Centre for Peace and Conflict Studies
The University of Sydney

GENOCIDE
in West Papua?

The role of the Indonesian state apparatus
and a current needs assessment of the Papuan people

by John Wing with Peter King

A report prepared for the West Papua Project at
the Centre for Peace and Conflict Studies,
University of Sydney, and ELSHAM Jayapura, Papua. August 2005

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Ackowledgements

This report would not have been possible without the inspiring bravery of the human rights and church networks in Papua, and the many young political activists and investigators. They are ordinary men and women who, for their own safety, will remain unidentified. They have taken their nation's plight into the international political mainstream and are the contemporary heroes of their people. Functioning without any reliable financial or political backing, they are driven by an instinct for survival and dreams of eventual justice for Papua. As in East Timor, their dangerous work often forces them to live a clandestine existence.

Disparaged by their own government and spurned by many others in Indonesia, living under constant threat they risk their lives getting information to the international community and alerting the world to the suffering which they and their families have undergone during the last five decades.

In particular Papua's many heroic church leaders have served to unite their people in peaceful, non-violent struggle towards a better future. The support of South Africa's Bishop Desmond Tutu has enriched their spirit.

The International Commission of Jurists has long supported the cause of West Papua. The report has benefited from the expertise of ICJ Australian section members, including Justice Elizabeth Evatt AO and Elizabeth Biok, in international law and the UN system.

The Medical Association for Prevention of War has seen the need to take up Papua as an issue and remains undeterred by criticism from Jakarta. The report owes much to the encouragement of one of MAPW's long term members, Dr Anne Noonan. Joe Collins and the various Australia West Papua Association branches, and the many Papuan support groups around the world, work tirelessly to inform us about the suffering of our near neighbours in Papua.

The ground-breaking research work by Dr Leslie Butt of the Victoria University of Technology and Dr Nurlan Silitonga of the University of Sydney on the HIV/AIDS pandemic in Papua deserves praise. This new catastrophe deserves far greater attention by decision makers, both within and outside Indonesia.

Two Indonesian academics deserve particular note. Dr George Aditjondro has done crucial research into TNI's business dealings and the gaharu trade/HIV link in Papua, while Dr Agus Sumule of the University of Papua, Manokwari, has written extensively and with feeling on the rights of Papua's indigenous people over natural resources and the Special Autonomy issue.[a]

Growing numbers of parliamentarians internationally are prepared to face up to the realities in Papua and we acknowledge their integrity. Foremost among them is Dr Bob Brown of the Greens who has been a constant supporter of the Papuans in Australian public life over many years.

The international support for West Papua continues and is led by prominent UK and US groups, including TAPOL, the Indonesian Human Rights Campaign, in Britain and The Robert Kennedy Memorial Centre in Washington. Their indefatigable reporting has kept the world informed.

a The views of these two scholars have been personally presented and extensively discussed in the series of four workshops held by the West Papua Project since 2000. For a report on the latest workshop see 'Peace Building and Development in Papua: Dialogue versus Violence', Position Paper No 5, West Papua Project, November 2004 (download from the Project website)

Executive Summary

The report details a series of concerns which, if not acted upon, may pose serious threats to the survival of the indigenous people of the Indonesian province of Papua. It covers the threats posed by the Indonesian military to the province's stability, the recent increase in large scale military campaigns which are decimating highland tribal communities, the HIV/AIDS explosion and persistent Papuan underdevelopment in the face of a rapid and threatening demographic transition in which the Papuans face becoming a minority in their own land.

The report is largely based on research conducted during 2003-2005 in the cities, towns and villages of Papua, including Jayapura, Sorong, Timika, Merauke, Wamena, Mulia and Manokwari. The authors acknowledge the unstinting interest and support of Stuart Rees and the Centre for Peace and Conflict Studies.

A "culture of impunity" exists in Indonesia which sees its highest manifestation currently in Papua and Aceh. Military operations have led to thousands of deaths in Papua and continue to costs lives, yet the Republic's armed forces act as a law unto themselves with no real accountability for crimes against the Papuan population. The report discusses a number of areas of Indonesian security forces involvement, including: illegal logging and corrupt infrastructure and construction work; destabilization and manipulation of local politics, and orchestration of attacks blamed on pro-Papuan independence groups; the introduction of illegal arms and militia training and recruitment; and prostitution and the spread of HIV/AIDS.

The report concludes with a number of urgent recommendations to the Indonesian and Australian governments, the United Nations and other involved parties.

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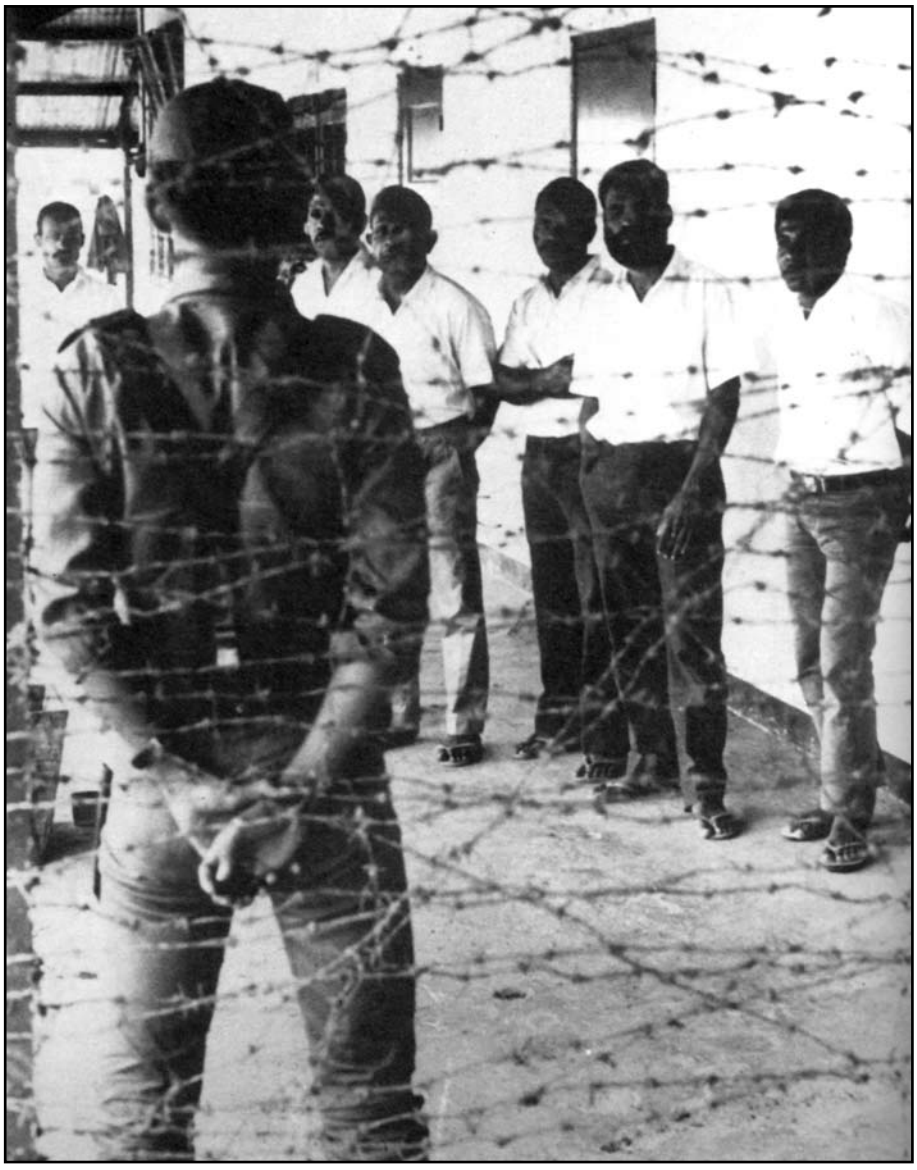
Dedication to John Rumbiak

This report is dedicated to John Rumbiak--Papua's leading human rights activist, and supervisor (in exile) of ELSHAM Jayapura. John was instrumental in commissioning and planning the work. Tragically, he suffered a stroke in New York during February 2005 from which he is still recovering.



During the 1969 'Act of Free Choice', the Indonesian authorities placed under detention any prominent West Papuans likely to protest. In June 1969 this group of political detainees was held at General MacArthur's old wartime headquarters near Jayapura. (G. Alexander)

1 *The Role of the Indonesian Security Apparatus in Papua*

Historical background

Under the terms of an agreement between the Dutch and Indonesian governments signed in New York in 1962, Indonesia was obligated to hold a plebiscite on Papua's future, an "Act of Free Choice", within six years of the transfer of power to Jakarta in 1963. Undertakings were given by the US and Dutch governments, and the UN, of an accurate, democratic ascertainment of the true preference of the population for integration or separation through a properly conducted plebiscite.[1]

To ensure a successful outcome in the referendum, from 1963 onwards Indonesia worked assiduously to remove any sense of Papuan identity from the community, banning the singing of the Papuan national anthem, the raising of the Morning Star flag and all political assembly or activity, using "anti-subversion" measures legislated in Presidential Decrees No. 8 and 11 of 1963. Widespread military operations were conducted from 1965-69, and an *AFP* correspondent in Papua during 1969 noted: "Indonesian troops and officials were waging a widespread campaign of intimidation to force the Act of Free Choice in favor of the Republic." During 1968-69 operations were conducted against the civilian population in the Arfak mountains area and Enarotali involving aerial bombardment and the dropping of 500 paratroopers.

Two junior politicians and members of the West Irianese Provincial Assembly, Clemens Runaweri and Willem Zongganau, crossed the border into the Australian administered territory of Papua and New Guinea in May 1969 and asked the authorities to help them get to the UN. The men carried documents proving Indonesian repression, explosive evidence which may have had a bearing on the Papuan question being discussed in New York. They were not only refused help to travel, they were prevented from leaving Manus Island. On a request from Adam Malik, the Indonesian Foreign Minister, the Australian, Dutch and US governments conspired to deny travel documentation necessary for their international movement between the period June-August 1969.[2]

In the large towns, such as Jayapura, Manokwari and Merauke, violence against dissenters was witnessed and reported in the media. The elections of representatives who would vote for integration were carefully stage managed, with the Indonesian security and intelligence agencies maintaining tight control over proceedings. President Suharto said in February that Papuans who voted against integration would be guilty of "treason".[3] For the referendum the Indonesian Government chose 1,026 voters of a population of 815,906, who voted unanimously for integration.[4]

Papua was henceforth declared a Military Operation Zone and freedom of movement was severely restricted. Expressions of cultural identity, such as songs sung in local languages, were considered a manifestation of a separatist movement and were punishable by torture and even death. Agitating for just treatment in regard to the appropriation of traditional land and forests by companies based in Jakarta has, over the intervening years, led to accusations of separatism, justifying military repression in the

1 See President John F. Kennedy's letter to Dutch Prime Minister De Quay, April 2,1962.

2 See John Saltford, *UNTEA and UNRWI: United Nations Involvement in West New Guinea During the 1960's* , PhD Dissertation, University of Hull, 2000, Chapter 9 (available on *Papuaweb*)

3 See 'Suharto warns Irian on poll', *Sydney Morning Herald*, February 4, 1969.

4 Neles Tebay**, '**Human Rights in Papua: an Overview' in *Autonomy for Papua – Opportunity or Illusion?* Conference papers published by the Friedrich Ebert Foundation, the West-Papua-Network and Watch Indonesia, Jakarta, 2004, p 124

name of development, national stability and security. John Rumbiak has observed that "all abuses in West Papua were caused by military and police presence aimed at protecting mining firms, forest concessions and timber estates exploiting natural resources." [5] Major operations were conducted in 1977, during the period 1981-85 and again in 1996.

Regardless of a change in leadership in Jakarta following the fall of Suharto in 1998, human rights abuses committed by the security forces persisted as Papuans showed greater boldness in testing the limits of the new era of *reformasi*. The late nineties saw numerous peaceful demonstrations for dialogue and self-determination. The response has been brutal repression and the deployment of thousands of new troops, support for pro-Jakarta militias and incitement of conflict between Papuans and between Papuans and non-Papuans. A plan was even drawn up to crack down on the separatist movement, in a "top secret" document issued on 8 June 2000. The plan included the formation of militias, targeting human rights defenders and "black operations" against independence leaders.[6]

A "culture of impunity" exists in Indonesia which sees its highest manifestation currently in Papua and Aceh. Military operations have led to thousands of deaths and continue to costs lives, yet the Republic's armed forces act as a law unto themselves with no real accountability for crimes against the Papuan population.

While the period of the mid nineteen seventies is often referred to as the era of greatest suffering, as Indonesia's military used Papua for its combat training exercises while simultaneously conducting a genocidal campaign in East Timor, the current situation is referred to as a "silent genocide". Villages are destroyed by TNI through arson, following "incidents" blamed on the OPM guerilla movement, but the incidents themselves are staged and guerillas (if any) are manipulated by the TNI. Civilians are then forced to take refuge in areas away from their food gardens, where they perish from malnutrition and exposure. From the Baptist Church's investigations during the first months of 2005, out of approximately 6,300 persons displaced in the Puncak Jaya operation which began in 2004 who have not been able to return to their former villages, over sixty had succumbed to the elements while hundreds more were at serious risk of disease and malnutrition, having being denied access to emergency aid.[7]

For Papua, high rates of infant and maternal mortality, the uncontrolled spread of HIV/AIDS and military operations against the community are accepted as the indigenous Papuans' lot despite over forty years of Indonesian governance in a "liberated" Papua. Researchers at Yale University's Law School concluded in a report released in November 2003 that the issue of genocide has become serious in Papua. Xenophobia and racism have contributed to a sense of a lack of inclusion of Papuans within the Indonesian Republic, a unitary state with an unaccomodated diversity of cultures, religions and races. As the health and security of the population are supposed to be the responsibility of the government, Papuans can be forgiven for thinking that the government's policy towards Papua is one of ethnocide.[8] *It is the conclusion of this report that the Indonesian armed forces (TNI) in Papua are the main source of suffering and instability in the province.*

Military involvement is common in illegal and corrupt activity and manipulation of the local political and security situation to justify and enhance further penetration of TNI and its Jakarta-based business cronies into the decision making processes and administration of Papua. This section will discuss a number of areas of Indonesian security forces involvement, including:

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5 John Rumbiak , 'Human Rights in Papua: Some Remarks' in ibid, p 142

6 Neles Tebay in ibid, pp 123-132. See also Peter King, *West Papua and Indonesia since Suharto: Independence, Autonomy or Chaos?* University of New South Wales Press, Sydney, 2004, pp 129-32

7 Sofyan Yoman, *Systematic Genocide of the Peoples of West Papua under Special Autonomy*, Jayapura, 14 May 2005

8 John Rumbiak in *Autonomy for Papua,* pp 142-4

1. Illegal logging – a case study of the Telapak/EIA report
2. Other business activity, including infrastructure and construction works
3. Destabilization – manipulation of local politics and orchestration of attacks blamed on pro-Papuan independence groups
4. Introduction of illegal arms, and militia training and recruitment
5. Prostitution and the spread of HIV/AIDS

i. Illegal activity in the forestry sector

Based on investigations into illegal logging conducted in Sorong, Manokwari and Jayapura in 2003-2005, it is clear a pattern of military-sponsored or protected illegal operations has emerged in these areas as well as in the Bintuni and Fak Fak areas. This has much to do with the laissez-faire attitude towards law of Indonesian police and judicial authorities.

The main role of the security forces is that of paid protector acting on behalf of the mainly Malaysian, Korean and Chinese companies involved in logging. They include most notably Kayu Lapis Plywood and Rimbunan Hijau, both logging rare and protected *merbau (kwila*; *intsia bejuga*) timber. When grievances are directed at the companies then security force intervention frequently follows and invariably involves repressive measures against protesting tribesmen and women.

This new road in the Baliem Valley near Wamena has had massive ecological and social impact.

Logging companies sign agreements directly with tribal people who may allow them to log in certain locations; however the same land may be claimed by a different tribe or clan. Conflict between Papuans can then take place, leading to violent incidents. Acting on behalf of the company on the ground, the security forces intervene, and injuries, imprisonment and deaths occur.

Payments agreed on are weighted in favor of the timber traders. The companies will be paid vastly more for logs in Singapore and Malaysia than the local people receive. The companies say they do logging for income generation and as a contribution to local development in the area, thereby working in the national interest. However as regulations for issuing of permits are wide open to conflicting interpretation, disputes arise over whether permits are obtained legally or against regulations, and abuses of the system occur.

Payments are made through a mediator who will often organize town visits for local tribal leaders who are put up in hotels and taken to bars where women and alcohol are provided. The leaders often return to their villages with virtually nothing.

On 17 February, 2005 a major report based on a three year investigation into the trade in illegally sourced logs in Papua was released by Indonesian based environmental organization Telapak and the UK- and US-based Environmental Investigation Agency, who accused Indonesian military and government officials of running a massive illegal operation.[9] Described as the most egregious case of timber smuggling ever discovered, valued at more than US$1 billion, the two non-governmental organizations said the case involved the smuggling of 300,000 cubic meters of timber per month from Papua to China.

Their report found that the operation was supported and managed by high-ranking Indonesian military (TNI) officers in collusion with other government officials and law enforcers. Syndicates pay around $US 200,000 per shipment in bribes to ensure the contraband logs are not intercepted in Indonesian waters. They are reportedly part of a group of international criminal syndicates involved in the massive looting of *merbau* wood to supply increasing demands on China's timber processing industry. *Merbau* is one of the most valuable timber species in Southeast Asia, but Papuan communities only get approximately $10 a cubic meter for chopping the trees down. The *merbau* is then sold for around $270 per cubic meter in China where it is used for furniture and flooring.

"Papua has become the main illegal logging hotspot in Indonesia. This massive timber theft of Indonesia's last pristine forests has got to be stopped," M. Yayat Afianto of Telapak stated during a news conference to release the investigative report by the two groups in Jakarta. The report identified Sorong, Manokwari, Fak Fak, Nabire and Serui regencies as the main illegal logging hotspots, from which huge numbers of logs are shipped to the Chinese port of Zhangjiagang on the lower Yangtze and Shenzen Special Economic Zone adjoining Hong Kong.

The EIA's report showed the smuggling is still going on, even though Indonesia and China signed a Memorandum of Understanding (MoU) on Forest Law Enforcement and Governance in December 2002 designed to halt the purchase of illegal timber. The report's three-year investigation, begun in 2002, revealed the involvement of military personnel, customs officers and forestry officials. Several high-ranking military officials were named. The report was widely reported in the Indonesian and international media. Excerpts from the Jakarta Post's summation of the report are included below.

> 'The authorities have taken no action whatsoever against these officials, even though we have reported them to the Ministry of Forestry, hoping that they would be tried. One of the officials we reported to the police still runs his logging business openly in Papua, instead of being arrested," said Arbi Valentinus of Telapak. He was referring to a captain in the military police in Sorong who was in March 2004 reported by a television station as running an illegal logging operation and selling the wood to a Malaysian timber company.
>
> Meanwhile, former Sorong Police Chief Faisal AN and five of his subordinates are on trial in Jayapura, Papua, for their alleged roles in illegal logging in the province. The case surfaced after a Panama-flagged vessel laden with 12,000 cubic meters of illegal logs was seized by the water police off Sorong on 15 January 2002.
>
> The report by the environmental investigators said each component of the syndicate played a specifically defined role -- from Jakarta-based bosses securing protection for shipment, to Malaysian logging gangs, Singapore-based shippers arranging transport for the logs and Hong Kong-based brokers selling huge quantities of *merbau* to companies in mainland China.
>
> Aside from expecting the Indonesian and Chinese governments to take action to halt the smuggling,

9 *The Last Frontier: Illegal Logging in Papua and China's Massive Timber Theft*, Environmental Investigation Agency (EIA) and Telapak, London and Jakarta, February 2005

> and in light of the fact that it involves several international syndicates, we urge that an international response be formulated," said Sam Lawson, a senior campaigner for EIA. The Indonesian Minister of Forestry M.S. Ka'ban has said that 43 million hectares of Indonesian forests have been damaged or destroyed over the last several decades due to illegal logging, with the average annual deforestation rate estimated at more than 2.8 million hectares since 1998'.[10]

Companies based in Jakarta and Surabaya control the illegal logging operations on the ground in Papua. Government officials create "legal" documents for vessels carrying smuggled timber which allow vessels to sail through Indonesian waters.

See also:
Bisnis Gaharu dan Dampaknya Terhadap Kehidupan Orang Awyu dan Wiyagar di Distrik Assue, Kabupaten Mappi, Papua Selatan, Sekretariat Keadilan dan Perdamaia, Keuskupan Agung Merauke, November, 2004

Pastor dan Mahasiswa Demo Tolak Bisnis Militer Berdampak Gonocide di Merauke, ELSHAM News Service, November, 2004

ii. Security force involvement in business activity including infrastructure and construction works

Interviews conducted in confidence with district government officials in Tolikara and Karubaga districts and church representatives in Tiom and Wamena towns, Puncak Jaya regency, revealed that the Indonesian military is involved in a variety of activities additional to its role in security. Soldiers can be found driving vehicles for payment, marketing consumer goods and staffing small kiosks. Investigations into larger projects show that military business interests are active in building projects such as dormitories to house new army battalions and in road construction.

Mining and road construction have been devastating for the environment. Tailings from the Freeport copper and gold mine have left the Ajikwa River biologically dead.

10 'NGOs accuse TNI, officials in biggest timber heist ever', *Jakarta Post*, 18 February 2005

The quality of such roads and structures is generally poor, leaving the local community doubly disadvantaged. Shoddy workmanship combined with inferior materials and cutting of corners to maximize profit produces poor results. The money generated from such projects goes back to the military. Collusion between local government officials, companies and the military to get contracts for construction projects is illegal, entrenched and involves active officers.

One name that has been provided by several sources in the highlands, including a district government office holder, is John Bauna, a high ranking TNI officer serving in the largest town in the Papuan highlands, Wamena. Bauna is behind the multi-story shopping store being constructed in Wamena, which will become a magnet for consumerism.

It is an indication that the highlands are seen as a target area in the push to increase the number of new migrant arrivals. While the migrants with better commercial savvy thrive in the new environment, either through sheer hard work and tenacity or business connections, the indigenous Dani of the area are becoming increasingly isolated and excluded from the new cash economy. This leads to a fear for the future, pervasive in the community, over local capacity to cope with expenses for such basics as school education.

Migrants are seen as being of two types by the local Papuans. Firstly, those who come to Papua to make a living and work hard to achieve prosperity are regarded as 'good' migrants, while 'bad' migrants are those who tend to be impolite and who detest the local people they live amongst. They seek out business opportunities which exploit the people and are comfortable making money illegally or immorally. Most of the military fall in this category.

Theft and resale of relief aid earmarked for people suffering from natural disasters or military operations is routinely committed by military personnel and civil servants. Examples include the Biak tsunami in 1996 and the Nabire earthquake in 2004. John Rumbiak, a native of Biak, has reported that in 1996 good quality canvas tents donated by the US to be used as shelter for the victims of the Biak tsunami were replaced with plastic sheeting. The tents were then sold by the TNI.[11]

iii. Destabilization – the manipulation of local politics and orchestration of attacks blamed on pro-Papuan independence groups

According to an investigation contained in a report released by the Baptist Church of Papua in early 2005, military operations such as that in Puncak Jaya during 2004-2005 are typically justified by reference to incidents actually engineered by the TNI.[12]

The Baptist church reported that on 17 August 2004 the army special forces, Kopassus, provoked a conflict situation in Monia village, Tingginambut. On 17 September, Kopassus troops killed the Reverend Elisa Tabuni, a 40 year old male. He was found with his hands handcuffed together in a praying position. His son, Weties Tabuni, also a pastor, fled with his hands handcuffed after seeing his father shot by Kopassus. Weties was also shot and was wounded in the back of the head.

On 7 October, a militia group under the control of TNI/Kopassus, the Wonda Marunggen group, together with Anton Tabuni, shot and killed a primary teacher named Kius Wenda.

On 13 October an unknown group shot six civilians in Puncak Jaya. It is still unclear whether the

11 John Rumbiak, Interview, 28 December 2004

12 Rev Sofyan Yoman, *I Operasi Militer Puncak Jaya, Tanggal 17 Agustus s/d Desember 2004*, Baptist Church of Papua, January 2005

information about the dead bodies is correct or not, because no family has yet said they've had a relative killed. Subsequently six school buildings were burnt down by Kopassus. These were the schools at Wonaluk, Yarumungun, Dondo, Yamo, Pagarugom, and Ambitmbit.

In addition, 371 homes of indigenous inhabitants were burnt down by Kopassus in Puncak Jaya. The number of refugees still sheltering in the jungle as at the end of 2004 was 6393 and as of May 2005 these refugees had not returned to the sites of their villages.[13]

To compound the hardship of the Lani tribes who were made refugees by this operation, all the pigs owned by the community, valued as a form of currency when traded and an important food and source of protein, were loaded onto trucks and sold by Indonesian soldiers.

The TNI is behind numerous incidents which result in military operations catastrophic for local communities. These incidents are also used to justify the deployment of new troop reinforcements, which in turn lead to greater human rights abuses, reaction from aggrieved Papuans, then further militarization. A dangerous and destructive spiral is thus perpetuated.

In February 2005 the villages of Panaga, Bolobor and Wunin were scenes of destruction of property including schools and houses. According to local government sources, Brimob mobile police and Kodam 10 troops were responsible for the arson.[14] Local people are becoming increasingly radicalized and also divided. Seven hundred additional troops were recently deployed to thirteen new military posts in the central/western highlands. A further 15,000 Kostrad troops are being deployed to Papua beginning this year.[15]

See also:
Laporan Kasus Wunin Berdarah: Hasi Perjalanan Chru DeMMak – AMP Indonesia di Wilayah Logoboma, Kaiga, Bawi dan Wurineri Kec Wunin Kabupaten Tolikara, Jayawijaya, Papua Barat, Yogyakarta, February, 2005

iv. Militia training and recruitment and illegal arms – a local informant's report

> '… here in Manokwari the TNI are building up and preparing militias, or what's known as Satgas Merah Putih. They have opened two bases in Manokwari, in areas where there a lot of transmigrants and Muslims. One of them is in the area called SB7, the second is in Orang Sebari.
>
> At the one in SB7, in the year 2000, there were weapons delivered by ship which were brought ashore at Pasi Putih beach. A certain figure in Manokwari mobilised his men to transport these weapons. They took the weapons to SB7, unloaded, and a local person saw that what was in the vehicle was guns. It's the same in Orang Sebari, Satgas Merah Putih is being trained, or militias. The evidence I have obtained in the field is that people in both those places have discovered weapons.
>
> But what makes me angry is that when people reported this to the authorities there was no follow up, no attempt to confiscate the weapons. So I am convinced that the TNI is preparing militias in these two places and that at some stage these militias will become a force used to attack the community as happened in East Timor. We are very worried about this. Then what happened in Orang Sebari – someone caught an Ambonese in the act of bringing in weapons for these people. There were pistols which were 20 million rupiah each, rifles which were 15 million rupiah.

13 ibid

14 Tolikara government official (name withheld)

15 *Jakarta Post,* 19 March 2005.

While there were negotiations going on someone reported this to the district police. They caught the person involved and asked him to be processed by the police, but what they found when they got there was the security forces said the matter should be left up to them and they would follow it up. But to date there has been no further news concerning this case. When questioned, the Ambonese person involved said that he had obtained the weapons from a timber trader operating in Manokwari, a man of Malaysian nationality.

Boxes of bullets are being stored in workshops, in eating stalls and at the side of the road. What's the motive or reason for this? If we relate this to the militia and the Satgas Merah Puti which are now being formed, if there is a conflict later on they will be able to get easy access to ammunition.

My hope is that the Australian government as a power in the Pacific will wholeheartedly help us and heed the misery and suffering we are going through as a result of Indonesian imperialism. They may say they are developing Papua but on the ground that's not the reality. Development in Papua has political elements. There's no serious effort to develop the Papuan people. That's our experience and that's why we're disappointed with the government's development policy in Papua.

The most important thing, what we really need, is for the Australian government and people, who are our neighbours and who we know have power, to help us Melanesians, to free us. How come the Australian government saved one Melanesian people, the East Timorese, but they aren't saving us? We very much hope for help, especially, as I said before, because of the weapons being brought in and the militias being formed, which are a time bomb. At some time we Papuans are going to start killing each other, because they are preparing Papuans to confront Papuans.'

See also:
Susunan Pengurus dan Struktur Organisasi Milisi front Islam (FPI) Pusat Periode 1998 – 2003
Kesaksian Seorang Aktivis Bersama Laskar Jihad

v. Prostitution, the spread of HIV/AIDS and the *gaharu* industry

From interviews conducted with staff of foundations in Jayapura and Merauke dealing with prostitution and the spread of HIV, it is clear that there is security force involvement in prostitution at different levels.

In Merauke for example there are legal and illegal brothels operating in the town. Legal brothels are in locations which are inconveniently located away from the town proper. They are more expensive than their illegal counterparts, which are located nearer the town centre. The HIV testing protocols are different too. Prostitutes at the illegal brothel undergo testing every six months whereas at the legal brothel it is monthly.

'Assue (pron. *Ass-oo-ay*) and Atsy (pron. *Et-chee*), in the Asmat/Mappi district are the towns which are at the centre of the *Gaharu* industry. There are ten bars, as well as karaoke establishments. A prostitution industry has developed. The commercial sex workers in Assue and Atsy, the alcohol and various kinds of products, come from outside. They usually use passenger boats, which can sail without being checked. The responsible authorities don't have strict control or oversight over these boats and their cargo. The commercial sex workers come through Agats and through Timika. They also come from Merauke. They practice their activities without check by the apparatus. Business activities, including the gambling business, are widespread.'

Catholic Church investigator, Merauke, January 20, 2005

From interviews conducted in the preparation of this report it was discovered the locals especially look for *gaharu, a* valuable incense-like substance gathered by local tribesmen for sale to local traders, then exported to the Middle East. From investigations by a Catholic Church team it was discovered one local got 240 million *rupiah*, which was then spent on alcohol, prostitutes and gambling.

> 'Atsy is a metropolis in the jungle. There are many varieties of women, from Java, Makassar, Manado – they come alone or are brought by an employer, the police or army. There is only one doctor; other girls are spread out in the forests and jungles. They exchange sex for *gaharu*. They destroy local people's culture – it is easy money, but prices are now high in Atsy.
>
> These practices have an impact on relations between husband and wife, parents and kids, clan and clan, leading to fights, all starting from this business, looking for *gaharu*,. People hire themselves out and bring problems back to their family. There are fights between father and son.
>
> Education suffers while parents and teachers look for *gaharu.* Damage is done to the forest. Class actions are planned; people will try to prosecute the local government over gambling and prostitution.'
>
> **Indonesian lawyer, Merauke, 13 February 2005, (name withheld)**

Young West Papuan girls are now being enslaved sexually by the military during their operations in the remotest areas of West Papua. TNI presence is normally accompanied by violence, heavy threats and pressure in these areas.

Among all Indonesian provinces Papua now has the highest proportion of people living with HIV/AIDS. According to national parliamentarian Simon Morin, the virus is now in the highlands:

> 'How to explain it to the people, in the villages, in the highlands, is a big problem. How to explain to the people, for example, when we are talking about using condoms. What kind of thing is that? Why do we have to use these condoms?
>
> But it is also a hidden threat that will reveal itself maybe after five or ten years in the future. I'm afraid that we will face problems like what's happened in Africa…most of the people who are infected in Papua with HIV/AIDS have contracted it through sexual intercourse, with partners, with prostitutes, and many people don't know how to protect themselves by using condoms. Some church leaders say 'those infected by HIV have acted against God's law'. They don't understand that a woman who has stayed at home may be infected by her spouse, or a baby can be infected by his or her mother. So to know how to protect themselves is a big problem for people.

> While many international organizations, like UNICEF, are now giving attention to Papua, the problem is how to train people. How can the people be informed in ways that they can understand? So we need to strengthen the organization and to equip them with the information they need and tell them how to transfer this to the people, so that people can understand what kind of threat they are facing.'[16]

See also:
Bisnis Gaharu dan Dampaknya Terhadap Kehidupan Orang Awyu dan Wiyagar di Distrik Assue, Kabupaten Mappi, Papua Selatan, Sekretariat Keadilan dan Perdamaia, Keuskupan Agung Merauke, November 2004

Aditjondro, G., *Dari Gaharu Ke Eksplosi HIV/AIDS Di Tanah Papua: Dampak Bisnis Tentara Di Negeri Bintang Kejora*

Komitmen Sentani, Dalam memerangi HIV/AIDS di Indonesia, January 2004, AusAID/ihpcp/*Aksi* Stop AIDS

Informasi AIDS Provinsi Papua, Dinas Kesehatan Provinsi Papua, per 31 Desember 2004

A village of the Lani tribe, near Karubaga, 1991. The new road to this area is having a major demographic impact on the previously isolated tribes, while health services remain poor.

16 Simon Morin, Interview, Jakarta, 19 February 2005

2 *A New Apartheid?*

Freedom of movement is being severely restricted in Papua. This restriction has been compared to the system of apartheid in South Africa during the era before democratic elections and self-rule. Types of acts of apartheid in West Papua include the following:

- Freedom of movement in many regions is very difficult due to arbitrary acts of the security apparatus
- People have to have a *surat jalan*, or travel permit, when traveling to their home villages
- People are detained with no clear reason for unspecified periods, for months or even years, and tried with no clear charges
- Papuans who are members of the military apparatus of the Republic of Indonesia will sometimes not be given any arms to equip themselves to handle crowds, whereas those coming from Indonesia will always be fully equipped with rifles, and/or pistols
- The Indonesian newcomers to Papua looking for jobs can easily get one, often within a week. Meanwhile, Papuans have to wait for years to get one. This is a form of deliberate or "structural" discrimination over the right to work

Arson has become a common weapon of terror against the Papuan highland community. Clinics and churches are common targets of the military. Wunin, January 2005.

- Papuan churches and schools in the military-targeted or military operation areas always become targets of vandalism and arson by the security apparatus
- The security apparatus uses terms of denigration that degrade the dignity of West Papuans, e.g., that Papuans are animals (e.g., monkeys). A clear example can be found in the Abepura case of 2000[17]
- HIV/AIDS has never been seriously handled, even though the Province of Papua records the highest number of victims in Indonesia. Especially in regions rich with *gaharu,* the military is involved as pimps bringing in HIV/AIDS affected prostitutes from Java and other parts of Indonesia.

17 See Peter King, *West Papua and Indonesia since Suharto***,** p 33

Young Lani tribesmen at a ceremonial church gathering in Wunin, filmed in the early 1990s. This region now has 13 military posts. TNI operations have created over 11,000 refugees during 2003-5.

3 The TNI Troop Buildup and Potential New Conflicts in Papua

Potential Triggers of Conflict:

- **Troop buildups**. New deployments are being planned for 2005-2009, mainly for the PNG border area, the highlands and large towns, starting with Sorong. This was announced on 18 March 2005, the day after the announcement of a new security treaty between Australia and Indonesia. The Indonesian army plans to set up a new division of elite troops and station it in Papua. Army spokesman Brig. Gen. Hotmagaradja Pandjaitan explained that this was the plan that would involve the gradual deployment of up to 15,000 troops from the Army's Strategic Reserve Command (*Kostrad*) from 2005 through 2009. The first 5,000 troops will be recruited from Makassar in South Sulawesi and deployed in Sorong. To bring the number up to a total of 15,000, TNI will also recruit troops from military commands (*Kodam*) nationwide. According to Pandjaitan, the establishment of the new division was in line with the Army's guidelines on the development of its strength. Pandjaitan said the deployment of more troops was also aimed at securing the border between Indonesia and next-door neighbor Papua New Guinea.[18] A dramatic escalation in troop strength will be a major drain on the army's budget. The importance of this issue for Australia and PNG may be overlooked in light of the eagerness of Canberra and Jakarta to enter into a security agreement whereby Australia will preclude itself from comment on Indonesia's handling of the Papua question.

  Being in a situation very different to other ethnic groups in Indonesia, Papuans need an approach to development which accommodates traditional society and culture rather than being guided purely by political/security concerns. The security approach is discredited, cannot solve Papuan problems and only complicates and exacerbates the situation.

- **Failure of Special Autonomy**. According to the Chairman of the *Dewan Adat Papua*, Tom Beanal, no noticeable change has taken place since the Yudhoyono government came to power in 2004. He says Special Autonomy has given nothing, and symbols of Papuan nationalism, such as the Morning Star flag and anthem (*Hai Tanakuh Papua*), which were promised in the Special Autonomy law of 2001, have been taken out.[19] In addition the government's proposal for an all-Papuan upper house of the local parliament has greatly diluted the powers envisaged for it in 2001. Also it provides for only 42 representatives in three categories: *adat* (tribal society), church and women. There may be disaffection in some quarters, especially among West Papua's 250 tribal groups, who will feel they are inadequately represented by this MRP model.

- **Deadline for revision of the Special Autonomy law**. It has been mooted that the statement by the Papuan Customary Council (*Dewan Adat Papua*) of 4 February 2005 (see Appendix C) giving August 15 as a deadline for correcting the deficiencies of Special Autonomy, could lead to violence. The state apparatus may become involved in the orchestrating of incidents in the period around the deadline in an effort to demonstrate that the idea of Papuans having more control over their own affairs and a cessation of military operations is unrealistic. There is a fear that this statement can be used by certain groups, such as fake OPM operatives, to organize attacks on government buildings because the deadline was not met. Military retribution is sure to follow. Efforts can be made by the government to confuse the international community about where the Papuans themselves stand on Papua's autonomy and the future.

18 Tiarma Siboro, ' Army to station extra division in Papua', *Jakarta Post*, 19 March 2005

19 Interview, 5 February 2005

- **Splitting Papua province**. The Indonesian Constitutional Court ruled on 11 November 2004 that Law No. 45/1999 and the Presidential Instruction of January 2003 on the establishment of Central and West Irian Jaya provinces violated the Constitution. At the same time it recognized the existence of West Irian Jaya province since it had already established its own provincial legislature and elected its members for the House of Representatives in Jakarata. Rev. Herman Awom, Deputy Chairman of the Evangelical Church (GKI) in Papua, said the Papuan people were confused not only by the Constitutional Court's decision, but by the lack of commitment from Jakarta to implement Special Autonomy and solve the prolonged issue of insincere and half-hearted decentralization.[20]

  On this issue, Simon Morin has said:

  > if the province is divided into five, with many new *kabupaten* (districts), organizational problems will be compounded. The whole budget will be required to operate the system, making sure the system works, but there will be no money to support the development of the people, to serve two million people. What we need is to empower the regions, the local government, to train the people to know how to do their jobs more efficiently and how to combat corruption. As for corruption …when they criticize Papua province, I always say that 'you cannot expect clean government officials. They come out from a machine that is already corrupted!' The Papuans say it is like a river. Unclean at the source where it is muddy, then the whole river will be unclean. So this is what Yudhoyono is saying, that he will combat corruption. When we combat corruption we have to create a system, a bureaucracy, which we have to make clean.[21]

  There are groups now active which are rallying in towns within the new province of West Irian Jaya, especially Manokwari and Sorong, openly demonstrating in favour of the partition or against it. It has been claimed the January 2005 visit to the US by a delegation paid for by Jakarta to campaign for the new province's recognition and against any review of the Act of Free Choice of 1969 has a strong relation to the military and its economic interests.

- **Elections for governors and bupatis**. The election of two governors and *bupatis* (heads of *kabupaten*) in 19 districts in the second half of 2005 has the potential to be corrupted as military groups compete for influence and even seek office. Furthering their business interests is the motivation for many TNI members who are already involved in illegal business activity. In the election of governors and *bupatis* their supporters may be involved in conflict. The government and military will use any approach to create conflict – Wasior (see victim's testimony in Appendix A) and Puncak Jaya are examples – and undermine their competitors. Kopassus officers are now heavily involved in the election of *bupatis*. Most *Bupatis* now use Kopassus or BIN as their bodyguards, who accompany them everywhere.It was also reported to researchers for this report that members of Kopassus came to a tribal leader in Mamberamo to seek his involvement in mobilizing supporters. It is very possible for the military to create armed conflict before an election, to close a region and to declare it a war zone – so that no-one can monitor the election.

- **Human rights violations**. Regulation 27 was issued in September 2004 for establishing a Truth and Reconciliation Commission. It seems that President Yudohyono is trying to solve human rights violations of the past in a reconciliatory atmosphere. But if no justice is served for the crimes in Papua there could be a feeling of betrayal and profound disappointment, compounding the lack of trust in Papua for Jakarta.

20 'Papua likely to seek referendum over MRP', *Jakarta Post* , 7 December 2004

21 Interview, 19 February 2005

4 *The Demographic Transition*

According to Dutch colonial records, the 1960s population of Papua numbered around 700,000. After integration with Indonesia in 1969, an open door policy was declared and settlers from other provinces flocked to Papua: the population tripled from the 1970s to 2000, from 700,000 to 2.2 million, of which 1.5 million were Papuan. In the 1970s, the Summer Institute of Linguistics inventory of local dialects noted extinction of various local dialects (and hence speakers) as Papuans took up Indonesian but also due to decimation of ethnic groups. Low swampland areas, home to nomadic Papuan food gatherers, have also experienced a natural decrease in population.

Papuan population growth in regions on the outskirts of provincial and sub-district towns is less than 0.5% per year, and high infant mortality figures indicates a still-decreasing trend. According to the late Dr Michael Rumbiak, the very slow growth means 150 years would be needed to double the Papuan population, with infant mortality rates of 70 per 1,000. City rates are higher due to higher proportions of migrants. Population growth of Papuans in isolated mountain villages, swamplands and city outskirts is still zero. [22]

According to Rumbiak, formerly a leading demographer at Papua's Cenderawasih University, development is aimed only at certain targeted regions, but it leads to impoverishment and marginalization of Papuans. It's lop-sided and not people-oriented. Rumbiak argued that the government must assess if development has been beneficial or destructive.

Development programs that threaten local society need cancellation or revision. Studies are needed into local social, cultural and geographical conditions, and how to increase population and improve quality of life among the Papuans.

The National Family Planning program (*Keluarga Berencana Nasional*--KB) is considered by Papuans to be a depopulation program. Papuans need their own population program to increase growth and improve life quality. The KB program keeps Papuans in static growth, with the Papuan population increasing very slowly. Papuan KB acceptor families have not improved their welfare and remain poor. The program is based on the needs of densely populated areas in Java, Bali and Madura and is good for areas other than Papua. Michael Rumbiak has recommended the KB program should increase numbers and quality of life for Papuans, with five children per family a target and subsidies to support family economic and health needs. [23]

Thai fishermen introduced and are continuing to bring in AIDS/HIV to Papua and should not be allowed to work there, according to Papuan experts. Many Papuans are now infected by HIV/AIDS. In January 2002 Papua was ranked 2nd after Jakarta with 818 HIV/AIDS sufferers: 525 HIV and 293 AIDS cases – the top districts being Merauke (327 cases), Timika (264 cases) and Jayapura (55 cases). In figures released at the end of 2004 by the provincial government, the total number of HIV/AIDS cases was 1749, with Timika now having 592 cases and Merauke 657. [24]

The doubling of known cases in four years augurs badly for the parallel growth in undiagnosed cases. In the case of Merauke and Timika, prostitution involving infected, mainly Javanese migrant, commercial sex

22 Michael Rumbiak, *Dampak Pembangunan Terhadap Depopulasi Penduduk Asli Tanah Papua,* Universitas Cenderawasih, Jayapura, 2000

23 ibid

24 *Informasi AIDS Provinsi Papua, Dinas Kesehatan Provinsi Papua, per 31 Desember 2004*

workers has accounted for the high rates. These women are often transported and sponsored by brothel owners who are directly or indirectly linked to the security apparatus.

HIV/AIDS cases in Papua are on a sharp increase – this is a huge, hidden, slow and silent but sure threat. There are certainly many hidden sufferers. The African experience is being repeated in Papua, with many villages almost extinct. HIV/AIDS sufferers burden their families and the state. Stronger government policies are needed to halt the HIV/AIDS spread. Community and church protests to send home Thai fishermen have had no effect. The government could educate Papuan youths living on the coast to replace Thai fishermen. A sustained, intensive, regular publicity program is needed on the dangers of HIV/AIDS and how to prevent it. HIV/AIDS will impact severely on the population growth and productive lives of Papuans.

Government policies for the mining sector ensures profits for the central government and investors/corporations but impoverishes locals, despite the apparently generous provisions in the special autonomy law for return of mining tax revenues to provincial authorities. Land-owning communities acting against mining companies are chased and shot at by security forces because they are demanding their lost rights to land, forest, and other resources whilst outsiders enrich themselves. Papuans protest against the companies and their abuses, but the central government sees them as a national asset.

The migration program is a national government policy to develop the regions but it leads to a sharp inequity between migrants and locals. Papuans are becoming a minority in their homeland, unable to compete and being further stressed. Official transmigration programs and spontaneous migration alike have led to a rapid increase of the non-Papuan population in Papua, outstripping the Papuans, especially in district towns like Jayapura, which is immediately apparent in areas like shopping centres.

Michael Rumbiak's findings indicate that transmigration programs have led to impoverishment of locals. The local communities lost their traditional land rights, so where do the clans go? In transmigration regions such as Arso in Jayapura district, for example, the 1970 local population numbered no more than 1,000. By 2000 the Arso population had reached around 20,000 and Papuans became a marginalised minority. Transmigrants were more numerous and stronger, pushing Papuans into the barren hills.[25] Transmigration has led to the loss of traditional lands and forests where once local tribes used to hunt and gather food. There is no transfer of knowledge and technology to substitute for lost basic rights.

The government has taken no serious, sustained or expeditious measures to build and improve community socio-economic and cultural conditions in Papua. Many Papuans are still of low education or are illiterate but no concrete government efforts are made to improve education as a precondition of participation and access to available opportunities. In the Special Autonomy (*Otonomi Khusus--Otsus*) era, special policies are needed to provide free education from primary school to university for Papuans and scholarships for the gifted.

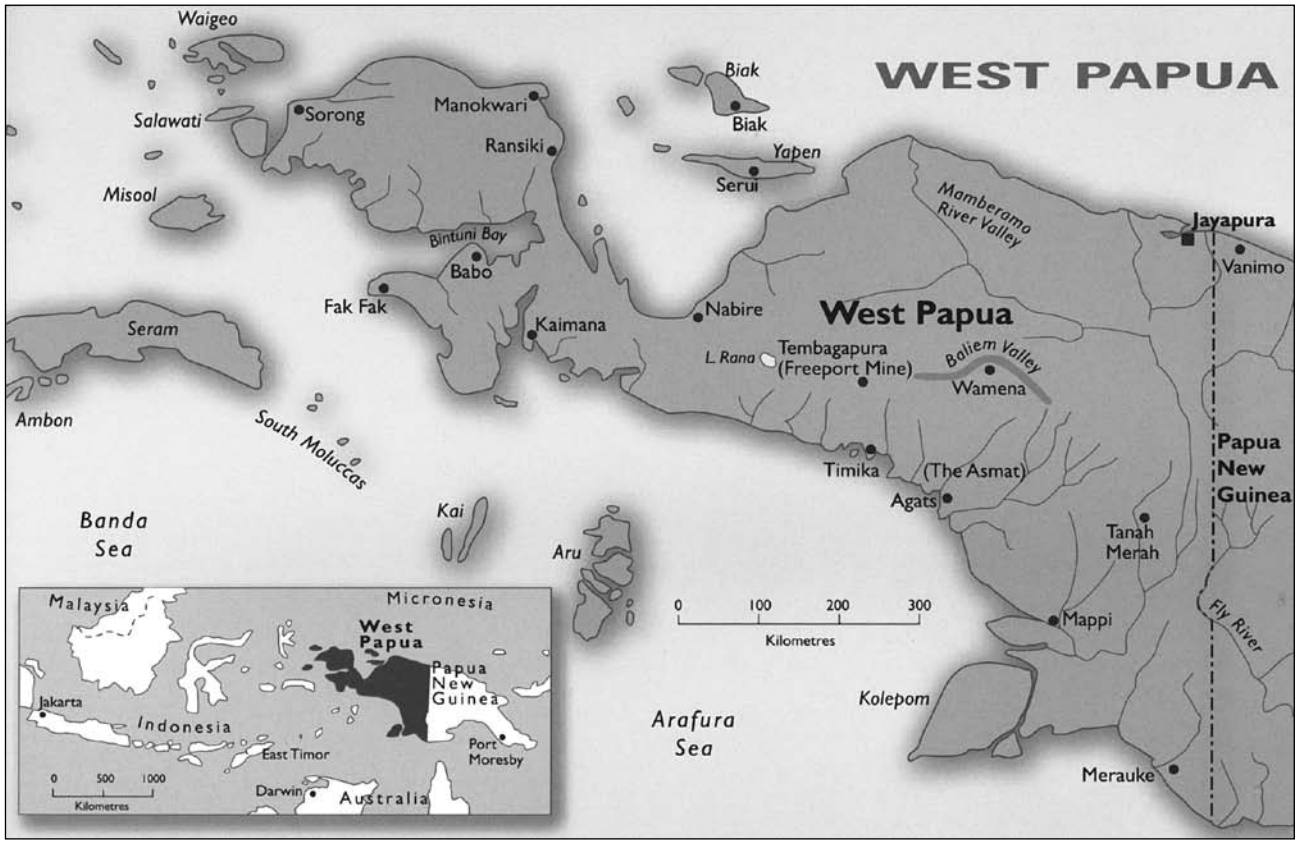
Low health standards – chronic malaria, upper respiratory tract infections, dysentery – contribute to a high rate of illness and death among Papuans. Local integrated health clinics are ineffective, under-equipped and lack trained staff. These clinics need to be upgraded to rural hospital status with trained staff and sophisticated equipment. Free treatment is needed for Papuans – better health policies were in place in the Dutch times.

Alcohol abuse is emerging as a serious health risk factor. Drunk men are very likely to engage in sexually risky behavior. Research conducted in Merauke in January – February 2005 shows Papuan men commonly have sexual relations with women who are infected. Michael Rumbiak believed that this will inevitably lead to depopulation and extinction of Papuans in the villages unless radical counter-measures are adopted.

25 Michael Rumbiak, *Dampak Pembangunan*

The government must undertake preventative health measures. Spontaneous migrants to Papua should bring a transfer letter from their area of origin and obtain permission to enter and stay in Papua from the Papuan government and traditional community. They should be healthy and prove themselves free from illnesses such as HIV/AIDS with a letter from a local health authority.

Migrants to Papua should have special skills and expertise as a development asset, not be a burden and unable to create their own work fields while wresting job opportunities in public and private sectors from Papuans. Migrants should have capital for investment in Papua. Papuans are presently unable to compete; work opportunities and positions are controlled by non-Papuans, putting Papuans in a weak position. There is an obvious need for local regulations to control the flow of migrants. Currently, with transmigration largely discredited, migration is mainly spontaneous, and completely unplanned and unregulated.



Map courtesy Norm Robinson, taken from West Papua, Follow the Morning Star *Prowling Tiger Press.*

A traditional Lani family grouping in the highland village of Wunin. The impact of military operations in this area has created a refugee crisis and led to scores of deaths, many from exposure and malnutrition, in 2004-5 as emergency aid is blocked.

5 Human Rights Abuses

The human rights situation has continued to deteriorate over the last two years. Particularly destructive have been the series of military operations which began in the Kiyawage area in 2003, then in the Puncak Jaya region in 2004/05 and since January 2005 in the Tolikara regency. According to the results of an investigation released by the Baptist Church of Papua in May 2005, military operations such as these have been cynically engineered by the TNI.[26]

Apart from the operations making large numbers of people homeless and leading to scores of deaths, the impacts have been exacerbated by poor delivery of aid to the refugee communities. Yet the siphoning off of Special Autonomy funds to the military to conduct these same operations, money that was targeted to help the communities through health and education projects, has made a tragic situation doubly evil.

> Special Autonomy funds are used for military operations. According to information I obtained in the field, the total amount is two and a half billion *rupiah*. The regional Government has announced that there's about 19 billion in funds that has been used for medicine and also for food. But the fact is people are starving and dying in the jungle. Where's the money going? [27]

The Baptist church reported that on 17 August 2004 Kopassus engineered a tense situation in Monia village, Tingginambut. On 17 September, Kopassus killed the Reverend Elisa Tabuni, a 40 year old male. He was found with his hands handcuffed together in a praying position. His son, Weties Tabuni, also a pastor, fled with his hands handcuffed after seeing his father shot by Kopassus. Weties was also shot and was wounded in the back of the head. [28]

On 7 October, a militia group under the TNI/Kopassus, the Wonda Marunggen group, with Anton Tabuni, shot and killed a primary teacher named Kius Wenda. On 13 October an unknown group shot six civilians. It is still unclear whether the information about the dead bodies is correct or not, because no family has yet said they've had a relative killed. Subsequently six school buildings were burnt down by Kopassus. These were the schools at Wonaluk, Yarumungun, Dondo, Yamo, Pagarugom, and Ambitmbit.

In addition, 371 homes of indigenous inhabitants have been burnt down by Kopassus. The number of refugees still taking refuge in the jungle as at end of 2004 was 6393. To compound the hardship of the Lani tribes who were made refugees by this operation, all the pigs owned by the community, valued as a form of currency when traded and an important food and source of protein, were loaded onto trucks and sold by Indonesian soldiers. The chickens were shot by the soldiers, the fences and gardens were smashed and burnt.

In Monia, soldiers have occupied a church building of the Indonesian Gospel Church as a post or living quarters for Indonesian soldiers carrying out the Puncak Jaya operation. A woman who wanted to return to her village was stripped and raped so returned to the refugee camp, a case reported by Baptist church officials.

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26 Socratez Yoman, *Systematic Genocide of the Peoples of West Papua under Special Autonomy*, Jayapura, 14 May 2005

27 Socratez Yoman, SBS TV *Dateline* interview, 16 March 2005

28 Socratez Yoman, *Systematic Genocide*

The TNI is behind numerous incidents which result in military operations, catastrophic to local communities. These incidents are used to justify the deployment of new troop reinforcements, which in turn lead to greater human rights abuses, reaction from aggrieved Papuans, then further militarization. A dangerous and destructive spiral is thus perpetuated.

In February 2005 the villages of Panaga, Bolobor and Wunin have been the scenes of destruction of property including schools and houses. According to local government sources Brimob and Kodam 10 are responsible for the arson. Local people are becoming increasingly radicalized and divided. 700 additional troops were recently deployed to thirteen new military posts in the central/western highlands. A further 15,000 Kostrad troops are being deployed to Papua beginning this year.[29]

Denial of human rights is also manifested through the government's development policies, or lack of them. In the area of economic, social and cultural rights, the Catholic Office for Justice and Peace (*Sekretariat Keadilan dan Perdamaian Keuskupan*--SKP) in Jayapura pointed out in February 2005 that Special Autonomy is not yet implemented at the grassroots level: "Special Autonomy that focuses on the fulfillment of the rights to health and education is still far from the people's hope. The health condition of the people continues to deteriorate due to the lack of health facilities, medicine and health officers to meet the peoples' need. We found such facts in Raja Ampat, Teluk Bintuni, Mimika, Mappi, Merauke, Boven Digul, Asmat, Nabire, Paniai, Puncak Jaya, Pegunungan Bintang and Jayawijaya", SKP reported.[30]

> SKP is an integral part of the ministry of the Catholic Church in the area of human rights and peace-building. This office operates in five dioceses in Papua, including the Archdiocese of Merauke, Diocese of Jayapura, Diocese Manokwari-Sorong, Diocese Agats-Asmat and, the youngest, Diocese Timika. SKPs work very closely with any party that puts major effort into building peace based on justice in Papua, including government officials, NGOs, women's groups, tribal leaders, students, political activists and others.

It is part of the SKP programme to provide an analysis of social-political development in Papua on a three monthly basis, providing a map of the human rights situation and highlighting issues that need particular attention. Their observation and analysis not only focus on political analysis as such but also on law enforcement, women's issues, children's issues, the dynamics of indigenous people and problems in the area of economic, social and cultural rights that have become major Papuan concerns.[31]

Together with ELSHAM (the Jayapura-based Institute for Human Rights Study and Advocacy) SKP is a leading institutional defender of the human rights of the Papuans.

Flag raisings

The importance of the Morning Star flag to Papuan society cannot be underestimated, and as a symbol of independence aspiration (*Aspirasi M* for *Merdeka)* it therefore remains feared, loathed and threatening to the Indonesian establishment. On the first of December each year people in villages and towns across Indonesia's province of Papua meet in secret or sometimes open locations. To the Papuan people the date has a deeply symbolic meaning. It was on December 1st in 1961 that the former colonial masters, the Dutch, effectively committed themselves to independence for the territory, then known as West New Guinea. The Morning Star was allowed to fly alongside the Dutch flag and the song, My Land of Papua, was adopted as the national anthem.

29 ibid

30 'Make Papua a Land of Peace', SKP Press Statement, Jayapura, 18 February, 2005

31 ibid

In a diplomatic victory for the US at the United Nations, sovereignty over the territory was given not to the Papuans but to the government of Indonesia which took power in 1963. In the intervening years at least 100,000 people have died under Indonesian control. Forty years later, the flying of the Morning Star flag remains outlawed.

Beyond being a symbolic act of defiance, such demonstrations serve to alert the international community to the plight of the Papuan people, for at stake here is their very survival. In December 2004, hundreds of young Papuan students took part in a demonstration that has landed several of them in gaol and facing a possible death penalty.
In May 2005, two of the organizers of the protest, Philep Karma and Yusak Pukage, were sentenced to 10 and 15 years respectively for their roles in organizing the demonstration. Yet footage of the event shows that there was police cooperation and involvement in staging the event.

Expressions of Papuan nationalism or resistance to environmental exploitation are brutally put down.

> You Indonesians can't just come and shoot us…you'll never find a peaceful ending in heaven! You listen to what we say! Don't come here with your law and your behaviour. You've got your own country – stay there! We Papuans never had such things happen here before! From Suharto to Megawati you have raped Papua's riches, killing our people, stealing from us like thieves. Rapists! You are raping us! You've done the lot and it's unaccounted for! All the help that people have given to Indonesia and all the things that you have done to us here, don't close your eyes! We all have our eyes and we can see! But what we can see in your eyes is you have no love, no compassion- you don't care about us! You understand or not? Even though we are uneducated we never had these kinds of things before! This is genocide! You are worse than anything I can describe with all the things you've done – killing and raping! We had a peaceful life before you came!

Video recording, female Papuan protester, flag raising, Trikora field, Jayapura, 1 December 2004

While peaceful dialogue is frequently called for by Papuan groups, the TNI has shown no willingness to forego security operations in order to achieve peace in the province, and the government of Indonesia has blocked attempts from Papuans to come to any form of negotiated settlement or dialogue mediated by a third party nation. Also, as noted above, TNI has repeatedly staged or provoked violent incidents which have led to widespread human rights abuses.

The case of Yustinus Murib was widely reported. In April of 2003, a cache of weapons was allegedly stolen by OPM members from a secure TNI storage facility. Subsequent investigations showed there had been complicity in the "theft" by members of the local security forces; however a massive military operation was launched to retrieve the missing 27 rifles which resulted in the displacement of thousands of Papuan villagers from their homes in the areas where the alleged perpetrator, Yustinus Murib, was located. In an investigation conducted in November 2003, the national human rights organization
Komnas HAM found that gross human rights violations had been committed. However, no follow up action has been taken by the Attorney General's Office.[32]

Murib seized an opportunity to appeal for a dialogue with Jakarta in late 2003 and pleaded for international intervention in the ethnic cleansing taking place in the highlands. His appeal was broadcast on Australian television (SBS *Dateline*, November 5 2004) and sent to the United Nations. But he was brutally executed in a *Kopassus* raid on November 4 that left eleven dead.[33] Petrus Tabuni, another OPM

32 *West Papua: A short briefing paper on some of the major events/incidents that occurred in West Papua in 2003,* AWPA-WP News, 6 February 2004

33 See *Jakarta Post*, 7 November 2003

leader, also pleaded for international dialogue in 2003 in a televised address. His calls remain unanswered and the whereabouts of his clan of several hundred men, women and children are unknown.

Additionally, human rights investigators remain threatened in doing the work they are employed to do. ELSHAM, for example, despite being internationally recognized as Papua's pre-eminent human rights investigative body, still reports harassment and intimidation. A recent case occurred at the December 1 flag-raising in Jayapura, when a human rights defender was taken into custody and assaulted for photographing the event.

Raising of the Morning Star flag, a symbol sacred amongst Papuans, is outlawed.

Petrus Tabuni inspects his troops. His call for dialogue and international support has been ignored.

See also:
Indonesia's 1969 Takeover of West Papua Not by "Free Choice" The National Security Archive, George Washington University, 2004 www.gwu.edu/%7Ensarchiv/NSAEBB/NSAEBB128/index.htm

Koordinator Jaringan Human Right Defender (HRD) Papua Dipukul Oleh Polisi dari Polsek Abepura, ELSHAM News Service, 1 December 2004

Laporan Tim Pencari Fakta, Peristiwa Kali Korimen- Kontuar – Lapangan Maskura Kimaam, Kecamatan Kimaam, Kabupaten Merauke- Papua, TPF – Kimaam, 2002

Data Identifikasi Korban Insden Desember Di Merauke, Mulai Tanggal, 04 November, 02 Desember 2000

Kasus Wamena Tunjukkan Lemanyah Perlindugan HAM di Papua, Sinar Haripan, June 23 & 24 2003

Kasus Puncak Jaya Murni Rekayasa Militer, Pdt. Socrates Sofyan Yoman, Elsham News Service, November 2004
Laporan Kasus Wunin Berdarah: Hasi Perjalanan Chru DeMMak – AMP Indonesia di Wilayah Logoboma, Kaiga, Bawi dan Wurineri Kec Wunin Kabupaten Tolikara, Jayawijaya, Papua Barat, Yogyakarta, February 2005

6 *Papuans Respond: the Customary Council timeline – and a warning to Jakarta*

For the Papuans, identity and recognition of their attachment to the land are fundamental to their sense of self-worth. To have an identity yet not be to able to express that identity remains a source of frustration within the Papuan community. In the Special Autonomy law's existing form the question of Papuan identity was not addressed.

The Traditional Council Congress held in Manokwari, 4 February 2005.

Each year seven areas or divisions of Papua, according to culture, are represented at the *Dewan Adat* (Tribal Council) Congress. It was held in Jayapura in 2002, in Biak in 2004, in Manokwari in 2005, and will be held in Fak Fak in 2006, Merauke in 2007, Wamena in 2008 and Paniai in 2009. The Tribal Council represents 253 tribes.

Reference was made to genocide in the statement by *Dewan Adat* in Manokwari in February 2005.
According to Beatus Tambaip of *Foker,* the Papuan NGO Cooperative Forum, the *Dewan Adat* cannot be denied – it covers the seven geographical areas of Papua. Tambaip believes the Manokwari declaration has provided a warning to the government 'Look at us and take notice of us, we have power'.[34] With a history of repression the Papuans know how to strategize, he believes. They have learned from the past that rebellion won't work, though unexpected situations can develop.
Beatus Tambaip believes the central government must have good intentions to help Papua catch up. If the goal is to help local people to prosper, the problem is that the local governments don't know how to manage programs or money, and there is no strategy to bring the money to the people and reduce social problems.

To make the people free, provide good education and health – that is independence. The central government needs a socio-cultural approach for Papuan development. Under the Autonomy Bill a lot of money is given to the Papuan government but this money goes back to Jakarta or outside Papua, via individual or institutional means. [35]

34 Interview, 16 February 2005

35 ibid

7 *A New Paradigm for Jakarta, and International Pressure*

Recommendations:

- Indonesia to immediately commence demilitarization of the Papuan highlands, ending military campaigns and human rights abuses, which have included extrajudicial killings, rape, torture, arson, destruction and theft of property.

- Indonesia to cancel plans to deploy 15,000 additional troops to Papua. Existing 'organic' troops should be transferred from military security operations against civilians to civil projects aimed at improving provincial infrastructure.

- An international agency (such as International Commission of Jurists or Transparency International) to investigate the operation and funding of the Special Autonomy Law in Papua, including allegations by the Baptist Church of Papua concerning misappropriation of Special Autonomy funds by the TNI.

- An independent commission to inquire into the operation and funding of the Special Autonomy Law.

- UNHCR to request immediate access to the Papuan highlands to assess the humanitarian needs of internally displaced persons who have been forced to flee their homes and villages as a result of TNI operations, especially in the Puncak Jaya region.

- Indonesia to grant access to UN mechanisms and international parliamentary and human rights delegations to report on the human rights situation in Papua.

- Indonesia to request international assistance in the investigation of crimes allegedly linked with pro-independence groups.

The Australian government can:

- provide assistance in many different ways to help indigenous Papuans, for example, AusAID scholarships for undergraduate or post-graduate study

- deliver a program to cater to the basic needs of indigenous people, particularly in primary education, vocational education and health. Such programs can be administered by church institutions or an independent institution financially controlled by the Australian government. Education may help solve the human resources problem in Papua, and change the Indonesian government's perspective

- request access for international election monitors in the forthcoming regional elections planned for the second half of 2005

- improve local development through education and health projects. Local budgets are affected by *korupsi*; education and health budgets have completely failed to meet the requirements of the *Otsus* law, with money for these projects given out in other ways. Such holes in the delivery of financial and humanitarian aid must be plugged

- provide administrative training and expertise to the provincial and local governments in Papua
- give appropriate consideration to applications for refugee status from Papuans traumatized or dislocated as a result of TNI operations
- resist pressure from Indonesia to "take sides"over the Papua question. International developments in relation to Papua may, as in 1998/99, leave Australia isolated in its support for Indonesian policy. Re-affirmations of support for "sovereignty" and "territorial integrity" can be interpreted in Jakarta as implicit support for repressive tactics to maintain control over Papua. Canberra may be better advised to remain at best, neutral, and let events on the international scene take their course. This may include revision of Australia's historical role in the conduct of the "Act of Free Choice" (see Appendices)
- explore the possibilities of a review of the discredited "Act of Free Choice" of 1969 and an acknowledgement of Australian duplicity in the detention of Clemens Runaweri and Wim Zongganao on Manus Island during the crucial months of June – July 1969
- support efforts to pursue peaceful dialogue on Papua at the international level. This could be undertaken at the Pacific Islands Forum in October 2005 and in the proposed revamped UN Human Rights Commission.

Further Reading

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Indonesian Human Rights Abuses in West Papua: Application of the Law of Genocide to the History of Indonesian Control, Lowenstein International Human Rights Clinic, Yale Law School, November 2003

Violence and Political Impasse in Papua, Human Rights Watch (HRW), July 2001

"Merdeka!" The organisers of this student demonstration in Jayapura on December 1, 2004, Philip Karma and Yusak Pukage, were sentenced to 15 and 10 years jail in May.

Abuses against peaceful demonstrators during the 1 December 2004 flag raising at Trikora field in Jayapura: a montage produced by human rights monitors from ELSHAM.

Police listen to a woman berating them prior to moving in to disperse the protest.

Isai Imbir, 28 years old, died as a result of an assault conducted by security forces in the Abepura student hostels.

A woman shouts defiantly at police, "Don't come here with your law and behaviour. You've got your own country - stay there! You have raped Papua's riches, killing our people, stealing from us like thieves. Rapists!"

Demographic disaster. Unrestricted migration from Java and Sulawesi is threatening to make Papuans a minority in their own land. Economic advancement overwhelmingly favors the non-Papuan community.

A new mosque in Merauke on Papua's southern coast and bordering PNG. The Muslim population now predominates in this and other large Papuan towns.

Muslim migrants dominate the local economy. Sorong is now a major disembarkation port from Java and Sulawesi.

A wanted poster of Asia's most notorious terrorists in the lobby of a Merauke hotel.

Daniel , a 24 year old student, was beaten by security forces during a sweep of Jayapura university dormitories in December 2000.

Eight of the Javanese prostitutes filmed in February 2005 at this illegal brothel in Merauke were HIV positive. Papua now has Indonesia's highest rates of HIV infection.

Young and poor, these Papuan customers at one of Merauke's illegal brothels remain ignorant of the threat posed by HIV/AIDS.

A 40 year old mother suffering from AIDS. Her husband had visited prostitutes in a Jayapura brothel and had no understanding of his illness.

Elipanus , a 24 year old theology student, was severely beaten up by police at his student boarding house in Jayapura, 7 December 2000.

John Rumbiak, the internationally respected human rights defender, forced to flee his homeland after receiving a series of death threats.

Wunin's only school, as filmed in the 1990s.

Victim of military operation in Mulia, early 2005.

Arson is a military routine in the Papuan highlands. Wunin's school was destroyed in February 2005.

Refugees, victims of the 2004-5 military operations in the Papuan highlands, huddle in a clearing.

23 year old Peneas Lokmbere a victim of security force brutality.

An elderly man killed by Indonesian soldiers in Wunin village, January 2005.

Petrus Tabuni, a highland Free Papua Movement leader, has led his followers for decades in their struggle for an independent homeland.

Petrus Tabuni called for UN intervention, international attention to the Papuan issue and peaceful dialogue in late 2003.

Members of Petrus Tabuni's OPM clan on parade.

Plans to deploy 15,000 additional troops into Papua have raised tension and the fear level amongst the indigenous community.

Jonny Karunggu, an 18 year old student at Jayapura's School of Economics, died in police custody December 7th, 2000.

In February 2005, Manokwari saw a display of indigenous pride and Christian unity. Representatives of Papua's 250 tribes gathered to remember the arrival of the first missionaries and to call for a better deal from Jakarta.

Thousands gathered in Manokwari, the birthplace of New Guinea Christianity in 1855, to send Jakarta a powerful message.

Tom Beanal, Chairman of Papua's Traditional Council, greeted by thousands at Manokwari's 4 February 2005 rally.

Papua's religious leaders gathered in Manokwari to remember the coming of Ottow and Geisler, the first German missionaries, 150 years ago.

Indonesian intelligence was pervasive at the Manokwari celebrations in February 2005.

Daniel Ramar, 45 years old, who died in police custody in Manokwari in 2002.

Normally lively children appear lifeless and traumatized in highland refugee settlements.

"Internally displaced persons". A father and son who fled their village in Puncak Jaya regency after Kopassus troops destroyed hundreds of homes, January, 2005.

Tailings disaster. Environmental pollution caused by the joint US/UK-owned Freeport copper and gold mine. Polluted rivers have long been a source of anger for indigenous Papuans.

This 18 year old girl was injured in a security force crackdown in the student hostels of Abepura.

Acts of military barbarity can be horrifying. Easy access to high-powered weaponry and undisciplined security force members are a lethal combination.

Yustinus Murib appealing for dialogue with the Indonesian president and the international community, Kiyawage village. He was executed a few days later.

Members of Yustinus Murib's OPM "clan", Kiyawage village, October 2003.

Atrocity on display. The corpse of OPM leader Yustinus Murib displayed by Indonesian troops, 5 November 2003.

Indonesian forces launched a deadly raid against Murib's followers on 5 November 2003, which left ten dead.

Wellem Manimwarba was critically injured by security forces during a crackdown on alleged independence supporters in the highlands.

Appendices

A) Interview Transcripts

Simon Morin, national parliamentarian

Laskar Jihad infiltrator

Eyewitness to Puncak Jaya / Mulia refugee situation

Victim of Wasior human rights abuses case

Mama Yosepha Alomang, founder of the group HAMAK, dedicated to human rights, environmentalism, and traditional culture

Ferdinanda Ibo Atipai, Manokwari delegate to *Kongres Papua 2000*

The Reverend Herman Awom, Deputy Chairman of the Evangelical Church (GKI) in Papua

Lena, HIV counselor, Merauke

Tom Beanal, Chairman, Papuan Customary Council; Vice/Acting Chairman, Papua Presidium Council

Simon Morin, Jakarta, 19 February, 2005

On the role of other countries in Papua's development:

Papua needs a kind of design for how to develop the province. We need support for how to improve the local government systems, so that they can work, and how to implement the Special Autonomy Law, with its shortcomings. I think if the government is serious, then they have to support the implementation of the Special Autonomy Law. There are many substantive issues in the law that are not yet implemented – how to improve education, how to improve health care, how to improve the government, to improve the system, to control the implementation of the law. So there are many things that must be done in the province, based on the special autonomy law, and (until now), I think Jakarta needs to be more serious, [so] that we will build Papua to be more democratic, more human, in the future.

Can Australia play a part in Papua's development, for example by providing training in health, or advising local governments?

Yes. That's why I think Jakarta must be more open, to invite the support or advice of countries that have more experience in developing areas like Papua. So Papua must be more open, not treated as an isolated province, or treated as a dangerous province. If it's like this, then why must Papua be a part of Indonesia to face a fate like this? Jakarta must treat Papua as a normal Indonesian province. Jakarta must say 'I need support', maybe from a country that has experience in how to improve local government, how to empower local government; maybe the Dutch government, which knows how it designed the local government in Papua in the past. Maybe they can come to Papua and share their experience of how they developed the local government in this province, for example, or other countries.

I think if Jakarta has good intentions to develop Papua, it must make every effort that it can, to support and to develop this province. Not leave it like it is, without clear policies and always changing its policies on Papua.

And I think it is time to finish the heavy security approach in the province. They have to think about new approaches that can give a chance to the Papuan people to develop themselves. Then, at last, at the end of the day, the people of Papua can say 'Jakarta trusts us to develop ourselves, assists us to develop ourselves.'

I think this is the way we get a strong nation. We cannot build a strong nation using guns, putting guns at the back of people. We must develop the people, to make them feel that they are a part of this nation, to hear them say that, at a time of happiness, at a time of sorrow, we are always together as a big nation. What happened in Aceh – everybody in the whole nation was united over this disaster, even though this province suffered for a long time.

I think this is also a lesson for the Indonesian people, for this big nation, to think about provinces like Papua. To end all those policies that created suffering of the people, they must come up with a new concept that gives faith to the people that we have a bright future.

We cannot only accuse people: 'You are separatists – we need military there'. I think this is an old paradigm – we have to stop it. We must come up with a new paradigm.

Is Jakarta accepting your sentiments? Does Jakarta agree with you?

I have a high expectation of this new government. I hope that Bambang Yudhoyono, with a new government, with a good education and people who will listen, will be a leader who will listen. I hope that, even though we cannot change everything in one night. But to keep faith in Bambang Yudhoyono and his new government, there must be changes. If not, then Papua is the part that legitimates the role of the military. Then what for? I think the military also wants to sleep with their families. Or do other jobs than to stay in the jungle far from their families. We must have a dream that one day the military will be doing civic missions to develop the villages, working side by side with the people, to build the nation. So their power must be channeled to doing development activities. We have to train military officials to have new ideas.

We have to train the generals: if they have certain capabilities send them to good universities abroad, so they have new ideas for how they can participate in developing this nation. That's what Singapore has done; they sent some military officials to Harvard University, to Massachusetts Institute of Technology and other universities. They came back and they have new ideas. I think this is what the American military also can think about. How to train good people in the military, to equip them with big ideas for how to develop the people. We have already left the Cold War era. We are already facing a new era, even though there are problems, but we hope the role of the military will also change.

On re-engagement of the US military with the Indonesian military:

This kind of cooperation between the two nations should include training to come up with new ideas, not only training how to use military equipment. The sort of training related to how to be involved in development because the military in Indonesia still has a strong position to influence the decisions of the government. So in this kind of position we need changes – we have to educate to give a chance to the high level officers, and the middle level also, to get education, not only military education, but civilian education also, to equip them with new ideas.

Reconciliation – what does that mean to you?

We hope that reconciliation will be an important issue. There are conflicts that happen in certain parts of Indonesia, including Papua. Maybe reconciliation is not only between people and people. Maybe reconciliation is also between the military and the people. But I don't know if we can come up with this kind of idea, where the military says: 'We had the wrong approach in the past, or our approach in the past created many problems, or made you suffer. So let's talk about what we can do together, to improve what happened in the past. To heal the wounds caused by our old, past approach.' But if we suggest it to the military they will feel like, 'Oh, I'm in the wrong position. It means that I have to come to the people to say to them I did wrong things in the past.' I think the military can say, 'I did my job based on what the government's policies were.'

So I think the initiative must come from the central government, and we can start with dialogues and based on these dialogues we can continue reconciliation. So dialogue is very important if we want to talk about reconciliation. Reconciliation about what? Let us talk, so the people can say, 'We were hurt by this and this, and you never acknowledged what you have done.'

The government, in the stronger position, must be the partner that must first give his hand to the weaker partner. And then let us sit together.

On the level of migration from other Indonesian provinces to Papua:

In Law 21 there is a paragraph which says the inflow of immigration must be controlled. For example, if there are new jobs in Papua, and there are many people coming from other provinces, they are well prepared; they arrive and they get the jobs. So it will create, if it is not controlled, unemployment. [As migrants] from other provinces flow to Papua, and they take all the opportunities, then the Papuan people are not prepared for that. There are no programs to prepare the people to compete. This is not something that is under control. The government says 'Indonesia is an open space for anybody, for any Indonesian, if you want to go to Papua, or live in Aceh.' That's why we hope that through this law there must be a kind of control, [otherwise] it will create a situation where Papuans are a minority in their own lands. But if we talk about these issues, then the government will say,'there's no need to be afraid of being a minority in this country, we have laws to protect you'.

But this is related to many aspects of the life of the Papuan, related to their land, related to them feeling secure in their surroundings. For example, with the transmigration program, the government prepared the best land for the transmigrants. Then the Papuan people have no land. So we must protect it for future generations. There aren't any government policies to protect the rights of the Papuan people, to secure their future.

These are what I can call 'hidden threats' for the Papuan people. A part of Papua consists of highlands, mountainous areas that cannot be used for agriculture. Then they lose that (good) land for the sake of transmigration. So in the cities and towns they have to compete with migrants who are more prepared to take over the opportunities. This is what we call a 'silent takeover' of all the possibilities to create a good living.

People afraid of these 'hidden threats' – do they have an opportunity to express how they feel?

There are no kinds of studies related to what will happen in the future, if there is a kind of shift in the composition of the population, related to the political aspirations of the people of Papua. One day when they become the minority, and one wants to be a member of parliament, they will have lost that opportunity, because it is based on who gets the biggest number of votes. So it's related to politics, it's related to economics, it's related to religion. Maybe they will lose their culture, they will lose their land, everything.

A Laskar Jihad infiltrator

Interview, Jayapura, 11 February 2005

I met Haji Aham in Sorong, he arrived with Laskar Jihad troops from Babo archipelago and Seram. They came here to do training at the Mujahadin mosque in Sorong, Boswesen village.Because I could speak Javanese, I got to know Haji Aham. It happened that he was leader and was referred to as the Amir. He organised all the Laskar Jihad troops, which were known as the liberation *lascar* (troops). They arrived on board the Sinta.

Because I spoke good Javanese he invited me to go the mosque with them. I was called Jundi because that's what they call LJ members without rank. We were taught how to estimate the strength of the religious communities in Sorong at places of worship, Christian and others. We were also taught to observe where the Christian neighbourhoods were in Sorong. We did this monitoring in a number of neighbourhoods in Sorong.

Haji Asan told me he had carried out the Laskar Jihad defence in Ambon and Maluku, after the religious war there. He told me Christians in Maluku always insulted Muslims. It was Haji Asan's responsibility, as a Laskar Jihad member in that area, to defend Muslims who were being threatened. I asked him what his task was in Sorong. He told me it was to educate and train new LJ members like myself, who as yet had no rank, about the truth of Islam and Mohammed. The truth of Islam had to be realised so we had to wage *Jihad* against those who wanted to destroy Islam, whether that be people or places of worship. If Muslims wanted to build a mosque and others tried to stop them it was our responsibility.

Ranks: *Imam* is commander, who is in control of a number of provinces. *Wali* is in charge of a province, known as an area commander. Qoit is a troop commander operating at the municipal level. *Amir*, then *Rois*...the rank of the troops at village level.

We trained from 5 til 10 pm in the mosque. I learnt how I could overcome my worldly appetites. Muslims shouldn't be influenced by other religious communities. They told me the role of Laskar Jihad in Sorong…to prevent disasters caused by other people.

Laskar Jihad carried out *Akhbar* activity in Manokwari in June. There was a meeting of Islamic youth from each district. The organization…,Laskar Jihad, had various branches. The widest umbrella organization was the Al Qaeda network. Haji Achmad once said in the Mujahadin mosque that all the activities of the LJ network in Sorong were reported to Al Qaeda. He didn't call it a network he just called it Al Qaeda.

I managed to steal a list of the names and addresses of Al Qaeda members spread across Indonesia. In Ambon, it's….In Balikpapan, its…in East Java, it's ... in central Jakarta it's…, in Jayapura it's …and in Sorong it's …These are Al Qaeda members in towns throughout Indonesia including Papua. (Names withheld).

[The teachings] gave me a deeper understanding of liberation *jihad*, the war against animal appetites of those who have no faith, and how to save other people who are threatened.

Mr Sajat, who was a member of the Liberation Laskar Jihad from Makassar, taught me how to be prepared to die for the truth of Islam. The second thing is to defend truth with no self interest and you have to be prepared to spread the teachings of Islam.

The sorts of activities Laskar Jihad were involved in in Sorong were firstly, intimidating and killing Papuans who were involved in the OPM, and secondly, spreading rumours in various places, to create fear.

They spread rumours in a particular place so the inhabitants would become frightened. They spread

rumours concerning religious matters so as to spark religious conflict. Lastly, LJ members are obliged to burn down churches. The work program mentioned by Mr Samsujar, the work that had to be carried out, was the slaughter of Papuans, or the Papuan people. Those who did not follow rules were….

See also:
Kesaksian Seorang Aktivis Bersama Laskar Jihad

Eyewitness to Puncak Jaya / Mulia refugee situation

Interviews, Monia, 10 January 2005

(Audio--from recording): 'Some have malaria, they are living on cliffs above the river, in tents. Some of them are sick and the people there want to come here because they are traumatized.' (Women crying) 'This shouldn't have happened. (Crying) It wouldn't have happened if they hadn't come here.' (Repeated).

Male eyewitness testimony in Mulia: 'There are army posts in Monia, Guragenikime …and Remuli. They (the military) should all withdraw. The people are frightened. If they leave, and it's peaceful, then the people will all go back to their usual places. They will come out of the jungle. They will come in by themselves.

Right now, volunteers are coming here and giving us aid, but the government hasn't given us anything. What can we do? This is proof the government doesn't care about us and the out side world will see. Why is the government not concerned about the suffering? They say there is all this money available but we haven't seen any of it! Who is getting the money?

When the NGOs came, you gathered quickly. They came here on their own initiative to help us. They came here with potatoes. This is the fact. It is dangerous if this situation is broadcast publicly internationally. Everybody will know, in Papua and outside, internationally. The refugees have had to evacuate their villages and came here to this district but they are suffering."

Male volunteer. 'This woman is a member of the provincial parliament. We came here to know what happened and what is being done by the government and parliament for the refugees. After we return to Jayapura, we will report to the parliament.'

'We respect you. Now you have seen for yourself. No local parliament people have come here. They are not concerned. For organizing this aid, bupatis said the church leaders say about food medicine aid and assistance. We hear the rice aid from through the governor through the *bupati* is one thousand tonnes. We hear about that but we did not receive it. We don't know where it is.

You've seen all this for yourself. We are crying in our hearts, but God knows best.

The refugees arrived here … they left the place the incident occurred on 18th and 19th October and arrived here on the 20th. Food arrived on the 20th and kept coming through November. But by 20th December, we'd distributed it all, it was finished. From 21 December 2004 to now there's been no rice or foodstuffs in the camp.'

Male volunteer: 'Has anyone come to see you refugees?'

'For some time after the incident, the district head did come here. But now he's not visiting. He hasn't been monitoring the lack of food. No-one from parliament has been here. From the time the refugees came in, no-one from the DPR has come here. We've been handling all the food that's come in. Me and

Jason Wenda. And at the moment there's no food, no aid. So from the 21st until now, the people haven't eaten. We want to go back, but because of the situation, we haven't gone back. There might be rice here, or in Wamena. We hear the governor has sent tons of rice, but it hasn't arrived here.

They're at the foot of the mountains and in the jungle and they haven't gone back to their homes, over 6000. They are dying there because there's no medicine, and it's hard to get treatment.'

A victim of Wasior human rights abuse case

Interview, Manokwari, 6 February 2005

My involvement in the Wasior case is that, according to an operational document issued by the police, I am on the wanted list and must be "disappeared".

But I am still alive because of God's protection. My older brother and I and some friends were fighting in Wandama to defend the rights of our traditional society, which since the Indonesian government entered Wandama, has had its rights violated by the Indonesian government, which has continued until the present day.

So we tried to form a traditional organization, which we called the Wandama Traditional Community Alliance. The aim is to protect and defend our traditional society, especially our culture. But the government regarded our organisation as being a "separatist" group. So we were pursued and a number of people, on the staff of the organisation were to be killed.

The government's understanding of this *Dewan Adat* group was that it was a separatist group which wanted to oppose the government. But if the government had looked at it in a better light they would have seen the organisation was a voice of the people. Because the individuals who demand their rights are sure to be threatened or tortured. In Wandama the government never respected the rights of the community there. A number of investors who went into the area were all under government control. Without taking into account the rights of the traditional community and it's that prolonged history of violations which resulted in the Wasior case.

The Wasior case was not really political, it was purely about people's rights. Because people were demanding that their rights be heeded. But that's not what happened. Which meant that the people were forced to act. The end result of this resistance was the slaughter of community members there. As a lay person, I don't really know what the truth of the matter is; were the people wrong or was it the government? Whose fault was it that people who were demanding their rights became victims, some of them were tortured, or even raped.

We the traditional community of Wandama are no longer able to bear this suffering. We don't know when, or who, will come to liberate us from this suffering.

We the people of Wandama refuse to accept special autonomy because so many of us have become victims. We want independence now. We can't stand living under Indonesia any longer. For us, Indonesia is not a government, it is a colonizer. So we can't stand living with Indonesia anymore. Because since we've been under the Indonesians there's been only suffering. We indigenous people are poor in our own land. We don't know if we'll see any results or not; we don't know if we are stupid or not. There are many Papuan graduates and doctors but we are still poor in our own land. We hope the Dutch, US and UN won't turn a blind eye to the protracted suffering of the Papuan people.

Mama Yosepha Alomang

Interview, Jayapura, 14 February 2005

How should Papua be?

We should be treated as people abroad are, not be seen as thieves, threatened, intimidated, chased. We should be treated as other humans, allowed to live in safety, just like other people. That's what I want for our lives, to be very peaceful, to solve the problem [of Papua] peacefully.

Can you explain to us what you mean by 'the problem'?

The problem for us Papuans who want independence is the Indonesians regard us as thieves, wanting to steal people's goods, but I say, we're not thieves, we've got rights. Indonesia's got rights – it's already got its independence: like white skinned people in the US, in Holland and other countries, they've already got their independence. As for the independence of Papua…we should be able to sit together with the Indonesians, the Dutch, the Americans and resolve the problem of Papuan independence.

We have our traditions, it isn't killing; killing doesn't resolve the problems. Why keep on killing people, don't try to keep on killing Papuan people and then try to pay money for compensation, pay and pay while still killing Papuan people, swapping money and women. Indonesians keep on killing us; they think if they keep on paying us things will be OK. After killing you pay. Money, money, money and keep on killing Papuan people.

So Indonesians try to solve the problem by exchanging women and food, buying us off with all kind of things until Papua is finished. We don't want Indonesia to own Papua's wealth. Let's not have Indonesians solve our problems by having Indonesia buy us off.

It would be better if together we sit down and talk together to resolve it, with the church, the UN, the Pope, the traditional society, the government, everybody to resolve this Papuan problem. Don't let the Americans and the Indonesians say, "We have solved it", we have to be included. I'm talking about land, about people being killed. We'll talk, we have to resolve it peacefully.

We women have rights. Because Papua needs to be peaceful. There's no other path – we have to solve it. We don't want killings. We don't want any more problems with the police …we have to be able to resolve it.

As a woman, and winner of the Goldman environment prize, what hopes do you have for Papua and its people?

As a woman, I didn't go to school or receive an education. I'm a very simple person. But I see the world, I see the church, NGOs and I know that I have got rights. Papuans and non-Papuans, my hope is that everyone doesn't face each other as enemies. For the development of Papua, I got the environment prize. I've got my hopes for Papua. Papua should not be a land of killings, not a land where one person is an enemy of another, people should see each other as humans and live in peace.

So my only goal is that people in the Land of Papua live in peace.

What are your hopes for Papua?

My hope as a woman [is for] the men who are struggling for the land of Papua, like Reverend Awom. Let's not have cases like Yustinus Murib, who came out of the jungle as a corpse..Let's not have that happen to Titus Murib, Kelly Kwalik, Thadeus Yogi, let's not let the same things happen to them.

I very much regret as a woman who won a major award in 2002, that for years and years until 2005, in this whole time, although it's given me hopes, there is not peace in Papua yet. It used to be with bombs, but

now, with soft means, they try to buy us off, with women, through food, drink and so on.
With my dignity and self worth as a woman, I have had to use up all my hopes for these matters. I've got hope that it will be used for these matters – these people will sit down with the police and the Dutch to solve the problem, to have a dialogue. Don't take it abroad – do it here in Papua.

My hope is that this problem can be resolved through dialogue; we have to solve the problem here in Papua. My second hope is that we have to sit down with the army, the police…we have to sit down and talk. Don't let the Indonesian army and police do it. We have to sit down together. When do they want to sit down with the government, church, and [groups like] ELSHAM, to resolve this problem?

We have a debt to the world. NGOs, ELSHAM, PDP, we are still burdened very much. My hope is in one word – it has to be resolved. Colleagues or friends from the guerillas, friends from NGOs abroad, US, Australia, Holland, Germany, they have to see us as independent again. When? Time is going by. I'm old…I don't want to die blind like Yogi, Awom, Abnam. All these people from the struggle have disappeared from food and drink. So now for those who are left we have to be given time for dialogue.

How do you see the solution for the Papua case. Must it be done by Papuans themselves or the international community?

My thought is it's not possible that a small war can be resolved by Papua with Indonesia. This is a war between countries. The problem has to be resolved by the world. The people of the world have to resolve the problem. It's a problem for everyone. We have to sit down together with people of the world. That's my only thought. [You] can't do it just between Indonesia and Papua.

Ferdinanda Ibo Atipai

Interview, Manokwari, 7 February 2005

I come from Paniai but have lived about 40 years in Manokwari. When I went to school in 1961, we were entrusted to raise the flag in Jayapura. In 1961 I was involved in the main raising of the Morning Star flag in this province. Looking at the politics of Papua, it started with us students.

At the demonstration in 1962 I had a letter that said we reject Indonesia. I held a piece of paper which said, 'We sell Sukarno for 5 cents'. In 1969 I witnessed Pepera [the Act of Free Choice], it was only about 200m away from where I lived in Manokwari, so we know about the issue.

It was guarded strictly. We weren't allowed to go inside, to witness Pepera. But we were able to follow it. It was done with incredible force. They were trying to give letters to journalists, to Ortiz Sanz from the UN, but they were taken away. Maybe killed, because we never saw them again.

After that the flags and everything we had, they took them away and massacred people. So we weren't able to keep anything, because if we had kept anything we would have been taken. We would have been detained or raped, because women were raped. The husband would be taken and the woman would be raped. That's what we saw. Up to now, from 1969, we have been involved since we were students to the present.

There was torture, intimidation, and women were being raped. In 1999 there was information so we joined up in Jayapura to face President Habibie. It was called Team100. The killing was still going on and we said we wanted to leave the Unitary State of the Republic of Indonesia. At that time Habibie said he would go back and think it over. Mr Habibie said to us to go home and think it over. Up until now, it's been thought over. We were happy with Gus Dur. We formed an organisation, the Solidarity Association of the Women of Papua. I was appointed as the chairperson in Manokwari.

I participated in the Mubes [*Musyawarh Besar*—Grand Consultation] in [Jayapura in February] 2000--in the Women's Solidarity Organisation, and in a panel of all regencies. I was Deputy Chair for Manokwari. After that I was elected for this aspiration to go to Jakarta for the district representative council to represent Papua and now I've retired from Jakarta.

At the time of the second big congress [Congress Papua] in [May/June] 2000, we formed a big panel, of which I was chair, and we have made progress.[36] We are struggling as that is the true way to go, so in that spirit we will progress. Until now we keep on struggling for it. The other day there was an election. I was entrusted to sit in the local parliament. I am happy that I can put across our history like this. Still a lot of people are being killed...

At one point there was a meeting with the Home Affairs Minister. We put that [history] across although there were Papuan people who were against me. But I was elected, even though there were Papuans who prohibited me… I put across the history, I called upon Holland, who knew the history as the former colonial power. They handed us over to Indonesia and US, without the Papuans knowing it.

Also at the time of Pepera, that incorrect result: if they look at that they can see they deceived us, they didn't uphold the truth… The result was a lot of Papuans died. There are many widows, many orphans, many who couldn't go to school. This is the result of the untruth of the Dutch and of the UN implementing Pepera.

It was extraodinary, it's not just people dying, but people have been suffering all their lives because of it. So we are calling upon Holland and the UN to have a good look at this. We call upon those who treated us in that way. Perhaps even they would need to say they did the wrong thing. America, if possible-- they have to say they were wrong in this matter. So it's not just to Indonesia or a particular person they must talk but to God: they must be responsible, in his eyes.

The other day [February 4] at the customary council meeting there were 11 points put forward. Countries like Australia must be concerned and care about us; we actually have already heard that Australians won't just keep quiet, they are paying attention and we are very grateful. This is not yet finished. They'll keep helping and looking and with the 11 points it could be really good for Papua. If people don't pay heed to them the killings will be repeated. And I think Papuans will then be finished. But I am sure God will not close his eyes to us, he will be watching us.

I'm in the DPD, Jakarta, but usually we work there a month then come back. They brought the Assue case to us. The army took women who had HIV/AIDS and exchanged them for *Gaharu*. People there were simple people. They wanted to destroy us. They took *Gaharu* in exchange for these women. The Church brothers found out, but at night the army came and intimidated them.

They asked for the district head's help, and this was put to the local government, down to villages. Because apart from introducing HIV, it was their intention to kill. It got to the police and head of regional parliament. We took it to Jakarta, but they handed it back to the provincial government to handle-- that they have to get rid of the individuals responsible. There is no one who can do this because it's so remote, so they can do what they want! They have to expel those in the security apparatus, [including] the district police head. I went there to the district police head to struggle over this matter.

There was also a demonstration about the Puncak Jaya case. At the demonstration, they said it was OPM, because taking goods is usually [done by] the army or apparatus which guards the carrying of goods...So we called for a special team to be created, because we from the regional parliament went there. The root cause was …it was engineered or manipulated with the apparatus so there were killings of two pastors....

36 Congress Papua 2000 elected the current leadership of the Papua Presidium Council [*Presidium Dewan Papua*—PDP].

So what made us angry was they killed him [?] and said, 'he's just a shepherd'. But they were servants of God! We took that case to Jakarta to be discussed, and we hoped that the [National] Human Rights Commission would have a look at it, but until now it has not been finalized. We hope the Human Rights Commission can act. We have to keep on talking about it, but big cases like Theys Eluay's murder, until this one, still have not been discussed. So what chance for a small one like this? Hopefully with the team that was formed on the 10th January, we will try to resolve it, as well as Wamena and Wasior and so on.

A new issue I heard about was that there was an incident in January. In Kabupaten Mimika, the government wants to create a new district on the top of the region of Timika. The person who owns it demanded payment. The person who has that land is demanding payment loudly and so the apparatus came along and killed that person, beat him to death, and others were beaten and taken away. This need to be investigated by the Provincial Komnas HAM, established on 10 January this year.

So in my opinion, whenever they want to kill, they do it as they would to domestic animals. They just kill whenever they want to. And we don't know when next they will come along and kill us, anytime, if this matter is not quickly dealt with. They're not afraid of God. They don't think that Papuans are God's creatures.

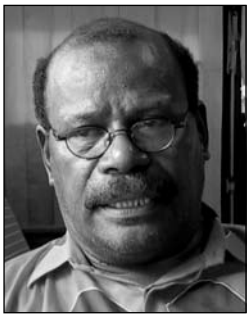
So help is very much needed. For this issue, Australians, Papuans to see this issue because Australians feel sorry for Papuans that we are also God's creatures and we ask for help from anyone. From friendly countries which are close to we Papuans.

Indonesia does not want us Papuans because they keep on killing us from day to day, so those of us who talk about that, they chase us to intimidate us, up until today. So we are like domestic animals waiting for the time to be killed. So the US and Holland are looking at us, and our neighbours, Australia, because we are in a very different situation – East Timor, the international community, Europe, whoever, they have to help us.

Reverend Herman Awom

Interview, Jayapura, 15 February 2005

There is a way out….a peaceful way in accordance with the tradition of Papuan people, whether that be a referendum [or not], and that is our hope. The Government of Holland has written about the wrongs…so we have to look at it from each side. The US also has an interest in Papua, so if truth is on our side we will have a referendum in accord with the wishes of the people of Papua, in accord with existing regulations.



My incarceration period…our experience was not the same as those detained in 1965 and during the 1980s. My detention was not so violent. We were not beaten, we were not treated violently or roughly like those in the past. We knew that we would win because what we had done was with the blessing of the President, police, governor, so we were able to do all that, but what was interesting was the application of the law towards the military authorities...

Hopes for the future of West Papua

Myself as leader of the synod of Papua, we see the future of Papua having good relations with Indonesia and big countries. We look at the interests of the superpower countries which have such good relations with Indonesia, even though the natural resources of Papua make people very dependent. The business and economics make people dependent. We have hopes in [the book to be released by] Professor Drooglever [in Holland] in March.

People say, 'We will be independent, righting the mistakes of the past.' [Others say] Indonesia is so strong, it is not possible that they will release Papua, with all their military strength, with their lies and manipulation, it is not possible. I think they will divide Papua into parts. Now there is a new God. In the

time of Suharto, God was called *Pancasila*. After *Reformasi* and East Timor became free, the Unitary State of the Republic of Indonesia became God, which overtook everything…It's a god which can finish off anybody, so they won't be able to follow East Timor.

God created us, [but] hundreds of thousands of Papuans have been massacred and our rights have been taken by those from outside and the migrants from outside, so our hope is that there will be some sort of divine intervention by God. Because from the point of military strength it's impossible: the more we struggle the more we will be finished off. It is my divine hope God will give us our liberation, our freedom.

In accordance with God's method, our freedom will come as he sees fit. Papuans will be united and moving towards a better future. Politically we have paid a heavy price. God will give it back but we don't know when.

Lena: HIV/Aids Counsellor

Interview, Merauke, 14 February 2005

[Her T shirt says: "Who's afraid of HIV testing?"]

My name is Lena. I work for an NGO in Merauke as a counsellor with people who come for voluntary HIV tests. I work in the prevention area, counseling of HIV/AIDS victims, including commercial sex workers, *localisasi prostitusi*, outside the normal areas of prostitutes, including people from outside.

So far, to November 2004, there were 688 cases in Merauke regency. Papuans make up 90% of the infected cases. As a proportion there are more Papuans than arrivals from other places. It is being spread two ways, mostly through sex. As a result of counselling, the reproductive health centre sees many clients [and] 99% of their cases are from sexual relations.

Testing: We've been having a public awareness campaign for voluntary tests for the target groups, especially sex workers and a few other groups. Where we see their behaviour gives them a very big chance of being infected, we inform them about testing, that it's voluntary,

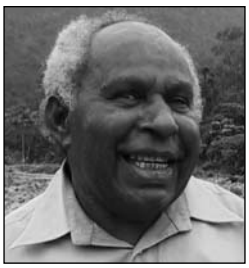
But it must be related to their human rights. We talk about spreading HIV, we ask what they know and give alternatives for voluntary tests. We need informed consent and agreement, we see if they want to do it voluntarily. We explain the benefits of tests, and damage or loss if they don't do tests, the disadvantages of not doing tests. If for instance, no testing is done, they won't know. If they come from sex workers, we tell them the work they are doing is risky work and how they get infected.

When we do the test there is a letter of agreement and consent they have to sign, after getting signed we refer them for a test. A quick test. The sex worker test is the Elisa test, they come back to get results and what is their reaction? For those who get a positive result, they have to go back to their family to accept the reality. Of the 688 cases, about 630 cases have received counseling.

Causation: What we have been able to detect is clearly it arises because they don't use condoms. It's also caused because a lot of clients come to them, but when only 2 or three come along, the sex workers fight over them and then they won't use condoms [to get the customer].. The prostitutes behind the hospital, I deal with them every day, I know their conditions. Clients come who are drunk, and they beat them or they are dragged into a room and don't use a condom, then don't pay. There are 8 workers at the brothel who have HIV living their lives as sex workers.

Tom Beanal

Interview, Manokwari, 4 February 2005
The Traditional Council's role is to speak out from the heart, on behalf of the Papuan people. But because it is the Traditional Council, in the resolution they speak only about what they are facing today. But that is the human spirit. The gathering today [of thousands of people at the *Dewan Adat Papua* in Manokwari] is not as big as the gathering in Jayapura in 2000.[*Kongres Papua Rakyat II*—Second Papua People's Congress]



Can you describe the Dewan Adat, and what is its message for President Yudhoyono?

Dewan Adat represents all the Papuans, indigenous to this land. The people who have the rights to this land...the forests, the natural resources, and they believe God created them here in this land.

The *Dewan Adat* feels they are still colonized by Indonesia, through Indonesian development policies, and they ask Indonesia, 'Is there another, better way for us? Or are you just continuing to do things against us?'

What does the Dewan Adat want the government to do?

I dislike everything about this government. I want them to get out; it would be better for us if we were to be left alone.

So is it the hope of the Dewan Adat that Indonesia will leave [Papua]?

That is our hope. But will Indonesia get out from this land, when they see all the natural resources? That is something hard for them. But if they want to stay, they should build this land with their heart.

They have no rights to this land…they want this land, and they want us to be dead! They want our natural resources. I can say this because it comes from our life experience.
One of Indonesia's generals, Ali Moertopo, said so, in 1969, "I came here not for you, but for your land." And it is still happening. All Indonesian leaders have been the same.

Would Dewan Adat be happy if there was a clear effort from Indonesia to do more to help the Papuans?

Only if they did so with their heart…if not, it would be better if they gave Papuans the chance to develop and build their land themselves.

Do you think it is possible for Dewan Adat and Yudhoyono to come to some agreement whereby Indonesia and Papua can live and work together and still remain a part of Indonesia?

I want to say that in his first 100 days he (SBY) gave the MRP to Papua, but the MRP is not to develop Papua, but to minimize our dignity. So I don't see any way for us to cooperate. If he has heart, he will give the MRP to me, as the representative of the Tribal Council. He's just running the government, but he would like to also run the business of the Traditional Council. So from the beginning I saw that Susilo was not right. His relationship with the Tribal [Traditional] Council.

What is Dewan Adat's position on Special Autonomy and do you think there can be an agreement between Jakarta and the Papuans on Special Autonomy?

In Special Autonomy there is Adat (Traditional Council), Women and Church. After Cenderawasih University designed Special Autonomy according to the wishes of the Papuans and sent it to Jakarta, Jakarta replied according with what they wanted, not what the Papuans wanted. So I think Special Autonomy is not good. So it would be good if they just gave us back the original design, as we wanted it.

I myself already refused Special Autonomy from the beginning, but the resolution passed today gave six months from today. It's a chance for the Indonesian government. We will see if they are honest or just playing with us. If after nine months we know they are just playing with us we will sit together in a national and international dialogue. That's what we want.

Why are Papuans unhappy?
We are being colonized. We are not free people. As people who are being colonized, we feel unhappy. We see our land, our forests, our natural resources, all have been taken by them, and it is hard for us. They kill us in the jungle, but now they kill us in the towns. Then, they send HIV/AIDS virus to this land. By using injections, when we get injections we get the HIV virus. And through the sandalwood [*gaharu*] trade.

So we can call this Genocide. In Geneva, I have told them that we are being killed, and I wanted the ambassador to come here, and I told Susilo Bambang Yudohyono, but nothing happened…that makes us unhappy.

Why do you think the international community does not care more about what is happening here, if Genocide is taking place? Genocide is a strong term to use isn't it?

I already told the UN, and Yale University had its own report charging genocide. If people kill with guns, and others kill with injections, and in the highlands there are no teachers, no hospitals, or clinics… children have no skills, no knowledge, that's Genocide!

If Indonesia benefits so much from the resources of Papua, why do you think Indonesia doesn't give more back to Papua for health and education?

Indonesia is a poor country, poorer than us! When they come and look at this land, they will take everything and not give it back to us. Corruption is the main problem because Indonesians, who are the poorest, they want to eat everything and not share with us.

What was the main message from the Dewan Adat today?

We want to be the masters in our own land.

Was Dewan Adat critical of the TNI?

Of course, we criticize them but it seems like they have no brain.

What would you like to see the TNI do?

What I'd like to see is them draw back from this land.

You'd like to see Papua demilitarized?

That's yes! I would say that if there was a national war here, it is right for them to come for that reason. But there is no war in this land, so they should draw back, no reason for them to stay here.

What would you like the international community to do?

Help us to draw back Indonesia from this land. Because it is the responsibility of the international community.

Which countries do you think could help Papua?

Australia! It is our neighbour, and PNG. But they do nothing. Then the US, because it has a company here. Then the British too has its company here. It should be Australia and PNG's responsibility, who are our neighbours. If we are being killed they should not just keep silent.

The UN must send a commission here to observe what is happening. For example, those who have been arrested in Jayapura and Wamena, they were arrested at night and flown to other places without their family's knowledge.

A review of the Act of Free Choice is the responsibility of the international community and is compulsory. All the problems stem from it.

There should be greater access to foreign media.

This case has been going on for 43 years. The international community has economic interests in Indonesia. But Indonesia is the biggest Muslim country in the world. Maybe they don't want to offend the Indonesian government.

HIV entered Papua when I was a student and I represented the local people's council. Thai fishermen came here with HIV in ships...we told the governor of Irian Jaya. All the crew had HIV. They have been months at sea, then they see the local prostitutes. The government ignored the case. I believe they allowed the virus to spread deliberately.

Illegal logging…the first thing they do is those people in Jakarta make a map of the land, then they sell the natural resources to…businessmen who come to Papua. The military is greatly involved …it is they who are doing most of the logging. There are foreign countries like Malaysia involved! Korea and Thailand as well.

Control over migration – they should not come. I don't like them. If they come here, we should ask them how much money they have. If they come just to steal our wealth, they should not come. The impact of migration…we will be finished. All the black people. And all of the natural resources. We will protect ourselves, but the military points their guns at us.

The long term forecast for the Papuans is not good.

What I want is BP and the British government should help us get our independence. Also the US. If they are here and do nothing, then we cannot just blame the Indonesians for colonizing us. The British and Americans are colonizing us too.

(Using rocks as visual metaphor) The Papuans are this small stone. Indonesia is this big stone. They are on top of us. (*Standing on the big stone*). Then the British and Americans come and help the Indonesians tread on us [colonize us].

B) Franciscans International on the situation of human rights in Papua

HUMAN RIGHTS AND RELIGIOUS FREEDOM: 61st session of the UN Commission on Human Rights (UNCHR), Geneva. 12 March – 22 April 2005

Indonesia

Introduction
Franciscans International, a non-governmental organization in General Consultative Status with the Economic and Social Council (ECOSOC), together with other NGOs in Special Consultative Status with ECOSOC, including Catholic Institute for International Relations, Diakonie, Dominicans for Justice and Peace, Forum Asia, Pax Christi International, Pax Romana, and the World Council of Churches, in cooperation with the Central Missionary Board Netherlands, Cordaid, Geneva for Human Rights, ICCO, Justitia et Pax Netherlands, Kerkinactie, Office for Justice and Peace Jayapura, Office for Justice and Peace Merauke, Office for Justice and Peace Sorong, and United Evangelical Mission submit this written communication to the Commission on Human Rights with regard to the human rights situation – in the areas of both civil and political rights and economic, social and cultural rights – in the Province of Papua, Indonesia. The content refers in particular to the last 12 months (January 2004-January 2005).

Civil and political rights
We acknowledge the progress made by the government in facilitating the Papuan people's right to participate in government and in free elections. Three consecutive elections, one round of parliamentary and two rounds of presidential elections have been successfully held in free, fair and secure conditions.

We acknowledge also the fact that more Papuans have become legislators both at the district and provincial levels. Nonetheless, we noted in Mimika, Jayawijaya, Manokwari and Nabire, the tendency on the part of some candidates and political parties to use any means at their disposal to push the Regional Election Commission (Komisi Pemilihan Umum Daerah/ KPUD) to secure their seats in the district parliaments. Their lack of success does not exonerate their behaviour. This situation has not only led to continuing political conflict in several districts but has also prevented the district and provincial parliaments serving the people's interests.

In other areas, we are deeply concerned at reports from our partners of the on-going practice of torture, arbitrary arrest and detention and displacement reportedly committed by the security apparatus in spite of the adoption by Indonesia during the 60th session of the UN Commission on Human Rights of Resolutions no. 39 , 41 , 55 . The cases of extra-judicial killings reported in the villages of Mariedi, Bintuni District where BP Tangguh Gas project is located, and in Mulia, District of Puncak Jaya also cause us deep concern. In Mariedi, five people were shot dead by the police and two were injured and charged with treason and membership of the Free Papua Movement (OPM). These people were in fact asking for fair compensation for their land rights from the Djayanti timber company . In Mulia, the situation remains unclear following the killing of a local priest, Elisa Tabuni, by the security forces that caused displacement, fear and terror. The religious leaders have repeatedly urged the Provincial Parliament (DPRD) to request the Indonesian National Commission on Human Rights (KOMNAS HAM) to conduct a thorough investigation but to date, no action has been taken.

Puncak Jaya exemplifies the gravity of the general situation. We must also emphasise that the human rights situation in Western Wamena has not improved since the large-scale military operation conducted two years ago.

In the last twelve months, the stigma of separatism is regularly imposed on individuals or institutions that the security forces consider to be suspicious. The judicial system has proved its inability to convene fair

trials owing to the pervasive influence of the security apparatus. This was illustrated by the trials of the suspects of the Wamena case and the Bolakme case where the court tried and sentenced the suspects to the fullest extent possible, despite weak evidence and irregularities during the trial.

Human rights defenders in Papua are also under threat. The Institute for Human Rights and Advocacy (ELSHAM), Aliansi Demokrasi Papua (ALDP) , TRITON Foundation and the Office for Justice and Peace Sorong are among those who have been criminalised or arbitrarily arrested and detained due to their work to protect and promote human rights in different parts of Papua.

From the many reported human rights cases, to date it is only the Abepura case of 2000 which has been brought to the Permanent Human Rights Court in Makassar, having been pending for more than three years in the Attorney General's office. Whilst this is progress, it should be noted that the Attorney General brought only two suspects to trial, whereas KOMNAS HAM had listed 25 suspects in its investigation. Moreover, during the legal proceedings, the panel of judges dismissed the victims' claim for compensation arguing that such a claim is not regulated by Law 26/2000 of the Human Rights Court. Therefore, despite Indonesian support to CHR Resolution 2004/33 , we are worried that this court runs the risk of perpetuating what appears to be an unbreakable cycle of impunity in Indonesia. We base our concerns upon the fact that ad hoc human rights tribunals (Tanjung Priok and Timor Leste) eventually acquitted the key perpetrators. Without strong political will on the part of the new government, the dossiers of Wasior (13 June 2001) and Wamena (4 April 2003) as the result of KOMNAS HAM investigation which have been submitted to the Attorney General for prosecution seem likely to meet a similar fate.

Economic, social and cultural rights

While we acknowledge the progress made by the new democratically elected government in establishing the branch office of Komnas HAM in Papua on 10 January 2005 and the Majelis Rakyat Papua in fulfilment of the provisions of the Special Autonomy Law for Papua (Government Regulation 54/2004), the following needs also to be borne in mind.

Despite the Constitutional Court Decision No. 018/PUU-I/2003 of 11 November 2004, the conflict of the division of the province continues to exist since the Court annulled the legal basis of Western Irian Jaya but at the same time recognised the existence of this particular province along with the Province of Papua. This confusion around the implementation of the Special Autonomy Law remains unresolved since the government regulation 54/2004 on the Papuan People's Council (Majelis Rakyat Papua/MRP) stipulates that the MRP, the provincial government and the provincial parliament have to solve the problem in conjunction with the central government. . It does not appear that the central government wants to deal with the problem.

In spite of the existence of the Special Autonomy Law, Papua remains ranked the second lowest in the Indonesian Human Development Index of 2004. This is despite its Gross Regional Domestic Product (GRDP) being ranked the third highest in Indonesia based upon income from the trading of our rich natural resources . This situation is no different to the one Papua faced in 1999 prior to the implementation of the Special Autonomy Law. Among 26 districts and 2 municipalities in Papua, Jayawijaya ranks the lowest of all in terms of HDI index in Papua as well as in the whole of Indonesia. Our partners report that the public service sector in Jayawijaya is collapsing: specialist doctors have left the city; public servants, teachers, and local parliamentarians have been on strike in protest at unpaid wages; and even the business community held a protest to draw attention to the unpaid debt of the district government. In spite of mass protests in Wamena calling for justice and appropriate action to remedy the declining situation, the government's neglect has persisted.

Given the low rank of HDI, the 2004 UNDP report clearly identifies that available income is not adequately invested in public services. Our partners are asking for explanations for this severe neglect. The government admits that corruption is a major problem in Indonesia and it is part of the new government's commitment to combat corruption. However, action undertaken to investigate such allegations (for

example, corruption at the provincial level of Papua, in the Provincial Parliament of Papua and in the District office of Jayawijaya) is slow in coming.

In relation to the revenues generated from natural resources, we note that the rights of indigenous peoples to benefit from the income secured are often violated. Conflict between the indigenous peoples and the business sector is perpetuated by the non-existence of a legal framework to protect the indigenous people's entitlements. In practice, while the business sector appeals to state law, the indigenous peoples rely on customary law. This mismatch frequently leads to human rights violations. Examples are cases in Mariedi-Bintuni (2004) and Assue-Mappi (2004) .

It is also common that the business development of these regions lead to the encouragement of prostitution and growing cases of trafficking in human beings, especially women and children. This in turn feeds the rapid spread of the HIV/AIDS pandemic in Papua. A related social problem is the growth of alcoholism that in turn significantly impacts on the number of cases of violence against women and children, as well as declining standards of health in general. This situation remains neglected by the government.

We believe this to be a corrosive and degenerative process that is gradually but systematically destroying an entire people. There is an urgent need for the government to put in place locally legal mechanisms, which can guarantee the economic, social and cultural rights of Papuans. Signing and ratifying without delay the International Covenant on Economic, Social and Cultural Rights, as well as the International Covenant on Civil and Political Rights, would be a welcome development in remedying this egregious situation. This would go some way to beginning the implementation of the Special Autonomy Law 21 of 2001.

Promoting Peace

Our partners in Papua remain passionately committed to building Papua as 'a land of peace – free from violence, oppression and grief '. They acknowledge statements made by the government and security apparatus stating their willingness to participate in peace activities such as the commemoration day of 5 February . They are calling upon State bodies systematically to address the social injustices and human rights violations of both civil and political as well as economic, social and cultural rights.

As non-governmental organizations with partners in Papua, we call upon the Commission on Human Rights:

1. To urge the Indonesian government to apply a rights-based approach to development in implementing the Special Autonomy Law;
2. To urge the Indonesian government to protect and respect the rights of indigenous peoples in Papua;
3. To grant necessary support to the Indonesian government to promote peace and solve the conflict with recourse to the mechanisms provided by the Special Autonomy Law;
4. To grant the necessary support to the Indonesian government to uphold the rule of law, so as to combat both impunity and rampant corruption;
5. To urge the new democratically elected government to sign and ratify all key international human rights treaties, especially the two international covenants on Economic, Social and Cultural rights and Civil and Political rights;
6. To urge the Indonesian government to fully cooperate in the implementation of the Special Procedures, by inviting and providing unrestricted access to places, individuals and communities in Papua and all other parts of Indonesia to the thematic mechanisms, in particular to those that have repeatedly requested invitations, but have so far not received permission to visit, including the Special Rapporteur on torture, Special Representative of the Secretary-General on human rights defenders, and Special Rapporteur on violence against women, its causes and consequences.

Appendix C: Manokwari Declaration of *Dewan Adat Papua,* 4 February 2005

Declaration of 3rd Papua Customary Authority Meeting, February 2005
Dewan Adat (Customary Council),
General Declaration,
Manokwari 4 February 2005

The struggle of the indigenous peoples of Papua to liberate themselves from injustice and oppression is based primarily on the sincere wish of the indigenous people to become "master" in their own land as has been discussed during the Third Papua Customary Authority Meeting that took place from the 31st of January to the 4th of February 2005 and was attended by the Papua Customary Council Leadership and all indigenous members from the whole of Papua.

The indigenous peoples of Papua are determined to struggle peacefully and democratically on the basis of their identity, honour and their right to life.

With the guidance and help of the Almighty God and our Ancestors, we therefore declare:

1. That within the framework of the proper Indonesian authorities, Special Autonomy for the province of Papua has been offered as the middle of the road to find a peaceful solution for the political conflict in Papua Land and it has been adopted and campaigned by the government of the Indonesian republic.

   The Special Autonomy Law (SAL) as one of the solutions that had been bargained by the government of Indonesia turns out to be no longer relevant. The lack of objective conditionalities in the planning and execution of the SAL shows that:

   a. The utilization of the funds derived from the Special Autonomy Law has no legal bases (Perdasus / Perdasi – Provincial Regulations). In practice, the use of the funds is not transparent, corruption is practiced and the funds do not serve the interests of the indigenous peoples of Papua.

   b. The division of Papua province into the provinces of West Irian Jaya, Central Irian Jaya and East Irian Jaya violates the mechanisms and stages as stipulated and mandated in Article 76 of law No21/2001 on the Special Autonomy for Papua province and has resulted in conflicts among the political elite in Papua, thereby undermining political stability, law and order in Papua Land and resulting in casualties among the indigenous peoples of Papua.

   c. The DPRP (Papua People's Representative Council), required as replacement of the DPRD Papua (Regional People's Representative Council of Papua) [see Chapter I, Article 1 letter " f " and Article 6 of Law 21/2001] has not been installed.

   d. Government Regulation No 54 /2004 regarding the establishment of Papua Consultative Council [MRP] does not accommodate the interests of the indigenous peoples of Papua because the procedure of composition has not been open and transparent and the indigenous peoples of Papua, as the rightful subjects, have not been involved at all. Another issue that is subject for criticism regarding the Governmental Regulation 54/2004 is the existence of clauses that clearly are discriminatory and ambivalent and violate the independence of the MRP.

   e. The recruitment of civil servants in Papua is discriminating and does not reflect the spirit and enthusiasm of the Special Autonomy.

In connection with the above-mentioned points, the Papua Customary Authority has set a deadline for the 15th of August 2005 for the government of Indonesia to implement the Special Autonomy Law 21/2001. After this date, the indigenous peoples of Papua through the Papua Customary Council will urge

the Papua Provincial Government and the Regional People's Representative Council of Papua (DPRD-Papua) to return the Special Autonomy Law to the Central Government and urge an immediate national and international dialogue seeking a comprehensive and thorough way-out regarding the recognition of the basic rights of the indigenous peoples of Papua.

2. We urge the Government of Indonesia to immediately organize the election for the Heads of Province and Districts/Cities in Papua to be conducted directly, free and fair; the mechanism for the election for DPRD Papua Province is not in accordance with the enthusiasm for democracy that reflects the political sovereignty of the people in Papua.
3. We declare Papua Land as Land of Peace so that its status will be upgraded to "Civil Land", a land that is peaceful and just.
4. We state that the island of Mansinam is the island of civilisation and the place from which the Word of the Gospel was spread. It is therefore that the island of Mansinam be freed from all ideologies and party interests.
5. We urge the Government of Indonesia and the overseas partners of the Evangelical Church to generate and allocate funds to secure the rehabilitation and the protection of the existence of Mansinam island.
6. The explosive increase in the number of inhabitants in Papua Land through the huge influx of migrants, has made, because of several factors, the indigenous peoples of Papua a minority; therefore the Third Papua Customary Authority Meeting urges the Government of Indonesia (Province and Districts/Cities) to issue Regional Regulations that protect the existence of the indigenous peoples of Papua in such a way that, among others, the number of newcomers entering into Papua Land is restricted.
7. We declare that there is strong indication of a process of ethnic cleansing (genocide) in Papua Land since the integration in 1969. Therefore the Third Papua Customary Authority Meeting urges the Special Envoy of the Secretary- General of the United Nations on the subject of Genocide, to send a Special Rapporteur to monitor and investigate the cases of human rights abuses in Papua Land.
8. We urge the Government of Indonesia, the Government of the Netherlands and the United Nations, as a moral and human accountability, to clarify to the people of Papua the Histor y of the Papua peoples, especially regarding the act of self-determination (Act of No Choice) in 1969, and to protect the right to life for the people of Papua.
9. We urge the DPRD Papua Province and the DPRD Regency/City in Papua to discuss and decide upon the importance of the clarification of the history of Papua so that the people in Papua will no longer be stigmatised as separatists, be imprisoned, disappear and get murdered because they constantly demand their political rights as a people in accordance with their own views regarding the political history and the human rights in West Papua.
10. We urge the DPRD Papua Province to research and to decide upon a distributive code for the revenues from the natural resources in Papua that are exploited on a large scale, in a proportional way that is benefiting all indigenous communities in Papua.
11. We call on all members of the indigenous peoples of Papua to take their responsibility in the execution of the programs of the Papua Customary Authority, to use the revenues of the natural resources and to give financial support.
12. We call on all indigenous peoples of Papua to solve all issues in Papua Land in a way that is based on the customs and traditions of Papua Indigenous Peoples and to refrain from excessive consultations with the Central Government that may break up the unity among the Papuans through different actions.

Papua Customary Authority
Thom Beanal, Chairman
Leonard Imbiri, General Secretary

Papua Customary Authority

Members	Region
Forkorus Yaboisembut, S.Pd	Mamta
Mananuir Yan Pioeter Yarangga	Biak Numfor
Barnabas Mandacan	Manokwari
Apolos Sewa	Sorong
Apolos Mora	Yapen Waropen
Andy Denny Manoby	DAP Region Asia
Yance Yabana	Kaimana
Yermias Tuturop	Fak Fak
Lemok Mabel	Balim
Pdt. Kundrad Kreuw, S.Th	Sarmi
Stanislau Gebze	Merauke
Yan Onawame	Timika
Hendrik Rumaterei	Nabire