

# *Republik Maluku Selatan*



High Commissioner for Refugees  
Of the United Nations  
Mr. Filippo Grandi  
Case Postal 2500  
CH-1211-Geneva Depot  
Switzerland

Amsterdam, August 17<sup>th</sup>, 2022

Concerning : Treatment Republic of Indonesia of refugees from village  
Kariu (Haruku/Moluccas) in violation of human rights.

Excellency,

The Government in exile of the Republic of the South Moluccas hereby brings the following to your attention. First of all, a further explanation of the position of the Government in exile is appropriate in this context.

## **The status of the government in exile in relation to the illegal annexation and occupation of the territory of the RMS by the Republic of Indonesia**

On 27 December 1949, the transfer of sovereignty from the Kingdom of the Netherlands to the United States of Indonesia took place. As a result of the failure of the Kingdom of the Netherlands and the United States of Indonesia, among others, to comply with the Round Table Agreement, the South Moluccan people realized their right to self-determination by proclaiming the Republik Maluku Selatan (RMS) on 25 April 1950. The territory of the RMS was subsequently annexed by force by the State of the Republic of Indonesia, which only came into being in its present form on 17 August 1950. The RMS therefore came into being before the Republic of Indonesia. As a result, the annexation of the territory of the RMS took place in violation of international law.

After the execution of Dr. Christiaan Steven Soumokil - the second president of the RMS - by a firing squad on 12 April 1966, a government in exile was set up immediately afterwards in April 1966 under the leadership of, among others, Mr. J.A. Manusama - a member of the first RMS government in 1950 - and Dr. J.P. Nikijuluw - in his capacity of authorized

representative of the RMS abroad since 25 April 1950. The government in exile has been the sole legitimate representative of the RMS since 1966.

We remind you that the RMS as a State came into being in accordance with international law and has continued to exist to this day despite the annexation of its territory. In support of this position, we refer to the content of the enclosed legal opinion of Prof. E. de Brabandere and Dr. N. Higgins. The legal opinions are enclosed.

(They base their view partly on the opinion of the late Professor Dr James Crawford - as contained in his handbook "**The creation of States in international law**". Professor James Crawford was a judge at the International Court of Justice in The Hague until his death).

The RMS government considers the citizens of the territory of the RMS as its citizens. The fact that the occupying power - the Republic of Indonesia - has de facto imposed Indonesian citizenship on them does not make this any different.

The RMS government wishes to emphasize that this letter is **not** intended to take sides in a conflict between the two villages involved, Kariu and Pelauw, on the island of Haruku. (The RMS government does consider it its responsibility to address violations of the human rights of the people of the South Moluccas by the Republic of Indonesia, regardless of the background of its citizens and the causes of the conflict.

### **The consequences of a conflict between the villages of Kariu and Pelauw: Republic of Indonesia violates human rights**

The RMS government urges the United Nations High Commissioner to pay attention to the inhuman situation in which the refugees from the village of Kariu currently find themselves.

The following should serve as an explanation.

On 26 January 2022, a humanitarian tragedy unfolded in the village of Kariu.

On the above date, residents of Pelauw village attacked the neighbouring village of Kariu. This attack involved the use of automatic weapons. The village of Kariu was almost completely burnt down and the residents had to flee. The army and police failed to intervene.

The number of citizens who had to flee totalled 1243 souls. Among the refugees are a large number of elderly people and children.

The material damage caused in Kariu village is enormous.

The following items were completely destroyed by arson:

- 310 houses and contents;
- 1 church building with complete inventory of the church congregation of GPM;
- 1 church building with complete inventory of the church congregation of Sidang Jemaat Allah;
- 1 school building with full inventory;
- The kitchen of the rectory of a pastor of the church congregation of GPM;
- various properties of the residents of Kariu consisting of, among others: Motorbikes, fishing boats, car trucks, documents and other possessions;
- the lands of Kariu village, including 6.000 clove trees.

In support of the above, please see the attached photographs of the houses and buildings on fire in Kariu village and the people of Kariu fleeing.

A total of 1243 residents of Kariu village had to flee their village. The armed attack on the village of Kariu and the escape of its inhabitants has been a traumatic event for them, with incalculable consequences.

Immediately after the escape on 26 January 2022, the residents of Kariu were received by the inhabitants of the nearby village of Aboru. These Aboru people, who themselves have to survive largely under difficult conditions, have offered help and support to their brothers and sisters with great sacrifice. They are doing this to this day.

The refugees are housed in tent camps. They live in appalling conditions. There is a great shortage of food and medicine. The number of sick people is increasing. This is all the more important as the rainy season is now underway and there is evidence of flooding. This makes the lives of the refugees more unbearable by the day. The refugees from Kariu can no longer support themselves, as they have had to flee their village and their fishing boats, motorbikes and trucks have been destroyed. The burning of 6.000 clove trees has destroyed an important source of income for the refugees.

School-age children can no longer receive a normal education. With the possibilities that are available, some form of education is still provided, but this can be called minimal. A huge educational disadvantage of young children threatens. Parents are also no longer able to pay for their children's education.

In the meantime, the refugees have been living under wretched conditions in tent camps for almost **seven months**. Their current situation is degrading.

The refugees have only one big wish: To return to their village Kariu as soon as possible. This message has also been repeatedly conveyed to the responsible Indonesian government officials, both in Ambon and in Jakarta.

The fact is, however, that the responsible authorities, including the Governor (Dr Murad Ismail), the members of the regional and national parliament, the police and the army, have so far taken no concrete steps to actually realize the return of the refugees to their village of Kariu.

The Indonesian central government - the occupying power - has the primary responsibility to intervene and end this inhumane situation of the Kariu refugees. However, after almost seven months, there is no evidence of this at all.

There are no concrete signs that the Indonesian Government is making preparations to allow the return of the Kariu residents. Let alone guarantee their safety in the village of Kariu upon their return.

It goes without saying that the central government of the Republic of Indonesia in Jakarta is guilty of serious human rights violations. A view widely shared by human rights organizations inside and outside Indonesia.

In view of the situation that has now arisen, we urge you to ensure and promote that primary:

- Kariu refugees are offered a humane refuge by the Republic of Indonesia;
- the refugees from Kariu can return to their village Kariu as soon as possible and be given the protection they need to live in safety;
- The damage caused by the Republic of Indonesia is compensated, so that citizens can rebuild their lives;

Alternatively, in the event that the Republic of Indonesia **is unwilling or unable** to do so:

- Promote that Kariu refugees - or at least those who wish to do so - are offered safe accommodation in the short term in one of the countries that are party to the 1951 UN Refugee Convention.

We shall send a copy of this letter to the International Red Cross in Geneva and to the President of the Republic of Indonesia.

We look forward to your response.

The Government in Exile of the Republic of  
the South Moluccas,

Mr. J.G. Wattilete

President