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Indonesia: Impact of 26 December 2004 earthquake and tsunami on the human rights situation, particularly in the province of Aceh and in Jakarta
Research Directorate, Immigration and Refugee Board, Ottawa

Acehnese Refugees

According to a report from the Xinhua News Agency, the Indonesian health ministry announced that, as of 5 January 2005, 476,619 people had been made homeless by the tsunami, most of them in Aceh province (5 Jan. 2005). Previously, aid organizations had speculated that the number of homeless was higher than earlier official counts, pointing to many survivors who were still without shelter and seeking refuge "on the side of roads" and elsewhere (Deutsche Presse Agentur 4 Jan. 2005).

Distribution of Aid in Aceh

According to reports from *Asia Times*, "the military is the institution with the best reach and logistics to help out in times of disaster" (5 Jan. 2005). However, while the Free Aceh Movement (GAM) and the Indonesian government both announced unilateral ceasefires in the aftermath of the 26 December 2004 tsunami in order to "concentrate on humanitarian efforts" in Aceh (AFP 30 Dec. 2004), the Indonesian Armed Forces (TNI) admitted on 31 December 2004 that it had resumed its crackdown on separatist rebels (AFP 4 Jan. 2005), particularly in the northern and eastern regions of Aceh (*Asia Times* 4 Jan. 2005). In doing so, the TNI, which had launched a major operation against the separatist rebels in May 2003 (AFP 4 Jan. 2005; *Asia Times* 5 Jan. 2005), has been accused by critics of "hindering the delivery of badly needed humanitarian aid" (ibid.) and of focusing on security rather than helping with the humanitarian effort (BBC 5 Jan. 2005). The Asian Human Rights Commission (AHRC) released a statement pointing out that, particularly in Banda Aceh and Meulaboh, there had been "a clear lack of cooperation from the military side to non-state humanitarian actors in the endeavour to reach survivors and to access supplies piled up in military warehouses" (AHRC 5 Jan. 2005). The AHRC stated it had received reports that stocks remained docked at military airports and that virtually no distribution of aid had taken place (ibid.). This, the human rights organization conceded, may have been due to a lack of capacity by the military to transport large shipments of aid (ibid.).

However, the managing director of the relief organization HELP reported, following a 3 January 2005 visit to Banda Aceh, that "[t]he army is present everywhere - as I was told they try to prevent plundering and to organise the transport of corpses to mass-graves at the outskirts of town" (HELP 6 Jan. 2005).

According to international human rights groups, since the tsunami disaster, the Indonesian government has delayed lifting a state of civil emergency in place in Aceh since 2003 and initially prevented aid organizations from landing in Aceh (*Asia Times* 5 Jan. 2005). The government had banned foreign journalists and international aid groups from the province in 2003 (CNN 30 Dec. 2004; *Asia Times* 5 Jan. 2005) and local NGOs had fled the region (ibid.). The ban was lifted on 27 December 2004 (CNN 30 Dec. 2004).

Military Conflict in Aceh

Agence France Presse reported an exchange of fire between GAM and the TNI on a beachfront just outside the capital, Banda Aceh, on the morning of 4 January 2005 (6 Jan. 2005). The following day, rebels denied any involvement in an attack on a relief convoy in Aceh, accusing instead the government forces of launching the attack and of initiating gunfire between the two sides (AFP 5 Jan. 2005). Rebels claimed they were abiding by leadership command of a ceasefire following the tsunami and furthermore remarked in a statement that rebels were Acehnese whose lives had been affected by the disaster and therefore welcomed international aid (ibid.). Aid agencies have reportedly expressed concern that a resumption of fighting between the military and GAM could put the safety of thousands of refugees at risk (*Asia Times* 4 Jan. 2005). Human rights groups have accused both sides of abuses in Aceh since the struggle for independence began (AFP 6 Jan. 2005).

Presence of Islamic Groups

A 5 January 2005 *Globe and Mail* article reported the arrival in Aceh of hundreds of members of Indonesian Islamic groups, some allegedly with "ties to international terrorism." In particular, the Jakarta-based Islamic Defenders Front (FPI), which claims support from the Indonesian military, conceded that, while it had come to Aceh to assist with the humanitarian effort, it also wished to "protect Islam and save [its] Acehnese brothers from the infidels [who] ... have no right to impose their beliefs on Indonesia" (*Globe and Mail* 5 Jan. 2005). According to the chairman of Aceh's Ulema Council, "hardliners" may think that foreign aid workers who have poured into Aceh wish to convert the Acehnese to Christianity, which could create "a serious problem" (*ibid.*). For further information on the major Islamic groups in Indonesia, please see IDN39735.E of 20 September 2002.

Child Trafficking

Children under the age of 16 have been banned by the Indonesian government from leaving the province of Aceh, following reports of abductions from UNICEF and other aid agencies (BBC 4 Jan. 2005; CNN 5 Jan. 2005). UNICEF confirmed one case of trafficking as well as "several reports of criminals offering kidnapped children from Aceh for sale or adoption" (BBC 4 Jan. 2005). According to CNN, Indonesian officials have been working with aid organizations to register all children affected by the tsunami in Aceh, to set up child care centres and to reunite orphaned children with their relatives (5 Jan. 2005).

Information on the overall human rights situation in Jakarta in the aftermath of the tsunami could not be found among sources consulted by the Research Directorate.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

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Internet sites, including: Amnesty International, International Crisis Group, Radio Free Asia, United States Department of State.

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