

# Stateless Indonesians deserve justice not mercy

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Jakarta Post. For more than 60 years they have lived overseas after the land where they spilled their blood denied them an entry. This is not a sort of fairy tale, but an episode of history — la Indonesia.

Following the eruption of the 30 September Movement (G30S) affair in 1965, hundreds of Indonesian nationals were unable to return home after they were deprived of their passports. It was these people, studying or working overseas in an official capacity, who were precisely the ones who lost their citizenship due to their different political viewpoints. The victims were those deemed to be supporters of founding President Sukarno's political line of Nasakom — Nationalism, Religion, Communism — or members/sympathizers of the Indonesian Communist Party (PKI).

After the massive bloodbath that took place all over the country, for Soeharto's New Order regime annulling their passports was therefore a relatively simple matter.

Following the G30S affair, the fate of the many families left behind was unclear, not knowing if they were dead or alive. Most of these victims were forced to suffer endlessly in one place after another until eventually they decided to live in one country where they have stayed to this day. Initially being political escapees, as they needed legal, security and economic certainty they were forced to change their citizenship.

Decades of their productive time elapsed without their being able to contribute anything to the mother country. They are scattered across countries such as Germany, France, the Netherlands, Sweden, Russia and China. On average, they are elderly, over 60 years old.

The political situation began to change after 1998. The government of President Abdurrahman "Gus Dur" Wahid once tried to initiate their repatriation and restoration of their civil rights. Then Minister of Justice and Human Rights Yusril Ihza Mahendra flew to Europe to meet with their representatives, although the effort failed on account of political reasons. For its efforts, the Gus Dur government was accused of compromising with the PKI (Gus Dur also proposed the revocation of a People's Consultative Assembly decree banning the PKI). His successor, Megawati Soekarnoputri, who is Sukarno's eldest daughter, should have been more concerned about the issue, but she remained silent.

More recently, President Susilo Bambang Yudhoyono expressed a desire to repatriate them, with Minister of Justice and Human Rights Hamid Awaluddin being tasked with taking charge of the process. The current government wants to give them back their passports and citizenship based on the newly enacted Citizenship Law. The government's intentions are positive, but from various statements the government has made, there are a number of basic issues that need correction, criticism or even challenge.

First, the term used by the government to refer to the exiles is "eks-mahid", meaning former government contracted students. They are referred to by this term because after their period of study was completed, they were obliged to work as government employees for a certain period of

time as their overseas studies had been paid for by the state. This term is erroneous because it was not only students who lost their citizenship following the G30S affair but everyone who at the time was overseas and deemed to be politically opposed to the New Order regime. They were also delegates from various mass organizations (laborers', farmers', young women's, academic, cultural, sporting and journalists' groups), Indonesian representatives on various international organizations and forums, and state officials.

The name "eks-mahid" is actually misleading, even divisive. Will the rehabilitation policy only apply to former students? It would be more correct and fairer for them to be categorized as political victims of Soeharto's New Order.

Second, according to Yudhoyono and Awaluddin the planned repatriation is based on the spirit of reconciliation following the ratification of the new Citizenship Law. There are also humanitarian grounds, because most are now quite old. However this way of thinking is narrow and shallow in character. Why? Because the exiles' problem is a political one, not just administrative. The revocation of their citizenship while carrying out duties overseas violated the law and human rights. It is a political crime because it resulted in hundreds, perhaps thousands, of people suddenly becoming stateless, without status and being abandoned to live in a foreign country for years.

Therefore, the issue must be resolved through a policy decision by the government. The resolution of the exiles' problems should not be linked with the problem of naturalization. Awaluddin's call for the Foreign Affairs Ministry to facilitate the issuance of their citizenship documents indicates that the government does not understand, or pretends not to understand, the real issues. If they are asked to submit a request for naturalization, it means the exiles are equated with other foreign citizens who apply for Indonesian citizenship.

The good intentions and the seriousness of the Yudhoyono government can be measured by asking the following questions: Is the government willing to acknowledge that the revocation of the exiles' citizenship was a human rights violation and then correct this? Does the Yudhoyono government have the courage to apologize for the political crimes of the New Order? How long will the government continue to cover up the New Order's actions?

Without addressing this issue, administrative restoration of the exiles' citizenship means the Yudhoyono government denies the human rights violations and injustices committed against thousands of Indonesian people. The spirit of reconciliation and humanitarianism cannot be built on the negation of truth and justice.

If this aspect remains unaddressed, there will be suspicions that the government only wants to build up an image as a gladiator or hero of human rights, especially so now that it is eying the chair of the United Nations Human Rights Commission. Or perhaps Yudhoyono is dressing up his image to win a Nobel Prize?

The government's readiness to give amnesty, to rehabilitate and to provide assistance to the leaders and supporters of the Free Aceh Movement (GAM) is a painful slap in the face. The exiles were not separatists. Nor did they try to divide the Unitary Republic of Indonesia (to borrow the government's terminology). Many even took part in or were involved in the war to defend the republic from the Dutch, and, ironically, were subsequently abandoned by the republic.

Unlike GAM, they never once stopped feeling themselves to be Indonesian, loving Indonesia, thinking like Indonesians, speaking the Indonesian language. Like a child yearning for its mother, they are tired of longing for their mother country from afar.

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**P.S.**

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