

# INDONESIA

## Paying the price for “stability”

### Introduction

Indonesia is experiencing its most serious political and economic crisis since the current government came to power in 1966. The approach of presidential elections in early March, in which President Suharto is seeking his seventh consecutive term and in which his vice-presidential candidate appears set to be the current Minister for Research and Technology - a close ally of the President - is fuelling concerns about the future political leadership of the country. Political tensions have been intensified by a severe economic crisis which has resulted in a dramatic fall in the value of the Indonesian currency - the rupiah - and a crippling drought in many areas of the country. As Indonesia comes under pressure to implement austerity measures imposed by the International Monetary Fund, the public outcry over rising prices is being accompanied by increasingly vocal demands for political change. Riots and demonstrations have become an almost daily occurrence and are likely to intensify in the run-up to the March parliamentary session at which the nation's president and vice-president will be chosen.

During times of national crisis such as that being faced by Indonesia now, extra care is needed to ensure that human rights are protected. Contrary to exercising additional care, the Indonesian authorities are adopting a hardline policy in an attempt to silence critics. At a time when the airing of opinions might help to ease the level of tension, the authorities are imposing gross restrictions on its citizens' rights to freedom of association and expression. In the past two weeks alone around 250 peaceful political activists have been arrested. In addition, human rights violations are occurring in the context of the security forces handling of riots which have spread throughout the country. In the past weeks, there have been reports of rioters being wounded and in some cases killed by the security forces. Amnesty International is also concerned that the government is not taking adequate measures to protect ethnic-Chinese Indonesians who are the target of mob attacks.

There is currently intense activity at the international level as various other governments - notably the United States, Japan, Germany and Australia - apply pressure on Indonesia to introduce reforms to improve the economic situation. So far, this intervention has focused on restoring economic stability with little or no attention being given to the possible human rights implications of the crisis. Amnesty International considers that there is an urgent need for such international intervention to include a human rights element. The recommendations of concerned governments should include not just economic measures but also measures to ensure that human rights will be immediately protected during the difficult time ahead, notably through ensuring that the rights to peaceful freedom of expression and association are upheld; that security forces

do not engage in the use of excessive force; and that vulnerable groups are protected. They should also address how reforms in Indonesia can be directed at institutional weaknesses which contribute to human rights violations.

This document summarizes Amnesty International's concerns around the current crisis and includes recommendations addressed to the Indonesian and other governments.

### **Human Rights Concerns in Indonesia**

Amnesty International's main human rights concerns in Indonesia lie in the following areas:

- legislation allowing for the imprisonment of peaceful government critics. Indonesia retains and frequently uses repressive laws to imprison its peaceful critics. In 1997, 14 students received prison sentences of up to 13 years for their involvement in a political party which was banned by the government. They were tried under the Anti-subversion Law.<sup>1</sup> They are considered by Amnesty International to be prisoners of conscience.<sup>2</sup> An independent labour leader and a former member of the national parliament are currently on trial in Jakarta under the Anti-subversion Law. Both are considered by Amnesty International to be prisoners of conscience.
- a lack of restraint during the security forces handling of peaceful demonstrations and violent disturbances. The use of excessive force by the security forces continues in Indonesia and East Timor. Ill-treatment, torture and unlawful killings occur both in the context of law and order campaigns and in dealing with political opposition.
- the lack of an independent judiciary. Although in law Indonesia's judiciary is independent of the executive, in practice the judiciary is subject to extensive control and manipulation by the government and the military. The application of

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<sup>1</sup>The Anti-subversion Law has been widely used to sentence prisoners of conscience to long periods in jail and also carries the death penalty. For further details about the law see - [Amnesty International: Indonesia: The Anti-subversion Law: A Briefing](#), February 1997, AI Index ASA 21/03/97.

<sup>2</sup>A prisoner of conscience is someone imprisoned for the non-violent expression of their beliefs or their peaceful actions in support of these beliefs.

the law is frequently subjected to intervention by the military and the government, often in breach of Indonesia's own Code of Criminal Procedures.

- a lack of accountability for members of the Armed Forces - which includes the police force - contributes to continued human rights violations. The military and police can commit violations in the knowledge that they are unlikely to be brought to justice for their actions.

It is incumbent on the Indonesian Government to take the opportunity offered by the current momentum for reform to address these key areas, and thereby show its commitment to improving the human rights situation in the country. Such measures would help to restore confidence in government institutions and address persistent feelings of social injustice and could help defuse current economic and political tensions.

### **Background: The economic crisis and its human rights costs**

In 1997, Indonesia's currency - along with several others in the region - suffered a serious downturn in its value. The economy, already burdened by a high private and public foreign debt, suffered from the decline in the rupiah's value and the government was pressured to implement reforms to address the crisis. In October, Indonesia signed an agreement with the International Monetary Fund (IMF) in which the IMF agreed to provide a \$US43 billion assistance package in exchange for actions by the Indonesian Government to produce a budget with a surplus of 1 per cent of Gross Domestic Product (GDP) achieved through cutting government subsidies to petrol, kerosine and electricity, cutting large-scale infra-structure projects, liquidating unsound banks and dismantling some monopolies.

The reforms requested by the IMF were widely perceived as presenting President Suharto with several difficult choices since many of those whose interests would be affected by the reforms were his own family members or his close allies. These conflicting interests, combined with various actions which suggested that President Suharto was reneging on his commitments to the IMF, and exacerbated by the uncertainty over the country's future political leadership, contributed to further declines in the value of the rupiah. Mass lay-offs of workers began as companies began to feel the affects of the crisis. The economic situation further deteriorated when the president presented the annual budget on 6 January 1998 which appeared to show no commitment to the reforms.

Under renewed international pressure to implement the reforms, a revised agreement was signed with the IMF on 15 January. In this agreement, the government provided more detail about the specific steps it would take, including to revise the

national budget to take into account a more realistic conversion rate for the rupiah, to gradually cut the subsidies on fuel and electricity, to tighten supervision of banks, disestablish monopolies and to lift restrictions on foreign investment. In addition, the government agreed to end a range of concessions and subsidies to several projects linked to family members and allies of President Suharto. The government also agreed to write into the budget a projected 20 per cent rate of inflation, nil growth and to establish an Economic and Financial Resilience Council, an advisory body on the economy on which the IMF will sit.

Despite the new IMF agreement, confidence in the rupiah has not returned. Concern still exists about how Indonesia's large private foreign debt - believed to equal some US\$65 billion - will be repaid. Several details of the package have also not been revealed and the government has not clarified when it will begin the process of reducing subsidies on fuel and electricity - although many commentators expect it to be in April after the presidential election. Most recently, President Suharto has clashed with the IMF over his decision to introduce a scheme which would peg the Indonesian currency directly to the US dollar. The introduction of the scheme, which the IMF opposes, appears now to be delayed.

The effects of Indonesia's economic downturn have been strongly felt since the beginning of 1998. Unemployment has risen and is likely to increase even more sharply. Government figures, thought by many observers to be overly conservative, estimate that unemployment will reach 13.5 million and underemployment will reach 48.6 million. Adding to the large numbers of unemployed will be the 2.5 million people who enter the labour market every year and hundreds of thousands of Indonesian workers returning from other countries effected by Asia's economic crisis, such as Malaysia and South Korea. All Indonesians, employed or otherwise, are already feeling the effect of rising prices. The cost of basic commodities has already risen sharply, in some cases by more than 100 per cent. There is likely to be a further dramatic increase when the government begins to implement cuts to fuel subsidies. Wages are unlikely to be increased to compensate for the rising prices.

With economic hardship there are fears of increased social unrest. The expected rise in the number of unemployed will inevitably add to the dissatisfied millions having to work harder for less financial gain. In the absence of channels for peaceful expression, discontent has already spilt over into violence. Riots protesting at the deteriorating economic situation have increased in scale and spread to outer islands of the Indonesian archipelago. The economic situation has further shaken confidence in the political system. Demands for political reform are becoming more widespread and vocal and there are mounting direct challenges to President Suharto's leadership. Among the suggested alternative presidential candidates are ousted Indonesian Democratic Party (PDI) leader, Megawati Sukarnoputri and Amien Rais, the leader of the Islamic organization,

Muhammadiyah, who have formed a political alliance and indicated that they are willing to challenge Suharto for the presidency.<sup>3</sup>

### **The Government’s Response**

The government and the military have made it clear that they will not tolerate opposition. President Suharto has already called for the military to take “stern action” against those deemed to be violating the law, a loose expression generally understood to include not just rioters, but also peaceful critics. The military has said it will “*cut [the opposition] to pieces*”. Rather than recognising that the venting of public opinion could ease some tensions, the authoritarian response already articulated by the Indonesian Government carries with it the prospect of increased violations of human rights.

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<sup>3</sup>In 1996, Megawati Sukarnoputri, the elected leader of Indonesia’s third official political party, the Indonesian Democratic Party (PDI) was ousted from the leadership in a challenge which was largely orchestrated by the Indonesian authorities. The removal of Megawati Sukarnoputri from the leadership precipitated social unrest and a severe crack-down on peaceful political dissent. For further information on Amnesty International’s human rights concerns with the events see [Indonesia: Raid on the PDI Office](#), AI Index ASA 21/46/96, 28 July 1996; [Indonesia: PDI Raid: Update](#), AI Index ASA 21/48/96, 30 July 1996; [Indonesia: PDI Raid: Reprisals Continue](#), AI Index ASA 21/56/96; [Indonesia: Arrests, torture and intimidation: The Government’s response to its critics](#), AI Index ASA 21/70/96, November 1996; and [Indonesia: The Trial of Thought](#), AI Index ASA 21/19/97, April 1997.

Criticism of the government's economic management has already provoked a severe response. Two economists were questioned by the military following critical comments they made concerning the economy. In addition, 19 researchers from the National Institute of Sciences, (LIPI) received a warning letter from the government because they expressed concern over the government's handling of the economic crisis, criticising the government for ignoring calls for economic reform during 1997. Military officials have publicly equated currency speculation and food hoarding with "subversion" - a crime which carries the death penalty. In January, four men were held in police custody under charges of subversion for food hoarding, although they were later released and the charges dropped. On 20 February, a spokesperson from the Attorney-General's Department reportedly stated that food hoarders would face the death penalty under a law on storehouses.<sup>4</sup>

In recent months, Indonesia has opened its banking and financial institutions to some scrutiny by global financial advisers and bodies. In this spirit of consultation and cooperation, other areas of government should also be opened up to scrutiny. In particular, full access to all areas of the country for independent human rights monitors, including domestic and international non-governmental organizations and United Nations human rights experts and mechanisms should be permitted. The government, however, continues to restrict access to areas of the country for human rights and other advisers. Amnesty International has long been denied permission to conduct research in many areas of Indonesia and East Timor. At this moment, humanitarian groups are being denied access to some areas to assess the extent of drought-related famine.

The tough approach taken by the government against dissenters has been criticised by some within the Indonesian establishment. On 12 January, Indonesia's National Commission on Human Rights (*Komisi Nasional Hak Asasi Manusia*, Komnas HAM) released a statement drawing the government's attention to the need to address human rights and political reform within any economic reforms that may be imposed. The statement referred to the lack of democracy in Indonesia, the use of the law as a tool to uphold power, and existence of social injustice. The statement also pointed to the failure of Indonesian institutions, such as the National Parliament and the courts, to function properly.

Komnas HAM recommended that the Indonesian Government take the following measures:

- put an end to the misuse of the law as an instrument of repression;

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<sup>4</sup>Reuters, 20 February 1998.

- allow for greater freedom of expression;
- pay attention to calls for greater political openness.

Komnas HAM’s statement highlighted the need for measures aimed at protecting human rights, both in the context of immediate problems in Indonesia but also in the long-term. Such recommendations by Komnas HAM and others have so far been ignored. Without such reforms, however, it is likely that the human rights situation will deteriorate further, leading to an increase, not an alleviation, of instability. In recent days there have been some signs of recognition by foreign governments of the potential for social instability in Indonesia and the regional security implications this will bring with it. On 19 February, Australia’s Prime Minister John Howard stated that he was concerned about the “potential for internal trouble”.<sup>5</sup> Amnesty International hopes that such governments will back up expressions of concern with pressure on Indonesia to implement reforms which will improve the human rights situation in the country by allowing for greater freedom of expression and association.

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<sup>5</sup>Reuters, 19 February 1997.

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### Freedom of association

International media attention on the Indonesian crisis has focused on violent disturbances spreading throughout the country. This reporting has largely ignored the level of government repression against those who have made peaceful calls for political reform. Some 250 peaceful political activists have been arrested in recent weeks, at least 150 of whom are now facing criminal sanctions for criticising the government's handling of the economic crisis or for demanding that the Presidential elections be open to other candidates besides President Suharto, or even that he should step down.

As the government becomes further enmeshed in a political and economic crisis, it is seeking to blame unnamed groups for provoking unrest. On 10 February, the Armed Forces Chief was quoted as saying "*This increasing political temperature is not just a result of political manoeuvres which are done by interest groups, but also caused by the acts of certain groups to penetrate and make worse the current situation*".<sup>6</sup> President Suharto has called on the military to take "stern action" against those who are considered to have violated the law, stating that "certain groups" were exploiting the economic crisis to undermine the government. On 12 February, the President was quoted as saying: "*We can have a difference of opinion ... and we can express our thoughts. But we cannot let them hide behind the veil of democracy and freedom to express their opinions and then make good on their destructive and law-violating ways*".<sup>7</sup>

Such statements from the authorities are not new but rather, are reminiscent of the way in which the New Order Government has characterised political dissent over the last 30 years. Ever-present alleged "threats against national stability" are used as justifications for preventing peaceful dissent and for imposing heavy sanctions on individuals and groups who attempt to engage in peaceful political activities.

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<sup>6</sup>AFP, 10 February 1998.

<sup>7</sup>AFP, 12 February 1998.



Indications that the authorities are likely to resort to increased levels of repression have emerged even more clearly in the last week. A recent newspaper report stated that Indonesia's security forces have been given greater powers to monitor political activists by tapping telephone calls and stopping those calls which are considered to be "political".<sup>8</sup> The same article quoted the police as confirming that they had "*intensified surveillance of people who were believed to be involved in making political calls*". The Jakarta police were quoted as saying "*We've been spying on certain places in an attempt to find these irresponsible people*" and that the police had "intensified" cooperation with the state-owned telecommunications company in tracing the calls. The move has been criticised by human rights lawyers and also by Marzuki Darusman, Vice-Chair of Indonesia's National Commission on Human Rights, who stated that "*[t]he authority's exercise [of phone tapping powers] should be restricted to prevention of crime. Don't use it as a means to interfere in political affairs*".<sup>9</sup>

On 22 February, the government announced a 25 day nationwide ban on street protests lasting until one week after the presidential elections. On 16 February, the Jakarta Police Chief stated that the security forces would crack down on demonstrators which are considered to be political, stating that the police will use a law from 1969 to punish those who engage in political activities. Law 5/PNPS/1969, was originally promulgated as a presidential decree in 1963 and became law in 1969. Like the Anti-subversion Law, it contains vague wording of what constitutes a crime and punishes those taking part in "political" demonstrations with five year prison terms.

Unlike the so-called Hate-sowing Articles - legislation dating from the Dutch colonial rule which is commonly used against peaceful demonstrators accused of spreading "hatred" against the government - Law 5/PNPS/1969 allows the authorities to imprison someone for simply taking part in political activities deemed unacceptable. Five activists who took part in a peaceful demonstration in Jakarta on 11 February to protest against unemployment, price rises and corruption, are reportedly facing charges under this law.

Others targeted for arrest include members of a non-governmental alliance supporting alternative candidates for the presidential elections. A group has been formed to support an alliance of ousted Indonesian Democratic Party leader, Megawati Sukarnoputri and Amien Rais, the leader of the Islamic organization, Muhammadiyah. Called Indonesian Solidarity for Amien Rais and Megawati (SIAGA), the alliance comprises various pro-democracy and human rights groups including the People's

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<sup>8</sup>The Jakarta Post, 13 February 1998.

<sup>9</sup>The Jakarta Post, 14 February 1998.

Democratic Alliance (*Aliansi Demokrasi Rakyat*, Aldera). Aldera's membership has been a particular focus of government attention during the recent spate of arrests of pro-democracy activists.

Seven members of Aldera were arrested in Bogor, West Java on 7 February as they gathered outside a mosque to distribute copies of a speech made by Megawati Sukarnoputri. One of those arrested claims to have been beaten during his arrest. All of the group were released the following day, but four, Herlan Artono, Abdi, Robert and Wahyu, have been accused of "expressing hatred" against the government under Article 154 of the Criminal Code. They are currently required to report to the police twice a week. On 12 February, 17 members of Aldera were arrested during a raid by the authorities on the organization's office in Bogor at around midnight. The 17 included four who had been arrested during the gathering on 7 February. Another six members of Aldera were arrested in Bandung on 9 February. Both groups have subsequently been released, but Amnesty International is concerned that the authorities are targeting the group for short-term detention and that four of them have been charged with offences which, if found guilty, would result in them becoming prisoners of conscience.

In another development, the security forces appear to have resorted to the use of incommunicado detention of peaceful political activists. Amnesty International is concerned at this return to practices used during a crack-down on peaceful dissent in 1996 when activists were taken into military custody where they were held in unacknowledged detention and denied access to their families and to legal representation. Two activists have gone missing and are feared to have been arrested in early February. Pius Lustrilanang and Desmond Mahesa are both thought to have been arrested by the security forces and attempts by friends and family to locate them have so far yielded no results. Komnas HAM has been approached in an attempt to establish their whereabouts and human rights lawyers in Jakarta are also attempting to trace them. Pius Lustrilanang, 29, a student activist and the Secretary General of Aldera, has been missing since 4 February 1998 when his friends attempted to contact him at his residence and at his parents' house after he failed to keep an appointment. Desmond J Mahesa, 33, who is the Director of the Legal Aid Institute Nusantara (*Lembaga Bantuan Hukum*) in Jakarta, was last seen on 3 February. Eight military intelligence officers are reported to have visited his office the day before he was last seen.

Adding weight to fears that Pius Lustrilanang and Desmond Mahesa are in military custody is the recent confirmation that five student activists from Garut in West Java who were arrested by plain clothed men on the night of 16 February were held in incommunicado military detention. They were detained for three days during which they were subjected to torture and ill-treatment. The five, Mahmud Yunus, Agus Rully Ardiansyah, Cepi Kunaefi, Tanto Sugianto and Muhamad Iqbal, were arrested from the secretariat of a non-governmental organization, the Garut Forum of Youth and Students

(*Forum Pemuda Pelajar Mahasiswa Garut*, FPPMG) by a group of police and military personnel at around 10.30 pm on 16 February. They were arrested without warrants and were taken to the District Military Command (Kodim) in Garut. Upon arrival at Kodim Garut, human rights lawyers claim that the five were placed in separate rooms and interrogated during which they were forced to remove their clothes, were beaten with pistol butts and cane batons and kicked. One of the five was placed in water for around half an hour while he was beaten and another had his hair burnt with cigarettes. The five were transferred to police custody on 18 February and then released the following day. Several items including computer equipment were confiscated by the military during the raid on the office.

The recent arrests indicate an intensification of the pattern of intimidation, arrests and judicial sanctions against peaceful pro-democracy and human rights activists in Indonesia. This pattern is reminiscent of the human rights violations that took place in Indonesia in the run-up to last year's national parliamentary elections when at least 40 political activists were arrested. Many of those arrested had advocated a boycott of the election.<sup>10</sup> Sri Bintang Pamungkas, a former member of Indonesia's National Parliament, was arrested in March 1997 following the distribution of a greeting card which called for a boycott and for the rejection of President Suharto's candidacy for the 1998 presidential elections. He is now being tried with subversion. Prior to his arrest Sri Bintang Pamungkas and several other pro-democracy supporters had established a new political party, the Indonesian United Democratic Party, (PUDI). Several other members of the party have also been arrested including five members of the Malang Branch in East Java who were arrested in January 1998. They were released after a day in custody but two are still facing criminal charges. Others have been arrested for putting themselves forward as alternative candidates for the presidential elections. In September 1997, Wimanjaya Liotohe, a pro-democracy supporter and author, who put himself forward as a vice-presidential candidate for the 1998 elections, was arrested. He is now being tried on charges of insulting the president under Article 134 of the Indonesian Criminal Code.

Another group of activists who were considered by the authorities to be creating public disorder were 35 child labourers and 15 activists who were detained in Jakarta after a demonstration against child labour on 13 February. The group, called the Indonesian Committee for a Global March Against Child Labour, were arrested as they sat in the grounds of the Manpower Department in Jakarta.<sup>11</sup> Two activists who went to

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<sup>10</sup>For further information about arrests in the run-up to the national parliamentary elections see Amnesty International: [Indonesia: No Room for Dissent - the 1997 Parliamentary Elections: A Media Briefing](#), May 1997, AI Index ASA 21/29/98.

<sup>11</sup>The group are part of an international "Global March Against Child Labour" which has passed through a number of other Southeast Asian countries including Vietnam, the Philippines,

the police station later the same day after hearing of the arrests were also taken into custody. All 50 were held in police custody overnight. The children were then released unconditionally but the 15 activists are believed to have been threatened with charges under Article 217 of the Indonesian Criminal Code which punishes those who refuse to move from a public place when ordered to with a maximum prison sentence of three weeks.

### **Riots and riot control**

Rioting has intensified over the last month both in terms of the numbers of people involved and in its geographical spread. As the effects of the economic crisis deepen, rioting is likely to continue. Disturbances have already spread as far as the islands of Flores, Sumatra and Sulawesi. Amnesty International is concerned that the Indonesian security forces - which will become more stretched as the crisis is prolonged - may resort to greater use of excessive force in quelling the riots. In recent years, elite police units trained in riot control, have been deployed to deal with riots and demonstrations. Notwithstanding the fact that these units themselves have engaged in the use of excessive force, the scale of the current disturbances is likely to mean that regular troops and police will be drawn on to quell the riots creating greater risk of human rights violations.

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Thailand and Cambodia.

While earlier reports of the rioting indicated that the security forces appeared to be acting with relative restraint, on the weekend of 14 and 15 February there were reports of at least five deaths and 15 injuries as a result of security forces opening fire on different riots. Nine people were shot during disturbances in Brebes, Central Java, with two believed to be dead. Two other people were believed to have been shot dead and nine others injured in rioting on the island of Lombok. The circumstances of these incidents are not clear, but Amnesty International is concerned that extra care must be taken to ensure that the security forces are operating in accordance with international guidelines on the appropriate use of force in dealing with violent disturbances. This concern is heightened by official comments sanctioning tougher responses by the security forces. On 16 February, the police in East Java stated that rioters "considered dangerous" would be shot on sight.<sup>12</sup>

A lack of accountability within the Indonesian Armed Forces means that there are few if any impartial and full investigations into deaths and injuries which result from the security forces handling of demonstrations or riots. It is also impossible in many cases to monitor the security forces behaviour, because of restrictions on access to many areas of the country for human rights monitors and journalists.

The Indonesian security forces have received riot control equipment and training from many other countries, including Britain and Germany. In recent years, prompted by concerns of human rights violations, foreign governments have argued that Indonesia is becoming more sensitive in its approach to riot control and that the supply of such training and equipment had contributed to this improvement. Amnesty International is concerned that there is still a high incidence of the excessive use of force in dealing with both violent and peaceful demonstrations and considers it to be the responsibility of any government which has allowed for the transfer of military equipment to Indonesia to monitor its use to ensure that it is being used in accordance with international human rights standards. Governments which have provided training to the Indonesian security forces also have a responsibility to ensure that the training provided is not contributing to the violation of human rights.

### **Ethnic-Chinese Indonesians**

Ethnic-Chinese Indonesians make up less than four percent of the country's population. Many of the ethnic-Chinese came to Indonesia as traders and were established as a successful commercial community as early as the 19th century. During Indonesia's occupation by the Dutch, the Chinese were used by the colonialists as tax collectors and

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<sup>12</sup>AFP, 16 February 1998.

also acted as traders, entrenching their position as a separate and economically successful community. Today in Indonesia, ethnic-Chinese Indonesians are subjected to discriminatory policies which prevent them from using the Chinese language and which have denied them the opportunity to enter the military or government, and have imposed restrictions on them entering state universities. Under the New Order Government, they have dominated the economic field to the point where they are now believed to control around 70 per cent of Indonesia's economic wealth. In contrast to most other countries in the region with an ethnic-Chinese population, there is little integration of the Indonesian ethnic-Chinese with other communities in Indonesia.

Throughout Indonesia's history, the ethnic-Chinese have been the target of attacks, including by European settlers during the colonial era. They were also targeted during the mass killings that took place in the wake of the alleged coup in 1965. Since 1996, ethnic-Chinese Indonesians have again become the target of rioters. Although largely caused by price increases, ethnic-Chinese businesses and shops are bearing the main brunt of the violence, with Christian churches also targeted. So far there have been no deaths of ethnic-Chinese Indonesians at the hands of rioters.

The Indonesian Government has an obligation to guarantee all its citizens - without distinction based on race or ethnic origin - the right to physical security and protection by the state against violence, whether inflicted by state officials or by other individuals or groups. Amnesty International is concerned that the Indonesian Government is not taking sufficient action to ensure protection of the ethnic-Chinese and that elements within the country's leadership may be fuelling discrimination against them.

In January, the Indonesian authorities initiated a campaign in support of the national currency. The campaign, called "I love the Rupiah" focused criticism on individuals and businesses believed to have exchanged rupiah for US dollars or to have sent money overseas. In the context of this campaign, the Armed Forces Chief claimed that ethnic-Chinese Indonesian family businesses had sent money overseas and called on the owners of conglomerates - a term used to refer to large Chinese owned businesses - to return an estimated \$US 80 billion which the military claimed had been sent overseas.<sup>13</sup> In connection with the campaign, 13 business tycoons were reported to have received "threatening phone calls" from the military.<sup>14</sup> The Armed Forces Chief was also reported to have met with Indonesian journalists and editors advising them to write articles critical of ethnic-Chinese Indonesians.<sup>15</sup> Other military leaders have made comments which are

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<sup>13</sup> Sydney Morning Herald, 27 January and 16 February 1998.

<sup>14</sup> Far Eastern Economic Review, 19 February 1998.

<sup>15</sup> Sydney Morning Herald, 16 February 1998.

believed to be targeted at the ethnic-Chinese business community. Military leader Lieutenant General Syarwan Hamid was reported to have stated at a meeting in one of Jakarta's main mosques that Indonesia needed to "eradicate rats" in the economy. The Lieutenant General was further reported as saying "*These rats took away the fruits of our national development and work for their own self interest...Don't think that the people do not know who these rats are. It's time to eliminate these rats*".<sup>16</sup>

One prominent ethnic-Chinese leader, Sofyan Wanandi, attacked the implied criticism of the ethnic-Chinese business groups in the "I love the Rupiah" campaign and refused to transfer US dollars into rupiah on the grounds that he needed the dollars to pay his corporation's debts. He has since been accused by the military of connections to a bomb explosion in Jakarta in January which the authorities claim was carried out by members of the People's Democratic Party (*Partai Rakyat Demokrasi*, PRD), a banned political organization. There is no indication that Sofyan Wanandi is linked to the PRD and there is considerable speculation that the accusation is an attempt to discredit him.

Sofyan Wanandi has also been subjected to public attack through demonstrations held outside the Centre for Strategic and International Studies (CSIS) of which he and his brother, Jusuf Wanandi, are directors. The CSIS, a think-tank with close connections to the New Order Government but which has often been perceived as being dominated by ethnic-Chinese and Catholics, has recently become more critical of the authorities. Following the accusations against Sofyan Wanandi by the military, there have been a series of demonstrations against him and the CSIS. On 26 January up to 100 students arrived in two chartered buses to demonstrate outside the CSIS. They called for its dissolution, blamed the Wanandi brothers for the economic crisis and called for Sofyan Wanandi to be tried. The following day demonstrators gathered again outside the CSIS. Youths also demonstrated outside the office of a magazine, *Media Indonesia*, which had run an editorial suggesting that the allegations against Sofyan Wanandi were a fabrication by the military. On 4 February, there were further demonstrations outside Indonesia's National Parliament where once again protestors called for the CSIS to be abolished and for the Wanandi brothers to be tried. There have been allegations that the demonstrations have been orchestrated. Sofyan Wanandi has now been questioned by the military twice. His brother, who has also been linked by the military to the PRD, was questioned on 13 February. The editor of *Media Indonesia* which published the editorial suggesting that the allegations against Sofyan Wanandi were a fabrication, has also been called for questioning.

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<sup>16</sup>American Reporter, February 1998.

The military has denied that there is a campaign to incite discrimination against ethnic-Chinese Indonesians and that it is not discriminating against ethnic-Chinese Indonesians in its response to the riots. In the meantime, ethnic-Chinese Indonesians continue to be the target of mob attacks creating fear among the community. Some ethnic-Chinese Indonesians have expressed concerns about the level of protection they can expect to receive from the security forces. An ethnic-Chinese Indonesian who has fled to Australia was quoted as saying *"If we were attacked, the police and the army would delay helping us so the locals could vent their anger"*.<sup>17</sup> While at times ethnic-Chinese Indonesians have sought and been given sanctuary in military bases, there have also been occasions during which the military appear to have taken little or no action to prevent mobs from attacking ethnic-Chinese businesses. On 15 February, a British Broadcasting Corporation (BBC) journalist reported that in Pamanukan in West Java, the security forces were observed standing back when rioters attacked a group of shops owned by ethnic-Chinese Indonesians. Another report from 16 February also states that in Cirebon, also in West Java, police and soldiers did not prevent people from looting burnt Chinese shops.<sup>18</sup> One analyst has stated that in the context of the security forces handling of the mob attacks, *"[l]ocal military or police often act too late, probably because they are ill-equipped, might get into trouble if they kill people and anyway protecting Chinese is an unpopular cause. This constitutes a serious neglect, even if it may not be intentional"*.<sup>19</sup> The US non-governmental organization Human Rights Watch/Asia has also echoed these sentiments in a report on the anti-Chinese riots.

Amnesty International considers that there are steps which the Indonesian Government could take which could help to alleviate attacks against ethnic-Chinese Indonesians. These include:

- developing a clear policy for the protection of vulnerable groups including the ethnic-Chinese against threats and attacks on their physical and mental security;
- making clear public statements reflecting a commitment to the protection of minorities and condemning all acts of violence against those belonging to any ethnic minority;
- ensuring that adequate protection is provided to the ethnic-Chinese Indonesians against attacks and threats from the community in the context of the riots.

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<sup>17</sup>Far Eastern Economic Review, 19 February 1998.

<sup>18</sup>Sydney Morning Herald, 16 February 1998.

<sup>19</sup> Digest, No 52, February 1998.



## **Recommendations**

Amnesty International is calling on the Indonesian Government:

- to lift the nationwide ban on peaceful demonstrations and allow Indonesians their rights to freedom of speech, assembly and association;
- to release, immediately and unconditionally all individuals detained for the non-violent exercise of their beliefs;
- to stop using repressive legislation including the Anti-subversion Law, the so-called Hate-sowing Articles and Law Number 5/1969 against peaceful activists;
- to allow any individual in detention immediate access to lawyers of their own choosing, to members of their families and to medical professionals;
- to ensure that those detained are not held incommunicado and are not subjected to torture or ill-treatment;
- to issue immediate instructions to the security forces to act in accordance with international standards on the appropriate use of force in dealing with riots;
- to allow access to all areas of Indonesia and East Timor for domestic and international human rights monitors.

Amnesty International is also calling on other governments to use their influence on the Indonesian Government, in particular through multi-lateral fora such as the Asia Europe Meetings (ASEM) in London in April 1998, to raise these concerns. Amnesty International also believes that those governments which have licensed the export of arms to Indonesia have an additional responsibility to seek assurances from the Indonesian authorities that this equipment is not been used to commit human rights violations.