "foreign" schools permitted except for the use of the diplomatic corps and their families; in any national school, the number of Indonesian pupils required to exceed that of "foreigners".⁶
- condemnations of the public display of Chinese cultural practices as having "undesirable psychological, mental and moral influence on Indonesian citizens" as well as obstructing the process of assimilation; the banning of celebration of Chinese religious festivals in public and requiring religious practice and observation of Chinese traditions to be kept indoors or within the home.⁷

³ Richard Robison, "Authoritarian States, Capital-Ownning Classes, and the Politics of Newly-Industrializing Countries: The Case of Indonesia" *World Politics* (October 1988) at 52-70

⁴ Suryadinata at 70

⁵ Coppel at 56

⁶ Cabinet Presidium Instruction No.37/U/IN/6/1967

⁷ Presidential Instruction No.14/1967 on Chinese Religion, Beliefs, and Traditions

- prohibitions on any land being acquired for the construction of Chinese temples, building any new temples, expanding or renovating existing temples, or using any other building as a temple.⁸
- permitting Chinese only to be printed in a single newspaper called *Harian Indonesia*, the justification being that dissemination of materials in Chinese or Chinese characters hinders the objectives of national unity and ethnic Chinese assimilation. Any use of Chinese in books, calendars, almanacs, food labels, medicines, greeting cards, clothing, decorations, or other logos and signs is banned.⁹
- authorizing special codes to be put on identification cards indicating ethnic Chinese origin.¹⁰
- obliging Indonesians to drop the use of the term "Tionghoa" (as ethnic Chinese refer to themselves) and replacing it with the term "Cina", a derogatory term.¹¹

Anti-Chinese Violence

Anti-Chinese violence is a pervasive theme in modern Indonesian history. According to a report by Human Rights Watch:

Anti-Chinese violence in one form or another has accompanied virtually every outbreak of social and political unrest during President Suharto's thirty years in power, from the invasion of East Timor in December 1975, where some forty Timorese-Chinese were massacred in Dili harbor on the day after the arrival of Indonesian troops, to a huge worker's rally in Medan, North Sumatra in April 1994, where the death of an ethnic Chinese businessman prompted a letter of concern from the Chinese government. Over 1,000 ethnic Chinese may have been killed in spasms of anti-Chinese violence that struck North Sumatra, Aceh, Kalimantan, and Bali in the aftermath of an attempted coup in 1965, although the vast majority of the hundreds of thousands killed in the anti-communist pogrom that accompanied Suharto's coming to power were non-Chinese Indonesians. In the last two years, anti-Chinese violence has increasingly included attacks on

⁸ Home Affairs Ministry No.455.2-360/1988 on Regulation of Temples

⁹ Circular of the Director General for Press and Graphics Guidance in the Ministry of Information No.02/SE/Ditjen-PPGK/1988 on Banning the Publication and Printing of Writings and Advertisements in Chinese Characters or the Chinese Language

¹⁰ Instruction of the Ministry of Home Affairs No. X01/1977 on Implementing Instructions for Population Registration and the confidential instructions No.3.462/1.755.6 of the Jakarta government dated January 28, 1980

¹¹ Cabinet Presidium Circular SE-06/Pres-Kab/6/1967 on Changing the Term China and Chinese. An analogous act would be the Canadian government implementing a policy that all Chinese Canadians are to be referred to as "Chinks".

churches, adding another explosive element to the mix, as many Chinese are also Christian.¹²

2. The Events of Mid-May, 1998

The Riots

As the Indonesian economic crisis deepened in the latter part of 1997 and the early part of 1998, social unrest increased. Inevitably, ethnic Chinese once again became victims of this unrest, as Indonesians protested the rising prices of food and other necessities. In various cities throughout the country, Chinese shops were looted or destroyed in a series of riots.¹³

The violence reached its peak in Jakarta in May, after a lengthy series of student protests. On May 12, four student protesters were shot dead at Jakarta's prestigious Trisakti University. Within 24 hours, riots began to spread throughout the city, with widespread looting and arson. The results of these riots were 1,188 people dead, 40 malls, 2,470 shophouses and 1,119 cars looted or destroyed.¹⁴

Recently, it has become widely accepted by many, including the Indonesian government itself, that the May violence may have been planned to some extent by renegade military factions. On June 2, the National Commission on Human Rights issued a statement condemning the violence and suggesting it had been organized. On July 23, the government appointed a Joint Fact-Finding Team (*Tim Gabungan Pencari Fakta* or TGPF) consisting of members of the armed forces, government agencies and human rights advocates to examine allegations that the violence was planned. On August 3, General Wiranto, commander of the armed forces, publicly apologized for the armed forces' failure to prevent violence, and in a speech on August 21, he acknowledged that soldiers were involved in the violence itself.¹⁵

The Rapes

In June, reports began to emerge of widespread rapes and sexual abuse targeted toward ethnic Chinese women. On July 13, the Volunteer Team for Humanity, a group led by Father Sandyawan, a well-known priest, released a report stating that 168 cases of sexual abuse had taken place, of which approximately 130 were of rape. Twenty victims were reported as having died. The Report contained details of horrific sexual torture, several involving genital mutilation. The youngest victim reported was only 9 years old.¹⁶

¹²"Indonesia Alert"

¹³ See "Indonesia Alert" and BBC News Special Report, "Indonesia's Ethnic Tension: A Chronology" (February 16, 1998) (www.news.bbc.co.uk)

¹⁴ Asiaweek, "Ten Days that Shook Indonesia: Evidence Indicates that the Riots that Convulsed Jakarta During May Were Masterminded" (July 27, 1998)

¹⁵ Human Rights Watch, "Indonesia: The Damaging Debate on Rapes of Ethnic Chinese Women" (September 8, 1998) ("The Damaging Debate")

¹⁶ Volunteer Team for Humanity, "Mass Rapes During the Series of Riots" (July 13, 1998)

These reports of rape set apart the violence of May 1998 from all previous episodes of anti-Chinese violence in Indonesia, and galvanized ethnic Chinese communities world-wide. In response to international pressure and condemnation, the Indonesian government promised to investigate the rapes, support victims, and bring the perpetrators to justice.

Soon after, however, certain government officials accused human rights activists of fabricating the accounts of rape in order to discredit the Indonesian government. On August 17, the national police commander General Roesmanhadi threatened organizations that had been vocal in publicizing the rape of ethnic Chinese women with charges of spreading false rumours. On August 24, Lt. Gen. Moetojib, chief of state intelligence, stated publicly that there was no evidence that rapes had occurred, and that reports of sexual abuse may have been fabricated to "defame Indonesia" and "cause the disintegration of national unity." On August 26 and 27, armed forces commander General Wiranto and Women's Minister Tuty Alawiyah made public statements to the effect that the rapes of ethnic Chinese women during the mid-May riots were unproven, and that reports of sexual abuse may have been fabricated.¹⁷

On September 21, however, the Joint Fact-Finding Team submitted an interim report to the government and the military. According to the Team's Chair, Marzuki Darusman, the Team's interim report confirmed that sexual assaults, including rape, did occur during the May riots. In a statement to *The Jakarta Post*, Marzuki stated that it was important for the Team to assure the public that sexual assaults had occurred, and that the Indonesian government acknowledge that point.

3. Recent Developments and CCEVI's Recommendations to the Canadian Government

Recently, several events highlight the need for the Canadian government to (i) use its influence to persuade the Indonesian government and military to protect Indonesian citizens of all ethnicities; and (ii) provide short, and if necessary, long-term asylum to victims of violence during the May riots.

In June, July, August and September, there were several well-documented cases of rape of ethnic Chinese women in June, July and August. There were reports that pedicab drivers were being given money to attack or rob Chinese passengers. Anti-Chinese pamphlets circulated in several Indonesian cities. In response, many Chinese Indonesians resorted to buying firearms on the black market and barricading their homes and businesses. As social unrest continues as a result of the increasing economic hardships, anti-Chinese riots continued to occur throughout Indonesia.¹⁸

On October 10, 1998, a teenage volunteer with the Volunteer Team for Humanity was found brutally murdered in her home.¹⁹ Within two days, the police arrested her neighbour

¹⁷ "The Damaging Debate"

¹⁸ Asiaweek, "Defensive Maneuvers: Among Chinese Indonesians, the Fear Remains" (August, 1998); "The Damaging Debate"; Asian Wall Street Journal, "Chinese Merchant in Jakarta Rebuilds Because of Pride and a Lack of Options" (September 14, 1998)

¹⁹ Washington Post, "Indonesia Rape Counselor Found Dead" (October 10, 1998)

for the crime, claiming that the murder had resulted from a bungled burglary. The speed of the arrest caused many human rights activists to suspect that the investigation had not been properly conducted. In any event, Martadinata Haryono's murder raised further concerns the dangerous situation of victims of sexual violence during the May riots, their families, and activists working to help them.

On November 3, 1998, the Team released its report on the May riots. It concluded that 85 women of mainly ethnic Chinese origin were sexually assaulted during the May riots, of which 52 were verified cases of rape.²⁰ In addition, the Team found that there was evidence that members of the army, including Lt. Gen. Prabowo, Suharto's son-in-law, had been involved in inciting the violence. The Team called for a full investigation into the main causes and main actors involved in inciting the violence.²¹

On November 10, street protests and riots commenced and continued for several days in connection with a meeting of the legislative assembly. To date, 18 people have been killed, and over 450 injured. The government used both the military as well as civilian guards to deal with the protesters, and there is some indication that real, as opposed to rubber bullets, were fired at the crowds. On the weekend of November 13, the military also detained nine dissidents.²²

On December 18, 1998, the United Nations Special Rapporteur on Violence Against Women, Radika Coomaraswamy, reported her findings from an investigative visit to Indonesia. In an interview with Reuters, she stated that mass rapes had occurred in May, that many of the victims were ethnic Chinese, and that the rapes were organized over a large area. Ms. Coomaraswamy also stated that the Indonesian military had been involved in cases of rape against women in East Timor, Aceh and Irian Jaya. Ms. Coomaraswamy noted that there are many obstacles to protecting human rights in Indonesia, including ignorance of human rights principles, and that many victims of violence distrust the criminal court system.²³

Violence and terror in Indonesia continue today. At least 45 people were killed in violence between rival Muslim and Christian gangs in Eastern Indonesia, only the most recent instance of wide-spread religious conflict. Violence in East Timor also continues, with one human rights observer noting that that certain military figures may be involved in arming rival factions.²⁴

²⁰ The Team itself acknowledged the difficulty in obtaining information on crimes of this nature, which CCEVI believes demonstrates the real risk that these numbers do not fully reflect the full extent of rape and sexual violence.

²¹ Joint Fact-Finding Team Report (November 1998)

²² State Department Briefing, (November 16, 1998); CNN, "Indonesian Opposition Figures Detained" (November 16, 1998)

²³ Interview with Reuters, as reported in Suara Pembaruan, "UN Rapporteur Confirms the Report of Mass Rapes in Indonesia" (December 19, 1998)

²⁴ CNN, "Eastern Indonesia Remains Tense"; "Six Dead, Thousands Flee East Timor Violence" (January 27, 1999)

4. CCEVI's Recommendations

CCEVI believes that there are four concrete actions that our government can take to help re-establish stability in Indonesia immediately and for the future:

1. help ensure that the Indonesian government not only acknowledges the report of the Joint Fact-Finding Team, but actively implements its recommendations, especially in regard to the investigation and punishment of those responsible for the crimes;

2. petition the United Nations to establish an International Tribunal to charge Prabowo Subianto, Suharto and other military figures who were responsible for the mass violence of May 1998; the commission of war crimes, genocide and other atrocities against East Timorese, Acehnese, and Irianese; the kidnapping and murder of political activists; and the 1965 slaughter of over one million civilians;

3. urge Indonesia to stay on the path of democratization and equality, by installing laws that separate the executive, legislative and judiciary branches; removing electoral regulations which prevent opposition to the incumbent government from being elected; and collaborating with the Indonesian National Human Rights Commission

4. monitor the elections in June 1999 and sending a parliamentary delegation.

Domestically, the government can assist by establishing a special asylum program for the victims of violence during the May riots, particularly ethnic Chinese Indonesians who were targeted. While the program is being set up, we also urge the Canadian government to provide immediate assistance to these persons and other persecuted ethnic groups, including granting residency status on humanitarian and compassionate grounds or permitting them to access any programs available for persecuted, displaced groups who do not meet the definition of Convention refugees.