

VICTIMS AND WITNESSES: THE WOMEN OF ACEH

'I pray that he is still alive, but in my mind's eye I know he is already dead'

This booklet is dedicated to the women of Aceh: to those whose pain goes largely unnoticed, and whose lives are burdened by a violent and bloody conflict.

*Published by Eye on Aceh, Sydney, Australia,
with the generous financial support of Urgent Action Fund.
April 2004.*

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The province of Aceh in Indonesia's north-western corner is troubled, remote, and all but closed to the outside world. A bloody struggle for independence has been raging there for almost thirty years; the main actors in the violent conflict are the security forces of the Republic of Indonesia and *Gerakan Aceh Merdeka* (GAM – the Free Aceh Movement). Thousands have died, disappeared, been arrested and tortured. Many thousands of children have been orphaned, and the education system is close to collapse. Women as an especially vulnerable group have not escaped death, arrest, torture and intimidation. In addition, they have been the victims of rape and other forms of sexual abuse.

Many of these tragedies are carried out by the Indonesian security forces in the name of the unity of the state. The authority's response to the separatist insurgency in Aceh has, however, been both inappropriate and excessive. A fragile peace process collapsed on 18 May 2003. The next day the Indonesian government declared a six month period of martial law in the province, so beginning Indonesia's biggest military operation in since the invasion of East Timor in 1975. Six months later, on 19 December, martial law was extended until May 2004. The impact on the civilian population, especially women and children, has been devastating.

Background : Aceh and the History

Aceh is located almost 2,000 km northwest of Indonesia's capital city of Jakarta, on the island of Sumatra. Her history is peppered with conflict, her people able to endure long periods of resistance. From 1873 there were frequent uprisings against the Dutch who ruled in Indonesia from 1824-1942. The Acehnese insisted that the Dutch occupation in Aceh was illegal. In 1942, the Acehnese welcomed the incoming Japanese forces, but by 1944 there was bloody rebellion against the Japanese too. The Acehnese even stood with the Indonesians to fight the Japanese, the resistance ending in 1949. But soon there was dissatisfaction with Indonesian rule; further rebellions have been commonplace every decade since the 1950s. GAM was established in 1976 by Hasan di Tiro and the movement has grown in strength ever since. In an attempt to squash separatist uprising in the late 1980s, the Indonesian authorities deployed increasing numbers of military to the province. The impact on the civilian population was devastating. Violent conflict continues in Aceh today; the military response has intensified.

The impact of war on Acehnese women

In most areas of conflict, sexual assault has become an instrument of war: rape or the threat of rape as a method of physical or psychological torture is widely used against women all over the world. Public or private humiliation and psychological trauma can be a worse form of torture than physical pain, and is easily achieved by sexual assault. In Aceh's predominately Islamic society, such abuses have become one of the tools employed by the military in its bid to weaken the social fabric of Acehnese society.

The stigma felt by victims of rape and sexual assault in Aceh and fear of reprisal attacks has meant that most assaults go unreported; justice is rarely sought, and almost never won.

Rape and sexual abuse

From 1989 until August 1998, Aceh was under the status of a special militarised area (*Daerah Operasi Militer* – DOM). When DOM status was lifted, the human rights abuses that had taken place in the previous ten years became public knowledge. Local non-governmental organisations (NGOs) in Aceh told a parliamentary group investigating violence in the province that as many as 600 Acehnese women had been raped by the military in the previous 7 years. (*The Straits Times, 29 July, 1998*) However, most cases of violence against women received no attention, and the few that were highlighted did not result in justice for the victims.

One such case was that of Sumiati Bintah Hamzah, who was raped in August 1996 by a

member of the Indonesian military. Her case received attention because it was investigated, along with four others, by a Commission set up by former President Habibie in 1999. The investigation was conducted by the Independent Commission for the Investigation of Violence in Aceh (*Komisi Independen Pengusutan Tindak Kekerasan di Aceh – KPTKA*). Sumiati was raped in her home, but did not report her ordeal until some time later when she discovered she was pregnant. No member of the military has been held to account for raping Sumiati, but in March 2000 a military tribunal in Medan found that Sumiati did indeed have a strong case and ordered that she be paid Rp 50,000 each month to help meet the expenses of her family.

From another incident it was reported: *'All 11 houses in the village were visited; I was one of six who were raped that day. Now I am afraid in my home. I'm afraid the military will be sent again.'* (BBC, 19 December, 2000)

Fostering such a climate of fear is part of the plan to destroy the spirit of the Acehnese. Any male over the age of 14 years is deemed by the authorities as a 'legitimate' target. When rumours of a forthcoming sweeping operation (search by police or military) is received, the men run to the forests or mountains, leaving the women alone and especially vulnerable. In some places only women, children and the elderly are left. The term widow village (*kampung janda*) is often used to explain the condition of those villages.

The military believed Mar's husband was a member of GAM; they came to her home to question and arrest him. But her husband was already in hiding. In his absence, Mar was arrested; later, charged with supporting the separatist movement, she was sentenced to 5 months and ten days in prison. The night before her release, Mar was physically ill due to stress. She should have been happy to be going home, but there was something troubling her. *'When I was arrested, I was two-and-a-half months pregnant. I was held at the local police station for 25 days; they kicked and punched me so much during the interrogation that I lost my baby. The police wanted to know where my husband was because they wanted to arrest him, but I gave them no information. He knows that I have lost his baby, he's also very sad, but he couldn't visit me here. If the police knew he came to Banda Aceh they would arrest him. I haven't seen him for five months. I know he still loves me, he sent letters. But I am nervous to meet him again.'* (interview by fellow prisoner with Mar, Banda Aceh prison, December, 2002.)

Interviewer writes:

The price of her silence was the loss of her second child. Mar had nothing more to say. She cried quietly--tears for all the women in Aceh who have suffered a similar fate.

In Aceh (and elsewhere in Indonesia) the military is able to carry out systematic abuses of human rights with impunity. The cost of making a formal allegation is high. Victims are often too afraid to report crimes perpetrated against them, fearing that to do so leaves them vulnerable to reprisal attacks. Those who stand accused are rarely charged and taken to court; thus, many cases remain unreported.

'My father took me to the local military post to complain that a soldier from there had touched my breasts and kissed me. I did not want to go, but my parents persuaded me that I must. But when we arrived at the post, the commander laughed and told my father that I was a bad girl and that I should be punished for trying to bring a bad name on his soldiers. Two days later, the soldier who did that to me came to our house with three others. They stole our money and took my mothers gold. He also accused my younger brother of helping GAM. My brother has gone to stay with relatives in Lhokseumawe – he is afraid the military will return to kill him. Now I feel shame that I have brought so much trouble on my family.' (Simpan Kramat, North Aceh, February 2000)

Not only are women reluctant to report rape, sexual abuse and harassment, but local community workers and activists are afraid to address such cases. A well known South Aceh rape case had a devastating impact on the willingness and ability of local NGOs to work with victims of sexual assault. In late 2000, several women alleged they were raped by members of Brimob (the elite mobile police unit) in remote villages in South Aceh. Five of the women were brought by local NGOs to Banda Aceh to file an official complaint. Unfortunately, news of their intention leaked to the media and the resulting publicity brought more trouble for the victims. They were taken into police custody for five days, after which time their stories had changed dramatically. GAM had kidnapped them and forced them to tell the story of being raped: this was their new story after a period of intimidation and harassment in the local police station. Furthermore, the police launched an investigation to 'assess' whether the members of the NGOs and journalists who had tried to help the women were in fact guilty of defamation and kidnapping. Also related to this case was the murder of Tgk. Kamal, head of a religious school where the five women had spent one night. Tgk Kamal, together with his lawyer and driver, responded to a summons for questioning by his local police station in Tapak Tuan, South Aceh. As they left the station they were followed by another vehicle and all three were shot dead. The possibility of murder or defamation charges has meant many victims of sexual assault now receive no local support.

In early 2002, a new trend of sexual abuse was becoming more widespread in Aceh: women were being forced by the military to strip in public.

They came to the house looking for my son; they said he was a member of GAM. He was not at home, and he was not a member of GAM. They force me, my husband and my younger son who is 6 years old, to go outside the house. When I could not tell them where my older son was, one of the military held his knife at the neck of my young son who cried. The soldier told me to take all my clothes off or he would kill my child. The others set my house alight, my husband could do nothing. They made me take my clothes off and then threw them into the burning house. What could I do? Now my son and my husband have trauma; my older son is still missing. What is there to live for? We are afraid they will return to bring more hurt to our family. (North Aceh, February, 2002)

Women as head of household

The Indonesian Human Rights Commission (KOMNAS HAM) in its post-DOM investigation found that 3,000 women had been widowed between 1989 and 1998. This situation has left the women to fulfil multiple roles within the household. To many Acehnese women, this is 'normal' life: they accept responsibility alone to provide for children, and for their sick and elderly relatives.

No data exists in Aceh on how many households are headed by women. In these families, it is the woman's responsibility to provide the family with shelter, food, education and medical care. Local informal surveys in Aceh have estimated that the number of households that rely on women is almost 50 percent: the men are either dead, disappeared, been arrested, or have fled the province. These more vulnerable groups have become easy targets for the military, and their suffering has increased.

In some villages the only males are the very elderly and children. The women work in the fields and carry a burden that causes them both physical and mental stress. The elderly cannot help in the fields so the children often drop out of school to share responsibility for providing food for the family. The number of children dropping out of school in Aceh has increased; thousands of Acehnese have not finished high school.

Many Acehnese men have gone to Malaysia seeking work and promising to send remittances to their families at home in Aceh. But this often does not work out as expected: many are in

Malaysia without proper documentation. The Malaysian authorities have become increasingly resolute in seeking out those they deem to be illegal. Many Acehnese are arrested and detained for prolonged periods of time, and are often then deported back to Indonesia, creating additional stress and uncertainty for their families back in Aceh.

The 'disappeared'

A death in the family or of a close friend will always be devastating. But many women in Aceh say that they feel more traumatised when a loved one disappears, the body never recovered. Denied the opportunity to give a proper Islamic burial to their family members, these women's grief is much greater.

My son was kidnapped late 2001. He was coming back from the local fish pond with his friend. Members of Brimob who were passing in a car stopped to question him. Villagers in the local coffee shop who witnessed the incident say he was severely beaten and taken away in the Brimob car still alive. That was six months ago, I don't know where he is. What did he do? He is only 17 years old. I feel so severe and do not know when he will come back. I do not go anywhere since he has gone. Just stay at home and wait. I asked at the local Brimob post about the whereabouts of my son, but they said they knew nothing about him. Day by day I feel my life is empty and I only can pray for him. I hope he has died, because if he is still alive, he will be tortured often; that thought makes my grief even worse. (Meraxa subdistrict, Greater Aceh. The victim is still missing)

A woman from Idi Cut, East Aceh tells a story that is quite typical:

A few years ago my husband disappeared, and until now I don't know where he is. I am sure he is already dead – if he was alive he would come home to his family. A few months ago there was a problem at the village school. My son is only 17 years, but the military took him – he was still wearing his school uniform. Where is my son? I have been to so many different army posts but he is not there. I am too tired to search any more – my spirit has gone. I think my son, like his father, is already dead. I am tired of searching. I ask TNI to please give me my son's body so I can bury him properly. He is the only valuable thing I ever had, but now it seems I have lost him. (November, 2002)

So many women in Aceh have travelled from one military post to the next, searching for their husbands, sons and brothers. If they are lucky, they will be asked to pay a bribe for the release of the person – dead or alive. In Aceh, even a dead body must be paid for. The women are usually too poor to pay the bribe themselves and must borrow from family and friends. The others remain 'missing, presumed dead.'

Displaced from homes and communities

The exact number of displaced people in Aceh is unknown, but it is certainly many thousands, mostly women and children. Some have been driven from their homes by the military or their proxy groups, who then steal valuables and often burn the houses; entire villages have been razed to the ground in Aceh in this way. Others have fled in fear even before the search operation or attack has begun.

Those who are displaced often live with friends and family in other villages, or simply live in mosques and other communal buildings. In Aceh there are also many camps, where those with no alternative live in half destroyed schools or abandoned buildings. All know that if and when they return to their villages, very little will be left of their previous lives: houses and valuables will have been looted or destroyed.

The conditions in these makeshift camps are usually appalling, often with inadequate shelter, little sanitation, a lack of food and clean water for drinking, only basic medical care (if any), and usually no education for the children. If an education system does exist, it is informal and

at only at elementary level. The military often suspect the camps to be places where members of GAM take refuge, hiding among the civilians. There are frequent raids by the military, who use it as an opportunity to loot, intimidate and harass the vulnerable population of women, children, the sick and elderly.

In August 2001, a terrible massacre took place at the Bumi Flora rubber and palm oil plantation in East Aceh. Thirty one civilians, including 1 child and 1 baby, were shot dead in cold blood; many others were wounded. All the survivors fled. Almost three years later, many remain in the camps, too afraid to return to the villages.

A woman survivor still living in a camp tells her story:

The troops came and they beat the men. I saw my husband die with the others; my children saw their father die. My children still ask why the military killed their father – how do I answer?

After that I left with area with many other women, we are now all together in this camp. We are not happy here, the living conditions are so bad, but at least it is safer. My children are always sick here and I worry about their future, because there is no education. And my parents are still in the village I left, they are too old and sick to travel. My children are always asking if God will allow their father to return to them. I must be strong for them, now they have only me.

Martial Law

At a meeting in Tokyo on 18 May 2003, the somewhat shaky peace process begun in 2000 finally came to a halt. Martial law was imposed in the province the next day, 19 May. So began a massive deployment of troops to Aceh to, in the words of Armed Forces commander General Endriartono Sutarto 'completely eliminate GAM'. There are now approximately 50,000 military and police personnel in Aceh, making it the most highly militarised province in Indonesia. It is in fact the largest deployment of troops since Indonesia invaded East Timor in 1975.

Many civilians have been targeted, accused of being either members of or sympathetic to GAM. In June 2003, KOMNAS HAM sent an observer team to Aceh. The team concluded that a number of violations of humanitarian law had taken place, including extrajudicial killings and sexual harassment. The team also interviewed several women who allege they were the victims of rape and sexual abuse by the military. (*Kompas, 13 June 2003*)

Local police figures state that in the first seven months of martial law more than 3,000 members of GAM have surrendered or been killed. They also admit that more than 500 civilians have been mistakenly killed during the period of martial law (*data from Police HQ, Banda Aceh*). Women have become even more vulnerable than ever; left alone in the villages, they are increasingly used by the military as a weapon in this war against the Acehnese men.

During martial law, attacks against women have increased. The Military has also begun a new tactic of targeting the female relatives of GAM members; arrests, disappearances, intimidation, interrogation, rape and other sexual assaults of wives and sisters of GAM have become common. There are also many reports of women and children being used as human shields by the military when under attack by GAM.

In an attempt to 'win the hearts and minds of the Acehnese,' forced displays of loyalty have been ordered by the military administration. Ceremonies have been held throughout the province in which people have been forced to sing the national anthem and recite the text of Pancasila (state philosophy) while the Indonesian flag is raised. Swearing allegiance to the Indonesian state or *ikrar kesetiaan* was also a part of the compulsory ceremonies. Women report intimidation and harassment if they try to resist participating in such displays of loyalty.

Rather than martial law enhancing security for the civilian population (as predicted by the authorities), a sense of lawlessness and impunity has become more pervasive.

According to Kontras, more than 600 schools were attacked in the first six months of martial law; almost 400 of this number were completely destroyed (*Kontras, March 2004*). Many of these attacks were carried out by groups of 'unknown' persons, with both GAM and the military blaming each other. The education system has been severely disrupted. Local education department statistics show that in the period May 2003 – February 2004, 137,000 children stopped attending school. In some cases this is because the school infrastructure no longer exists, or because the teacher has been killed or fled in fear; sometimes it is simply because the family or the child itself is too afraid to attend.

The Indonesian military has a history of targeting those who oppose the government's dictate. In Aceh, many political activists and human rights defenders have been killed, disappeared and arrested. Since martial law, the policy of stamping out dissenting voices has intensified. A few days after the imposition of martial law, Cut Nur Asikin, founder of the women's NGO Srikandi, was arrested, charged with treason, and sentenced to 11 years imprisonment. The main evidence presented in court against her was pictures of her taking part in anti-government demonstration. In total, more than 150 Acehnese have been charged with treason under draconian Indonesian laws. In Indonesia, where the judicial system is characterised by corruption, one's sentence has more to do with the amount of money available to bribe the prosecutors and the judges than with the evidence presented in court. Most activists have now left the province. In Aceh, civil society has been all but silenced.

As part of the military crackdown in Aceh, a second Presidential Decree (43/2003) was issued in June 2003 regarding the presence of NGOs, foreigners and journalists in Aceh. The decree states that: foreign journalists must receive permits from Jakarta to enter Aceh (most applications have been rejected); NGOs are prevented from working independently; all aid and humanitarian assistance must be channelled through the military authorities; and the province is off-limits to foreign nationals. As well as these measures, local journalists – most of whom were embedded with the military - were told by General Endang Suwarya, the martial law administrator: 'I want all news published to contain the spirit of nationalism.' (*quoted in The Australian, 19 June, 2003*) With this decree, Aceh has been virtually closed to the outside world.

Sexual assault during martial law

More than 100 women allege they have been raped, and many more have been sexually assaulted in other ways since martial law began. Due to lack of access for monitoring and verification, many of these allegations remain unconfirmed, but the anecdotal evidence is strong. On the first day of martial law (19 May), it was reported that a 6 year old girl was sexually assaulted by Indonesian troops in North Aceh. Also in North Aceh, 5 young women report that they were sexually assaulted in the back of a military truck that was parked in a public place at the time. On 28 May a woman from Kuta Baro, South Aceh was taken by the military and repeatedly raped over several days by ten soldiers based at Koramil ladang Rimba dan Post 3 Pulo Paya. According to a local doctor, the injuries that resulted from the rape were 'severe'.

In June 2003, four women alleged they were raped by the military in a village in north Aceh. The case received widespread publicity at a time when the Indonesian government has declared that the Acehnese are the 'brothers and sisters' of other Indonesians. When the case was first made public, Aceh martial law administrator Maj. Gen. Endang Suwarya issued an apology for the conduct of the three soldiers: 'To the victims and their families, I personally and on behalf of the institution apologize for the conduct of the soldiers of the Indonesian Military.' (*Antara, 1 July 2003*)

Three low ranking military officers – Chief Private Seprianus, First Private Husni Dwila and First Private Awaluddin – were charged with rape, found guilty, and sentenced to jail terms ranging from 2.5 to 3.5 years. Whilst the action was applauded by many, the sentences were all well below the possible maximum of 12 years.

The wife of a member of GAM reports that on 20 September 2003 in Pidie she was sexually assaulted by a member of the military. She alleges she was detained for several days, during which time she was taken by soldiers to several villages, stripped naked and abused by members of the military. There are many more similar cases.

Members of the women's wing of GAM, the Inong Bale, are reported to bear a special crescent moon tattoo on their breasts. Several women have reported being forced to expose their breasts to members of the military who say they were looking for members of this group. KOMNAS HAM has said this constitutes sexual harassment.

According to data collated from a variety of sources, including eyewitness accounts, local NGOs and activists, journalists, and from GAM, the total number of women victims in the first eight months of martial law (until end January 2004) is as follows:

Rape	37
Sexual Assault (other than rape)	12
Deaths	25
Wounded	17
Torture	54
Kidnapped	79
Arrested	62
Homes destroyed	31
Valuables looted	19
Houses searched	64

Forced displacement

In an attempt to separate GAM from ordinary civilians, tens of thousands of villagers were forced by the military to leave their homes and live in camps. The logic behind removing all civilians from these targeted areas was that anyone not in the camps must be members or supporters of GAM. Fearing they would become easy targets, many men did not go to the camps, but instead fled to the forests and mountains. In this way the military actually 'pushed' people to live with, and perhaps join, the separatist movement, leaving the most vulnerable groups as the majority of the camp population. The authorities now suspect that some of these camps have become areas for GAM to hide and recruit new members. Search operations have become frequent occurrences, resulting in increasing levels of fear and insecurity for the residents. In addition, living conditions are poor, with residents complaining that food and water is in short supply.

I stayed in one camp close to Bireun for 8 days. My three children were with me, and my parents. Two days before the military came to force us to move to the camp, GAM visited our village and warned the men that the military would come soon. Most of the men ran to the forest, my husband and four brothers went too. Three days ago we were brought back to our home; my gold has disappeared and our animals are gone. But more importantly, my husband and brothers have not come home. My mother cries, praying that her sons are still safe; my father sits all day in silence. (November, 2003)

The military administration promised the villagers that during the period of forced displacement their property would be guarded. But in reality, on returning home, many have found their houses and property has been looted.

Targeting of GAM wives and children

There are several reported incidents where members of GAM families and others have been used as 'human shields' by the military to deter attack by the separatists. One such case was reported on 12 October 2003 in Indrapuri, Greater Aceh. The military reportedly used wives and children of GAM as well as other family members to shield them from attack by forcing them to walk in front of a military advance. And, in an attempt to force GAM to surrender, the women and children were threatened. (*Eyewitness account*)

In attempts to find some key members of GAM, the military has been arresting and interrogating their family members, especially women. This policy was pursued particularly aggressively in September and October of 2003, when several wives and mothers of GAM went missing for periods of up to two weeks. Some children were taken into custody with their mothers. For example, on 18 September in Greater Aceh, the wife of a GAM leader was arrested and taken for interrogation together with a 20 day old baby and her two other children. While the relatives of these women are members of GAM, the women themselves are non-combatants and should be protected as stipulated in the Geneva Convention.

Conclusion

Mirroring the policy pursued during the DOM period, the Indonesian government has decided to use military force to try to crush the unrest in Aceh. There is some recognition by the government, however, that the pursuit of a military solution has in the past actually strengthened local support for GAM. As more people have become victims of military and police brutality, an all-pervasive climate of fear has settled on the province. The Acehnese are now even more united against their common enemy: the Indonesian government and its security forces.

In an attempt to address this problem, the authorities have said that part of the non-military strategy of martial law was to not alienate the people. In fact, by November 2003, Brigadier-General Bambang Darmono who was then the military commander was claiming 'We are winning the hearts and minds of the Acehnese.' (*AP, 22 November 2003*) However, there is in fact nothing about the behaviour of the military that suggests a genuine desire to win over the Acehnese. The military knows only one tactic to suppress dissent – military force. In so doing, they are sowing the seeds of conflict for some time to come:

My father was shot two weeks ago by three TNI soldiers who came to my house. They said my father was GAM, but he is not. So, they took him to the back of the house and I heard a shot. The soldiers left and I went to find my father. He was still alive but we knew he was dying. He told me 'take care of your mother and sister. I have tried to teach you to live life with peace in your heart, never forget that, and never forget me.'

I want to join GAM to catch the soldiers who did this to my father, but GAM say I am too young – I am only twelve years old. I must help my mother to take care of the house and the family. But when I am old enough, I will join GAM...I made this promise to my father after he died and I will not break it.' (Pidie, March, 2004)

The women are the witnesses and the victims; their stories will be told some day, when the veil of secrecy and darkness is lifted from Aceh. 'Then all the world will know the suffering of our women and their children, about our misery. I pray for that day.' (*woman activist, December 2003*)

Recommendations

The following parties are urged -

Indonesian government

- To recognise that its security forces have used in the past, and continue to use, violence against women as a weapon in the war in Aceh. To issue a statement condemning such practices and pledging to bring the perpetrators of such crimes to trial.
- To commit to abide by Common Article 3 of the Geneva Convention, especially in relation to the humane treatment of non combatants: that they should not be subject to acts of violence such as killing, torture, or hostage taking.
- To establish a special all-female team to interview those who allege they are victims of sexual and other crimes.
- To allow independent investigation of allegations of rape, sexual abuse, and other crimes perpetrated against women.
- To establish a special civilian court to bring to trial members of the military against whom such charges are made; they should not be tried in a military court.

GAM

- To condemn violence against women, and to make a public commitment that its forces will not carry out such acts.
- To make a commitment to work towards and to respect initiatives that will alleviate the suffering of the most vulnerable groups.

International Community

- To pressure the Indonesian government to abide by its international obligations in its treatment of women and other civilians.
- To lobby the Indonesian government to invite the UN Special Rapporteur on violence against women to visit Aceh to observe the situation there.
- To bring pressure on the Indonesian authorities to allow for the setting up of safe corridors and safe zones for the independent distribution of targeted medical and other humanitarian assistance to the most vulnerable groups.