



United Nations Workinggroup on Indigenous Populations

***UN Centre for Human rights, Geneva
16th session 27-31 july 1998***

Thank you madam chairperson,

First of all the Mena Muria Foundation human rights Moluccas (S-E Asia) is honoured to participate again and to address a statement at this 16th session of this UN workinggroup. It is every year of a great importance to share experiences on human and thus indigenous rights issues with our indigenous brothers and sisters.

Madam Chairperson, Indigenous delegates,

Speaking this year on item #4: review of developments . . . we share in a certain way some small optimistic thoughts pertaining the promotion and protection of indigenous rights and fundamental freedoms with reference to two points:

1. The statement of the Secretary-General Mr. Kofi Annan to the meeting of the Decolonization Committee on February 6th 1998 in New York;
2. The inevitable political and economical democratic reform in Indonesia

But first we have to emphasize the latest developments on indigenous rights on the Moluccas.

- A) Unemployment: the percentage -%- of Moluccan students without a job is comparatively high. Even students with an university grade stand little chance of obtaining a position. There is still no equal nor adequate admission to proper education nor to proper positions
- B) the UN World Food Programme in march 1998 have reported the danger of starvation in the South East Moluccas; not only the continuous dryness but also a careless environmental policy of the national administration are the causes
- C) the right of self-determination

Referring to the statement of Mr. Kofi Annan and the democratic reform in Indonesia.

1. On february 6th 1998 Secretary General Mr. Kofi Annan addressed to the Decolonization Committee at the UN in New York. He stated that the goal of eradicating colonialism by the year 2000 should guide the work of the Committee. Our earnest hope is that the right to self-determination of indigenous peoples to choose to be independent, or to be associated with another State or to integrate with another State will be upheld by everyone and everybody as the highest principle in the new era, the year 2000

2. The democratic reform in Indonesia: a contribution to the promotion of fundamental freedoms of indigenous peoples ?

Madam chairperson,

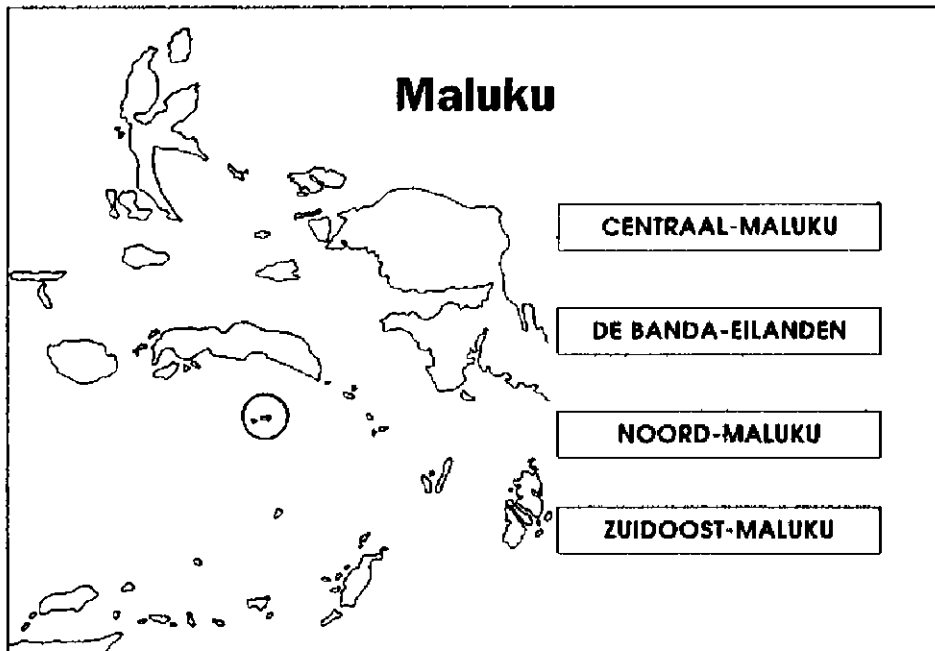
The indigenous peoples of West-Papua, East-Timor, Atjeh and the Moluccas have demonstrated their appeal to respect their fundamental freedoms. Only a social, economic and political balance can be a contribution to the promotion and protection of human rights. Therefor Moluccan students of the Pattimura University, men and women have participated in demonstrations to uphold their highest wishes and demands.

Thank you for your attention and concern

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**United Nations Workinggroup on Indigenous Populations
16th session
27 - 31 july 1998
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**item # 4: review of developments pertaining to the promotion and protection of
human rights and fundamental freedoms of Indigenous populations:
general statements**

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WGIP 98/SEA-IDN/1

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[Government of the Republic of the Moluccas in exile]



THESE ARE THE MOLUCCAS

The Republic of the South Moluccas (Republik Maluku Selatan), which declared its independence in 1950, is better known in the West as the fabled Spice Islands. Rich harvests of nutmeg and cloves lured the Dutch colonialists who ruled the islands as part of the Dutch East Indies for 350 years (1599-1950). Now, Indonesian neo-colonialism has replaced Dutch colonialism and the Moluccan people still remain under foreign occupation.

The Moluccas are located in the Southeastern part of the Indonesian archipelago, near the equator, north of Australia and West of Irian (New Guinea). Forming a partial circle around the deep Banda Sea (21,500 feet), the main islands are : Ceram (Seran), Ambon, Buru, the Uliasser Islands, the Banda Islands, the Aru Islands and, finally the Southeastern, Southwestern and Northern Islands (Halmahera).

More than five million people live on these islands; nearly one million more Moluccans live on the Indonesian islands and 50.000 live in the Netherlands in exile. The total land area is roughly three times the size of the Netherlands or six times the size of El Salvador.

Vegetation and wildlife resemble the ecology of Melanesia, New Guinea and Northern Australia, differing significantly from the ecology of Java and Sumatra -- the main entities of the nation of Indonesia.

THE PEOPLE

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By race, culture, custom and manner, the Moluccans differ from the dominant Indonesians who are descendants of the Mongoloid-Malayan race. The Moluccans are Melanesians, a tall, dark-skinned people with wide eyes and curly hair. Like other Melanesians (and indigenous people throughout the world), they are in a constant struggle to preserve their village and tribal culture.

Through some 2300 years of domination by Arab, Portuguese, Dutch and now Indonesian colonialism, the Moluccan people have not forgotten the ancient laws and traditions of their nationhood.

One ancient practice is rooted in mutual assistance : members of one village traditionally lend plant seedlings or help build a storehouse in a neighboring village.

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Moluccans are predominatly Christian, constituting a Christian-oriented society now forced into the worlds largest Islamic state. And their language is different. Unlike the people of Western Indonesia, who speak Malay, the people of the Moluccas speak Amboinese. While there are some Malay words in Amboinese, it remains a distinctive language which they strive to preserve.

THE PEOPLE'S STRUGGLE

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The Republic of the Moluccas, as an entity sepearte from Indonesia, continues to resist neo-colonialism. A Government in exile is waging the legal, diplomatic and propaganda war of liberation. In Ambon, the capital, an intellectual underground of teachers, writers and other professionals continues to reach the citicens, in spite of censorship. And in the mountains of the " Mother Island" of Ceram a fierce guerilla war continues as it has more than 45 years.

Heirs to ex-presidents J. Manuhutu and Dr. Chr. Soumokil, in the struggle for human rights and self-determination, is the Government of the Republic of the Moluccas in exile with President Mrs. C. Bernard-Tamaëla.

A PEOPLE IN PERIL

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The Moluccans are a victimized people. 45 years of Javanese-dominated Indonesian occupation has taken its toll. The indigenous identity of the Moluccan people is fast dissappearing. Taking its place is an overall Javanese identity which is pervading daily social behavior. This is effectuated by the ceaseless efforts of Jakarta to transmigrate tens of thousands of Javanese families for resettlement all over yhe Moluccan islands. The 4.250.000 indige-nous population is being engulfed by the influx of new settlers.

Reports smuggled through Indonesian censorship tell not only of the move-ment of Malay families into these Melanesian islands but also of government planned and encouraged intermarriage. Suffering under the political repressi-on which exists throughout Indonesia, the Moluccas are powerless. And because of the naivete (too easy adaptability) of the Moluccan people, the Javanization of the Indigenous culture moves ahead with negligible oppositi-on. The relatively tiny and disadvantaged indigenous population of the Moluccas is no match for the hundred million plus of the island of Java and the concepted program to institutionalize Javanology trthroughout Indonesia.

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Adat-grounds (indigenous inherited lands) are granted to transmigrate under a "land reform" policy which leaves indigenous land owners with only limited garden plots in the immediate vicinity of their homes. Often jobless, the disadvantaged Moluccans have been selling off these lands in time of need. In the Moluccan country-side, valuable timber from the rainforests is being indiscriminately felled without regard for the future. Japanese fishing companies have been given contracts permitting them to fish in Moluccan waters, while being denied such rights in Javanese seas. This has resulted in a fish shortage among the Moluccans to whom fish is the principal protein source.

Other national liberation struggles against Indonesia exist in East Timor, West Irian (New Guinea), Sumatra and elsewhere throughout the archipelago. Meanwhile, Indonesian troops continue to comb the countryside for Republic loyalists. Murder of civilians, torture and imprisonment without trial are commonplace. The U.S. State Department 1981 Report on Human Rights has cited the present Indonesian government for numerous violations. The press is censored; dissidents are suppressed; prison conditions are among the worst in South East Asia etc. The U.S. Catholic newspaper, Christian Century, estimated that there were more than 100.00 political prisoners in Indonesia in 1979.

HISTORY BEFORE INDEPENDENCE

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Moluccans trace their ancestry back to the Alifoeroes branch of the Melanesian people who occupied the islands as early as 1000 B.C.

Arab traders began sending Moluccan cloves and nutmeg to Europe by 300 B.C. , while the first Europeans to reach Ambon by sea were the Portuguese in 1513 A.D. , also engaging in the spice trade. (Cloves obtained by the ships of Ferdinand Magellan in the Moluccas repaid the cost of the first circumnavigation of the globe).

The Netherlands was the colonial power for 350 years, beginning with the seizure of Ambon in 1605. Like most colonial powers, the Dutch were mainly interested in short-term, large profits, but their administration was marked by particularly poor management. (For example, nutmeg trees were cut down everywhere except in Banda, and they tried to force the more knowledgeable Moluccan agricultural leaders to plant cloves in the wrong areas, etc.).

In the enforcement process, the Dutch faced revolts in 1636 and 1646 which were crushed unmercifully. Due to Dutch maladministration, according to historian Willard Hanna, the Moluccas lost their once-commanding position in the world spice trade to Zanzibar, Madagascar and Grenada.

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FORMING THE REPUBLIC OF THE MOLUCCAS

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The Japanese occupied all of the Dutch East Indies from 1942 to 1945. Unlike the collaborationists found in the Western Indonesian islands, the Moluccans retreated to the mountains to maintain guerilla war against the Japanese, eventually forming a Moluccan brigade. And, at war's end, they saw in the approaching independence of the 3500 once Dutch islands, the realization of the dream of Moluccan statehood.

Indonesia became a semi-autonomous nation under the Linggadjati Agreement of 1947 which made the Netherlands East Indies a federation of "autonomous" states as part of the greater Dutch Commonwealth under Dutch military authority. Java and Sumatra were the principal states. The Moluccas technically became part of the State of East Indonesia, which also included Celebes and the predominantly Moslem North Moluccas. (The Moluccan brigade was incorporated into the Dutch forces of Eastern Indonesia and helped repulse a Javanese invasion in violation of the Linggadjati Agreement).

Representatives of the Netherlands, together with those of Java, the Moluccas and all the other autonomous states of the East Indies, gathered in 1948 at the Round Table Conference in The Hague. Here the "United States of Indonesia" was formed. Parties agreed as follows :

- that the new federation would be composed of self-governing states;
- that the people of each state would have an opportunity to agree or disagree with the "definitive" constitution;
- that where one of the autonomous states refused to agree to the conditions, the state would have the right to negotiate a special relationship to both the Netherlands and the United States of Indonesia; and
- that pending the completion of a constitutional structure, each state would possess equal rights.

However, as soon as the Javanese assumed control in Jakarta, they violated the Round Table Agreement. Java's President Sukarno sought unified nationhood dominated by the principal island.

Failing in its attempts to negotiate with Sukarno, the democratically elected Daerah (Assembly) of the South Moluccas declared its independence as a Republic on April 25th 1950.

This meant war. In addition to the forces which had fought the Japanese, new recruits prepared to meet invasion from the Western islands. And outside of the islands, some 4.000 soldiers of the Moluccan brigade of the Dutch army were thwarted in their efforts to join their countrymen. Instead of being discharged, they and their families - 12.000 in all - were transported without their consent to the Netherlands.

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The preliminary Javanese invasion occurred at Buru on July 1950, with more than 1000 soldiers killed. On July 25th, the Moluccans petitioned the United Nations to intercede. Mediation efforts were spurned. The principal invasion was a landing at Ambon on September 25th 1950; more than 15.000 Javanese-led troops fell before the city was taken on November 5th. On December 5th., the Moluccan army withdrew to the mother island of Ceram; guerilla warfare continues to this day. The Central government of the Moluccas decided to send out " Missions "; representatives with their task to get attention and support from the international community for the right of self-determination of the people of the Moluccas. Mrs. C. Bernard-Tamaëla, President of the Government of the Republic of the Moluccas in exile was the only female member of these "Missions" . Her eldest brother, General Izaak J. Tamaëla led the military Mission.

LEGAL POSITION

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The Republic of the Moluccas warrants international recognition because :

- the people of the Moluccan islands, who have continuously sought independent statehood, comprise a separate and distinct population, occupying a separate and distinct geographical areas;
- under the doctrine of self-determination, a doctrine guaranteed by the United Nations Charter and the Round Table Conference, the people of the Moluccas have the right to declare their preference for nationhood;
- the citizens of the Republic of the Moluccas had exercised their right of self-determination by electing civilian leaders; they have never supported the constituted government of Indonesia;
- the Republic of Indonesia violated the provisions of the Round Table Conference and the 1947 Linggadjati Agreement when it invaded the Moluccas in 1950, arrested and assassinated selected democratically-elected members of the Moluccan Assembly and occupied the islands by force of arms;
- historical precedent for independence can be found from the era of Dutch rule when the Moluccas were administered separately from the West Indonesian Islands (i.e. Java, Sumatra, etc.)
- the Republic of the South Moluccas was declared an independent state on April 25th 1950, three months before Indonesia became independent on August 17 1950;

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- two judicial tribunals have upheld the Republic's claim to international recognition. In the Netherlands : the Amsterdam Appeals Court (Republic of the South Moluccas versus N.V. Koninklijke Paketvaart maatschappij, 1951), and in Irian : Supreme Court of Justice for New Guinea (Republic of South Moluccas versus the Corporation of New Guinea, 1952). The Amsterdam Appeals Court, in the 1951 case held :

1. that the people of the Moluccas are a people of a territory which under the provisions of the Agreements of Linggadjati and Renville could qualify for the exercise of the right of self-determination and as such had the right to try to realize this right of self-determination in the manner laid down.
2. that the possibility of realizing this right of self-determination in this manner was in effect taken away from the people of the said territory by the creation of the Republic of Indonesia as a unitarian state for the whole of Indonesia under its own leadership and supreme authority, contrary to what was agreed to in the above-mentioned pacts and the Round Table Conference.
3. that the independence proclamation of the Republic of the South Moluccas must be regarded as a method of realizing the said right of self-determination by or on behalf of the said people which was permissible in the given circumstances.

The Republic of Indonesia itself is judicially acknowledged that its control of the Moluccas is less than complete: for example, the land tribunal at Makassar on march 8, 1955, condemned a Moluccan partisan for "supporting the enemy during a state of war".

Since 1994 the Mena Muria Foundation Human Rights on the Moluccas is established and specialised to report human rights violations on the Moluccas at international United Nations Conferences.