

Immigration and Refugee Board of Canada

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Responses to Information Requests

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2 April 2015

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Indonesia: Situation of Chinese-Indonesians, including Christians; treatment by society and authorities (2012-April 2015)

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Historical Overview

Sources state that under the Suharto regime [which lasted from 1965 until 1998 (Agata 17 Feb. 2015)], ethnic Chinese-Indonesians were banned from participating in traditional Chinese customs (*The Jakarta Post* 17 Feb. 2015; *Time* 21 May 2013). Public displays of Chinese holidays (ibid.; Professor Emeritus 18 Mar. 2015; Agata 17 Feb. 2015) and language were prohibited (ibid.). According to sources, anti-Chinese riots by the general public broke out in Jakarta in May 1998 (*The Washington Post* 18 Aug. 2012; BBC 2 July 2014). BBC reports that "[m]ore than 1,000 people reportedly died and it was believed scores of ethnically Chinese women and girls were raped" during these riots (ibid.). The *Washington Post* describes that the mob violence of 1998 included rape and murder and was instigated by a "deep economic crisis and a vicious struggle for political power" that caused many Indonesians of Chinese descent to flee abroad (*The Washington Post* 18 Aug. 2012).

Sources indicate that levels of discrimination against ethnic Chinese-Indonesians have fallen since the 1998 riots (Assistant Professor of Asian studies 18 Mar. 2015; Professor Emeritus 18 Mar. 2015). According to the *Jakarta Post*, a Jakarta-based English-language newspaper, "in the aftermath of the May 1998 tragedy, when riots erupted and claimed many Chinese-Indonesians' lives and businesses, many discriminatory regulations were lifted" (*The Jakarta Post* 17 Feb. 2015). Similarly, *Time Magazine* notes that "[s]uccessive governments have systematically dismantled discriminatory legislation" (*Time* 21 May 2013).

Legislative developments that have impacted Chinese-Indonesians since 1998 include

- President Abdurrahman Wahid's revocation of a law forbidding the expression of Chinese culture and religion (*Time* 21 May 2013). According to BBC, the law forbids Chinese cultural performances and the use of Chinese names, and President Abdurrahman Wahid revoked it between 1999 and 2001 (BBC 2 July 2014). *Time Magazine* states that the law was annulled by President Abdurrahman Wahid in 2000 (*Time* 21 May 2013).
- President Megawati Sukarnoputri's 2004 declaration of Chinese New Year as a public holiday (BBC 2 July 2014).-
- The Citizenship Law (no.12/2006) endorsed by President Susilo Bambang Yudhoyono on 1 August 2006 (Assistant Professor of Asian studies 18 Mar. 2015). In correspondence with the Research Directorate, an assistant professor of Asian studies at Singapore Management University, who has written on the Chinese diaspora in Indonesia and, specifically, their treatment throughout history, stated that this law redefined the term "*asli* (indigenous) Indonesian," to include "all citizens who never assumed foreign citizenship of their freewill", a

change that ends the distinction "between asli and non-asli" as "all citizens are now legally equal before the law" (ibid.).

- The Law No. 40 of 2008 on the Elimination of Racial and Ethnic Discrimination (Agata 17 Feb. 2015; Assistant Professor of Asian studies 18 Mar. 2015), which "prohibits discrimination on the basis of race or ethnicity in the civil, political, economic, social, and cultural fields" (ibid).
- President Susilo Bambang Yudhoyono's 2014 regulation changing the word meaning 'of Chinese descent' in Indonesian (*cina*) to *tionghoa* and China - as a country - to *tiongkok* (BBC 2 July 2014). BBC states that *cina* has "negative connotations for most Indonesians and is often associated with racist slurs" (ibid.).

2. Treatment of Chinese-Indonesians

According to sources, Chinese-Indonesians make up 1.2 percent of the population of Indonesia (ibid.; US 22 June 2014) or around 2.8 million people (BBC 2 July 2014). *The New York Times* similarly reports that Chinese-Indonesians comprise just over 1 percent of the population of Indonesia (*The New York Times* 22 Nov. 2014), while Freedom House states that the ethnic group comprises less than 3 percent of the population (Freedom House 28 Jan. 2015). BBC notes, however, that many Indonesians are "still reluctant to admit they are of Chinese descent, fearing discrimination" and quotes a former activist and Indonesian businessman as stating that "Indonesia's ethnic Chinese community could be as big as 10 million" (BBC 2 July 2014). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

2.1 Treatment by Indonesian Society and Authorities

In correspondence with the Research Directorate, a research fellow at the Asia Research Centre at Murdoch University in Perth, Australia who has written on ethnic conflict in Indonesia, indicated that "there are regular reports of discrimination, particularly against working and middle-class ethnic Chinese, and racist views towards Indonesians of Chinese descent are frequently expressed, including by provincial and national politicians" (17 Mar. 2015). The 2015 *Freedom in the World* report published by Freedom House states that "[e]thnic Chinese [who] are resented by some for reputedly holding much of the country's wealth, continue to face harassment" (Freedom House 2015). According to the research fellow, attitudes vary from region to region noting that "[w]hile Jakarta ... is a largely tolerant cosmopolitan metropolis, this isn't necessarily the case in other parts of the country" (17 Mar. 2015). In correspondence with the Research Directorate, the Director of the Indonesian Anti Discrimination Movement (GANDI), an Indonesian NGO that promotes national unity and respect for quality, human rights, and dignity (n.d.), indicated that Indonesian groups and individuals continue to express anti-Chinese sentiments, including through social media but that these anti-Chinese sentiments usually arise during political events, such as during elections when ethnic Chinese incumbents run for office (23 Mar. 2015).

In correspondence with the Research Directorate, a Professor Emeritus of political science at Ohio State University who specializes in Indonesian politics and society stated that, specifically on employment, "Sino-Indonesians [Chinese-Indonesians] dominate the modern economy and probably hire only a token number of indigenous Indonesians. Conversely, there are probably indigenous companies that would hire indigenous Indonesians in preference to Sino-Indonesians" (Professor Emeritus 18 Mar. 2015). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Specific information on the treatment of Chinese-Indonesians by the authorities could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

2.2 Acts of Violence

Sources state that, to their knowledge, there have been no acts of violence committed against Chinese-Indonesians since 2012 (Assistant Professor of Asian studies 18 Mar. 2015; Professor Emeritus 18 Mar. 2015; Research Fellow 17 Mar. 2015). The GANDI Director similarly stated that since 2012, "racist propagandas or hate speech against Chinese [have] not become acts of violence" (Director 23 Mar. 2015).

The *BTI 2014: Indonesia Country Report* [1], which is published by Bertelsmann Stiftung, a German private-operating non-profit organization which promotes research in areas such as religion, public health, democracy, and international cultural exchange (Bertelsmann Stiftung n.d.), reports that "there has been no outbreak of large-scale ethnic, religious, or other grassroots violence [in 2014]" (ibid. 2014, 2).

2.3 Expression of Culture and Language

According to the Professor Emeritus, "today, Sino-Indonesians celebrate all of their holidays in public, something that was never true during the long reign of Suharto (1966-1988)" (Professor Emeritus 18 Mar. 2015). According to the *Jakarta Post*, Chinese New Year is celebrated publicly in Indonesia (17 Feb. 2015). According to a February 2015 op-ed piece in the *Jakarta Post* by a freelance writer based in Bandung, granting a public holiday for the Imlek [Chinese New Year] festivities puts Chinese New Year on par with religious holy days. No other cultural group [Chinese-Indonesians] has the privilege of celebrating their special festival as a national public holiday, as almost all of the public holidays mark religious ceremonies. (Agata 17 Feb. 2015)

A February 2015 article published by the *Jakarta Post* states that there are a "myriad of opportunities to learn the Chinese language and culture" in Indonesia (*The Jakarta Post* 17 Feb. 2015). The same article states that parents may send their children to "one of the many" schools offering Mandarin as a subject or study Mandarin themselves at a language centre (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Sources also report that Chinese-Indonesians may now use their Chinese names if they so choose (ibid.; BBC 2 July 2014).

2.4 Political Participation

According to sources, Chinese-Indonesians are able to run for political office (ibid.; Director 23 Mar. 2015). Sources report that the current governor of Jakarta, Basuki Tjahaja Purnama [known popularly as Ahok] is a Chinese-Indonesian (Director 23 Mar. 2015; *The Jakarta Post* 18 Feb. 2015; Freedom House 2015). *The New York Times* quotes the founder of Pemilu Asia, an Indonesian firm that collects political data, as stating that "[w]ith direct elections of district chiefs, mayors, and lawmakers at the provincial level, ethnic Chinese are running and winning, and winning in districts where the Chinese population is a small minority" (*The New York Times* 22 Nov. 2014). The U.S. Department of State's *Country Reports on Human Rights Practices for 2013* notes that "[t]here were no official statistics on the ethnic backgrounds of legislators in the DPR. President Yudhoyono's cabinet reflected the ethnic and religious diversity of the country" (US 27 Feb. 2014, 20).

Country Reports 2013 states that political candidates must demonstrate their ability to read the Koran in Arabic, which "effectively blocked non-Muslims from political office in some parts of the country" (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

3. Treatment of Chinese Christians by Society and Authorities

Sources state that the Indonesian state officially recognizes six religions: Islam, Protestantism, Catholicism, Hinduism, Buddhism, and Confucianism (Human Rights Watch 2015; Freedom House 2015; *The Washington Post* 18 Aug. 2012). According to the *Washington Post*, "[a]bout a third of Indonesia's ethnic Chinese are reported to be Christian" (*The Washington Post* 18 Aug. 2012). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Information on the treatment of Chinese Christians by Indonesian society and authorities was scarce among the sources consulted by the Research Directorate within the time constraints of this Response. According to the Professor Emeritus, "[o]ccasionally there is violence by Muslim fundamentalists directed towards Christians" but in his view, Chinese-Indonesians have not been singled out as the target of this violence (Professor Emeritus 18 Mar. 2015). The Assistant Professor of Asian studies similarly noted that [t]he Christian minority have always experienced some tension with the Muslim majority in Indonesia but this is not peculiar to Chinese Christians. In fact, most Chinese Christians occupy a middle to higher class position compared to indigenous Christian populations. The class position has allowed them to worship in considerable comfort of good church facilities. There have been cases of church closures and attacks in conservative Muslim regions such as West Java, but the churches that are affected are not Chinese in particular. (18 Mar. 2015)

According to Human Rights Watch, Christians of unspecified ethnic origin are sometimes victims of violence in Indonesia (Human Rights Watch 2015). Sources state that in May 2014, a Christian prayer group was attacked at a private residence in Yogyakarta (ibid.; Freedom House 2015); the homeowner and a journalist covering the attack were injured (ibid.). Human Rights Watch also reports that in June 2014, Islamist militants attacked a building in Pangukan village in Sleman, Central Java which was hosting a Pentecostal service (Human Rights Watch 2015). The same source notes that police arrested the leader of the attack but also filed criminal charges against the pastor conducting the Pentecostal service for violating a 2012 government ban against using residential property for conducting religious services (ibid.).

Sources report that Islamist groups such as the Islamic Defenders Front (Front Pembela Islam, FPI) have been known to persecute religious minority groups (Assistant Professor of Asian Studies 18 Mar. 2015; US 28 July 2014, 11; Freedom House 2015). Freedom House states that "hardline Islamist groups such as the Islamic Defenders Front have engaged in raids and extrajudicial enforcement of Sharia (Islamic) bylaws, and pressured local governments to close churches and non-Sunni mosques" (ibid.). The US Department of State's *International Religious Freedom Report for 2013* also notes that "[v]iolent Islamist groups like the Islamic Defender's Front (FPI) pressured local government officials into limiting freedom of worship ostensibly in exchange for societal harmony" (US 28 July 2014, 6). The Assistant Professor of Asian studies stated that the FPI is known to target minority groups including "Chinese, LGBTQ, Christians, Ahmadis, Shiites, etc... in the name of religion" (Assistant Professor of Asian studies 18 Mar. 2015). The same source reported that the group's activities often involve threatening to attack a business (for example bars and nightclubs) or newly opened facilities (for example a museum or church) if individuals do not comply with their wishes (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

4. State Protection

According to the Assistant Professor of Asian studies, the 2008 Law on the Elimination of Racial and Ethnic Discrimination prohibits discrimination within Indonesian society, however "implementation at the local level may not always follow" (18 Mar. 2015). The Research Fellow similarly stated that

ethnic Chinese are now afforded in law the same protections as any other Indonesian citizen...Whether specific acts of violence/discrimination are acted upon by the authorities however is another matter entirely and is determined by numerous factors, including the connections of those involved, the presence of corruption, and the political capital to be gained. (17 Mar. 2015)

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 sources consulted in researching this Information Request.

Note

[1] Bertelsmann Stiftung's Transformation Index (BTI) assesses the transformation toward democracy and a market economy as well as the quality of political management in 129 countries (Bertelsmann Stiftung 2014, 1).

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Additional Sources Consulted

Oral sources: Attempts to contact the following were unsuccessful within the time constraints of this Response: professor of Asian societies and politics at Murdoch University; professor of historical and philosophical studies at the University of Melbourne; professor of humanities at Leiden University; professor of international, political, and strategic studies at Australian National University; professor of political science at Northwestern University; professor of political science at the University of Toronto; Professor of South and Southeast Asian studies at the University of California, Berkeley.

Internet sites, including: Al Jazeera; Amnesty International; Asia Pacific Foundation of Canada; Brookings Institution; eoi.net; *Encyclopedia of the World's Minorities*; Institute for Policy Analysis of Conflict; Institute of Asian Research; Radio Free Asia; Reuters; Setara Institute for Democracy and Peace; The Woodrow Wilson International Center for Scholars.

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