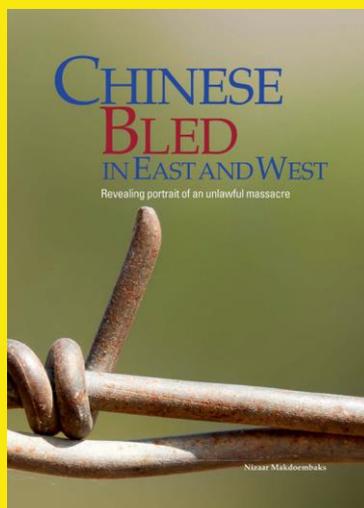


# REVEALING A VICIOUS WWII CRIME ON CURACAO

## latest book SEOC chairman translated; *summary below*



April 1942, right in the middle of World War II. Chinese labourers from Rotterdam are employed as stokers on Shell oil tankers. A dangerous job, on menial wages. They start a strike. As the strike becomes more and more grim, the police and guards from the refinery on Curacao intervene. Mercilessly they shoot and kill fifteen Chinese.

These events have been reconstructed in the book *De Aprilmoorden* (The April Murders – Dutch only) by the chairman of the Foundation for the Rehabilitation of Curacao War Victims (SEOC), Nizaar Makdoembaks. The author ends the SEOC fight for rehabilitation of the Chinese contractors as forgotten victims of war. And they have been quite successful. Annually the victims are commemorated and honoured on April 20th, which has been declared the National Day of Remembrance 'The April Murders' by the Curacao government in 2012.

But, what does the Dutch government do? Nothing!

In this new book the author presents the results of new research, with new documents and statements from witnesses. Makdoembaks seeks to convince the Dutch authorities of the fact that their colonial point of view on this matter, based on one official document drawn up by a witness/perpetrator, an police-inspector who took part in the shooting, can no longer be upheld. Makdoembaks and the SEOC seek recognition of this war crime and its victims as well as assistance in the ongoing research in the history of this covered-up atrocity.

**Nizaar Makdoembaks** is a former physician, now historical researcher and publicist. Previously he published *The April Murders – Messages from the Graveyard of Shame* (2012, available in Dutch and Papiamentu) as well as a number of other books on different topics related to the colonial history of the Dutch West-Indies.

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# EXECUTIVE SUMMARY

## Chinese Bled in East and West Revealing portrait of an unlawful massacre

On the 13<sup>th</sup> of September 2011, lawyers L. Zegveld and A. Scheltema Beduin sent a letter to the Dutch government on behalf of the Foundation for the Rehabilitation of Curacao War Victims (de Stichting Eerherstel Oorlogsslachtoffers Curaçao (SEOC)). In it, the State was asked to recognise 15 Chinese labourers, who were shot and killed by government agents in Curacao on the 20<sup>th</sup> of April 1942, as war victims. In addition, the State was asked to acknowledge its role in the events that led to their death. Apart from the State being asked to indicate whether it was prepared to do so, the SEOC also wanted to know whether the State would be willing to start an investigation into the circumstances of the fateful incident.

In a letter dated 10<sup>th</sup> of July 2013, the State responded through the Ministry of the Interior and Kingdom Relations that the request was denied. The minister referred to the same investigation that had been used by the authorities at the time to remove the case from the public eye as quickly as possible. According to the SEOC both the completeness of this investigation and the ease with which it is being trusted again more than 70 years later, are quite questionable. The minister also stated in his reply that there was no cause for further investigation.

*Chinese bled in East and West* by SEOC chairman Nizaar Makdoembaks let the public see that there is indeed grounds for further investigation, that the official review follows a very narrow vision, which furthermore falls under the saying 'the butcher certifies his own meat' and that the Dutch government really does have a role to play in this. In his letter, the minister claims that much of the information put forward by the SEOC is not based on facts but on speculation. In this book, the author also demonstrates that the "facts" on which the minister relies are not objectively based. If the interpretation of too few available facts leave too much room for different versions, then that alone would leave room for further investigation.

## Background

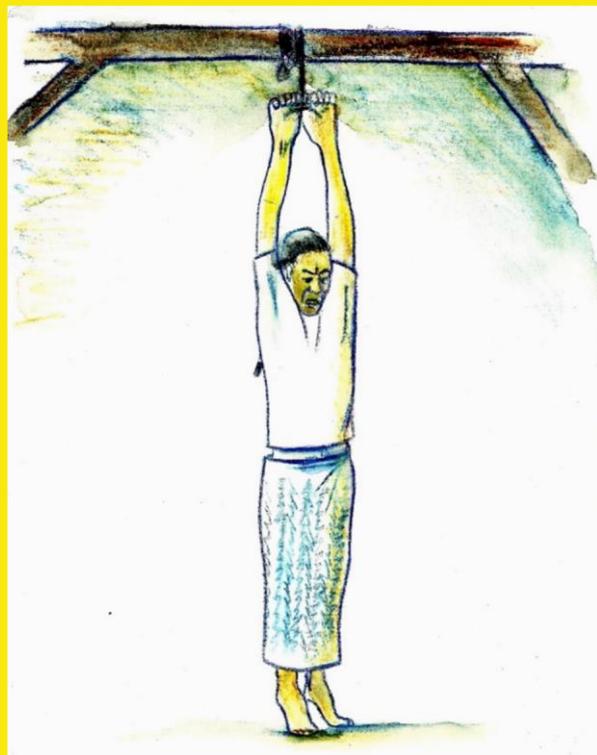
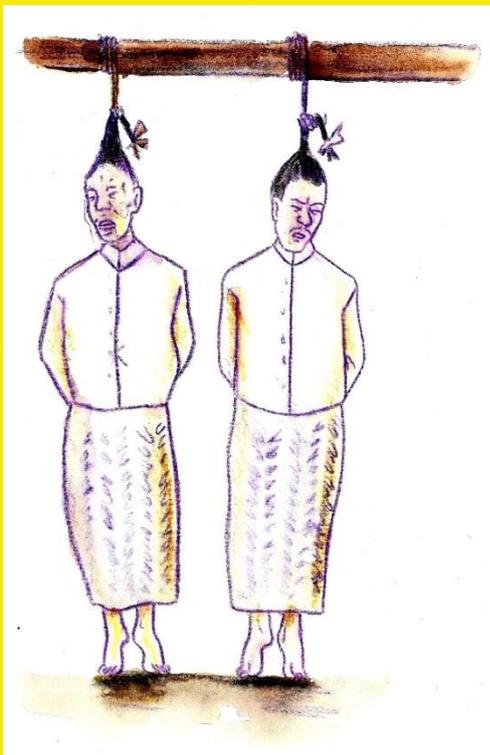
Since 2003 the SEOC has worked hard for the victims (and their descendants) of what, thanks to the efforts of the SEOC, has become known as the *April Murders (Aprilmoorden)*. The SEOC is constantly performing archival research in order to uncover as many documents surrounding the events as possible, and to publish their contents. The foundation also seeks support and recognition from the relevant authorities. In 2012, thanks to the SEOC, the 20<sup>th</sup> of April was proclaimed as 'April Murders National Remembrance day' ('Nationale Herdenkingsdag De Aprilmoorden') by the Curacao government. The Dutch government is clearly less willing to face up to what happened and support the search for truth.

## Chinese bled

In the Dutch colonies, people of Chinese origin played a key role in contributing to the wealth that the colonies had to offer. They worked incredibly hard, in mines or on oil tankers, in appalling conditions and without any form of appreciation or recognition. In fact, the Chinese labourers and seamen were scorned, reviled and despised. Abhorrent violence was used against them with the greatest of ease. The mere request for a pay increase could cost them their lives.

That the treatment of the Chinese strikers in Curacao in 1942 was no exception is evident from the numerous incidents found in the archives. There was clear evidence of a climate in which the treatment of Chinese workers, in homes, in mines or on oil tankers could be, without ceremony, violent, suppressive and contemptuous.

With the Penal Sanctions, the colonial government in effect issued companies, local administrators and other employers with a licence to freely apply the dehumanising practice of torture when punishing crimes, wrong doings, but frequently also for simply making basic and justified requests, such as the payment of wages. In this respect the reigning sentiment towards Chinese workers was *contempt*. Sketches depicting punitive actions taken from archive material show the reality of life for a Chinese worker.



Contempt and cruelty in the punishment of Chinese workers in the Dutch East Indies.

The disciplinary punishments of the KNIL and labour conscription in World War II were essentially continuations of the Penal Sanctions, which due to their excessiveness, came under

fire. Nevertheless, apart from that appalling reality, the underlying view of Chinese people remained the same. A practice in which the Chinese were dehumanised with the greatest of ease in order for people to do what they wanted with them, certainly blew over from East to West.

The East Indian standpoint and trading practices which were exported to the West are not only to be seen in the acts of violence. They can be found everywhere, from the official request to take corresponding East Indian punitive measures against employees in the regulations, to more insidious but pervasive issues such as the architecture.



Main building of the Batavian Oil Company (Bataafse Petroleum Maatschappij te Batavia): 1900-1940 (source: Tropenmuseum)



Curaçao Petroleum Industrial Company (Curaçaoose Petroleum Industrie Maatschappij (CPIM)), 1946, typical East Indian architecture of the head office (source: Tropenmuseum)

Documents show how the regulations surrounding female labour on Curacao was steeped in the East Indian approach. Government and industry leaders were full of men who had previously worked in the East and thought nothing of for instance accusing the CSM strikers of being a “morally defective race”. A few other marine strikes showed exactly where people stood when 420 Chinese from CSM stopped work on the 24<sup>th</sup> of February 1942.

## The April Murders

Against this backdrop of the excessive dehumanisation of the Chinese, on the 20<sup>th</sup> of April 1942 in Curacao, 15 Chinese stokers from the CSM oil tanker fleet were mercilessly shot dead by security guards and military police. At the time, they were part of a group of more than 400 Chinese seamen who were striking for better working conditions and better protection against violent acts of war.

Curacao was a Dutch colony from 1791 to 1954. In 1940 Curacao possessed the largest oil refinery in the world. This oil was of extreme importance for the provision of fuel to the allies during World War II. The oil was extracted in Maracaibo (Venezuela) and transported to the strategically located Curacao under the auspices of the Curacao Shipping Company (Curaçaosche Scheepvaart Maatschappij (CSM)), a subsidiary of the Curacao Petroleum Industry Company (Curaçaosche Petroleum Industrie Maatschappij (CPIM)), the predecessor of Shell Curacao). German U-boats regularly torpedoed the CSM tankers, which were

unarmed, rather outdated and badly maintained. Nevertheless, transport by sea had to continue for the benefit of supplying the allies with oil.

Among the thousand CSM employees, were around four hundred Chinese who worked as stokers and other engine room personnel. Despite their dangerous work, they were paid less than other employees, less care was taken for their safety and they were prohibited from entering Willemstad after mooring. In February 1942 the fear of the Chinese to sail – combined with their poor standing in the company – had become so great that on the 24<sup>th</sup> of February 1942, they downed tools *en masse* in order to negotiate better working conditions. A number of Dutch officers also went on strike.

Negotiations between the Chinese strikers and CSM proved to be difficult caused according to CSM, by the leaders of the group of Chinese. The CSM wanted these men removed from the group in the hope that the remaining Chinese would then compromise. The CSM asked the Curacao authorities to arrest these men on the grounds of the applicable labour conscription. On the 13<sup>th</sup> of March 1942, the striking Chinese were summoned to appear at the police headquarters on Wilhelmina Square (Wilhelminaplein) in Willemstad, Curacao. The eighteen men who were regarded as the leaders were ordered to sail and resume work.

When they refused, they were arrested and taken by military truck to a CPIM camp: camp Suffisant outside Willemstad. The result of this continued to be: the remaining Chinese persisted with their strike. On the 14<sup>th</sup> of March 1942 they were also taken by military truck to camp Suffisant, where eventually a total of 420 Chinese were held.

On the 20<sup>th</sup> of April 1942, Curacao's Chief Inspector of Police, Van der Kroef ordered Venema, the commander of the military police forces, to select 85 of the Chinese and take them to another camp. In doing so, he was assisted by eight officers from Curacao's Immigration Service, thirteen military police and a number of CPIM security guards. It was this planned separation that resulted in a violent confrontation in which twelve Chinese were killed and 44 wounded were taken away, three of whom later died of their injuries. After the injured were transported to hospitals, the separation of the group of strikers was continued as if nothing had happened. On the 21<sup>st</sup> of April 1942, the dead were anonymously buried early in the morning in the 'graveyard of shame' ('kerkhof van de schande') (Kolebra Bèrdè, in the Cas Chiquito district), where according to catholic rules, sinners and criminals were buried. The Curacao authorities also announced a ban on publishing the incident. A unilateral inquiry was initiated in Curacao, which culminated in a report. Then the incident was hushed up as much as possible.

Because of this cover-up propensity, there is to this day a lack of clarity about what really took place, and why.

## **Incomplete investigation possibly manipulated**

The reports on which the above account is based, are all included in the appendices of

*Chinese bled in East and West*. On the one hand they serve to substantiate the claims of the SEOC; on the other hand they show the public how many holes there still are in the quest for truth.

The position of the SEOC is:

- The victims of the shooting were war victims
- The detention and subsequent treatment of the Chinese strikers was unlawful
- The State is withholding significant information, including autopsy reports
- The use of violence was deliberate and premeditated

There are strong indications that the arrangements that were ultimately fatal for the strikers were specially tailored at the special request of the CSM, for this strike. From various documents relating to the way the CSM became a war company in which labour conscription applied, an inference can be made as to how the management of this company played its cards in order to lose as little as possible with the strike, and that this was wantonly at the expense of the much needed Chinese seamen. The CSM also had no qualms as to whether violence was used, while the government cited the war.

The different forms of censorship and cover-up tendencies make it clear how the government attempted to wash its hands of this case. Realising that it had hitched itself to CSM's corporate wagon, the government did everything possible to keep the event as quiet as possible so that it would fade into the background. The Chinese consul had to be "gagged" if he asked about the incident.

*"In order to prevent, while the case about this incident is closed, the Consul General from still wanting to discuss this point with the Governor, it may well be desirable to point out to Dr. Kasteel, that, should this indeed occur, the Consul General must be gagged forthwith."*

(Letter from minister Van Kleffens d.d. 17 December 1942, letter no. 23328, received item no. 5347)

In the Parliamentary Inquiry of '40-'45, the officers strike was a matter of discussion in the context of government policy, but the simultaneous strike of the Chinese was not.

A logical continuation of this cover-up culture is the current discussion between the State and the SEOC on the question of whether autopsy reports of the Chinese victims exist, and if so, where they can be found. In this regard, the government claims that the April Murders no longer warrant further investigation. *Chinese bled* however actually shows that it is very likely that medical reports were made of the victims at the time, and that they are certain to shed more light on the events.

This discussion is essentially about the question of whether one considers the reports to be the truth or not. And this question is immediately followed by the question of why or why not. In his reply to the SEOC, the minister provided no reasons as to why he considers the reports

to be the truth, at least nothing other than that this is all the factual material available, and that it has officially been drawn up, as if that is equal to the truth.

But the official documents are certainly not the only sources of fact; moreover their credibility leaves a lot to be desired. This is evident from reports of three witnesses that the SEOC managed to find. One of them drove three injured Chinese to the hospital, where to his astonishment, he discovered everyone ready and waiting as if they knew what was coming. And when, for example, Mr. van der Kroef's report and his questioning of the CSM employees who were present at the scene are compared, it is clear that both reports contain the same passages, almost verbatim, as if the CSM men witnessed exactly the same things and expressed it in the same way as Mr. van der Kroef had done earlier. From other parts, it seems that it is these extracts that keep consistently being returned to as "the truth". This has led to the more general sense in which justice was known in Curacao, namely poor. Whereby a nadir was reached with the majority of members of the Court of Justice, when the legal advisor for the Chinese strikers revealed all in 1945 and '46 to the then Ministers of Justice and Overseas Territories.

It is clear that the April Murders took place in a judicial climate of corruption and nepotism – a climate in which double dealing with CSM management became a rather more valid, research-worthy hypothesis than speculation, as the government prefers to see it.

## Conclusions

It goes without saying that the conclusions to be drawn from the foregoing are diametrically opposed to that of the Sate. The SEOC continues, inter alia with this publication, to attempt to get through to the Dutch government that no grounds exist for its uncritical acceptance of the investigation at the time. The April Murders cry out for more research and the release of those crucial medical documents. The views of the Chinese diplomats at the time were diametrically opposed to the Dutch interpretation of the facts. What did the diplomats base these on? Why did they want a joint investigation but categorically without the involvement of specific members of CSM management? Why was the focus shifted to the parliamentary inquiry when those very members were to be addressed in connection with the strike? Why were the witnesses that the SEOC found, dismissed as being too old and unreliable? Why is a corrupt justice system seen as reliable?

*Chinese bled in East and West* essentially raises a lot more questions than it answers. And that is the whole point, because it is precisely all these questions that makes the dismissal of this case with 'no cause for further investigation' a travesty. Likewise, the view that this is not about war victims.

Despite the fact that their death was made possible by special regulations that came about because of the war, the 15 Chinese stokers may not be known as war victims.

Despite the fact that they were shot and killed because they, among others, went on strike for better protection against the steadily increasing war violence (U-boats) in the region, the 15 Chinese stokers may not be known as war victims.

With this book, the SEOC hopes to at least have shown that the legal demarcation of terms like war victim should not carry more weight than consideration for the victims who should now finally be humanely and sincerely appreciated. The battle to have these victims recognised as war victims will therefore continue unabated.

## **Post Script**

The SEOC had the legal weight of its view tested by aforementioned lawyers. It was found that through Statute of Limitations as well as inadequate investigation at the time, there is now not enough information of interest available to build a legal case. Nevertheless, the SEOC is of the conviction that its arguments and the new evidential material that the author presents, justifies a moral appeal to the Dutch State. The State should as yet acknowledge these war victims and its role in their wrongful death, and also make every effort to fill all existing gaps in the search for the truth.